

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
June 14, 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, Mark Oaks, Derald Ortloff, and Randy Taylor.

Staff Present: City Manager William C. Murphy, City Attorney Gary M. Cuillier, 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 Taylor abstained from voting on Consent Agenda Item “b” since he was not at the meeting.

Councilmember Belton moved, seconded by Councilmember Jiménez to excuse Councilmember Taylor from the June 7, 2010 Study Session. Motion carried unanimously.

Councilmember Belton moved, seconded by Councilmember Taylor to approve Consent Agenda items a through d:

- a. Approve Minutes of the May 24, 2010 Regular Meeting.
- b. Approve Minutes of the June 7, 2010 Study Session.
- c. Approve Payroll Checks Number 29733 through 29815 in the total amount of \$172,328.41 dated May 31, 2010 and void Check Number 29769.
- d. Approve Claims Checks Number 70524 through 70642 in the total amount of \$540,412.77 dated June 14, 2010 and void Check Number 70469.

Motion carried unanimously.

OLD BUSINESS

Release Retainage to Columbia Asphalt & Gravel, Inc. for the So. Toppenish Ave. and Washington Ave. Improvements Project in the amount of \$12,323.48.

Councilmember Ortloff moved, seconded by Councilmember Oaks to release retainage to Columbia Asphalt & Gravel, Inc. in the amount of \$12,323.48 for the South Toppenish Avenue and Washington Avenue Improvements Project noting that the 45-day lien process was concluded with no liens received, and Certification from Department of Revenue, Department of Labor & Industries and Employment Security have been received as well as all other required documents. Motion carried unanimously.

NEW BUSINESS

Presentation by Roger O'Dell on Behalf of the Yakima Valley Rail and Steam Museum Association Regarding Plans to Make Improvements to the City's Railroad Depot Building.

Roger O'Dell reported that the Yakima Valley Rail and Steam Museum Association (YVRSMA) is wanting to apply for two transportation enhancement grants for making needed repairs to the City's railroad depot building for around \$250,000 and for the restoration of the 1364 steam locomotive for around \$200,000. The Council thanked YVRSMA for maintaining the railroad depot for the community.

Presentation by Nancy Morter, Project Engineer with Gray & Osborne, Inc. to Give Progress Report on Wastewater Treatment Facility (WWTF) Project and Explain Proposed Change Order No. 7 to Pacific Crest Construction Contract for WWTF Improvements.

Nancy Morter, Project Engineer for the Wastewater Treatment Facility (WWTF) Project, updated Council on the project, which is approximately 96% complete, including six Change Orders. Ms. Morter reported in detail on proposed Change Order No. 7 that will increase the contract by \$89,447.92 and will add 36 additional workdays to the project. Ms. Morter reported that the substantial completion date is July 9, 2010 and the physical completion date is December 14, 2010.

Award Bid for the Sewer Collection System Rehabilitation Project.

Public Works Director Hoyt (PWD Hoyt) reported that the City received two bids for the Sewer Collection System Rehabilitation Project and that Michels Corporation of Salem, Oregon was the apparent low bidder at \$46,869.60. The Engineer's Estimate was listed as \$95,993.24.

Councilmember Jiménez moved, seconded by Councilmember Oaks to award the bid for the Sewer Collection System Rehabilitation Project to Michels Corporation of Salem, Oregon as the apparent low bidder with a bid of \$46,869.60. Motion carried unanimously.

Presentation by Public Works Director Lance Hoyt Regarding Six-Year Transportation Improvement Plan.

PWD Hoyt reported that the proposed Six-Year Transportation Improvement Plan includes projects on Franklin Avenue, L Street, on East McDonald Road, on Lincoln Avenue from F Street to L Street, on West Second Avenue from Buena Way to South Toppenish Avenue, and the Jackson Street extension project to Ward Road. PWD Hoyt summarized the progress of the Guyette Lane project that is anticipated to open in the next few weeks.

Set June 28, 2010 for the Public Hearing to Amend the Six-Year Transportation Improvement Plan.

Councilmember Taylor moved, seconded by Councilmember Ortloff to set June 28, 2010 as the date for the Public Hearing to amend the Six-Year Transportation Improvement Plan. Motion carried unanimously.

Select a Representative and an Alternate for the Yakima County Gang Commission (YCGC). The First Meeting of the YCGC will be Held on Tuesday, July 20, 2010 at the Yakima County Conference Center located at 223 North 1st Street in Yakima. The YCGC will Meet the 3rd Tuesday of each Month at 1:00 p.m. and the Location of each Monthly Meeting will Rotate between the Yakima County Conference Center and a Lower Valley City (TBD).

Councilmember Taylor moved, seconded by Councilmember Jiménez to appoint Councilmember Belton as the Yakima County Gang Commission Representative. Motion carried unanimously.

Councilmember Belton moved, seconded by Councilmember Ortloff to appoint Councilmember Taylor as the Alternate Representative for the Yakima County Gang Commission. Motion carried unanimously.

Review and Discuss Draft Agenda for Council-Staff Planning Session.

It was the consensus of Council to use the draft agenda for the planning session and to have Councilmember Belton be the facilitator for the meeting.

Set Agenda for Tuesday, July 6, 2010 Study Session.

City Manager Murphy suggested that the Council might consider inviting the Executive Director from the Yakima Regional Clean Air Agency (YRCAA) to discuss the services, if any, that YRCAA provides to the City of Toppenish residents. It was the consensus of the Council that the July 6, 2010 Study Session agenda will include a presentation by the YRCAA Executive Director.

RESOLUTIONS

Resolution 2010-12:

Resolution Declaring Certain Property as Surplus and Authorizing the Disposition Thereof.

Councilman Belton moved, seconded by Councilman Jiménez to adopt Resolution 2010-12 Resolution Declaring Certain Property as Surplus and Authorizing the Disposition Thereof. Motion carried unanimously.

Resolution 2010-13:

Resolution Approving Change Order No. 7 to Contract with Pacific Crest Construction, Inc., for the Wastewater Treatment Facilities Improvements Project.

Councilman Jiménez moved, seconded by Councilman Oaks to adopt Resolution 2010-13 Approving Change Order No. 7 to Contract with Pacific Crest Construction, Inc., for the Wastewater Treatment Facilities Improvements Project which will increase the contract by \$89,447.92 and add an additional thirty-six (36) days of work. Motion carried unanimously.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Councilmember Belton reported that he attended the Mural In A Day event on June 5, 2010.

Councilmember Kwan reported that she attended the Treaty Days Parade on June 4, 2010 and commended the Toppenish Police Department on the three-day class offered for women on self defense tactics.

CITY MANAGER REPORTS

CM Murphy reported on the press release acknowledging that the City has received the AWC WellCity Award and gave thanks to the Wellness Committee members for their work in the City receiving the award for the second consecutive year.

EXECUTIVE SESSIONS

Mayor Thorington called for two executive sessions to be held consecutively starting at 7:54 p.m. Mayor Thorington informed the public that the purpose of the first session was to discuss litigation that the City reasonably believes may be commenced by or against the City. Mayor Thorington stated that the executive session would convene for less than 5 minutes.

The purpose of the second executive session was to discuss litigation to which the City is a party, regarding a claim for assessments by the Yakima Regional Clean Air Agency and that the executive session would convene for less than 5 minutes.

Mayor Thorington announced that it was anticipated that no action would be taken when the Regular Session reconvened.

Mayor Thorington called the regular session back to order at 8:04 p.m. Mayor Thorington stated that no action would be taken at this time as a result of the two Executive Sessions.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:04 p.m.

BLAINE R. THORINGTON, MAYOR

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK