



**TOPPENISH CITY COUNCIL  
REGULAR MEETING AGENDA  
FEBRUARY 13, 2023 – 7:00 P.M.**

TELEVISED LIVE ON MIDVALLEY TELEVISION  
SPECTRUM CABLE CHANNEL 194

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**1. REGULAR SESSION CALL TO ORDER**

Pledge of Allegiance/Roll Call/Welcome

**2. APPROVE AGENDA**

**3. PUBLIC COMMENT**

The City Council welcomes public attendance at Council meetings. This meeting is for the conduct of regular City business. At this time, citizen comments and inquiries about agenda business or general City matters are encouraged. If you wish to address the City Council, please stand or raise a hand so you can be called upon. After you are recognized, please come forward to the lectern, state your name, and address for the public record. Your remarks must be limited to three minutes or less. Please use the microphone.

**4. CONSENT AGENDA**

All matters on the consent agenda have been provided to each Councilmember for review and are considered to be routine or have been previously discussed and will be adopted by one motion and vote without discussion. However, if a Councilmember desires, any item on this agenda will be discussed before any action is taken on it.

- a. Approve Minutes of the January 23, 2023, Regular Meeting
- b. Approve Minutes of the February 6, 2023, Study Session
- c. Approve Payroll Checks Numbers 36098 through 36112 and electronic transfers in the total amount of \$290,200.32 dated February 7, 2023
- d. Approve Claims Checks Numbers 96665 through 96754, and EFTAP323 through EFTAP326, NR96572, and NR96632 in the total amount of \$306,036.45 dated February 13, 2023

**5. NEW BUSINESS**

- a. AB 23-010: Resolution 2023-08, Approve Contract with Yakima Conference of Governments for Technical Planning Assistance
- b. AB 23-011: Accept Yakima Valley Local Crime Lab Bylaws

**6. COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

**7. CITY MANAGER REPORT**

**8. ADJOURNMENT**

**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON FEBRUARY 27, 2023**

**TOPPENISH CITY COUNCIL  
Regular Meeting Minutes  
January 23, 2023**

Mayor Saavedra called the meeting to order at 7:00 p.m.

**ROLL CALL**

Attendees: Mayor Elpidia Saavedra, Mayor Pro Tem Clara Jiménez, and Councilmembers Loren Belton, Naila Duval, George Garcia, and Kyle Pettit  
Absent: Councilmember Juan Ceja  
Staff: Assistant City Manager/Public Works Director Dan Ford (ACM/PWD Ford), City Attorney Gary Cuillier, Chief of Police John Clary, Administrative Services Director Heather Jobe, Public Works Superintendent Shaun Burgess, Information Technology Services Manager Van Donley, City Clerk Heidi Riojas (CC Riojas), and Community Television Manager Sean Davido

CC Riojas conducted roll call for each City Councilmember to respond their attendance at the meeting. Mayor Saavedra, Mayor Pro Tem Jiménez, and Councilmembers Belton, Duval, Garcia, and Pettit responded their attendance during roll call. Councilmember Ceja was not present at the meeting.

Mayor Pro Tem Jiménez moved, second by Councilmember Garcia to excuse Councilmember Ceja from the January 23, 2023, Regular Meeting. Motion carried unanimously.

**APPROVE AGENDA**

Councilmember Duval moved, second by Councilmember Pettit to approve the January 23, 2023, Agenda. Motion carried unanimously.

**PUBLIC COMMENT**

Jose Martinez, 1012 Adams Avenue, Toppenish, spoke to the utility bill.

Arthur Bedolla, 205 North Elm Street, Toppenish, spoke to the delays with dispatch services when calling Sunnyside.

Montessa Santiago, 411 South Alder Street, Toppenish, spoke to the utility bill.

Hayde Godines-Velasco, 341 Germantown Road, Toppenish, spoke to the utility bill.

Sergio Nicolas, 11 South H Street, Toppenish, spoke to the utility bill.

Hugo Mungia, 528 North Date Street, Toppenish, spoke to the utility bill.

Maria Roybal, 22 South J Street, Toppenish, spoke to the utility bill.

Mayor Saavedra explained the process for public comment that Council does not respond to each person. She assured the people that staff will be in touch with them regarding their concerns.

## CONSENT AGENDA

Mayor Pro Tem Jiménez moved, second by Councilmember Garcia to approve Consent Agenda items a through d:

- a. Approve Minutes of the January 9, 2023, Regular Meeting
- b. Approve Payroll Checks Numbers 36085 through 36097 and electronic transfers in the total amount of \$192,111.40 dated January 20, 2023
- c. Approve Claims Checks Numbers 96535 and 96576 through 96664 and EFTAP321 in the total amount of \$862,407.25 dated December 31, 2022, for Period 13
- d. Approve Claims Checks Numbers 96536 through 96575 and EFTAP322 in the total amount of \$99,296.48 dated January 23, 2023

Motion carried unanimously.

## NEW BUSINESS

**Mayor Saavedra Read Ordinance 2023-01 into the Record: An Ordinance of the City of Toppenish, Washington, Amending and Enacting a new Section to Chapter 2.65 of the Toppenish Municipal Code for “Nonsufficient Funds – Debt Recovery” Provision; Providing for Severability; and Establishing an Effective Date.**

Mayor Pro Tem Jiménez moved, second by Councilmember Pettit to adopt Ordinance 2023-01. Motion carried unanimously.

**Mayor Saavedra Read Ordinance 2023-02 into the Record: An Ordinance of the City of Toppenish, Washington, Amending and Enacting a new Chapter 9.10 of the Toppenish Municipal Code for “Controlled Substances;” Providing for Severability; and Establishing an Effective Date.**

Councilmember Duval moved, second by Councilmember Belton to adopt Ordinance 2023-02. Motion carried unanimously.

**Resolution 2023-06: A Resolution Declaring Certain Property as Surplus and Authorizing the Disposition Thereof.**

Mayor Pro Tem Jiménez moved, second by Councilmember Pettit to approve Resolution 2023-06. Motion carried unanimously.

### **Receive Update on Water Meter Replacement Project.**

ACM/PWD Ford introduced Justin Bellamy, engineer with HLA Engineering and Land Surveying, Inc., Seth Rhoades and Matt Zellers with Mueller Systems LLC, who were present to provide the construction update for the Water Meter Replacement Project. PWS Burgess placed on the table a sample on the old meters that are being replaced throughout town. ACM/PWD Ford explained staff has had to do numerous replacements for meters that break due to age when they are uncovered, which is another unexpected delay for the replacement. Mr. Rhoades stated that the project is half complete with the replacement installation of 1,000 new water meters. Mr. Zellers placed on the table the new water meter and radio transmitter that will provide a more accurate monthly read. The new water meter has an anticipated 20-year life.

## **COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**

Councilmember Duval reported her attendance at the meet and greet on January 19, 2023, for MultiCare Memorial Hospital leaders and the January 16, 2023, Martin Luther King, Jr. Peace March.

Councilmember Belton had nothing to report.

Councilmember Pettit had nothing to report.

Councilmember Garcia had nothing to report.

Mayor Pro Tem Jiménez reported her attendance the January 16, 2023, 13th Annual Martin Luther King, Jr. Peace March. She complimented Mayor Saavedra as the keynote speaker and for sharing her story with the attendees at the event.

Mayor Saavedra reported that she was the keynote speaker for the Martin Luther King, Jr. event.

## **CITY MANAGER REPORT**

ACM/PWD Ford shared with Council CM Zabell provided her update with the agenda packet materials.

## **ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 7:54 p.m.

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ELPIDIA SAAVEDRA, MAYOR

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HEIDI RIOJAS, CMC, CITY CLERK

**TOPPENISH CITY COUNCIL**  
**Study Session Minutes**  
**February 6, 2023**

**Agenda Item**  
**4b**

**CALL TO ORDER**

Mayor Saavedra called the meeting to order at 5:00 p.m.

**ROLL CALL**

Present: Mayor Elpidia Saavedra and Mayor Pro Tem Clara Jiménez, and Councilmembers Loren Belton, Juan Ceja, Naila Duval, George Garcia, and Kyle Pettit  
Staff Present: City Manager Debbie Zabell (CM Zabell), City Attorney Gary Cuillier, Assistant City Manager/Public Works Director Dan Ford, Chief of Police John Clary, Administrative Services Director Heath Jobe (ASD Jobe), Information Technology Services Manager Van Donley, Finance Technician II Nandy Madrigal, Finance Technician II Maria Morales, and City Clerk Heidi Riojas (CC Riojas)

CC Riojas conducted roll call for each City Councilmember to respond their attendance at the meeting. Mayor Saavedra, Mayor Pro Tem Jiménez, and Councilmembers Belton, Ceja, Duval, Garcia, Pettit responded their attendance during roll call. responded their attendance during roll call.

**NEW EMPLOYEE INTRODUCTION**

ASD Jobe announced that the Administrative Services Department is fully staff and introduced Finance Technician II Nandy Madrigal, Finance Technician II Maria Morales to Council.

**APPROVE AGENDA**

Mayor Pro Tem Jiménez moved, seconded by Councilmember Pettit to approve the February 6, 2023, Agenda. Motion carried unanimously.

**PUBLIC COMMENT**

None

**EXECUTIVE SESSION**

Mayor Saavedra recited that the purpose of the Executive Session to discuss Collective Bargaining with Legal Counsel pursuant to RCW 42.30.140(4)(A). At 5:03 p.m., Mayor Saavedra called for Council to go into Executive Session. The approximate time for the Executive Session is 30 minutes with action anticipated.

At 5:33 p.m., Mayor Saavedra reconvened the meeting back to order.

## RESOLUTION

**Resolution 2023-07: A Resolution Approving and Authorizing the Agreement Between the City of Toppenish and Toppenish Police Officers Association and Fraternal Order of Police, Lodge 10 (Representing the Police Department) for the Period from January 1, 2023 through December 31, 2025.**

Councilmember Ceja moved, second by Councilmember Garcia to approve Resolution 2023-07. Motion carried unanimously.

## RECEIVE UPDATE ON RECREATION AND AQUATICS

CM Zabell noted staff is working on the recruitment for the Activities Coordinator. That person will be responsible for creating job descriptions for aquatics staff, policies and operating procedures for the pool. She reported that staff is implementing a Volunteer Program that will come back to Council for consideration and adoption. In addition, Public Works is in the process of obtaining quotes for repairing cracks and applying epoxy pool paint, plus safety upgrades to the recreation building to install a counter with a glass panel to be similar to the setup at City Hall.

## ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:43 p.m.

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ELPIDIA SAAVEDRA, MAYOR

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HEIDI RIOJAS, CMC, CITY CLERK

# Payroll Check Register

Payroll For Period 01/16/2023-01/31/2023

Fund Number	Description	Amount
CVB Claims & Payroll		
001-000-011	Legislative	\$2,934.00
001-000-013	Executive	\$7,487.93
001-000-014	Finance, Record	\$24,626.58
001-000-018	Central Services, Personnel Services	\$15,662.82
001-000-021	Law Enforcement	\$77,453.30
001-000-022	Fire Services	\$41,742.08
001-000-024	Protective Inspections	\$5,232.26
001-000-058	Planning and Community Development	\$2,262.93
001-000-076	Pool, Park Facilities	\$6,045.23
030-000-021	Criminal Justice Fund	\$20,496.76
050-000-000	Special Projects Fund	\$1,878.76
101-000-000	Street Fund	\$9,536.10
108-000-000	Cemetery Fund	\$6,548.78
157-000-000	Cable TV Fund	\$4,904.89
401-000-000	Water Fund	\$21,401.18
403-000-000	Wastewater Fund	\$25,018.16
405-000-000	Solid Waste Fund	\$16,968.56
	<b>Grand Total:</b>	<b>\$290,200.32</b>

Payroll Checks 36098-36112 and Electronic Transfers

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Toppenish, and that I am authorized to authenticate and certify to said claim.



Heather Jobe, Administrative Services Director

Date:

# Accounts Payable Check Register

February 13, 2023

Number	Vendor Name	Account Description	Amount
96665	Vanderhoof, Jordan	Travel	\$321.00
96666	Ozzy G Asbell	Travel	\$321.00
96667	Pacific Alliance Title	Sewer Sales Residential	\$2.67
		Solid Waste Services	\$0.70
		Water Sales Residential	\$2.33
		Check Total:	\$5.70
96668	Pacific Alliance Title	Sewer Sales Residential	\$78.42
		Solid Waste Services	\$20.04
		Water Sales Residential	\$68.41
		Check Total:	\$166.87
96669	Pacific Alliance Title	Sewer Sales Residential	\$28.26
		Solid Waste Services	\$7.22
		Water Sales Residential	\$24.66
		Check Total:	\$60.14
96670	A WorkSAFE Service, Inc.	Pre-Employment Services	\$200.00
96671	Alba Enterprises	Professional Services - Interpreting/Translation Services	\$280.00
96672	Amazon Capital Services	Office & Operating Supplies	\$1,651.90
		Operating/Maint. Supplies	\$148.39
		Operating/Maintenance Supplies - General	\$78.80
		Service Repair/Maintenance - Fire Dept Building	\$404.81
		Small Tools & Minor Equipment	\$1,624.74
		Uniforms & Clothing	\$192.84
		Check Total:	\$4,101.48
96673	Anaconda Networks, Inc.	Computer Hardware	\$6,830.42
96674	Aramark Uniform Services Everett Lockbox	Rentals	\$113.34
96675	Axon Enterprise, Inc.	Software Subscriptions	\$1,516.32
96676	BNSF Railway Company	Miscellaneous Fees & Charges	\$250.00
96677	Board for Volunteer Firefighters	Volunteer Insurance	\$1,050.00
96678	Budget Septic LLC	Professional Services	\$1,530.97
96679	Cascade Natural Gas Corp.	Fuel for Heating	\$309.66
		Fuel for Heating - City Hall	\$607.55
		Fuel for Heating - Fire	\$1,655.09
		Fuel for Heating - Police	\$1,845.24
		Check Total:	\$4,417.54
96680	Central Washington Polygraph & Investigations, LLC	Pre-Employment Services	\$1,763.00
96681	CenturyLink	Telephone	\$881.53
		Telephone - Utility Billing	\$80.14
		Check Total:	\$961.67
96682	CenturyLink	Telephone	\$2,199.64
96683	Charter Communications	Internet	\$734.99
		Internet & Cable MVTV	\$181.57



<b>Number</b>	<b>Vendor Name</b>	<b>Account Description</b>	<b>Amount</b>
		Internet & Cable City Hall	\$179.98
		Internet & Cable Fire Department	\$179.98
		Internet & Cable Police Department	\$35.02
		Internet & Cable Sewer	\$139.98
		Check Total:	\$1,451.52
96684	City of Sunnyside - Finance Dept.	Communications Services Sunnyside	\$16,333.00
		Corrections Services Sunnyside	\$8,387.50
		Court Services	\$13,280.66
		Check Total:	\$38,001.16
96685	City of Toppenish	Capital Purchase - Vehicle	\$8,100.00
96686	City of Yakima	Capital Purchase - Police Vehicle	\$10,000.00
		City of Yakima IPSS	\$822.42
		Telephone	\$10,056.09
		Check Total:	\$20,878.51
96687	Code Publishing, LLC	Codification Services	\$152.28
96688	Columbia Cleaners	Uniform Cleaning	\$51.95
96689	Concord Construction, Inc	Construction - Capital	\$93,230.08
96690	Consolidated Supply Co	Water Meter Service Inventory	\$5,583.97
96691	Corporate Billing, LLC	Service Repair/Maintenance Vehicles	\$587.07
96692	Department of Enterprise Services	Memberships- Registrations - Subscriptions	\$400.00
96693	DeVries Business Records Management, Inc.	Professional Services	\$23.02
		Recycling & Shred Services	\$34.53
		Check Total:	\$57.55
96694	Dobbs Peterbilt - Yakima, WA	Operating/Maintenance Supplies - Vehicles	\$12.94
96695	E 3 Solutions, Inc.	Professional Services	\$145.81
96696	Employment Security Dept.	Unemployment Compensation	\$29.55
96697	Esperanza Reynosa	P: Building Permits	\$211.85
96698	Eurofins Environment Testing Northwest, LLC	Professional Services	\$3,407.50
96699	FBI-LEEDA Inc	Memberships- Registrations - Subscriptions	\$50.00
96700	FCS Group	Professional Services	\$1,792.50
96701	Fiscus, Travis	Employee Longevity	\$140.00
96702	G.W., Inc.	Uniforms & Clothing	\$471.88
96703	Galls, Inc.	Uniforms & Clothing	\$409.50
96704	H.D. Fowler Co., Inc.	Operating/Maintenance Supplies - General	\$1,435.65
96705	Hach Company	Lab Supplies	\$144.26
		Operating/Maintenance Supplies - General	\$92.39
		Check Total:	\$236.65
96706	Howard's Tire Factory Inc	Service Repair/Maintenance Vehicles	\$508.61
96707	Intermedia.net Inc.	Telephone	\$142.65
96708	iSpyFire, Inc	Software Subscriptions	\$1,404.00
96709	Law Office of Gary M. Cuillier	Legal Services	\$201.50
		Legal Services - City Attorney	\$2,091.00
		Sewer System Imp - Legal	\$124.00

<b>Number</b>	<b>Vendor Name</b>	<b>Account Description</b>	<b>Amount</b>
		Check Total:	\$2,416.50
96710	Les Schwab Tire Center	Operating/Maintenance Supplies - Vehicles	\$42.66
96711	Life-Assist, Inc.	Office & Operating Supplies	\$364.13
		Operating/Maintenance Supplies - Vehicles	\$880.04
		Check Total:	\$1,244.17
96712	Linker, Robert L	LEOFF Out Pocket Medical	\$2,041.20
96713	L-P Body Shop, Inc.	Service Repair/Maintenance Vehicles	\$2,977.68
96714	Mobile Modular	Police Station Rent	\$12,931.70
96715	Moon Security Service, Inc.	Alarm Monitoring	\$80.94
96716	Municipal Emergency Services Inc.	Service Repair/Maintenance Equipment	\$194.40
96717	North Central Laboratories	Operating/Maintenance Supplies - General	\$356.31
96718	Northwest Safety Clean	Personal Protective Equipment	\$110.24
96719	ODP Business Solutions, LLC	Office & Operating Supplies	\$172.63
96720	Office Solutions Northwest	Professional Services	\$345.60
96721	One Call Concepts, Inc.	Professional Services	\$59.92
96722	O'Reilly Auto Parts	Operating/Maintenance Supplies - General	\$77.71
		Operating/Maintenance Supplies - Vehicles	\$59.73
		Check Total:	\$137.44
96723	Pacific Office Automation	Photocopies	\$81.14
96724	Pacific Office Automation	Rentals	\$321.84
96725	Rathbun Iron Works, Inc.	Operating Maintenance Supplies - General	\$126.68
		Operating/Maint. Supplies - Park Facilities	\$2.96
		Service Repair/Maintenance Equipment	\$151.20
		Check Total:	\$280.84
96726	Roberts, Bill	LEOFF Out Pocket Medical	\$2,041.20
96727	San Diego Police Equipt Co. Inc.	Range Supplies	\$9,169.64
96728	Screening Mimies	Personal Protective Equipment	\$1,980.94
		Uniforms & Clothing	\$68.23
		Check Total:	\$2,049.17
96729	SEP Consulting	Professional Services	\$1,505.00
96730	SHC Medical Center Toppenish	Medical Services	\$629.50
96731	Sign Solutions USA, LLC	Operating/Maintenance Supplies - General	\$3,122.79
96732	Sound Uniform Solutions	Uniforms & Clothing	\$1,188.54
96733	Sunnyside Community Hospital Association	Medical Services	\$452.50
96734	The Healthy Worker	Professional Services	\$120.00
96735	The Janitor's Closet	Operating/Maint. Supplies	\$181.92
		Operating/Maint. Supplies - General	\$230.96
		Check Total:	\$412.88
96736	The Print Guys	Office & Operating Supplies	\$93.64
96737	TK Elevator Corporation	Service Repair/Maintenance City Hall	\$696.43
96738	U.S. Bank Safekeeping	Banking Fees & Charges	\$38.00

<b>Number</b>	<b>Vendor Name</b>	<b>Account Description</b>	<b>Amount</b>
96739	Valley Wide Cooperative, Inc.	Leases	\$2,300.00
		Utilities paid with Lease	\$720.00
		Check Total:	\$3,020.00
96740	Verizon Wireless	Small Tools & Minor Equipment	\$27.57
		Telephone	\$2,934.83
		Telephone - Utility Billing	\$42.15
		Check Total:	\$3,004.55
96741	WA Association of Sheriffs & Police Chiefs	Memberships- Registrations - Subscriptions	\$180.00
96742	Walker Car Wash Inc.	Service Repair/Maintenance Vehicles	\$275.00
96743	Washington State Patrol	Weapon Permit - State Background Check	\$13.25
96744	Washington State Treasurer	Death Investigation Account	\$22.58
		Distracted Driving	\$0.52
		Highway Safety Account	\$107.84
		Judicial Information Services	\$692.94
		P: State Building Code Fee - Remit to State	\$472.50
		State General Fund 40	\$2,148.47
		State General Fund 50	\$1,135.60
		State General Fund 54	\$97.25
		State Patrol Highway Account	\$128.84
		Trauma Care	\$110.21
		Traumatic Brain Injury Account	\$106.43
		WA Auto Theft Prevention Authority Act	\$220.95
		Check Total:	\$5,244.13
96745	WATOA	Memberships- Registrations - Subscriptions	\$50.00
96746	Wells Fargo Vendor Fin Serv	Photocopies	\$28.77
		Rentals	\$603.67
		Check Total:	\$632.44
96747	Yakima County Department of Corrections	Corrections Services Yakima County	\$4,163.78
		Medical Services	\$76.41
		Check Total:	\$4,240.19
96748	Yakima County Fire District 5	Operating/Maint Supplies - General	\$140.93
96749	Yakima County Technology Services	City of Yakima IPSS	\$5,864.35
96750	Yakima County Treasurer	County Crime Victims	\$84.67
96751	Yakima Generator & Supply LLC	Service Repair/Maintenance - Fire Dept Building	\$987.48
96752	Yakima Humane Society	Professional Services	\$3,000.00
96753	Yakima Valley Tourism	Yakima Tourism Membership	\$358.00
96754	Yakima Waste Systems, Inc.	Recycling & Shred Services	\$42.62
EFTAP323	Freightliner Northwest	Operating/Maintenance Supplies Vehicles- Street Cleaner	\$0.00
EFTAP324	WA St Dept of Revenue	Excise Taxes	\$23,903.72
		Sales Tax Remitted	\$218.06
		Check Total:	\$24,121.78

<b>Number</b>	<b>Vendor Name</b>	<b>Account Description</b>	<b>Amount</b>
EFTAP325	Invoice Cloud	On-Line Utility Payment Charges	\$415.00
EFTAP326	USDA RD DCFO Loan Payment (EFT)	IG: Interest USDA/RD Loan City Wide Sewer Rehab	\$5,372.79
		IG: Principal USDA/RD Loan City Wide Sewer Rehab	\$6,479.21
		Check Total:	\$11,852.00
NR96572	Yakima Valley Conference of Governments	YVCOG	(\$7,554.00)
NR96632	Pacific Alliance Title	Sewer Sales Residential	(\$109.35)
		Solid Waste Services	(\$27.96)
		Water Sales Residential	(\$95.40)
		Check Total:	(\$232.71)
<b>Grand Total</b>			<b>\$306,036.45</b>

Accounts Payable Checks 96665-96754, EFTAP323-EFTAP326, NR96572, and NR96632

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Toppenish, and that I am authorized to authenticate and certify to said claim.

*Elvia Cisneros* acting as administrative services director  
Administrative Services Director

February 10, 2023



**CITY OF TOPPENISH**  
**REQUEST FOR COUNCIL ACTION**  
**Agenda Bill No.: 23-010**

**Agenda Item**  
**5a**

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**Meeting Date:** February 13, 2023

**Subject:** Contracted Technical Assistance

**Attachments:** Resolution 2023-08 and Yakima Valley Conference of Governments Technical Assistance Contract

**Presented by:** Debbie Zabell, City Manager

**Approved For Agenda By:** Debbie Zabell, City Manager

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**Discussion:**

The City maintains an annual Technical Assistance contract with the Yakima Valley Conference of Governments (YVCOG) that allows the City to utilize YVCOG's services on an as needed basis. Services planned to be utilized in 2023 include:

- Grant Application Assistance
- Zoning Map Update
- Land Use Planning Review (developer projects)

The city does not have staff with the technical expertise in these areas, utilizing YVCOG helps the city to complete these important projects. Staff anticipates exceeding the City Manager's authority in 2023 due to the need for land use planning review.

Staff is recommending Council authorize the City Manager to sign the Agreement for these needed services.

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**Fiscal Impact:** Up to \$30,000.00 of technical services was included in the 2023 Budget.

**Recommendation:** Motion to approve Resolution 2023-08 authorizing the City Manager to execute the Technical Assistance Contract with Yakima Valley Conference of Governments.

**Alternatives:** 1) Do not adopt. 2) Forward to Study Session for further review.

RESOLUTION 2023-08

**A RESOLUTION APPROVING TECHNICAL ASSISTANCE  
CONTRACT BETWEEN THE CITY OF TOPPENISH AND YAKIMA  
VALLEY CONFERENCE OF GOVERNMENTS FOR CERTAIN  
TECHNICAL PLANNING ASSISTANCE**

WHEREAS the City of Toppenish is need of general technical planning assistance for various projects from time to time, and

WHEREAS, the City does not have sufficient staff to perform any necessary technical planning, and

WHEREAS, the City of Toppenish has a General Membership with the Yakima Valley Conference of Governments, a regional planning commission established under RCW section 36.70.060, and

WHEREAS, the Yakima Valley Conference of Governments has the technical planning staff and expertise to provide such services for projects as may be needed by the City,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON AS FOLLOWS:

The Technical Assistance Contract No. 010123TP between the City of Toppenish and the Yakima Valley Conference of Governments for certain technical planning assistance is approved and the City Manager is authorized to execute said agreement on behalf of the City of Toppenish.

This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its regular meeting held on February 13, 2023.

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ELPIDIA SAAVEDRA, Mayor

ATTEST:

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HEIDI RIOJAS, CMC, City Clerk

Organization Name:  
TECHNICAL ASSISTANCE CONTRACT NO.

THIS CONTRACT, entered into this (DATE) \_\_\_\_\_, by and between the Yakima Valley Conference of Governments, a regional association having its territorial limits within Yakima County, State of Washington (hereinafter called the "Conference"), acting herein by, Conference Chair, \_\_\_\_\_, acting hereunto duly authorized, \_\_\_\_\_, a municipal corporation or organization, located within Yakima County, State of Washington (hereinafter called the "City" or "Organization"), acting herein by (Name of City Manager.) \_\_\_\_\_, City Manager, hereunto duly authorized:

WITNESSETH THAT;

WHEREAS, the City or Organization has determined that a need exists to secure assistance in addition to normal Conference activities; and,

WHEREAS, the City or Organization is desirous of contracting with the Conference for certain technical planning assistance; and,

WHEREAS, the Conference possesses the technical planning staff with the necessary expertise to provide the required services;

NOW THEREFORE, the parties do mutually agree as follows:

1. Scope of Services. Services performed under this contract may consist of, but are not limited to, the following tasks. Upon mutual agreement by the City/Organization and the Conference of a detailed work program and time schedule, the Conference shall, in a satisfactory and proper manner, perform the following types of services:

1.1 Develop or assist in development of grant applications for community projects as requested by the City Manager;

1.2 Assist the City or Organization in the review of development proposals such as rezone and variance applications, State Environmental Policy Act (SEPA) reviews, planned unit developments and subdivisions as requested by the the City Manager;

1.3 Assist the City Council and Planning Commission with any other activities mutually agreed upon by the City and the Conference.

1.4 Other Services - Choose One  
Not Applicable  
See Attached Additional Scope of Services

2. Time of Performance. The services provided by the Conference pursuant to this contract shall:  
Commence on \_\_\_\_\_ and shall end on \_\_\_\_\_

3. Access to Information. It is agreed that all information, data, reports, records and maps as are available and for the carrying out of the work outlined above, shall be furnished to the Conference by the City or Organization. No charge shall be made to the Conference for such information, and the Organization will cooperate with the Conference in every way possible to facilitate the performance of the work described in this contract.

4. Compensation and Method of Payment. The maximum amount of compensation and reimbursement to be paid by the City or Organization hereunder shall not exceed \$ \_\_\_\_\_ for all services required.

In addition, the City or Organization will provide, at no charge to the Conference, photocopy service and secretarial assistance in typing reports for submittal. The Conference shall assume full responsibility for payments of federal, state and local taxes or contributions imposed or required under the Social Security, Workmen's Compensation and Income Tax Laws for persons other than Organization employees performing services pursuant to this contract.

5. Invoicing. The Conference shall submit monthly billings to \_\_\_\_\_ for payment based upon work completed for \_\_\_\_\_. Billing for work shall be based upon actual expenses incurred. If applicable, the detailed budget and work program attached will provide an estimate of those expenses. However, amounts may be shifted between various line items to cover costs incurred. The final invoice shall be submitted within 15 days after the ending date of the contract.

6. Termination.

6.1. Termination of Contract for Cause. If, through any cause, \_\_\_\_\_ or the Conference shall fail to fulfill in a timely and proper manner the obligations contained within this contract, the non-defaulting party shall, thereupon, have the right to terminate this contract by giving, at least fifteen (15) days before the effective date of such termination, written notice to the other of such termination specifying the effective date thereof.

6.2. Termination for Convenience. Either \_\_\_\_\_ or the Conference may effect termination of this contract upon thirty (30) days written notice by either party to the other party. If the contract is terminated, \_\_\_\_\_ will compensate the Conference for that portion of services extended unto \_\_\_\_\_.

7. Modification. The terms of this contract may be changed or modified by mutual agreement of \_\_\_\_\_ and the Conference in the form of written amendments to this contract.

8. Contract for Continuation. \_\_\_\_\_ shall give notice of their intent to continue or discontinue the contractual agreement for the year \_\_\_\_\_, at least thirty (30) days prior to the completion of this contract.

YAKIMA VALLEY CONFERENCE OF GOVERNMENTS

YAKIMA COUNTY

BY: \_\_\_\_\_  
Conference Chair

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Secretary

ATTEST: \_\_\_\_\_





**CITY OF TOPPENISH  
REQUEST FOR COUNCIL ACTION  
Agenda Bill No.: 23-011**

**Agenda Item  
5b**

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**Meeting Date:** February 13, 2023

**Subject:** Accept the Yakima Valley Crime Lab Bylaws

**Attachments:** Yakima Valley Crime Bylaws

**Presented by:** John Clary, Chief of Police

**Approved For Agenda By:** Debbie Zabell, City Manager

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**Discussion:**

At the November 14, 2022, Regular Council meeting, Council approved Resolution 2022-41, authorizing the City Manager to sign the Professional Services Agreement with the Yakima Valley Conference of Governments (YVCOG) for administrative and other services related to the regional crime preventative program and Local Crime Lab.

The Crime Lab Operations Board, which consists of one voting member per law enforcement participating agency and the Yakima County Elected Prosecuting Attorney as an ex-officio member, met, and voted to recommend the Bylaws be taken to the YVCOG Board for approval. The Bylaws are necessary to allow the local crime lab the ability to access law enforcement only databases.

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**Fiscal Impact:** No Fiscal Impact

**Recommendation:** Motion by the City Council to Accept the Bylaws as presented.

**Alternatives:** 1) Do not adopt. 2) Forward to Study Session for further review.

## **Yakima Valley Local Crime Lab Bylaws**

This document establishes the role of the Yakima Valley Local Crime Lab (LCL), its administrative and operational guidelines, the obligations of each LCL member, and the obligations of YVCOG staff in support of the LCL.

### **Roles and Responsibilities**

The Yakima Valley Conference of Governments (YVCOG) has established a Yakima Valley Local Crime Lab (LCL) Operations Board to manage the coordination of services to local law enforcement. Services may include but are not limited to the areas of processing criminal evidence, criminal investigative support, reports, criminal activity intelligence, and plans thereby benefiting them in terms of efficiency, timely evidence results, and the ability to set local priorities to process evidence of a crime.

The YVCOG General Membership, YVCOG Executive Committee, or any jurisdiction's City Council or Yakima County's Board of Commissioners shall have no authority over the LCL Operations Board roles and responsibilities.

The YVCOG Executive Committee has the authority to enter into contractual agreements to operate the LCL, to adopt a balanced budget by December 31<sup>st</sup> of each year for the subsequent year, to carry out the fiscal obligations necessary to operate the LCL, and to authorize the Executive Director or his/her designee to carry out the services authorized by the LCL Operations Board.

In the interest of accountability, the Elected Sheriff has the ability to make appropriate changes in the LCL to include termination of services.

### **ADMINISTRATIVE DUTIES:**

YVCOG will prepare an annual budget in July of each year to present to the Operations Board for review and approval. The annual proposed budget will include actual expenditures from the previous year, costs to maintain the current services desired, costs for new services requested or removal of services no longer needed. The annual cost for the LCL will then be shared out based on per capita population for participating agencies. YVCOG shall administer the program with integrity honoring each agency, who choose to participate, with an equal voice.

YVCOG will seek and apply for local, state, and federal funding assistance for operating the LCL to reduce to cost to local agencies. YVCOG shall act as the fiscal agent for the LCL. LCL funds shall be deposited in a public treasury and checks disbursed pursuant to vouchers approved by YVCOG. The financial operation of the LCL shall be subject to all applicable State statutes governing budgeting and auditing procedures.

YVCOG will recruit for positions required to operate the LCL as determined by Operations Board. YVCOG employee staff, determine salaries, fringe benefits, and handle all employee discipline if necessary. The YVCOG Executive Director or his/her designee will work with the Operations Board to determine staff expectations.

### **YVCOG Staff Roles and Responsibilities**

YVCOG shall seek partnerships with other law enforcement agencies. YVCOG shall also work with agencies seeking to aid victims, victims' families, and other community stakeholders, where appropriate, on the following:

1. To recruit, perform interviews, and outsource background checks to Yakima County Sheriff's Office for LCL Staff
2. To maintain confidentiality in regard to jurisdictional internal investigations, or other sensitive investigations determined by the Chief of Police and Sheriff or their designees of that agency, lab staff will not share information or evidence they may have been exposed to with other LCL participating law enforcement agencies.
3. YVSIU investigations are conducted completely independently of the involved underlying agency. In the event of an officer involved shooting, the LCL will adhere to Law Enforcement Training and Community Safety Act, WAC 139-12.
4. To contract or hire technical and administrative staff to provide and perform services with respect to LCL, plans and activities including planning, grant administration and other services.
5. To identify participating members and non-participating members of the Yakima Valley Local Crime Lab and communicate back with the Operations Boards the status of participants
6. To collect the Professional Services Agreement from participating agencies and maintain adequate records
7. To invoice and collect participating members assessment fee for the Yakima Valley Local Crime Lab
8. Establish and publish a transparent budget annually showing actual costs from previous year to the Operations Board;
9. Develop subsequent annual budgets based on the needs determined by the Operations Board;
10. To work with Yakima County Technology Services and vendors to install equipment, applications, firewalls, and required security
11. Develop, implement, and update as needed policies and procedures with input and participation from the Operations Board;
12. Regularly review and evaluate best practices to determine the effectiveness of the intelligence;
13. Establish performance outcomes and targets to measure and evaluate the effectiveness of priorities set by the Operations Board;

14. Additional purposes of the administration for the Yakima Valley Local Crime Lab program (administered by YVCOG) are to:
- a. Serve as the annual fiscal agent seeking grant opportunities to fund and support services targeted at assisting law enforcement in timely processing evidence utilizing available technology;
  - b. Coordinate staff trainings and equipment maintenance;
  - c. Maintain the Crime Mapping Application (ESRI) dashboards and provide training to law enforcement when necessary how to review precise information;
  - d. Maintain the equipment purchased or leased for the Intelligence Center by proactively budgeting replacement costs while applying for grants to replace equipment when necessary;
  - e. Schedule and prepare documents for meetings;

**OPERATIONS BOARD DUTIES:**

The purpose of the Operations Board is to establish, organize and maintain a collaborative approach to combat crime in the Yakima Valley. The Operations Board will have full authority over the LCL services and budget.

**Operations Board** Members of the LCL shall:

- a. Include one voting member per law enforcement participating agency
- b. Include the Yakima County Elected Prosecuting Attorney as an ex-officio member
- c. Have the ability and authority to serve on behalf of their jurisdiction for purposes of collaboration
- d. Is directly responsible for law enforcement decisions within the jurisdictional boundaries of their agency
- e. Is directly responsible for directing law enforcement staff within the jurisdictional boundaries of their agency

It is the intent of the LCL Operations Board to work with participating member law enforcement agencies to share criminal intelligence to combat crime in a collaborative manner. The Operations Board understands that, at times, there may be sensitive internal investigative information that needs to remain confidential throughout an investigation. When this happens, the Chief of Police and Sheriff or their designees for that municipality will communicate with the Executive Director to isolate any information learned by the LCL Staff from other agencies.

The Operations Board will establish rules and policies for the LCL operations. In addition to rules and policies, they will set the expectations for delivery of services, determine priorities for processing criminal evidence, and govern the day-to-day operations and procedures of the LCL.

Each participating law enforcement agency shall have an equal vote in all decisions. Any member may designate a representative to attend meetings in that member's place. While so designated, the representative shall assume all rights and responsibilities of a full member. The designee must be from the same jurisdiction and be a law enforcement officer.

### **OPERATIONS BOARD Roles and Responsibilities**

- To determine the equipment and staffing levels to process criminal evidence in a timely manner;
- To assist in budgeting and coordination of projects and programs which may involve federal and/or state financial participation and to assist in review of such projects and programs;
- To appoint a subcommittee to interview committees, equipment evaluations, or other LCL service needs;
- To determine the measurement for success of the services provided;
- To communicate with the Executive Committee and General Membership on program services and future needs
- All LCL members are expected to support the outcome of a LCL Operations Board decisions made during meetings
- It is expected that LCL Operations Board member will provide instruction to their respective jurisdiction/agency regarding the policies and procedures within the LCL,
- Missing a scheduled LCL meeting is not justification to oppose a LCL Operations Board decision or recommendation.
- LCL members are expected to represent the interests of their respective jurisdictions and agencies, but must recognize the primary goal of achieving outcomes that maximize regional benefit.
- LCL members recognize that YVCOG Senior Staff are required to evaluate program success without consideration of jurisdictional or political boundaries, or weighting potential outcomes to member jurisdictions within the Yakima Valley

### **NON-MEMBER LAW ENFORCEMENT AGENCIES TECHNICAL ASSISTANCE SERVICES**

The LCL Operations Board strongly supports collaboration with all law enforcement agencies. At times, non-member agencies may request technical assistance processing evidence.

The LCL may process evidence for a fee to the requesting agencies upon approval of the LCL Operations Board. The criteria to process evidence will be:

1. A crime or suspect is expected to be linked to a crime committed in Yakima County
2. The Chair or Vice Chair may authorize immediate approval in an emergency
3. The evidence being processed will not typically be prioritized over evidence of a participating local agency
4. The outside agency will pay a fee for services to be determined
5. Fees for services to outside agencies will be determined by the Operations Board.

### **Meetings**

- The LCL Operations Board will meet in-person or via Zoom at a minimum of once a month on the 2<sup>nd</sup> Thursday of each month.
- Meetings may be hosted by any of the LCL members.

### **Officers**

The Operations Board shall elect a Chair and Vice Chair from the Operations Board. The Chair and Vice Chair shall serve a two (2) year term of office. There is no limit to terms of the Chair or Vice Chair. Unless otherwise provided, Robert's Rules for Small Boards shall govern the business of the Operations Board.

Chair duties include but are not limited to:

- Review draft minutes and draft agenda before distribution to the whole LCL.
- Preside over LCL meetings.
- May be asked to attend YVCOG Executive Committee meetings and YVCOG General Membership meetings when a LCL-related agenda item requires a detailed technical report or explanation.

Vice-chair duties include but are not limited to:

- Review draft minutes and draft agenda, in the absence of the Chair, before distribution to the whole LCL.
- Preside over LCL meetings when the Chair is unavailable.

### **Voting**

- Each Operations Board Member is allowed one vote on any decision before the LCL.
- All votes will pass by simple majority of members present.

- When a vote is needed prior to a regularly scheduled meeting, the LCL may use an email poll for a vote in lieu of calling a special meeting.
- Members may attend LCL meetings via teleconferencing in the event they cannot attend a meeting in person provided YVCOG has the technology necessary to provide this not only at meetings @ YVCOG but remotely if the LCL is meeting elsewhere.

### **Subcommittees**

- Subcommittees members shall be identified on a volunteer basis as approved by the Operations Board.
- Subcommittees members shall serve until the work of the subcommittee is completed, or until replacements have been identified.
- Subcommittees must have at least one member who is a member of the LCL.

### **LCL Bylaw Amendments**

- Bylaw amendment proposals may only be introduced at a regularly scheduled LCL meeting and a vote may occur at the next regularly scheduled LCL meeting.
- LCL bylaws may be amended by a majority vote.