

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
January 11, 2010

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

ROLL CALL

Present: Mayor Blaine Thorington and Councilmembers Loren Belton, Clara Jiménez, Christina Kwan, Derald Ortloff, and Randy Taylor.

Staff Present: City Manager William C. Murphy (CM Murphy), City Attorney Gary M. Cuillier, Special Projects Assistant Tom Kehm (SPA Kehm), Public Works Director Lance Hoyt (PWD Hoyt), City Interpreter Jorge Villaseñor, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

PUBLIC COMMENT

None.

CONSENT AGENDA

Councilmember Jiménez abstained from voting on Consent Agenda Item “a” since she was not on the Council.

Councilmember Ortloff moved, seconded by Councilmember Taylor to approve Consent Agenda items a through i:

- a. Approve Minutes of the December 14, 2009 Regular Meeting.
- b. Approve Minutes of the January 4, 2010 Study Session.
- c. Approve Pay Estimate #21 to Pacific Crest Construction for the WWTF Improvements Project in the total amount of \$425,160.54 and payment of retainage to escrow in the total amount of \$20,658.92.
- d. Approve Payroll Vouchers Number 28623 through 28641 in the total amount of \$15,983.00 dated December 15, 2009 and void Voucher Number 28641.
- e. Approve Payroll Vouchers Number 28642 through 28722 in the total amount of \$258,691.64 dated December 15, 2009.
- f. Approve Payroll Vouchers Number 28723 through 28810 in the total amount of \$167,994.83 dated December 31, 2009.
- g. Approve Claims Vouchers Number 99091228, 69529 through 69591 in the total amount of \$54,848.41 dated December 28, 2009 and void Voucher Numbers 69482 through 69528 printer error.
- h. Approve Claims Vouchers Number 69592 through 69647 in the total amount of \$72,169.80 dated December 31, 2009 Period 13.
- i. Approve Claims Vouchers Number 69648 through 69685 in the total amount of \$688,901.65 dated January 11, 2010.

Motion carried.

PUBLIC HEARING

Public Hearing Regarding Department of Commerce Community Development Block Grant Application.

Mayor Thorington opened the public hearing at 7:06 p.m. to receive comments regarding the Department of Commerce Community Development Block Grant (CDBG) Application.

Mayor Thorington announced that the City Interpreter Jorge Villaseñor was present and asked if interpreter services were needed for the meeting. There was no response from the audience.

City Manager Murphy (CM Murphy) stated that the Department of Commerce has announced that it has \$12 million available for General Purpose grants and that staff would be reporting on the purpose of submitting a CDBG application and specific recommendations for use of the funds.

Special Projects Assistant Kehm reported that he had handouts available in English and Spanish for the public explaining CDBG funding. SPA Kehm stated that the Department of Commerce has changed its primary focus for CDBG funding from housing rehabilitation grants to general-purpose grants that benefit a larger area and which help to create jobs. This new focus qualifies public works projects, which benefit the entire community.

Public Works Director Hoyt described the proposed water line improvement project that involves three areas of the City, which are an area of East Toppenish for an estimated \$480,000, an area of Franklin Avenue for an estimated \$208,000, and an area of Goldendale Avenue for an estimated \$112,000. PWD Hoyt explained that the CDBG application process is extremely competitive and that it is more likely for the application to be awarded for a project that benefits a larger area.

CM Murphy reported that staff recommends applying for the projects for improvements to certain areas of Goldendale Avenue and Franklin Avenue for the estimated amount of \$320,000.

There being no comments from the public, the hearing was closed at 7:18 p.m. by Mayor Thorington.

Councilmember Taylor moved, seconded by Councilmember Ortloff to authorize the City Manager to make application to the Department of Commerce for CDBG funding to make water line improvements on Goldendale Avenue and Franklin Avenue. Motion carried unanimously.

NEW BUSINESS

Discussion Regarding the Shoreline Master Program and Recommended Changes.

CM Murphy reported that the area affected by the recommended changes is in a small area of property in the flood plain and the recommended changes are due to the work completed by staff and the Yakima Valley Conference of Governments.

Councilmember Jiménez moved, seconded by Councilmember Taylor to authorize the City Manager to communicate with the Department of Ecology that the City is in agreement with the proposed changes to the Shoreline Master Program. Motion carried unanimously.

Set Agenda for February 1, 2010 Study Session.

It was the consensus of the Council to have CM Murphy decide on the agenda topic for the February 1, 2010 Study Session.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

None.

CITY MANAGER REPORTS

CM Murphy summarized the funding priorities outlined on the Driving Rural Yakima Valley Economy (DRVYE) support letters addressed to Yakima County Commissioner Bouchey as the DRVYE Chairman that details the State funding and Federal funding priorities for DRVYE.

Councilmember Belton moved, seconded by Councilmember Jiménez to authorize Mayor Thorington to sign two letters addressed to Yakima County Commissioner Bouchey in support of the State funding and the Federal funding priorities for Driving Rural Yakima Valley Economy. Motion carried unanimously.

CM Murphy reported on two House Bills, which will be heard in the House Judiciary Committee on January 14, 2010. CM Murphy described the proposed House Bills that address criminal street gang offenses by authorizing seizure and forfeiture of real and personal property and by authorizing the abatement process to deal with nuisances caused by criminal street gang activity. CM Murphy stated that State Representative Norm Johnson has invited Police Chief Diaz to Olympia to make a presentation to the House Judiciary Committee regarding the importance and the benefits to the City with the passage of the two proposed bills. CM Murphy reported that State Representative Charles Ross has introduced the House Bill for Civil Gang Injunction and that it will be presented to the House Judiciary Committee at a later date.

INTERVIEW COUNCIL CANDIDATE

Mayor Thorington announced that one Council Application has been received and that each Councilmember had a specific question to ask Council Candidate Mark Oaks. The Council queried Candidate Oaks regarding his thoughts on several issues before going into executive session.

**EXECUTIVE SESSION TO DISCUSS CITY COUNCIL CANDIDATE FOR
15 MINUTES OR LESS**

At 7:30 p.m., Mayor Thorington announced that the Council would be going into executive session for less than 15 minutes to discuss filling the Council vacancy. Mayor Thorington stated

that the Council would return to take action, the Council then exited the room to go into executive session.

At 7:40 p.m., Mayor Thorington reconvened the meeting into regular session.

SELECT NEW COUNCILMEMBER BY MAJORITY ROLL-CALL VOTE

Councilman Taylor moved, seconded by Councilman Jiménez to appoint Mark Oaks to fill the Council Position 4 vacancy. Motion carried with a roll call vote with Mayor Thorington and Councilmembers Belton, Jiménez, Kwan, Ortloff, and Taylor voting yes.

DEPUTY CITY CLERK TO ADMINISTER OATH OF OFFICE

Deputy City Clerk Riojas administered the Oath of Office to Councilman Mark Oaks for the term ending November 22, 2011.

Councilmembers Belton, Jiménez, Kwan, and Ortloff informed CM Murphy that they would be attending the YVCOG General Membership meeting on January 20, 2010, and requested that he make the reservations. Mayor Thorington recited a proposed proclamation to declare the week of January 17, 2010 through January 23, 2010 as Martin Luther King, Jr. Week.

Councilmember Jiménez moved, seconded by Councilmember Ortloff to declare the week of January 17, 2010 through January 23, 2010 as Martin Luther King, Jr. Week. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:48 p.m.

BLAINE R. THORINGTON, MAYOR

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK