



**TOPPENISH CITY COUNCIL
REGULAR MEETING AGENDA
JULY 10, 2023 – 7:00 P.M.**

TELEVISED LIVE ON MIDVALLEY TELEVISION
SPECTRUM CABLE CHANNEL 194

- 1. REGULAR SESSION CALL TO ORDER**
- 2. RECOGNITION OF FORMER COUNCILMEMBER AL HUBERT**
- 3. PLEDGE OF ALLEGIANCE/ROLL CALL/WELCOME**
- 4. APPROVE AGENDA**
- 5. 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.

- 6. 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 July 3, 2023, Study Session
 - b. Approve Payroll Checks Numbers 36266 through 36300 and Electronic Transfers EFTPR3010-EFTPR3018 in the total amount of \$222,319.29 dated July 5, 2023, and Void Check Number 36265
 - c. Approve Claims Checks Numbers 97398 through 97437 and Electronic Transfers EFTAP344-EFTAP345 in the total amount of \$131,323.91 dated July 10, 2023
- 7. NEW BUSINESS**
 - a. AB 23-045: [Proposed] Resolution 2023-32, Authorize Adoption of Planning Commission Bylaws and Rules of Procedure
- 8. COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS**
- 9. CITY MANAGER REPORT**
- 10. ADJOURNMENT**

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON JULY 24, 2023

City Council meetings are accessible to persons with disabilities. For individuals who may require special accommodations, please contact City Hall at (509) 865-6754, 24 hours in advance.

TOPPENISH CITY COUNCIL
Study Session Minutes
July 3, 2023

Mayor Pro Tem Jiménez called the meeting to order at 5:25 p.m. when a quorum was present.

ROLL CALL

Attendees: Mayor Pro Tem Clara Jiménez, and Councilmembers Loren Belton, George Garcia, and Kyle Pettit
Absent: Mayor Elpidia Saavedra, Councilmember Juan Ceja, and Councilmember Naila Duval
Staff: City Manager Debbie Zabell (CM Zabell), City Attorney Gary Cuillier, Assistant City Manager/Public Works Director Dan Ford, Administrative Services Director Heather Jobe (ASD Jobe), Chief of Police John Clary, Information Services Manager Van Donley, City Clerk Heidi Riojas, Human Resources Generalist Mary Goodale (HRG Goodale)

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

Councilmember Pettit moved, seconded by Councilmember Garcia to excuse Mayor Saavedra, Councilmember Ceja, and Councilmember Duval from the July 3, 2023, Study Session. Motion carried unanimously.

Mayor Pro Tem Jiménez recited the following: In accordance with Chapter 1, Subsection B(1)(b) of the Governance Manual and the Toppenish Municipal Code, the City Council is authorized to conduct City business during this Study Session consisting of the business from the June 26, 2023, Regular Meeting, when there was no quorum for the meeting.

APPROVE AGENDA

Councilmember Pettit moved, seconded by Councilmember Garcia to approve the July 3, 2023, Agenda. Motion carried unanimously.

PUBLIC COMMENT

None.

CONSENT AGENDA

Councilmember Belton moved, seconded by Councilmember Pettit to approve Consent Agenda items a through c:

- a. Approve Minutes of the June 12, 2023, Regular Meeting
- b. Approve Payroll Checks Numbers 36230 through 36262 and 36264 and Electronic Transfers EFTPR2098-EFTPR3009 in the total amount of \$308,811.75 dated June 20, 2023, and Void Check Number 36263
- c. Approve Claims Checks Numbers 97328 through 97397 in the total amount of \$321,234.65 dated June 26, 2023

Motion carried unanimously.

NEW BUSINESS

Receive 2022 Annual Report.

Councilmember Belton moved, seconded by Councilmember Garcia to accept the 2022 Annual Financial Report. Motion carried unanimously.

Resolution 2023-28: A Resolution of the City of Toppenish Adopting Rules and Regulations to Control and Direct the Use of Fuel Cards.

Councilmember Pettit moved, seconded by Councilmember Garcia to approve Resolution 2023-28. Motion carried unanimously.

Resolution 2023-29: A Resolution of the City of Toppenish Adopting Rules and Regulations to Control and Direct the Use of Credit Cards.

Mayor Pro Tem Jiménez moved, seconded by Councilmember Belton to approve Resolution 2023-29. Motion carried unanimously.

Resolution 2023-30: A Resolution Authorizing the City Manager to Sign the 2023 Amendments Page to the 2010 Yakima Consortium for Regional Public Safety Interlocal Agreement for the City of Toppenish.

Councilmember Belton moved, seconded by Councilmember Pettit to approve Resolution 2023-30. Motion carried unanimously.

Resolution 2023-31: A Resolution Approving Handle With Care Program Agreement Between the Yakima County Law Enforcement Agencies and Yakima County School Districts.

Councilmember Belton moved, seconded by Councilmember Pettit to approve Resolution 2023-31. Motion carried unanimously.

Mayor Pro Tem Jiménez Read Ordinance 2023-07 into the Record: An Ordinance Committing Certain Funds Appropriated in the 2023 Operating Budget for the City of Toppenish, Washington.

Councilmember Belton moved, seconded by Councilmember Pettit to adopt Ordinance 2023-07. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 5:45 p.m.

CLARA R. JIMÉNEZ, MAYOR PRO TEM

HEIDI RIOJAS, CMC, CITY CLERK

Payroll Check Register

Payroll for Period 6/16-6/30/2023

Fund Number	Description	Amount
001-000-011	Legislative	\$2,483.24
001-000-013	Executive	\$6,017.63
001-000-014	Finance, Record	\$17,799.10
001-000-018	Central Services, Personnel Services	\$10,804.27
001-000-021	Law Enforcement	\$42,089.48
001-000-022	Fire Services	\$31,005.87
001-000-024	Protective Inspections	\$4,009.67
001-000-058	Planning and Community Development	\$1,748.79
001-000-071	Recreational Services	\$2,400.01
001-000-076	Pool, Park Facilities	\$25,408.35
030-000-021	Criminal Justice Fund	\$21,476.77
050-000-000	Special Projects Fund	\$1,523.70
071-000-071	Recreation	\$441.43
101-000-000	Street Fund	\$5,999.32
108-000-000	Cemetery Fund	\$4,044.54
157-000-000	Cable TV Fund	\$4,142.64
401-000-000	Water Fund	\$13,072.26
403-000-000	Wastewater Fund	\$15,876.23
405-000-000	Solid Waste Fund	\$11,975.99
	Grand Total:	\$222,319.29

Payroll Checks 36266-36300, Electronic Transfers EFTPR3010-EFTPR3018 & Void Check 36265

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.



7/5/2023

Heather Jobe, Administrative Services Director Date:

Accounts Payable Check Register

July 10, 2023

Number	Vendor Name	Account Description	Amount
97398	Amazon Capital Services	Computer Hardware	\$1,088.30
		Office & Operating Supplies	\$413.38
		Operating/Maint. Supplies - General	\$18.35
		Operating/Maint. Supplies - Park Facilities	\$129.61
		Operating/Maintenance Supplies - General	\$673.41
		Small Tools & Minor Equipment	\$1,507.83
		Uniform Cleaning	\$39.91
		Water Service Supplies	\$189.00
		Check Total:	\$4,059.79
		97399	Aramark
97400	BNSF Railway Company	Miscellaneous Fees & Charges	\$100.00
97401	Cascade Natural Gas Corp.	Fuel for Heating	\$105.02
		Fuel for Heating - City Hall	\$17.43
		Fuel for Heating - Fire	\$45.67
		Fuel for Heating - Police	\$67.79
		Fuel for Heating - Swimming Pool	\$4,950.19
		Check Total:	\$5,186.10
		97402	Central Machinery Sales, Inc.
97403	CenturyLink	Telephone	\$874.44
		Telephone - Utility Billing	\$79.49
Check Total:			\$953.93
97404	CenturyLink	Telephone	\$2,166.55
97405	Charter Communications	Internet	\$55.86
		Internet & Cable MVTV	\$111.70
		Internet & Cable City Hall	\$167.58
		Internet & Cable Fire Department	\$111.72
		Internet & Cable Police Department	\$55.86
		Internet - Parks	\$55.86
		Check Total:	\$558.58
97406	Cintas Corporation #605	Rentals	\$47.63
		Uniform Cleaning	\$291.73
		Check Total:	\$339.36
97407	City of Sunnyside - Finance Dept.	Corrections Services Sunnyside	\$9,900.00
97408	Coastal Farm and Home Supply	Personal Protective Equipment	\$181.93
97409	Department of Licensing	Weapon Permit - DOL License	\$18.00
97410	Dept. Of Transportation	Service Repair & Maintenance Equipment -	\$104.79
		Traffic Control Devices	
97411	Elwood Staffing Services, Inc.	Professional Services	\$3,104.36
		Professional Services - Seasonal Help	\$1,599.21
		Check Total:	\$4,703.57
97412	Eurofins Microbiology Laboratories, Inc.	Professional Services	\$370.00
97413	Federal Express Corporation	Postage	\$18.74

Number	Vendor Name	Account Description	Amount
97414	Gray & Osborne, Inc.	Sewer System Imp - Engineering	\$40,498.98
97415	Howard's Tire Factory Inc	Repair & Maintenance - Vehicles	\$347.06
		Service Repair & Maintenance Equipment - Traffic Control Devices	\$24.30
		Service Repair/Maintenance Vehicles	\$235.33
		Check Total:	\$606.69
97416	Inland Fire Protection, Inc.	Service/Maintenance Agreements	\$11.02
97417	Kustom Signals, Inc.	Capital Purchase - Equipment	\$128.12
97418	Moon Security Service, Inc.	Alarm Monitoring	\$42.13
		Professional Services	\$80.94
		Check Total:	\$123.07
97419	Musgrave, Daniel	Memberships- Registrations - Subscriptions	\$155.00
97420	ODP Business Solutions, LLC	Office & Operating Supplies	\$65.20
		Operating/Maintenance Supplies - General	\$89.80
		Check Total:	\$155.00
97421	O'Reilly Auto Parts	Operating/Maintenance Supplies - General	\$2.32
		Operating/Maintenance Supplies - Traffic Control Devices	\$49.22
		Operating/Maintenance Supplies - Vehicles	\$332.18
		Check Total:	\$383.72
97422	Pepsi Cola Bottling Co.	Concession Supplies	\$122.40
97423	Pitney Bowes Global Financial Services	Rentals	\$505.98
97424	POSM Software LLC	Service/Maintenance Agreements	\$750.00
97425	Precision Ag Repair Inc.	Operating/Maintenance Supplies - Vehicles	\$620.39
97426	Rodda Paint Co.	Operating/Maintenance Supplies - Traffic Control Devices	\$674.63
97427	Standard Paint & Flooring LLC	Operating/Maintenance Supplies - Traffic Control Devices	\$436.49
97428	Sunnyside Sun Media LLC	Advertising - Capital	\$23.25
97429	The Janitor's Closet	Janitorial Services - Police Department	\$224.11
		Operating/Maint. Supplies	\$121.70
		Check Total:	\$345.81
97430	Triton Technology Solutions, Inc.	Capital Purchase - Equipment	\$8,768.00
97431	Uline, Inc	Office & Operating Supplies	\$707.54
97432	WA Association of Sheriffs & Police Chiefs	Memberships- Registrations - Subscriptions	\$375.00
97433	WA ST Dept. of Transportation	Service Repair & Maintenance Equipment - Traffic Control Devices	\$182.00
97434	Walker Car Wash Inc.	Service Repair/Maintenance - Vehicles	\$16.00
		Service Repair/Maintenance Vehicles	\$404.00
		Check Total:	\$420.00
97435	Washington State Treasurer	Death Investigation Account	\$43.29
		Distracted Driving	\$0.25
		DOL Tech Support	\$65.52
		Domestic Violence Prevention Account	\$15.00
		Highway Safety Account	\$206.48

Number	Vendor Name	Account Description	Amount
		Judicial Information Services	\$608.92
		State General Fund 40	\$2,519.10
		State General Fund 50	\$1,383.87
		State General Fund 54	\$69.71
		State Patrol Highway Account	\$246.12
		Trauma Care	\$100.28
		Traumatic Brain Injury Account	\$88.59
		Veh License Fraud Acct	\$39.44
		WA Auto Theft Prevention Authority Act	\$201.00
		Check Total:	\$5,587.57
97436	Yakima County Department of Corrections	Corrections Services Yakima County	\$9,646.81
		Medical Services	(\$0.77)
		Check Total:	\$9,646.04
97437	Yakima County Treasurer	County Crime Victims	\$113.60
EFTAP344	Washington State Department of Revenue	Excise Taxes	\$18,568.23
		Sales Tax Remitted	\$112.34
		Check Total:	\$18,680.57
EFTAP345	USDA RD DCFO Loan Payment (EFT)	IG: Interest USDA/RD Loan City Wide Sewer Rehab	\$5,158.58
		IG: Principal USDA/RD Loan City Wide Sewer Rehab	\$6,693.42
		Check Total:	\$11,852.00
Grand Total			\$131,323.91

Accounts Payable Checks 97398-97437 and EFTAP344-EFTAP345

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.



Administrative Services Director

July 3, 2023



CITY OF TOPPENISH
REQUEST FOR COUNCIL ACTION
Agenda Bill No.: 23-045

Agenda Item
7a

Meeting Date: July 10, 2023

Subject: Planning Commission Bylaws and Rules of Procedure

Attachments: Recommendation from Planning Commission, Resolution 2023-32, City of Toppenish Planning Commission Bylaws and Rules of Procedure

Prepared by: Victor Shaul, Code Enforcement Officer

Presented by: Dan Ford, Assistant City Manager

Approved for Agenda by: Dan Ford, Assistant City Manager

Discussion:

The Planning Commission was formed by the action of the City Council in 1938. The Planning Commission serves as an advisory board to the City Council in all planning matters.

The proposed Bylaws and Rules of Procedure aim to establish clear guidelines, procedures, and responsibilities for the Planning Commission, enabling the Commission to function efficiently and effectively in managing the City's growth, comprehensive planning, and development.

The key reasons for adoption of the proposed Planning Commission Bylaws and Rules of Procedure are:

- **Consistency and Clarity:** Bylaws and Rules of Procedure provide a framework that ensures consistent decision-making by the Commission. Clear guidelines for the application, review, and approval processes will help avoid confusion and foster a transparent environment.
- **Streamlined Procedures:** Well-documented Bylaws and Rules of Procedure enable efficient handling of development applications. They define requirements, and procedures, allowing for the timely and organized processing of requests. This ensures that development projects progress smoothly, benefiting both applicants and the city.
- **Public Engagement:** The Bylaws and Rules of Procedure include provisions for public participation in the planning process. Clear guidelines for public hearings, notifications, and opportunities for public comment will promote engagement, allowing residents to voice their opinions and concerns regarding proposed developments.
- **Continuity and Succession:** Bylaws and Rules of Procedure provide a foundation for the long-term operation of the Commission. They offer guidance for the appointment, terms, and roles of commission members, facilitating continuity and orderly succession planning.
- **Compliance with State Regulations:** By adopting comprehensive Bylaws and Rules of Procedure, ensures the city complies with state regulations and requirements related to planning commissions. This enables the City to maintain eligibility for state grants, funding, and other support while reducing liability exposure.

The adoption of the proposed Planning Commission Bylaws and Rules of Procedure will enhance the effectiveness of the City's planning efforts, fostering responsible growth, preserving our community's character, and ensuring the well-being of its residents.

This resolution will approve the Planning Commission Bylaws and Rules of Procedure and authorize the Planning Commission to adopt them at its next regularly scheduled meeting.

Fiscal Impact: None.

Recommendation: Motion to approve Resolution 2023-32, authorizing adoption of the City of Toppenish Planning Commission Bylaws and Rules of Procedure.

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

CITY OF TOPPENISH

408 Washington Avenue
Toppenish, WA 98948

"Where the West Still Lives"

Subject: Recommendation from the Planning Commission on Proposed Bylaws and Rules of Procedure.

Honorable City Council Members,

As the Chair of the Planning Commission, I am presenting our recommendation regarding the proposed Bylaws and Rules of Procedure currently under consideration. As the body entrusted with promoting the responsible development and growth of our city, we have thoroughly analyzed the proposed Bylaws and Rules of Procedure and their potential benefits on how the Commission conducts business.

Introduction: The Planning Commission, comprising dedicated professionals and community members, has diligently reviewed the proposed Bylaws and Rules of Procedure to ensure they align with our city's municipal code and state law. Our primary goal is to facilitate sustainable development, foster a vibrant community, and safeguard the interests of our residents. The proposed Bylaws and Rules of Procedure will assist in this mission.

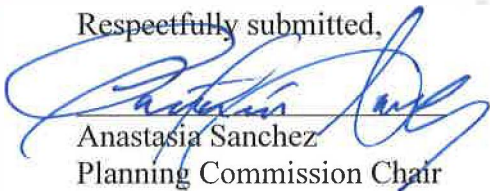
Issue Analysis: State law requires planning commissions to adopt rules for the transaction of business. The Commission does not have established rules for the transaction of business. The Commission desires to comply with state law by adopting the proposed Bylaws and Rules of Procedures. Having this document will provide the framework for conducting the Commission's business. Additionally, there will be continuity as staff and commissioners change over time.

Conclusion: On behalf of the Planning Commission, I urge the City Council to carefully consider our recommendations and take the necessary steps to establish the proposed bylaws. I request that you authorize the Planning Commission to formally adopt the proposed Bylaws and Rules of Procedure.

We are committed to supporting the City Council throughout this process and providing any additional information, expertise, or assistance that may be required. We express our sincere gratitude for your attention to this matter and your dedication to our city's future.

Respectfully submitted,

June 13, 2023


Anastasia Sanchez
Planning Commission Chair

Recommendation from the Planning Commission on
Proposed Bylaws and Rules of Procedure.

Page 2

Voting Record: Recommendation to the City Council authorizing the Planning Commission to formally adopt the Bylaws and Rules of Procedure at the June 13, 2023, Planning Commission Meeting.

	Yes	No	Abstain
Chair Sanchez	X		
Commissioner Cobb	X		
Commissioner Hubert	X		
Commissioner Littlebull	ABSENT		
Commissioner Morfin	ABSENT		
Commissioner Ortloff	X		

RESOLUTION 2023-32

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOPPENISH,
WASHINGTON, AUTHORIZING THE ADOPTION OF THE BYLAWS AND RULES
OF PROCEDURE FOR THE CITY OF TOPPENISH PLANNING COMMISSION**

WHEREAS, the Planning Commission was created by the adoption of Ordinance A-168 by the City Council on January 14, 1938, enumerating its powers and duties, and

WHEREAS, the Planning Commission held its first meeting on January 24, 1938, and to date, has been fulfilling the functions of a municipal planning commission by serving in an advisory capacity to the City Council and performing other planning functions as required by the Toppenish Municipal Code, and

WHEREAS, Chapters 35.63 RCW and 35A.36 RCW as amended in 2009, requires that planning commissions adopt rules for the transaction of business, and

WHEREAS the Planning Commission desires to have Bylaws and Rules of Procedure to govern the Commission's business, and

WHEREAS, the City Attorney has reviewed, approved, and recommends the adoption of the Bylaws and Rules of Procedure for the Planning Commission, and

WHEREAS, by unanimous consent, the Toppenish Planning Commission made a recommendation to the City Council to authorize the adoption of the Bylaws and Rules of Procedure at its meeting held on June 13, 2023, and

WHEREAS, the City Council finds it necessary and desirable for the Planning Commission to be governed by Bylaws and Rules of Procedure for the transaction of ordinary business,

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

The City of Toppenish Planning Commission Bylaws and Rules of Procedure are hereby approved, and the Planning Commission is authorized to adopt them at the next regularly scheduled meeting.

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

PASSED by the Toppenish City Council at its regular meeting held on July 10, 2023.

CLARA R. JIMÉNEZ, Mayor Pro Tem

ATTEST:

HEIDI RIOJAS, CMC, City Clerk



"Where the West Still Lives"

City of Toppenish

Planning Commission

Bylaws and Rules of Procedure

**City of Toppenish
21 West 1st. Avenue
Toppenish, WA 98948**

Table of Contents

1.0	OFFICIAL NAME	Page 1
2.0	LEGISLATIVE AUTHORITY	Page 1
3.0	OFFICIAL SEAT	Page 1
4.0	PURPOSE	Page 1
5.0	COMMISSION APPOINTMENT	Page 1
6.0	TERMS OF SERVICE.....	Page 1
7.0	REGULAR MEETINGS.....	Page 2
8.0	SPECIAL MEETINGS	Page 2
9.0	MEETING NOTICE	Page 2
10.0	MEETING PACKET	Page 2
11.0	REQUIRED MEETING POSTINGS AND PUBLICATION.....	Page 2
12.0	APPLICATION PROCEDURES.....	Page 2
13.0	RULES FOR CONDUCTING COMMISSION BUSINESS.....	Page 2
14.0	MEETING ETIQUETTE	Page 3
15.0	VOTING	Page 3
16.0	CONFLICT OF INTEREST	Page 4
17.0	QUORUM.....	Page 4
18.0	OFFICERS	Page 4
19.0	DUTIES OF THE CHAIR	Page 4
20.0	DUTIES OF THE VICE-CHAIR.....	Page 4
21.0	DUTIES OF CITY STAFF AND CONTRACTED CONSULTANTS	Page 4, 5
22.0	ABSENCE OF CHAIR AND VICE-CHAIR.....	Page 5
23.0	COMMISSIONER ABSENCE	Page 5
24.0	PUBLIC HEARING PROCEDURE.....	Page 5, 6
25.0	COMMITTEES.....	Page 6
26.0	ADOPTION OF AND AMENDMENTS TO BYLAWS AND RULES OF PROCEDURE.....	Page 6, 7

**CITY OF TOPPENISH PLANNING COMMISSION
BYLAWS AND RULES OF PROCEDURE**

1.0 OFFICIAL NAME

The official name of the organization shall be the “City of Toppenish Planning Commission,” hereafter referred to as the “Commission.” The Commission shall consist of seven members.

2.0 LEGISLATIVE AUTHORITY

The Commission is created under the authority of Chapter 2.30 of the Toppenish Municipal Code hereafter referred to as the “TMC”. The Bylaws and Rules of Procedure are created pursuant to RCW 35.63.040 and RCW 35A.63.020.

3.0 OFFICIAL SEAT

The official seat of the Commission shall be in the Toppenish City Hall, Council Chambers, 21 West 1st Avenue, Toppenish Washington. All meetings shall be held there except on such occasions and at such times as the Commission may, by a majority vote of the Commissioners present at a duly held meeting, otherwise direct.

4.0 PURPOSE

The purpose of the Commission is to perform the function of a Municipal Planning Commission as outlined in RCW 35A.63 and RCW 35.63 and Section 2.30.120 TMC. The Commission serves in an advisory capacity to the City of Toppenish City Council. It is the responsibility of the Commission to make recommendations to the City Council on land use, planning, and community development and to consider all amendments to the city’s comprehensive plan. The Commission shall also conduct hearings as required in the TMC.

5.0 COMMISSION APPOINTMENT

The City Council shall appoint all Commission members. Any appointee must be a resident of or have a business interest in the city. If any Commissioner should resign, be removed, or otherwise vacate his/her office, the City Council shall appoint a replacement.

6.0 TERMS OF SERVICE

Pursuant to RCW 35.63.030, the terms of service for Commission members shall be six years. Those members who have served for the longest period of time will be reappointed for the shortest terms ranging from one year to six years in such a manner as to provide that the fewest possible terms will expire in any one year. Commission members may be reappointed to serve more than one term at the discretion of the City Council.

7.0 REGULAR MEETINGS

Regular meetings shall be held on a day and time designated by the City Liaison and Chair and be held at City Hall. Should there be sufficient business, a second regular meeting shall be held on the third Tuesday of every month. Regular meetings will be held only if there is business or matters to bring before the Commission. The Chair or City Liaison shall determine if there is sufficient business to call a meeting. If the regular meeting day falls on an official holiday, the meeting shall be held on the following business day. At such meetings, the Commission may consider all matters that properly come before them without prior notice being given to the members as would be the case with public comment.

8.0 SPECIAL MEETINGS

Special meetings of the Commission may be called by the Chair or City Liaison and must be called upon written request of any three Commission members. Such a request shall be made to the Chair and City Liaison.

9.0 MEETING NOTICE

The City Liaison shall provide a meeting notice to all Commissioners at least three days before any regular or special Commission meeting.

10.0 MEETING PACKET

The City Liaison shall prepare a meeting packet and provide the packet to the Commissioners along with the meeting notice as required in section 9.0. The meeting packet shall at a minimum contain the meeting agenda, Commission membership roster, the minutes of the previous meeting, and all supporting documentation for each agenda item that is to be brought before the Commission.

11.0 REQUIRED MEETING POSTINGS AND PUBLICATION

The posting and publication of a meeting shall be as required by state law or the TMC and at a minimum shall include:

- a. The meeting agenda shall be posted at City Hall.
- b. The meeting agenda and full meeting packet shall be posted on the city's website.
- c. When required, legal notices of hearings and meeting notices shall be posted at City Hall, two public places, distributed to local media outlets, and published in the city's Official Newspaper as designated in Chapter 1.12 TMC.

12.0 APPLICATION PROCEDURES

Applications for consideration of business items before the Commission shall be made on forms provided by the City. Complete applications shall be processed by the appropriate city staff, departments, and any professional consultants retained by the City.

13.0 RULES FOR CONDUCTING COMMISSION BUSINESS

Unless otherwise specified or differing herein or in the TMC, Commission meetings and business shall be conducted according to Robert's Rules of Order.

14.0 MEETING ETIQUETTE

To provide a fair and efficient forum for the conduct of business at Commission meetings, the following rules of etiquette shall apply:

- a. No person shall address the Commission without first obtaining recognition from the Chair.
- b. The order of business shall be as presented on the agenda; changes to the agenda order shall be made by the Chair.
- c. For an agenda item in which a request has been made to the Commission, the applicant or proponent, upon recognition by the Chair, shall state his/her request. If the applicant or proponent, or his/her representative, is not present, the Chair may present the request (on behalf of the applicant) or postpone the item until the next regularly scheduled Planning Commission meeting.
- d. For agenda items where a written staff report has been prepared, the staff person, upon recognition by the Chair, shall summarize the report at the meeting.
- e. Following the summary of the staff report, the Commission members shall be allowed to question staff regarding the material in the report.
- f. After the Commissioner's questions have been answered, the Chair may recognize the applicant or proponent of that item of business to speak. Following the proponent's statements, any other person wishing to speak on the subject may be recognized by the Chair.
- g. Once a person has spoken concerning a specific item before the Commission, he or she shall not be recognized to speak again until all persons wishing to speak have been allowed to do so first.

15.0 VOTING

Voting on all items of Commission business and matters brought before the Commission shall be conducted upon a motion and a second to the motion and presented to the Commission by the Chair. It shall take a simple majority of the Commissioners present voting in the affirmative for a matter to be approved by the Commission. Each Commissioner shall have only one vote on any particular item of business. The Chair shall have one vote and shall have the same opportunity to vote as other Commissioners. On items considered of extreme importance, the Chair may call for a roll call vote. There shall be no voting by proxy.

The following shall be done for an item to be voted upon:

- a. The item has been placed on the agenda before the meeting, or
- b. The item has been discussed at a previous meeting and tabled for future consideration, or
- c. The item is considered by a majority vote of the Commission to constitute an emergency and as such warrant immediate decision.

Each formal action of the Commission shall be made by a formal motion, which will be entered into the minutes. The Chair shall, at his/her discretion, or the request of any Commissioner, read the motion before being voted on. Voting on the original adoption of and subsequent amendments to the Bylaws and Rules of Procedure shall be done according to Section 26.

16.0 CONFLICT OF INTEREST

All Commissioners shall exercise every effort to avoid conflicts of interest, or appearance of fairness problem in the actions of the Commission. Any Commissioner, who in his/her judgment has an interest in any matter before the Commission that would tend to prejudice his/her actions shall so publicly indicate, step down and abstain from the deliberations and voting on that matter.

17.0 QUORUM

A quorum shall consist of a majority of the total number of Commissioners duly appointed by the City Council. No action or Commission business shall be taken in the absence of a quorum. If a quorum is not present at any meeting, the Chair, Vice-chair, one Commissioner, or the City Liaison shall call the meeting to order, conduct a roll call for the record, and then adjourn the meeting to a future date.

Meeting minutes of any meeting for which there is not a quorum shall consist of a call to order, roll call, and adjournment and shall be entered into the record at the next meeting of the Commission.

18.0 OFFICERS

The officers of the Commission shall consist of a Chair and Vice-Chair. Officers shall be selected from among the seven Commission members at the first Commission meeting of the year and shall serve from January 1 through December 31.

19.0 DUTIES OF THE CHAIR

It shall be the duty of the Chair to:

- a. Preside at all meetings of the Commission,
- b. Enforce the Commission's Bylaws and Rules of Procedure,
- c. Execute the will of the Commission,
- d. Appoint all Commission committees, and
- e. Ensure that each newly appointed Commissioner receives the current version of the Bylaws and Rules of Procedure.

20.0 DUTIES OF THE VICE-CHAIR

It shall be the duty of the Vice-Chair to assist the Chair and fulfill the duties of Chair in the Chair's absence.

21.0 DUTIES OF CITY STAFF AND CONTRACTED CONSULTANTS

The City Manager appoints a City Liaison to serve at the pleasure of the Commission and shall facilitate Commission business. It shall be the duty of the City Liaison to:

- a. Call regular or special meetings and public hearings when required or deemed necessary,
- b. Maintain a record of Commission member attendance at Commission Meetings,

- c. Keep a current roster of Commission members,
- d. Prepare the minutes of all Commission meetings,
- e. Prepare and deliver Commission agenda packets,
- f. Maintain a record of all correspondence, minutes, and records,
- g. Ensure all legal and public noticing occurs, and
- h. Assist the Chair.

City staff and subject matter consultants shall prepare and present staff reports, supply technical information, make presentations to the Commission and provide any other support determined necessary by the Commission.

22.0 ABSENCE OF CHAIR AND VICE-CHAIR

In the absence of the Chair and Vice-Chair, a Chair may be selected from the Commissioners present to conduct the current meeting. The meeting may be canceled, postponed, or continued to a future date as determined by the Commission.

23.0 COMMISSIONER ABSENCE

Commissioners shall notify the Chair, Vice-Chair, or City Liaison in advance when they have a planned absence from a meeting. If no notice is given it shall be an unexcused absence. Commissioner absences are governed by Section 2.30.060 TMC, and Commissioner removal from the commission shall follow the process in RCW 35.63.030.

24.0 PUBLIC HEARING PROCEDURE

- a. General. Public hearings provide an opportunity for citizens to give direct input to the Planning Commission on matters being considered. It is the policy of the Planning Commission to conduct hearings in a manner that allows input from the maximum number of citizens possible and respects the opinion of all those wishing to testify.
- b. Conducting the Hearing. Public hearings are conducted as regular items on the Commission's published agenda. To ensure that the public hearing is conducted in a manner that encourages maximum public participation and respect for varying opinions, the Planning Commission will generally adhere to the following rules:
 - 1. A sign-up sheet will be available for the public to indicate their desire to testify. Speakers will generally be heard in the order in which they sign up, followed by an opportunity for those who did not sign up to comment.
 - 2. The Chair will open the public hearing and accept any written testimony. All written testimony received before the closing of the public hearing will be considered.
 - 3. The Chair will request planning staff to provide a staff report and recommendation on the matters being considered. Planning Commission members are permitted to ask staff any relevant questions regarding the matter being considered.

4. To maintain an accurate public record, all citizens testifying will be required to state their name, address, and nature of interest in the matter for the permanent record.
5. For any application before the Planning Commission, the applicant will be allowed to testify first with a limit of 20 minutes divided among as many of the speakers as determined by the applicant. The applicant will also be given an opportunity, at the end of the testimony period, to have one rebuttal, limited to 10 minutes. Rebuttal comments shall be limited to factual statements relating to previous testimony. The Chair has the discretion to allow more time to speak and/or additional opportunities to comment to ensure adequate time for all present to have an opportunity to comment and in consideration of meeting time and other agenda items.
6. The Chair, at its discretion, may limit the comment period for each speaker so that all can be heard. As a general rule, testimony will be limited to three minutes per person, except for a group spokesperson, who will be allowed up to 10 minutes.
7. Public hearings are intended to provide information and opinions from citizens to the Planning Commission. They are not intended to be a debate between those on opposing sides of an issue, nor to weigh how many on each side of an issue attend. The Chair, at its discretion, may limit testimony that provides no new information and/or comments intended solely to debate another person's position on a particular issue while not providing new information to the Planning Commission.
8. The public hearing is closed. Planning Commission members may voice other significant considerations and pose any relevant questions through the Chair. The Chair will question the proper party for answers.
9. The Chair with a majority vote may extend the written comment period at their discretion.
10. Motion for disposition.

25.0 COMMITTEES

The Chair may from time to time appoint sub-committees of the Commission membership, or a Committee-of-the-Whole thereof, to carry out certain specific duties or functions as the Commission deems advisable. The Chair shall appoint the members of each committee and shall name the Chair of each committee.

The committee shall complete its assigned tasks expeditiously and report its findings to the Commission at their next meeting or as soon thereafter as feasibly possible. The committee may request assistance from the City Liaison.

26.0 ADOPTION OF AND AMENDMENTS TO THE BYLAWS AND RULES OF PROCEDURE

- a. The original adoption of the Bylaws and Rules of Procedure shall be by a vote of two-thirds in the affirmative of the Commissioners present at the regular meeting where they are considered.

- b. Any sitting Commissioner or the City Liaison may propose amendments to the Bylaws and Rules of Procedure.
- c. Proposed amendments to the Bylaws and Rules of Procedure shall be prepared in writing and submitted to the City Liaison who shall then include them as an agenda item for the next regular Commission meeting. The Chair, by having a majority vote in the affirmative by the Commissioners present recommending to the City Council to approve the amendments. The City Liaison shall prepare a resolution to present the amendments to the City Council for approval.
- d. After receiving approval from the City Council, these Bylaws and Rules of Procedure may be amended by a two-thirds vote in the affirmative of the Commissioners present at any regular or special Commission meeting, provided the requirements of subsection b. and c. of this section have been fulfilled.
- e. A revision date and history shall be kept after the signature blocks noted herein.

Planning Commission Chair, Anastasia Sanchez

Date

Adopted: