

Televised Live and Streamed at the link below:

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1. Regular Session Call to Order

Pledge of Allegiance, Roll Call, and 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. RCW 42.17A.555 prohibits government agencies from allowing the use of public facilities, directly or indirectly, for campaign purposes. 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 and state your name 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 27, 2025, Regular Meeting](#)
- b. [Approve Minutes of the February 3, 2025, Study Session](#)
- c. [Approve Payroll Check Numbers 36920 through 36927 and Electronic Transfers EFTPR3431 through EFTPR3443 in the total amount of \\$211,447.59 dated February 7, 2025 and void check NR36905](#)
- d. [Approve Claims Checks Numbers 100212 through 100281 and Bank Drafts DFT14 through DFT16 in the total amount of \\$224,893.93 dated February 10, 2025, and void checks R99787, R100015, and R99798.](#)

5. New Business

- a. [AB 25-007: \[Proposed\] Ordinance 2025-01, Amending TMC Sections 2.30.010, 2.32.050, and 2.33.050](#)
- b. [AB 25-008: \[Proposed\] Ordinance 2025-02, Amending TMC Section 2.30.110](#)

6. Council Meeting Reports and Community Announcements

7. Adjournment

Next Regular Council Meeting Will Be Held on February 24, 2025

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
Regular Meeting Minutes
January 27, 2025

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

ROLL CALL

Attendees: Mayor Elpidia Saavedra and Councilmembers Naila Prieto Duval, George Garcia, Josh Garza, Ezequiel Morfin, and Cristian Sanchez
Absent: Mayor Pro Tem Loren Belton
Staff: City Manager Dan Ford, City Attorney Daniel B. Heid, Public Safety Director Joseph Mehline, Budget and Finance Director Adam Vaughn, Interim Public Works Director Shaun Burgess, Community Economic Development Director Andrew Hattori, City Clerk Heidi Riojas, and Communications Manager Sean Davido

City Clerk Riojas conducted roll call for each City Councilmember to respond their attendance at the meeting. Mayor Saavedra and Councilmembers Prieto Duval, Garcia, Garza, Morfin, and Sanchez responded their attendance during roll call. Mayor Pro Tem Belton was not present at the meeting.

Councilmember Prieto Duval moved, seconded by Councilmember Sanchez to excuse Mayor Pro Tem Belton from the January 27, 2025, Regular Meeting. Motion carried unanimously.

APPROVE AGENDA

Councilmember Sanchez moved, seconded by Councilmember Garza to approve the January 27, 2025, Agenda. Motion carried unanimously.

PUBLIC COMMENT

The City Council received comments from the public during the meeting.

CONSENT AGENDA

Councilmember Garza moved, seconded by Councilmember Sanchez to approve Consent Agenda items a through d:

- a. Approve Minutes of the January 13, 2025, Regular Meeting
- b. Approve Payroll Check Numbers 36911 through 36919 and Electronic Transfers EFTPR3418 through EFTPR3430 in the total amount of \$392,070.54 dated January 22, 2025
- c. Approve Claims Check Numbers 100158-100168 in the total amount of \$74,270.64 dated December 31, 2024

- d. Approve Claims Check Numbers 100153-100157, 100169-100211 and Bank Drafts DFT11 through DFT12 in the total amount of \$135,115.74 dated January 27, 2025
- Motion carried unanimously.

NEW BUSINESS

Resolution 2025-06: A Resolution Approving CKJT Architects PLLC Contract – 220 West 1st Avenue, Police Facility Design and Remodel Project for the City of Toppenish, Washington.

Councilmember Prieto Duval moved, seconded by Councilmember Morfin to approve Resolution 2025-06. Motion carried unanimously.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

The City Councilmembers provided reports of their activities since the last meeting and community announcements.

Councilmember Sanchez left the meeting at 7:34 p.m.

EXECUTIVE SESSION

At 7:34 p.m., Mayor Saavedra called for the room to clear for Council to go into Executive Session to discuss litigation pursuant to RCW 42.30.110(1)(i). The Executive Session started at 7:36 p.m. The approximate time for the Executive Session is 30 minutes with action anticipated.

At 8:06 p.m., Mayor Saavedra extended the Executive Session for another 15 minutes. Councilmember Morfin left the meeting at 8:07 p.m.

At 8:21 p.m., Mayor Saavedra extended the Executive Session for another 15 minutes.

At 8:36 p.m., Mayor Saavedra extended the Executive Session for another 15 minutes. Councilmember Prieto Duval left the meeting at 8:48 p.m.

At 8:49 p.m., Mayor Saavedra reconvened the meeting back to order. No quorum was present; therefore, the meeting ended with no action taken.

ADJOURNMENT

With no quorum present the meeting adjourned at 8:49 p.m.

ELPIDIA SAAVEDRA, MAYOR

HEIDI RIOJAS, CMC, CITY CLERK

**TOPPENISH CITY COUNCIL
Study Session Minutes
February 3, 2025**

CALL TO ORDER

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

ROLL CALL

Attendees: Mayor Elpidia Saavedra, Mayor Pro Tem Loren Belton, and Councilmembers Naila Prieto Duval, George Garcia, Josh Garza, and Cristian Sanchez
Absent: Councilmember Ezequiel Morfin and
Staff: City Manager Dan Ford (CM Ford), City Attorney Daniel Heid, Budget and Finance Director Adam Vaughn, Interim Public Works Director Shaun Burgess, Community and Economic Development Director Andrew Hattori, Deputy Police Chief Jonathan Schwarzer, Information Technology Services Manager Van Donley, and City Clerk Heidi Riojas

City Clerk Riojas conducted roll call for each City Councilmember to respond their attendance at the meeting. Mayor Saavedra, Mayor Pro Tem Belton, and Councilmembers Prieto Duval, Garcia, Garza, and Sanchez responded their attendance during roll call. Councilmember Morfin was not present at the meeting.

Mayor Saavedra noted that Councilmember Morfin did send an email that he would be absent from the meeting. Prior to taking a vote for the absence, Mayor Saavedra stated that Councilmembers have a fiduciary duty to act in the best interest of the public and the entity that they serve, rather than their own financial or political interests.

Mayor Saavedra moved, seconded by Councilmember Garcia to not excuse Councilmember Morfin from the February 3, 2025, meeting. Motion carried. Councilmember Prieto Duval voted no.

APPROVE AGENDA

Mayor Pro Tem Belton moved, seconded by Councilmember Sanchez to approve the February 3, 2025, Agenda. Motion carried unanimously.

PUBLIC COMMENT

The City Council received no comments from the public during the meeting.

PUBLIC COMMENTS UPDATE

CM Ford updated Council on the public comment received in January 2025, regarding excess leaves locating at a property on Date Street.

EXECUTIVE SESSION

At 5:08 p.m., Mayor Saavedra called for the Council to go into Executive Session to review the performance of a public employee pursuant to RCW 42.30.110(1)(g). The approximate time for the Executive Session is 30 minutes with anticipated action.

At 5:38 p.m., Mayor Saavedra reconvened the regular session back to order.

Mayor Pro Tem Belton moved, seconded by Councilmember Garcia to authorize the City Manager to sign and present the settlement agreement to the Yakama Nation. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:39 p.m.

ELPIDIA SAAVEDRA, MAYOR

HEIDI RIOJAS, CMC, CITY CLERK

Payroll Check Register

Payroll for Period: 1/16-1/31, 2025

Fund Number	Description	Amount
001-000-011	Legislative	\$2,646.46
001-000-013	Executive	\$9,413.85
001-000-014	Finance, Record	\$12,964.76
001-000-018	Central Services, Personnel Services	\$9,456.75
001-000-021	Law Enforcement	\$50,680.66
001-000-022	Fire Services	\$28,649.16
001-000-024	Protective Inspections	\$7,052.77
001-000-058	Planning and Community Development	\$3,105.42
001-000-076	Pool, Park Facilities	\$421.88
030-000-021	Criminal Justice Fund	\$29,595.95
050-000-000	Special Projects Fund	\$1,166.99
101-000-000	Street Fund	\$6,959.13
108-000-000	Cemetery Fund	\$2,991.00
157-000-000	Cable TV Fund	\$5,089.54
401-000-000	Water Fund	\$12,946.25
403-000-000	Wastewater Fund	\$16,704.03
405-000-000	Solid Waste Fund	\$11,602.99
Grand Total		\$211,447.59

Payroll Checks

Payroll Checks 36920-36927, Electronic Transfers EFTPR3431-EFTPR3443, and Voided Check NR36905.

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.

Adam Vaughn, Finance Director

February 6, 2024
Date



City of Toppenish, WA

Check Report

By Check Number

Date Range: 02/03/2025 -

Section 4, Item d.

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Claims and Payroll-Claims and Payroll						
13099	Abadan Tri Cities	02/10/2025	Regular	0	267.84	100212
10099	Amazon Capital Services	02/10/2025	Regular	0	1066.14	100213
10120	Anatek Labs, Inc.	02/10/2025	Regular	0	405.1	100214
10194	Axon Enterprise, Inc.	02/10/2025	Regular	0	33414.23	100215
10274	BNSF Railway Company	02/10/2025	Regular	0	250	100216
10390	Cascade Natural Gas Corp.	02/10/2025	Regular	0	5750.3	100217
10412	Central Machinery Sales, Inc.	02/10/2025	Regular	0	374.02	100218
314273475	CenturyLink	02/10/2025	Regular	0	2296.08	100219
313081835	CenturyLink	02/10/2025	Regular	0	974.93	100220
10443	Chandler Distributing Co. Inc.	02/10/2025	Regular	0	183.59	100221
10445	Charter Communications	02/10/2025	Regular	0	867.31	100222
10456	Cintas Corporation #605	02/10/2025	Regular	0	342.84	100223
10467	City of Sunnyside - Finance Dept.	02/10/2025	Regular	0	4299.83	100224
10468	City of Toppenish	02/10/2025	Regular	0	4137.41	100225
13100	CKJT Architects, pllc	02/10/2025	Regular	0	16601	100226
13095	Clarity Point PLLC	02/10/2025	Regular	0	800	100227
13098	Culton Consulting LLC	02/10/2025	Regular	0	3000	100228
10648	Department of Licensing	02/10/2025	Regular	0	21	100229
10657	Deshong, Micheal John	02/10/2025	Regular	0	133.16	100230
10663	DeVries Business Records Management, Inc.	02/10/2025	Regular	0	37.29	100231
10728	EarthCam, Inc.	02/10/2025	Regular	0	375	100232
10754	Employment Security Department	02/10/2025	Regular	0	1943.14	100233
10817	Federal Express Corporation	02/10/2025	Regular	0	40.77	100234
10829	Fidelity Title Co.	02/10/2025	Regular	0	375	100235
10870	Fry, Gloria	02/10/2025	Regular	0	34	100236
10886	Galls, Inc.	02/10/2025	Regular	0	192.42	100237
10624	Gordon Thomas Honeywell Government Relati	02/10/2025	Regular	0	3000	100238
11039	H.D. Fowler Co., Inc.	02/10/2025	Regular	0	2175.78	100239
11040	Hach Company	02/10/2025	Regular	0	132.58	100240
11087	HLA Engineering and Land Surveying, Inc.	02/10/2025	Regular	0	2218.59	100241
11139	ImageTrend, LLC	02/10/2025	Regular	0	3745	100242
11156	Intermedia.net Inc.	02/10/2025	Regular	0	157.64	100243
11157	Intermountain Cleaning Service, Inc.	02/10/2025	Regular	0	3875.68	100244
11160	International Assoc. of Chiefs of Police	02/10/2025	Regular	0	220	100245
11238	Johnson Controls Security Solutions LLC	02/10/2025	Regular	0	694.69	100246
11321	Kruse, Peter	02/10/2025	Regular	0	2096.4	100247
11574	Mobile Modular	02/10/2025	Regular	0	14870.7	100248
11586	Moon Security Service, Inc.	02/10/2025	Regular	0	50.05	100249
11660	North Central Laboratories	02/10/2025	Regular	0	408.62	100250
11668	Northstar Chemical, Inc.	02/10/2025	Regular	0	14407.2	100251
11710	ODP Business Solutions, LLC	02/10/2025	Regular	0	146.8	100252
11726	One Call Concepts, Inc.	02/10/2025	Regular	0	37.44	100253
11699	O'Reilly Auto Parts	02/10/2025	Regular	0	395.29	100254
11732	Orkin Pest Control	02/10/2025	Regular	0	1365.68	100255
Copies	Pacific Office Automation	02/10/2025	Regular	0	25.67	100256
13097	Peter J Fadich	02/10/2025	Regular	0	40	100257
11934	Rathbun Iron Works, Inc.	02/10/2025	Regular	0	43.19	100258
11991	Ringolde	02/10/2025	Regular	0	977.97	100259
12424	Solid Waste Division	02/10/2025	Regular	0	17973.12	100260
12473	Star Rentals & Sales Inc.	02/10/2025	Regular	0	248.01	100261
12489	Stripe Rite Inc.	02/10/2025	Regular	0	2500	100262
12516	SymbolArts LLC	02/10/2025	Regular	0	434.16	100263
12639	TransUnion Risk and Alternative Data Solutions	02/10/2025	Regular	0	135.01	100264
12664	Tyler Technologies Inc.	02/10/2025	Regular	0	6996.25	100265

Check Report

Date

Section 4, Item d.

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
12748	Verizon Wireless	02/10/2025	Regular	0	1599.58	100266
12751	VESTIS	02/10/2025	Regular	0	52.3	100267
12752	Vics Auto and Supply	02/10/2025	Regular	0	127.67	100268
12787	WA St Dept of Ecology	02/10/2025	Regular	0	75	100269
12810	Wapenish Sand & Gravel	02/10/2025	Regular	0	1608.96	100270
12824	Washington Fire Chiefs	02/10/2025	Regular	0	1196.46	100271
12840	Washington State Patrol	02/10/2025	Regular	0	12	100272
PD	Wells Fargo Vendor Fin Serv	02/10/2025	Regular	0	383.8	100273
FD	Wells Fargo Vendor Fin Serv	02/10/2025	Regular	0	929.21	100274
12970	Yakima County	02/10/2025	Regular	0	14249.28	100275
13002	Yakima Humane Society	02/10/2025	Regular	0	1220	100276
13004	Yakima Lock and Safe, LLC	02/10/2025	Regular	0	160	100277
13012	Yakima Valley Conference of Governments	02/10/2025	Regular	0	13097	100278
13018	Yakima Valley Office of Emergency Manageme	02/10/2025	Regular	0	9182.45	100279
13096	Yvette Vera	02/10/2025	Regular	0	21	100280
12774	Vision Municipal Solutions, LLC	02/10/2025	Regular	0	2049.58	100281
12774	Vision Municipal Solutions, LLC	02/10/2025	Bank Draft	0	2049.58	DFT0000014
12774	Vision Municipal Solutions, LLC	02/10/2025	Bank Draft	0	-2049.58	DFT0000014
12889	Wex Bank (EFT)	02/26/2025	Bank Draft	0	9594.72	DFT0000015
11177	Invoice Cloud (EFT)	02/06/2025	Bank Draft	0	462	DFT0000016
	Refund: Fall Soccer Reg. 2024 - Y.Vera	2/3/2025	Void		-21	R99787
	Department of Licensing	2/3/2025	Void		-18	R100015
	Per Diem: R. Castaneda	2/3/2025	Void		-494	R99798

Bank Code Claims and Payroll Summary

	Payable	Payment		
Payment Type	Count	Count	Discount	Payment
Regular Checks	114	70	0.00	203,518.21
Manual Checks	0	0	0.00	0.00
Voided Checks	3	0	0.00	-533
Bank Drafts	3	4	0.00	10,056.72
EFT's	0	0	0.00	0.00
	117	74	0.00	213,041.93

Check Report

Date Range: 02/03/2025 -

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: General -General						
12699	USDA RD DCFO Loan Payment (EFT)	02/08/2025	Bank Draft	0	11852	DFT0000013

Bank Code General Summary

Payment Type	Payable	Payment	Discount	Payment
	Count	Count		
Regular Checks	0	0	0.00	0.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	1	1	0.00	11,852.00
EFT's	0	0	0.00	0.00
	1	1	0.00	11,852.00

Check Report

Date Range: 02/03/2025 -

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	114	70	0.00	203,518.21
Manual Checks	0	0	0.00	0.00
Voided Checks	3	0	0.00	-533
Bank Drafts	4	5	0.00	21,908.72
EFT's	0	0	0.00	0.00
	118	75	0.00	224,893.93

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash Fund	2/2025	224893.93
			224,893.93

Grand Total \$224,893.93

Accounts Payable Checks 100212-100281 and DFT14-DFT16 and void checks R99787, R100015, and R99798

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.



Adam Vaughn, Finance Director

2/7/2025

REQUEST FOR COUNCIL ACTION
Agenda Bill No.: 25-007

Meeting Date: February 10, 2025

Subject: An Ordinance amending Toppenish Municipal Code sections 2.30.010, 2.32.050, and 2.33.050 relating to what topics may be presented to advisory committees and commissions.

Attachments: Ordinance 2025-01

Presented by: Andrew Hattori, Community & Economic Development Director

Approved For Agenda By: Dan Ford, City Manager

Discussion:

Advisory committees and commissions are generally established as either permanent or temporary bodies that are policy review and discussion arms of the city council to assist in examining issues that have come before the council. The committees and commissions are created to provide greater depth and detail to issues presented at Council meetings. The proposed code amendment seeks to clarify this purpose and provide guidance to the operations of advisory committees and commissions.

The advisory committees and commissions affected by the proposed amendment include:

- Parks and recreation advisory board
- Planning commission
- Lodging tax advisory committee
- Public safety committee
- Budget and finance committee
- Any future Council created committee or commission

As planning commission is considered an advisory committee, the proposed code amendment was presented at a planning commission public hearing on January 15, 2025. Planning commission recommended approval of the code amendment as presented unanimously.

Fiscal Impact: None

Recommendation: Approve Ordinance 2025-02 amending TMC sections 2.30.010, 2.32.050, and 2.33.050 clarifying what topics may be presented to advisory committees and commissions.

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

ORDINANCE 2025-01

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
TOPPENISH, WASHINGTON, AMENDING SECTIONS 2.30.10, 2.32.050,
AND 2.33.050 OF THE TOPPENISH MUNICIPAL CODE TO CLARIFY
WHAT TOPICS MAY BE PRESENTED TO ADVISORY COMMITTEES
AND COMMISSIONS, PROVIDING FOR SEVERABILITY AND
ESTABLISH AN EFFECTIVE DATE**

WHEREAS the Toppenish City Council has the authority to create various advisory committees and commissions to assist in examining issues that have come before the council or those prescribed by Toppenish Municipal Code, and

WHEREAS clarification on what topics and issues may be presented at advisory commissions and committees has been determined to provide support in efficiency and effectiveness to the commissions, committees, and City Council, and

WHEREAS the Council considered this Ordinance during its regular City Council meeting on February 10, 2025,

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1: Sections 2.30.010, 2.32.050, and 2.33.050 of the Toppenish Municipal Code is hereby amended to read as follows:

2.30.010 Advisory commissions created.

A. There are established and created the following advisory commissions of the city:

1. Parks and recreation advisory board;
2. Planning commission;
3. Lodging tax advisory committee.

B. In addition to the above referred to advisory commissions, other advisory commissions exist including the civil service commission created pursuant to Chapter 2.40 TMC.

C. Advisory commissions shall only address issues referred to them by city council, or city staff.

2.32.050 Duties.

The public safety committee shall address issues referred to it by the city council, and state law ~~may also consider issues presented by the public, or by one of its members.~~ In addressing an issue, the committee shall discuss it and decide whether to make a recommendation to the city council. The committee may take into consideration information and recommendations from city staff and any other source it deems appropriate. Examples of matters that the public safety committee may address include but are not limited to issues and problems related to police, fire and code enforcement departments, state legislation regarding public safety matters, and emergency management concerns.

2.33.050 Duties.

The budget and finance committee shall address issues referred to it by the city council and staff, and ~~state law may also consider issues presented by the public, or by one of its members.~~ In addressing an issue, the committee shall discuss it and decide whether to make a recommendation to the city council. The committee may take into consideration information and recommendations from city staff and any other source it deems appropriate.

Section 2. Severability: If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Corrections: The city clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the corrections of scriveners/clerical errors, and any references thereto references.,.

Section 4. Effective Date: This ordinance shall be effective five days after publication of a summary thereof.

ADOPTED by the Toppenish City Council at its regular meeting held on February 10, 2025.

ELPIDIA SAAVEDRA, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

APPROVED AS TO FORM:

DANIEL B. HEID, City Attorney

REQUEST FOR COUNCIL ACTION

Agenda Bill No.: 25-008

Meeting Date: February 10, 2025

Subject: An Ordinance amending Toppenish Municipal Code 2.30.110 relating to the membership of the planning commission.

Attachments: Ordinance 2025-02

Presented by: Andrew Hattori, Community & Economic Development Director

Approved For Agenda By: Dan Ford, City Manager

Discussion:

On April 22, 2024, Ordinance 2024-08 was passed by City Council amending section 2.30.110 of the Toppenish Municipal Code. This amendment included modifications of how members are selected and allowed for either five or seven members to the commission, but never six. Since approval of the Ordinance, a membership of five commissioners has existed and run smoothly with all meetings held when necessary with no instances of lack of quorum.

Toppenish planning commissions prior to the passing of Ordinance 2024-08 encountered issues with reliability in attendance and forming a consistent quorum to hold public meetings. Under RCW 35.63.040 “Commissions-Organization-Meeting-Rules” planning commission’s are required to “...*hold at least one regular meeting in each month for not less than nine months in each year...*”, in an effort to maintain a consistent body and simplify code, staff proposes to amend TMC 2.30.110 from allowing five or seven members of the planning commission to requiring only five members.

The proposed amendment was presented in a public hearing at the January 15, 2025, planning commission meeting and received a recommendation for approval as presented.

Fiscal Impact: None

Recommendation: Approve Ordinance 2025-02 amending TMC 2.30.110 to set a requirement of five members to the Planning Commission.

Alternatives: Maintain an option of five or seven members to the Planning Commission.

ORDINANCE 2025-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
TOPPENISH, WASHINGTON, AMENDING SECTION 2.30.110 OF THE
TOPPENISH MUNICIPAL CODE TO LIMIT THE NUMBER OF
MEMBERS OF THE PLANNING COMMISSION TO FIVE
COMMISSIONERS, PROVIDING FOR SEVERABILITY AND
ESTABLISH AN EFFECTIVE DATE**

WHEREAS the Revised Code of Washington (RCW) section 35.63.040 requires planning commissions to hold at least one regular meeting in each month for not less than nine months in each year, and

WHEREAS the Planning Commission of Toppenish has had historical issues managing and maintaining a legal Planning Commission, and

WHEREAS setting a single limitation of five planning commissioners provides a more manageable Planning Commission in accordance with state law, and

WHEREAS the Council considered this Ordinance during its regular City Council meeting on February 10, 2025,

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1: Section 2.30.110 of the Toppenish Municipal Code is hereby amended to read as follows:

2.30.110 Membership of the planning commission.

The planning commission shall consist of ~~either five or seven members but shall at no time consist of an even number of six~~ members. The city council recognizes and values the opinions of the residents of the city of Toppenish, as well as those individuals who own and operate a commercial business in the city, and also appreciates the input of the Toppenish Mural Society to assist in planning and directing the safe and prosperous growth and overall well-being of the city. With that in mind, so long as a majority of the planning commission members are verifiable residents living within the corporate limits of the city of Toppenish, the city council may appoint up to a total of two nonresident planning commission members who may consist of one owner and operator of a commercial business located within the corporate limits of the city of Toppenish and/or one representative of the Toppenish Mural Society.

Section 2. Severability: If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Corrections: The city clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the corrections of scriveners/clerical errors, and any references thereto references,.

Section 4. Effective Date: This ordinance shall be effective five days after publication of a summary thereof.

ADOPTED by the Toppenish City Council at its regular meeting held on February 10, 2025.

ELPIDIA SAAVEDRA, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

APPROVED AS TO FORM:

DANIEL B. HEID, City Attorney