

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. Proclamation

- a. AB 26-08: MLK Week 2026 Proclamation.

4. Public Comment

The City Council welcomes public attendance at Council meetings. This meeting is for the conduct of regular City business. With very few exceptions, 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.

5. 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 December 8, 2025, Regular Meeting.
- b. Approve Minutes of the January 5, 2026, Study Session.
- c. Approve Payroll Checks and Bank Drafts as listed in the attached register in the total amount of \$323,478.01 dated December 22, 2025.
- d. Approve Payroll Checks and Bank Drafts as listed in the attached register in the total amount of \$180,796.27 dated January 7, 2026.
- e. Approve Claims Checks and Bank Drafts as listed in the attached register in the total amount of \$1,090,330.46 dated December 22, 2025.
- f. Approve Claims Checks and Bank Drafts as listed in the attached register in the total amount of \$268,763.98 dated December 31, 2025.
- g. Approve Claims Checks and Bank Drafts as listed in the attached register in the total amount of \$833,061.11 dated January 12, 2026 and void check 37486.

6. New Business

- a. AB 26-09: [Proposed] Ordinance No. 2026-01, Amending TMC 8.10 Garbage Collection and Disposal.

- b. AB 26-10: [Proposed] Ordinance No. 2026-02, Creating a New Section 1.01.095 for Correction of Scrivener's Errors.
- c. AB 26-11: [Proposed] Resolution No. 2026-01, Authorizing Agreement with the Department of Ecology for Wastewater Treatment Plant Design Work Loan Funding.

7. Council Meeting Reports and Community Announcements

8. Adjournment

Next Council Meeting Will Be Held on January 26, 2026.

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.

Meeting Date: January 12, 2026
Subject: AB 26-08: MLK Week 2026 Proclamation.
Attachments: 1. MLK Week 2026 Proclamation
Presented By: Heidi Riojas, City Clerk
Approved for Dan Ford, City Manager
Agenda By:

Discussion:

Each year, the City Council designates the third week of January as Martin Luther King, Jr. Week in support of the MLK Peace March held on the third Monday of January. To formally recognize this support, the Mayor, on behalf of the City Council, presents and recites the proclamation at the first regular meeting of the year on January 12, 2026.

Fiscal Impact:

n/a

Recommendation:

n/a

Alternatives:

n/a



Proclamation

As we prepare to observe the Martin Luther King, Jr., Federal Holiday, we reflect on the history of civil rights in America and honor Dr. King for the power of his intellect, the truth of his words, and the example of his courage. Dr. King called on our Nation to ensure equal justice under law and uphold our founding ideals of life, liberty, and the pursuit of happiness for all people.

Only when our children are free to pursue their full measure of success - unhindered by the color of their skin, their gender, the faith in their heart, the people they love, or the fortune of their birth - will we have reached our destination.

Dr. King believed that all people are made in God's image and created equal. He dedicated his life to empowering people and challenged them to lift up their neighbors and communities. He encouraged Americans to look past their differences and refused to rest until our Nation fulfilled its pledge of liberty and justice for all.

Today, let us ask ourselves what Dr. King believed to be life's most urgent and persistent question: "What am I doing for others?"

NOW, THEREFORE, the City of Toppenish does hereby proclaim the week of January 18, 2026 through January 24, 2026 as

Martin Luther King, Jr. Week

And we encourage all citizens to acknowledge Martin Luther King, Jr. and the principles for which he fought and died.

Dated this 12th day of January, 2026.

Elpidia Saavedra, Mayor

**TOPPENISH CITY COUNCIL
Regular Meeting Minutes
December 8, 2025**

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

ROLL CALL

Attendees: Mayor Elpidia Saavedra, Mayor Pro Tem Loren Belton, and Councilmembers Laura Canfield, Naila Prieto Duval, George Garcia, Josh Garza, and Cristian Sanchez.

Staff: City Manager Dan Ford, City Attorney Daniel B. Heid, Budget and Finance Director Adam Vaughn (FD Vaughn), Public Safety Director Joseph Mehline, Community and Economic Development Director Andrew Hattori (CED Hattori), Deputy Fire Chief Dale Northrup, Public Works Supervisor Daniel Musgrave, IT Services Manager Van Donley, City Clerk Heidi Riojas, and Communications Manager Sean Davido.

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

APPROVE AGENDA

Councilmember Sanchez moved, seconded by Councilmember Garza to approve the December 8, 2025, Agenda. Motion carried unanimously.

PUBLIC COMMENT

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

CONSENT AGENDA

Councilmember Prieto Duval requested to pull items a, c, and g for discussion before the vote.

a. Councilmember Prieto Duval moved, seconded by Mayor Pro Tem Belton to amend the Minutes of the November 24, 2025, Regular Meeting to include a motion to keep the utility rates unchanged for 2026. Motion passed. Councilmember Prieto Duval voted no.

b. Councilmember Prieto Duval moved, seconded by Councilmember Canfield to amend the Minutes of the December 1, 2025, Study Session to add to the legislative agenda priorities to include a funding request for playground equipment and park facilities. Motion passed. Mayor Saavedra and Mayor Pro Tem Belton voted no.

g. The item is the contract with Capitol Path and does not include the City Council legislative agenda priorities.

Mayor Pro Tem Belton moved, seconded by Councilmember Sanchez to approve Consent Agenda items a through h, as modified:

- a. Approve Minutes of the November 24, 2025, Regular Meeting.
- b. Approve Minutes of the November 25, 2025, Special Meeting.
- c. Approve Minutes of the December 1, 2025, Study Session.
- d. Approve Payroll Checks and Bank Drafts as listed in the attached register in the total amount of \$184,531.33 dated December 5, 2025.
- e. Approve Claims Checks and Bank Drafts as listed in the attached register in the total amount of \$361,770.77 dated December 8, 2025.
- f. Approve Ordinance No. 2025-17, Amending TMC Chapter 5.65 Parades, Athletic Events, and Other Special Events.
- g. Approve Resolution No. 2025-91, Approve Capitol Path Consulting LLC Professional Services Contract.
- h. Approve Resolution No. 2025-92, Addendum to Intermountain Cleaning Services Contract.

Motion carried unanimously.

OLD BUSINESS

Resolution No. 2025-93: A Resolution of the City of Toppenish City Council Amending Resolution 2025-79 by Changing the Election Date and Ballot Measure Language and Providing for the Submission of a Proposition to the Voters of the City of Toppenish at the August 4, 2026, Special Election, Authorizing the City to Lift the Levy Limit Established in RCW 84.55.010 to Provide Funds to Pay for the City Fire Department Service.

Councilmember Garza moved, seconded by Councilmember Sanchez to approve Resolution No. 2025-93. Motion carried unanimously.

PUBLIC HEARING

Public Hearing for 2026 Public Hearing for Amendment to Transportation Improvement Program.

Mayor Saavedra opened the public hearing at 7:34 p.m.

GMP Consultant Mick Monken reported that this is the public hearing to receive public comments on the Amendment to 2026–2031 Transportation Improvement Program (TIP) related to the Street Sweeper Equipment Procurement Project from LPG to electric and maintain eligibility for Carbon Reduction Program funding.

Alexander Mejia, 402 Bolin Drive, shared his concerns regarding the amendment.

There being no further comments from the public, Mayor Saavedra closed the public hearing at 7:40 p.m.

NEW BUSINESS

Resolution No. 2025-94: A Resolution Approving an Amendment to the 2026–2031 Transportation Improvement Program for the City of Toppenish to Change the Street Sweeper Equipment Procurement Project from LPG to Electric, and Establishing an Effective Date.

Mayor Pro Tem Belton moved, seconded by Councilmember Garza to approve Resolution No. 2025-94. Motion carried unanimously.

Mayor Saavedra Read Ordinance No. 2025-18 Into the Record: An Ordinance Adopting the 2026 Budget for the City of Toppenish, Washington.

Councilmember Garza moved, seconded by Councilmember Sanchez to adopt Ordinance No. 2025-18. Motion carried unanimously.

Mayor Saavedra Read Ordinance No. 2025-19 Into the Record: An Ordinance Amending the 2025 Operating Budget and Amending Ordinance 2024-19 for the City of Toppenish, Washington.

Mayor Pro Tem Belton moved, seconded by Councilmember Garcia to adopt Ordinance No. 2025-19. Motion carried unanimously.

Resolution No. 2025-95: A Resolution of the City Council of the City of Toppenish, Washington Updating Master Fee Schedules A and B.

Mayor Pro Tem Belton moved, seconded by Councilmember Garza to approve Resolution No. 2025-95. Motion carried unanimously.

Resolution No. 2025-96: A Resolution Approving the 2026 Addendum to Interlocal Agreement Between the City of Sunnyside, Washington, and the City of Toppenish, Washington, for the Housing of Inmates.

Councilmember Garza moved, seconded by Councilmember Garcia to approve Resolution No. 2025-96. Motion carried unanimously.

Resolution No. 2025-97: A Resolution of the City Council of the City of Toppenish, Washington, Accepting the Donation of Funds from the Toppenish Police Officers Guild for a Second K9 and Eight (8) Department Rifles.

Councilmember Prieto Duval moved, seconded by Councilmember Garza to approve Resolution No. 2025-97. Motion carried unanimously.

Resolution No. 2025-98: A Resolution of the City Council of the City of Toppenish, Washington, Approving a New Contract with Axon Enterprise, Inc. for Body-Worn Cameras, Tasers, Professional Licenses, Interview Room, and Cloud Storage.

Councilmember Garza moved, seconded by Councilmember Garcia to approve Resolution No. 2025-98. Motion carried unanimously.

Caretaker's Residence Code Amendment Presentation.

CED Hattori presented the proposed Caretaker's Residence Code Amendment to Council. The Planning Commission has approved the amendment and recommends Council adopt the update. CED Hattori noted that he will speak again on the proposed code amendment at a future meeting.

Resolution No. 2025-99: A Resolution of the City Council of the City of Toppenish, Washington, Approving Amendment No. 1 to Task Order 2022-01 for the Jackson Street and Juniper Street Reconstruction Project.

Councilmember Garza moved, seconded by Councilmember Sanchez to approve Resolution No. 2025-99. Motion carried unanimously.

Cancellation of the December 22, 2025, Regular Meeting.

Mayor Pro Tem Belton moved, seconded by Councilmember Canfield to Cancel the December 22, 2025, Regular Meeting. Motion carried unanimously.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

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

ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:31 p.m.

ELPIDIA SAAVEDRA, MAYOR

HEIDI RIOJAS, CMC, CITY CLERK

TOPPENISH CITY COUNCIL
Study Session Minutes
January 5, 2026

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 Laura Canfield, Naila Prieto Duval, George Garcia, and Cristian Sanchez.
Remote: Councilmember Josh Garza.
Staff: City Manager Dan Ford (CM Ford), City Attorney Daniel Heid, Public Safety Director Joseph Mehline, ACM/Finance Director Adam Vaughn, Community and Economic Development Director Andrew Hattori, Information Technology Services Manager Van Donley, City Clerk Heidi Riojas, and Communications Manager Sean Davido.

City Clerk Riojas conducted roll call for each City Councilmember to respond to their attendance at the meeting. Mayor Saavedra, Mayor Pro Tem Belton, and Councilmembers Canfield, Prieto Duval, Garcia, Garza, and Sanchez, responded during roll call. Councilmember Garza attended remotely.

**SWEARING IN OF NEWLY ELECTED OFFICIALS
AND REAPPOINTED OFFICIALS**

CC Riojas administered the Oath of Office to newly elected Councilmembers Elpidia Saavedra for Position #1, Cristian Sanchez for Position #2, Josh Garza for Position #3, and Laura Canfield for Position #4 for the term of office from January 1, 2026 through December 31, 2029. CC Riojas also administered the Oath of Office to Naila Prieto Duval for Position #6, and Loren Belton for Position #7 for the term of office from January 1, 2026, through December 31, 2027.

APPROVE AGENDA

Mayor Pro Tem Belton moved, seconded by Councilmember Sanchez to approve the January 5, 2026, Agenda. Motion carried unanimously.

SELECT MAYOR FOR 2026 AND 2027

CC Riojas called for nominations for the position of Mayor for 2026 and 2027. Councilmember Saavedra nominated herself. Councilmember Prieto Duval nominated Councilmember Garcia. CC Riojas closed nominations for the position of Mayor.

Votes for the position of Mayor were as follows:

Councilmember Saavedra: Councilmember Saavedra, Councilmember Belton, Councilmember Garza, and Councilmember Sanchez.

Councilmember Garcia: Councilmember Canfield, Councilmember Prieto Duval, and Councilmember Garcia.

Councilmember Saavedra was elected as Mayor for 2026 and 2027 and presided over the meeting.

SELECT MAYOR PRO TEMPORE FOR 2026 AND 2027

Mayor Saavedra called for nominations for the position of Mayor Pro Tem for 2026 and 2027. Mayor Saavedra nominated Councilmember Belton. Councilmember Prieto Duval nominated Councilmember Garcia. Mayor Saavedra closed nominations for the position of Mayor Pro Tem.

Votes for the position of Mayor Pro Tem were as follows:

Councilmember Belton: Mayor Saavedra, Councilmember Belton, Councilmember Canfield, Councilmember Garza, and Councilmember Sanchez.

Councilmember Garcia: Councilmember Prieto Duval and Councilmember Garcia.

Councilmember Belton was elected Mayor Pro Tem for 2026 and 2027.

SEATING OF COUNCIL FOR 2026 AND 2027

The Councilmembers, according to seniority, chose their seating arrangement.

PUBLIC COMMENTS UPDATE

CM Ford noted there were no public comments to report.

PUBLIC COMMENT

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

At 5:15 p.m., Councilmember Garza left the meeting.

SELECT MEMBERS AND ALTERNATES FOR 2026 AND 2027

Boards and Commissions Selection Committee – 3 Members

Mayor Pro Tem Belton, Councilmember Prieto Duval and Councilmember Garcia agreed to serve on the Boards and Commissions Selection Committee.

Cable Regulation Board – 1 Member, 1 Alternate

Mayor Pro Tem Belton agreed to be the member and Councilmember Garza as the alternate to serve on the Cable Regulation Board.

Driving Rural Yakima Valley Economy – 1 Member, 1 Alternate

Mayor Pro Tem Belton agreed to be the member and Councilmember Garcia as the alternate to serve on the Driving Rural Yakima Valley Economy.

Public Safety Committee – 3 Members, 1 Alternate

Councilmember Duval, Councilmember Garcia and Councilmember Sanchez agreed to be the members and Councilmember Canfield as the alternate to serve on the Public Safety Committee.

Yakima County Gang Commission – 1 Member, 1 Alternate

Councilmember Prieto Duval agreed to be the member and Councilmember Canfield as the alternate to serve on the Yakima County Gang Commission.

Yakima County-Wide Planning Policy Committee – 1 Member

Mayor Pro Tem Belton agreed to serve on the Yakima County-Wide Planning Policy Committee.

SELECT YAKIMA VALLEY CONFERENCE OF GOVERNMENTS MEMBER AND ALTERNATE FOR 2026

Councilmember Garcia agreed to be the member and Councilmember Prieto Duval as the alternate to represent the City for 2026 with the Yakima Valley Conference of Governments.

STAFF UPDATES

CM Ford updated Council on efficiency improvement made to the Council Chambers over the holiday break by Communications Manager Davido and IT Services Manager Donley. Communications Manager Davido advised the Council on appropriate colors for camera appearance and proper microphone use to ensure clear audio.

PRESENTATION

Amendments to TMC Chapter 8.10 Garbage Collection and Disposal.

CED Hattori spoke to the proposed updates to TMC Chapter 8.10 for Garbage Collection and Disposal. The proposed changes address six areas: placement of waste cans at the curb; removal of case by case approval by the Public Works Director for individuals or businesses to dispose of food waste in the sewer system; clarification of responsibility for the removal of dead animals; removal of the County Health Director as the authority for condemning property; elimination of the notification requirement to the County Health Director to give the City greater control over the process; and creation of a new code section prohibiting scavenging from waste cans or containers to reduce litter in the community.

Amendments to TMC Chapter 9.85 Graffiti Abatement.

CED Hattori presented the proposed updates to TMC Chapter 9.85 regarding graffiti abatement. The changes recognize that the City does not always have sufficient funding or personnel to address all graffiti and therefore prioritize residential properties. This approach is intended to provide more consistent service within the updated scope of the City's residential graffiti abatement program. Staff will also contact local organizations to explore potential assistance and will prepare a heat map identifying areas affected by graffiti. CED Hattori stated that he will return with additional data and provide a further update on the proposed code amendment at a future meeting.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:47p.m.

ELPIDIA SAAVEDRA, MAYOR

HEIDI RIOJAS, CMC, CITY CLERK

Payroll Check Register

Payroll for Period: 12/1-12/15, 2025

Description	Payment Type	Payment Number	Amount
ACH Payroll 12/1-12/15, 2025	Bank Draft	ACH Payroll	\$120,389.06
Benefits Only (6 checks)	Regular	38184-38189	\$0.00
Volunteer FF Stipends	Regular	38190-38220	\$30,044.88
City of Toppenish - Longevity	Regular	38221	\$395.00
IAFF-MERP Trust Office	Regular	38222	\$375.00
Teamsters Local 760	Regular	38223	\$928.00
Toppenish Police Officer Association	Regular	38224	\$882.00
Treasurer IAFF #2328	Regular	38225	\$326.00
United Way Of Yakima Co.	Regular	38226	\$3.00
Vimly Benefit Solutions, Inc.	Regular	38227	\$93,581.04
Washington Teamsters Welfare Trust	Regular	38228	\$2,201.60
Aflac (EFT)	Bank Draft	DFT0000260	\$64.29
Aflac (EFT)	Bank Draft	DFT0000261	\$131.72
MissionSquare (EFT)	Bank Draft	DFT0000262	\$4,218.93
Nationwide Retirement Solutions (EFT)	Bank Draft	DFT0000263	\$1,615.07
Dept of Retirement Systems (EFT)	Bank Draft	DFT0000264	\$20,211.64
Internal Revenue Service (EFT)	Bank Draft	DFT0000265	\$46,084.06
WCIF - PD Dental & Vision (EFT)	Bank Draft	DFT0000266	\$2,026.72
Grand Total			\$323,478.01
Payroll Checks			

Payroll Checks 38184-38228 and Electronic Transfers DFT0000260-DFT0000266.

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

December 18, 2025

Date

Payroll Check Register

Payroll for Period: 12/16-12/31, 2025

Description	Payment Type	Payment Number	Amount
ACH Payroll 12/16-12/31, 2025	Bank Draft	ACH Payroll	\$115,055.15
Benefits only	Regular	38317-38322	\$0.00
Gregory Frazier	Regular	38323	\$198.20
City of Toppenish - Longevity	Regular	38324	\$395.00
Toppenish Police Officer Association	Regular	38325	\$882.00
Treasurer IAFF #2328	Regular	38326	\$326.00
United Way of Yakima Co.	Regular	38327	\$3.00
Aflac (EFT)	Bank Draft	DFT0000270	\$64.29
Aflac (EFT)	Bank Draft	DFT0000271	\$131.73
MissionSquare (EFT)	Bank Draft	DFT0000272	\$5,071.69
Nationwide Retirement Solutions (EFT)	Bank Draft	DFT0000273	\$1,615.07
Dept of Retirement Systems (EFT)	Bank Draft	DFT0000274	\$20,172.51
Internal Revenue Service (EFT)	Bank Draft	DFT0000275	\$36,881.63
Grand Total			\$180,796.27
Payroll Checks			

Payroll Checks 38317-38327 and Electronic Transfers DFT0000270-DFT0000275.

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

January 6, 2026

Date

Payroll Check Register			
December 2nd Council Peripod			
Description	Payment Type	Payment Number	Amount
Morton & Sons. Inc.	Regular	Void 38093	\$ (50.39)
James Allen	Regular	Void 37764	\$ (125.00)
James Allen	Regular	Void 37936	\$ (125.00)
Northwest Code Professionals	Regular	Void 38095	\$ (8,454.95)
Per Diem 11/2025 ERWOW - E. Hanks	Regular	38171	\$ 167.00
Per Diem 11/2025 ERWOW - J. Padilla	Regular	38172	\$ 167.00
2025 Teamsters Longevity	Regular	38173-38183	\$ 9,040.00
AP Run	Regular	38229-38316	\$ 1,064,999.54
Heritage Bank	Bank Draft	DFT0000267	\$ 516.29
Pitney Bowes, Inc.	Bank Draft	DFT0000268	\$ 2,500.00
WA ST Dept. of Revenue	Bank Draft	DFT0000269	\$ 21,695.97
Grand Total			\$ 1,090,330.46
Payroll Checks			

Accounts Payable Checks 38171-38183 and 38229-38316, Electronic Transfers DFT267-DFT269, and Void Checks 38093, 37764, 37936, and 38095.

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

12/19/2025

Date

AP Check Register			
Period-13-1			
Description	Payment Type	Payment Number	Amount
Anatek Labs, Inc.	Regular	38328	\$ 750.00
Campbell & Co.	Regular	38329	\$ 416.00
Cascade Natural Gas Corp.	Regular	38330	\$ 1,623.67
CenturyLink	Regular	38331	\$ 828.16
Charter Communications	Regular	38332	\$ 1,497.52
Cintas Corporation #605	Regular	38333	\$ 357.07
City of Toppenish	Regular	38334	\$ 3,310.25
CivicPlus	Regular	38335	\$ 6,151.96
Correct Equipment, Inc.	Regular	38336	\$ 7,001.64
Criminal Justice Training Commission	Regular	38337	\$ 210.99
Daniel B. Heid	Regular	38338	\$ 11,138.00
Department of Licensing	Regular	38339	\$ 57.00
Elevator Program - WA ST Dept of L&I	Regular	38340	\$ 185.40
Employment Security Dept.	Regular	38341	\$ 141.82
GMP Consultants LLC	Regular	38342	\$ 3,093.75
Relations	Regular	38343	\$ 3,000.00
HLA Engineering and Land Surveying, Inc.	Regular	38344	\$ 58,640.00
Ideal Lumber & Hardware, Inc.	Regular	38345	\$ 816.32
Intermountain Cleaning Service, Inc.	Regular	38346	\$ 245.00
Northwest Code Professionals	Regular	38347	\$ 3,227.48
ODP Business Solutions, LLC	Regular	38348	\$ 124.70
OmniSite	Regular	38349	\$ 2,030.00
One Call Concepts, Inc.	Regular	38350	\$ 44.48
O'Reilly Auto Parts	Regular	38351	\$ 81.48
Oxarc, Inc.	Regular	38352	\$ 67.61
Pacific Power & Light Co.	Regular	38353	\$ 35,476.31
Public Safety Testing, Inc	Regular	38354	\$ 212.00
Rathbun Iron Works, Inc.	Regular	38355	\$ 88.02
Solid Waste Division	Regular	38356	\$ 18,263.49
State of WA Dept. of Revenue	Regular	38357	\$ 54,137.14
Sunnyside Sun Media LLC	Regular	38358	\$ 459.00
Tri-Ply Construction, LLC	Regular	38359	\$ 42,938.38
Tyler Business Forms	Regular	38360	\$ 269.36
U.S. Bank Corporate Payment Systems	Regular	38361	\$ 1,378.87
U.S. Bank Safekeeping	Regular	38362	\$ 22.00
USA Bluebook	Regular	38363	\$ 25.60
VESTIS	Regular	38364	\$ 16.21
Yakima County Department of Corrections	Regular	38365	\$ 10,389.40
Yakima Waste Systems, Inc.	Regular	38366	\$ 47.90
Grand Total			\$ 268,763.98
Payroll Checks			

Accounts Payable Checks 38328-38366

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

1/9/2026

Date

AP Check Register			
January 1st Council Period			
Description	Payment Type	Payment Number	Amount
Verizon Wireless	Regular	Void 37486	\$ (1,611.30)
Adam Vaughn	Regular	38367	\$ 116.00
CenturyLink	Regular	38368	\$ 22.70
Costco Membership	Regular	38369	\$ 65.00
Elpidia Saavedra	Regular	38370	\$ 116.00
Guardian Security Systems, Inc.	Regular	38371	\$ 301.38
Intermountain Cleaning Service, Inc.	Regular	38372	\$ 1,795.00
Moon Security Service, Inc.	Regular	38373	\$ 165.03
The Healthy Worker	Regular	38374	\$ 330.00
VESTIS	Regular	38375	\$ 16.23
Vimly Benefit Solutions, Inc.	Regular	38376	\$ 3,441.32
WA Cities Insurance Authority	Regular	38377	\$ 815,226.00
Yakima Regional Clean Air Agency	Regular	38378	\$ 1,225.75
USDA RD DCFO Loan (EFT)	Bank Draft	DFT0000276	\$ 11,852.00
Grand Total			\$ 833,061.11
Payroll Checks			

Accounts Payable Checks 38367-38378, Electronic Transfers DFT0000276, and Void Check 37486.

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

1/9/2026

Date

Meeting Date: January 12, 2026

Subject: AB 26-09: [Proposed] Ordinance No. 2026-01, Amending TMC 8.10 Garbage Collection and Disposal.

Attachments: 1. Ordinance Amending TMC 8.10 Garbage Collection Final

Presented By: Andrew Hattori, CED Director

Approved for Dan Ford, City Manager
Agenda By:

Discussion:

The City of Toppenish periodically reviews sections of the Toppenish Municipal Code (TMC) to ensure that it maintains efficiency and relevancy as time passes. TMC Section 8.10, pertaining to garbage collection and disposal, has been identified as needing updates to ensure the City is applying the most effective and practical provisions for waste collection. The majority of the amendments clarify which City staff member is responsible for certain aspects of the provisions and updating the referenced RCWs, the functional changes can be summarized as:

- Amendment to TMC 8.10.060 changing the staging location of receptacles for pickup from the sidewalk to adjacent the curb in the street.
- Amendment to TMC 8.10.090 removing the Public Works Director's ability to approve nonresidential garbage within the City's sewer system on a case-by-case basis.
- Amendment to TMC 8.10.130 clarifying that the City is only responsible for the removal of dead animals from the street and public right-of-way.
- Amendment to TMC 8.10.200 removing the county health director as the responsible official for determining whether a property is subject to condemnation due to sanitary reasons.
- Amendment to TMC 8.10.250 to remove the required notification to the county health officer.
- Creation of TMC 8.10.300 prohibiting the scavenging or salvaging of solid waste or recyclable materials from any waste cans or containers by any non-approved City agent or contractor.

The proposed code amendments were presented at the January 5, 2026, City Council Study Session.

Fiscal Impact:

None.

Recommendation:

Adopt Ordinance No. 2026-01 amending TMC chapter 8.10 relating to garbage collection and disposal.

Alternatives:

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON, CREATING A NEW SECTION 8.10.295 OF THE TOPPENISH MUNICIPAL CODE, AND AMENDING SECTIONS 8.10.010, 8.10.050, 8.10.060, 8.10.090, 8.10.130, 8.10.195, 8.10.200, 8.10.240, 8.10.250 AND 8.10.280 OF THE TOPPENISH MUNICIPAL CODE, RELATING TO GARBAGE COLLECTION AND DISPOSAL

WHEREAS, the Toppenish Municipal Code (TMC) provides for regulation of garbage collection, disposal, container requirements and locations, dead animals, and collection services;

WHEREAS, the current provisions of the TMC do not adequately address proper staging of waste containers and penalties for scavenging through waste containers; and

WHEREAS, the current provisions of the TMC incorrectly list certain positions as the responsible official for implementing the provisions for garbage collection and disposal.

WHEREAS, the following amendments would increase the City's ability to provide

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON, DO ORDAIN as follows:

Section 1. Creating a New Section to the Municipal Code. That a New Section 8.10.295 of the Toppenish Municipal Code (TMC) is created to read as follows:

8.10.295 Scavenging prohibited.

A. It is unlawful for any person to scavenge or salvage solid waste or recyclable materials from any waste cans or containers required under this chapter except for an agent of the City or contract. No authorized person shall take or remove any solid waste placed out for collection, including recyclable materials.

B. No person shall enter into a can, container, or other solid waste receptacle for the purpose of removing materials, compacting the contents of the receptacle, or any other unlawful purpose. This section shall not apply to:

1. Agents or employees of the City; or
2. Contractor when:
 - a. Acting to remove solid waste;
 - b. Abatement of a present or imminent dangerous condition;
 - c. Investigation; or
3. The owner of personal property inadvertently deposited into the

receptacle.

C. Except as provided in subsection (B) of this section, all solid waste and recyclable materials shall be presumed abandoned by the owner upon deposit into the can, container or receptacle, and title thereto shall vest in the city or the contractor, which shall have exclusive rights and responsibilities to its possession.

Section 2. Amending a Section to the Municipal Code. That Section 8.10.010 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.010 Definitions.

“Apartment complex” means a building or group of buildings containing more than four self-contained residences; units can be side-by-side, stacked or some combination thereof. Apartment complexes, while primarily designed for residential purposes, may, from time to time, also contain commercial units. For the purposes of this chapter, commercial units shall be considered residential for purposes of calculation of household waste container requirements;

“Ashes” means the residue from the burning of wood, coal, coke and other combustible material;

“Biomedical waste” means medical, infectious or related wastes defined and described in ~~Chapter 70.95K~~[Section 70A.228.010](#) RCW;

“Bulk refuse” means large items of refuse such as appliances, furniture, large auto parts, trees and branches, palm fronds, stumps, floatage, etc. The collection of bulk refuse shall be by special charge;

“City” means city of Toppenish or its duly authorized representative;

“Collection” means the act of picking up refuse at home, business or industrial site and putting it in a truck or container specifically designed and used for refuse disposal purposes;

“Director of public works” means the director of public works for the city and his authorized supervisors;

“Duplex” means a building divided into two self-contained residences with a separate entrance for each; units can be side-by-side or stacked;

“Fourplex” means a building divided into four self-contained residences with a separate entrance for each; units can be side-by-side, stacked or some combination thereof;

“Garbage” means animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods. It does not include food wastes from industrial processing;

“Person” means any institution, public or private corporation, individual, partnership or other entity;

“Private collector” means solid waste collection company, as defined in Chapter 81.77 RCW;

“Refuse” means all solid waste of the community and semiliquid or wet waste with insufficient liquid content to be free flowing. Synonym: solid waste;

“Resource recovery” means a general term used to describe the extraction of economically usable materials or energy from waste materials. The concept may involve recycling or conversion into different and sometimes unrelated uses. Possibilities include: conversion, mainly energy recovery by using waste for heat and fuel values;

transformation, chemical processes which create new byproducts; reuse (e.g., returnable bottles); and recycling (e.g., “Glasphalt,” a glass-based highway paving material);

“Rubbish” means nonbulky domestic and commercial solid waste exclusive of garbage;

“Sanitation service charge” means a charge imposed by the city council by resolution or ordinance for the services performed by the department of public works;

“Single-family home” means a freestanding residential building with no shared walls designed to be used as a single dwelling unit;

“Solid waste” means useless, unwanted, or discarded material with insufficient liquid content to be free flowing:

1. Agricultural — the solid waste that results from the rearing and slaughtering of animals and the processing of animal products and orchard and field crops;

2. Commercial — solid waste generated by stores, offices, and other activities that do not actually turn out a product;

3. Industrial — solid waste that results from industrial processes and manufacturing;

4. Institutional — solid wastes originating from educational, health-care, and research facilities;

5. Municipal — normally, residential and commercial solid waste generated within a community;

6. Pesticide — the residue resulting from the manufacturing, handling, or use of chemicals for killing plant and animal pests;

7. Residential — all solid waste that normally originates in a residential environment, sometimes called domestic solid waste;

“Triplex” means a building divided into three self-contained residences with a separate entrance for each; units can be side-by-side, stacked or some combination thereof;

“Yard rubbish” means residential prunings, grass clippings, weeds, leaves, and general yard and garden solid waste;

“Yard rubbish unit” means the maximum amount of yard rubbish which shall be collected from the residential areas of the city under the established fee for this service, and means that yard rubbish which is cut up into lengths not exceeding four feet, and which if tied together shall not exceed 10 feet in girth, with a maximum limb diameter of four inches. Maximum weight of a yard rubbish unit is 60 pounds. All leaves, grass, small prunings shall be bagged or boxed;

Additional Terms. Words, terms, or expressions peculiar to the collection and disposal of solid waste not hereinbefore defined shall have the respective meanings given in Appendix B, Glossary, contained in Handbook of Solid Waste Management, Van Nostrand Reinhold Publishing Company, 1977, or latest revision. (Ord. 2023-04 § 1, 2023; Ord. 2004-14 § 1, 2004).

Section 3. Amending a Section to the Municipal Code. That Section 8.10.050 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.050 Collection service — Permit requirements.

A. It is unlawful for anyone except the city public works department to collect garbage or rubbish within the city for compensation without the approval and authorization of the city manager, providing that this prohibition does not apply to the food processors.

B. Every person desiring to engage in the collection and/or disposal of refuse on a regular basis who is not acting as an agent for the city shall make written application to the ~~city clerk~~public works director setting forth the name of such person, the resident address thereof or address of the place of business, a description of the equipment to be used in the collection and/or disposal of such refuse, the place of disposal, and the method of disposal to be practiced. On approval of such application, the ~~city clerk~~public works director shall cause a permit to be issued to the applicant. The permit fee shall be established by resolution of the city council, as amended from time to time, payable in advance to the city. Such permit issued under this chapter shall expire on the first day of January in each year. Permits shall be renewed annually in the manner and upon payment of the same annual fee as provided in this section.

C. Any person whose application for permit has been denied or whose permit has been revoked by the city manager may request and shall be granted a hearing before the city hearing examiner under the procedure provided for herein.

D. No refuse originating in city limits shall be collected by private collectors except those having a contract or franchise for specific locations or with a permit from the city, and then only in such receptacles and to such place or places and in such manner as shall have first been approved by the director of public works.

E. The city public works department shall collect, remove, and dispose of all garbage and refuse which is not over the standard set for each pickup originating in city limits. Collection will be made in accordance with a frequency schedule acceptable to the city manager, except that the minimum garbage service to residential areas shall be once weekly.

F. Nothing contained herein shall prevent any person or contractor as defined in Chapter 18.27 RCW from collection associated with resource recovery or collecting and disposing of rubbish incidental to any personal or business reason other than as a private collector. All such disposal must be in acceptable containers and in compliance with applicable state, federal and local statutes. (Ord. 2017-01 § 1, 2017; Ord. 2004-14 § 1, 2004).

Section 4. Amending a Section to the Municipal Code. That Section 8.10.060 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.060 Container requirements.

A. Required. It shall be the duty of every person in possession, charge or control of any single dwelling, multiple dwelling, or commercial establishment where refuse is created or accumulated, at all times to keep or cause to be kept portable containers as defined in this chapter and to deposit or cause to be deposited said refuse therein.

B. Household Waste Containers.

1. For single-family homes, household waste containers shall be not less than 90-gallon nor more than 300-gallon capacity;

2. For duplexes, household waste containers shall be not less than one 90-gallon container per residential unit nor more than one 300-gallon container per combined units;

3. For triplexes, household waste containers shall be not less than one 90-gallon container per residential unit nor more than one 420-gallon container per combined units;

4. For fourplexes, household waste containers shall be not less than one 90-gallon container per residential unit nor more than one 420-gallon container per combined units; and

5. For apartment complexes, household waste containers shall not be less than one 300-gallon container for every three residential units but may also be calculated based on one 420-gallon container per four residential units.

C. Location. No containers shall be kept or stored within the confines of any street, public alley, public sidewalk, or public right-of-way in the residential district. In blocks in which there are alleys, such containers shall be kept on private property in a convenient and accessible location adjacent to such alley. In blocks where there are no alleys, such containers shall be kept on private property behind the front setback line, where a legal nonconforming dwelling encroaches into the front setback, the container shall be stored behind the building line of the dwelling. ~~without interfering with the reasonable enjoyment of such private property or adjoining property, providing such containers shall be placed in a readily accessible location to the traveled roadway of the street near the curb or roadway for collection only on the day that the refuse is normally collected;~~ provided, however, that where the public works director determines that it is beneficial to both the city and the property owner, and where it can be allowed without interfering with the reasonable enjoyment of such private property or adjoining property, the director may permit the property owner to keep or store such containers within the confines of any street or public alley. Refuse containers must be placed adjacent to the curb fronting the property ~~on the sidewalk~~ or, in the absence of a ~~curb~~ sidewalk, at a location adjacent to the street pavement, no earlier than 6:00 p.m. prior to the day of collection and no later than 7:00 a.m. on the day of collection. Refuse containers must be removed and relocated to private property no later than 8:00 p.m. on the day of collection.

Mobile home parks shall be required to provide central storage areas throughout the mobile home parks for the location of refuse containers; provided, that no individual mobile home owner shall be required to walk more than 150 feet any direction from their mobile home to deposit for pickup their waste in the containers.

D. Prohibited Materials. No rocks, dirt, manure, human excrement or hazardous waste as defined by Chapter 173-303 WAC are to be placed in refuse containers. No biomedical wastes shall be placed in refuse containers. Biomedical wastes shall be packaged and/or placed in containers meeting state and federal standards for biomedical wastes. (Ord. 2023-04 § 2, 2023; Ord. 2004-14 § 1, 2004).

Section 5. Amending a Section to the Municipal Code. That Section 8.10.090 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.090 Garbage — Permitted in sewage system when.

Garbage may enter the city sewage system if it is first shredded into tiny particles by use of an approved mechanical garbage grinder. Nonresidential garbage may not enter the city sewage system. ~~unless approved in writing by the public works director.~~ (Ord. 2004-14 § 1, 2004).

Section 6. Amending a Section to the Municipal Code. That Section 8.10.130 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.130 Disposal of dead animals.

It shall be the duty of the owner of any dead animals to cause the same to be removed and disposed of. In the event the owner of said dead animal is unknown, it shall be the duty of every person in possession, charge or control of any dead animal or upon the premises the same may be located to cause the same to be removed and disposed of. Dead animals upon the public ways will be collected and disposed of upon call to the department of public works at no extra charge. Dead animals in excess of 100 pounds will not be hauled off by city forces. Condemned animals or parts of animals from slaughterhouses or similar places, regardless of size, are regarded as industrial refuse and will not be collected by the city. (Ord. 2004-14 § 1, 2004).

Section 7. Amending a Section to the Municipal Code. That Section 8.10.195 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.195 Responsibility for garbage service charges.

A. The owner of the property being served shall be responsible for the payment of the charges for garbage service to such property, including delinquent fees and administrative, clerical and other employee or employee-related expenses as may be required by TMC 8.10.185.

B. All accounts for garbage service shall be kept in the name of the owner of the property and shall be billed to the owner and sent to the owner at such address as the owner shall provide to the city.

C. ~~The city clerk~~City staff may rely upon the land records of Yakima County for the purpose of determining the name of the owner of the property, as posted on the website of the Yakima County assessor, or such other documentation as may be provided to the city clerk that verifies such ownership. For purposes of this section, a contract purchaser shall be deemed to be the owner of the property if the contract has been recorded in the office of the Yakima County auditor.

D. Discontinuance of garbage service for any cause shall not release the owner from the obligation for payment of unpaid charges, including delinquent fees.

E. Each account that is in the name of and/or billed to anyone other than the property owner shall be put in the name of and billed to the property owner at such time as a change of occupancy or a change of ownership of the property occurs, or on January 1, 2013, whichever first occurs. (Ord. 2011-14 § 1, 2011).

Section 8. Amending a Section to the Municipal Code. That Section 8.10.200 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.200 Collection service — Suspension for nonpayment — Effect.

Services to any premises may be suspended for nonpayment of accounts. Such suspension shall not relieve the person owing such account of the duty of complying with the provisions of this code. Such suspension shall render the premises where such service is suspended subject to condemnation. ~~for unsanitary reasons upon the order of the county health director.~~ (Ord. 2004-14 § 1, 2004).

Section 9. Amending a Section to the Municipal Code. That Section 8.10.240 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.240 Hearings — Petition required — City hearing examiner authority.

Any person having a contract or license permit for the collection and disposal of refuse revoked, or who is refused a permit, or who is affected by any notice issued in connection with the enforcement of any provision of this chapter, may request and shall be granted a hearing on the matter before the city hearing examiner; provided, that such persons shall first file with the city ~~manager~~ clerk a written petition requesting such hearing, and setting forth a brief statement of the grounds therefor within 10 calendar days after the day the notice was served. Upon receipt of such petition, the city hearing examiner shall set a time and place for such hearing, and shall give the petitioner written notice thereof. The proceedings of such hearing, including the findings and decisions of the city hearing examiner, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the city clerk. Such record shall include also a copy of every notice or order issued in connection with the matter. Should the city hearing examiner determine that a violation of this chapter has been committed, it may revoke the permit issued to that person in violation or take such action as seems justifiable. (Ord. 2004-14 § 1, 2004).

Section 10. Amending a Section to the Municipal Code. That Section 8.10.250 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.250 Emergencies — Summary abatement authority.

Whenever the city manager or their designee finds that an emergency exists involving a serious health hazard which requires immediate action to protect the public health, ~~he shall notify the county health officer of such violation of this chapter and~~ action shall be taken under the provisions of this chapter and the laws of the state. (Ord. 2004-14 § 1, 2004).

Section 11. Amending a Section to the Municipal Code. That Section 8.10.280 of the Toppenish Municipal Code (TMC) is amended to read as follows:

8.10.280 Adoption of state law — Unlawful to dump or deposit solid waste without permit — Disposal of vehicle tires outside designated area prohibited.

The provisions of RCW 70A.220 ~~70.95.240 and 70.95.250~~ pertaining to the unlawful dumping or deposit of solid waste without permit, and the provisions of RCW 70A.205.400 ~~70.95.500~~ pertaining to the disposal of vehicle tires outside designated

areas, are adopted and incorporated herein by reference as though fully set forth, including the penalty provisions pertaining thereto. (Ord. 2004-14 § 1, 2004).

Section 12. 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 chapter.

Section 13. Effective date. This Ordinance shall be effective five (5) days after publication as required by law.

PASSED by the Toppenish City Council at its meeting held on the 12th day of January, 2026.

ELPIDIA SAAVEDRA, MAYOR

ATTEST:

HEIDI RIOJAS, CMC, CITY CLERK

APPROVED AS TO FORM:

DANIEL B. HEID, CITY ATTORNEY

Date of Publication: _____

Meeting Date: January 12, 2026

Subject: AB 26-10: [Proposed] Ordinance No. 2026-02, Creating a New Section 1.01.095 for Correction of Scrivener's Errors.

Attachments: 1. Ordinance No. 2026-02 Correction of Scrivener's Errors

Presented By: Daniel Heid, City Attorney

Approved for Dan Ford, City Manager
Agenda By:

Discussion:

Periodically, staff come across provisions in the City's Municipal Code that include an error or a mistake of some nature. It doesn't happen very often, but in those rare cases where it does occur, it is usually discovered when staff is working on a code provision that applies to a particular task or project, or when the code provision needs modification, or the mistake is noticed just by happenstance.

Where a mistake is made in the language of the code, the law in Washington accommodates the process of authorizing a responsible official to correct the mistake without having to take the matter back before the enacting body, in this case, the City Council.

To make sure that everyone is comfortable with the authorization to correct mistakes, it is appropriate for there to be clear guidelines so that what is being corrected is identifiable, and so that how it is being corrected is pursuant to a consistent process.

The proposed Ordinance would authorize the City Clerk, with the assistance/concurrence of the City Attorney, to identify areas where there is a mistake or a need for correction, and where the correction can be made in conformity with the intentions of the enactment. If that cannot be accomplished, either because the intention is not as clear or because the language may not be consistently corrected, depending upon what is involved, the matter would then have to come back before the City Council for clarification or for enactment of what the Council intends.

But where there is no misunderstanding about what was intended, and it is clear that what appears in the code is a mistake, the proposed Ordinance would give the authority to the City Clerk to correct the erroneous code language without requiring the Council to re-adopt what it had already intended to adopt.

This would also allow staff to implement the intended code quickly, and would avoid a delay that could occur if the same provisions had to be re-enacted in another Ordinance.

Fiscal Impact:

N/A

Recommendation:

Adopt Ordinance No. 2026-02 Creating New TMC Section 1.01.095 for Correction of Scrivener's Errors.

Alternatives:

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY OF TOPPENISH, WASHINGTON, CREATING A NEW SECTION 1.01.095 OF THE TOPPENISH MUNICIPAL CODE REGARDING CORRECTION OF SCRIVENER'S ERRORS BY CITY CLERK

WHEREAS, periodically, the City Clerk finds it necessary to make corrections of minor scriveners'/clerical errors within the City's Municipal Code; and

WHEREAS, the City Council has determined that it is in the interest of increased efficiency of the municipal government to authorize the City Clerk to correct minor errors within the City's Code provisions, so long as the Clerk's corrections do not change the meaning of any law and are reviewed by the City Attorney.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON, DO ORDAIN as follows:

Section 1. New Section to City Code. That a new Section 1.01.095 of the Toppenish Municipal Code is hereby created to read as follows:

1.01.095 Correction of scrivener's errors by City Clerk - Permitted.

A. The City Clerk, subject to review and written approval by the City Attorney, shall have the authority to correct minor scriveners'/clerical errors as described in subsection B. below and subject to subsections C and D below.

B. The City Clerk is permitted to correct minor scrivener's/clerical errors as follows:

1. Renumber sections, parts of titles, chapters, and sections;
2. Change capitalization for the purposes of uniformity;
3. Substitute the proper designation for the terms "the preceding section," "this ordinance," and like terms;
4. Substitute the proper calendar date for "effective date of this ordinance," "date of passage of this ordinance," and other phrases of similar import;
5. Strike out figures if they are merely a repetition of written words or vice versa, or substitute figures for written words or vice versa for the purposes of uniformity;
6. Correct manifest errors which are clerical, typographical, or errors in spelling, or errors by way of additions or omissions;
7. Correct manifest errors in references to laws;
8. Rearrange sections, combine sections or parts of sections with other sections or parts of sections, divide long sections into two or more sections,

and rearrange the order of sections to conform to a logical arrangement of subject matter as may most generally be followed in this code;

9. Change all sections, when possible, to read in the present tense, indicative mood, active voice, and if the use of personal pronouns cannot be avoided in a section change the section to read in the third person and singular number or any other necessary grammatical change in the manner generally followed in this code;

10. Remove from codification all titles to ordinances, all enacting and repealing clauses, all declarations of emergency, and all purpose, validity, and construction clauses unless from their nature, it may be necessary to retain some of them to preserve the full meaning and intent of the ordinance.

C. In no event shall the City Clerk edit or revise the Municipal Code such that it would change the meaning of any ordinance from its intended purpose.

D. All corrections made pursuant to this section shall be documented by the City Clerk and such documentation shall be maintained in such a manner as to clearly demonstrate why the changes were made, when the changes were approved by the City Attorney, and when the changes were made effective.

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 chapter.

Section 3. Effective date. This Ordinance shall be effective five (5) days after publication as required by law.

PASSED by the Toppenish City Council at its meeting held on the _____ day of January, 2026.

ELPIDIA SAAVEDRA, MAYOR

ATTEST:

HEIDI RIOJAS, CMC, CITY CLERK

APPROVED AS TO FORM:

DANIEL B. HEID, CITY ATTORNEY

Date of Publication: _____

Meeting Date: January 12, 2026

Subject: AB 26-11: [Proposed] Resolution No. 2026-01, Authorizing Agreement with the Department of Ecology for Wastewater Treatment Plant Design Work Loan Funding.

Attachments: 1. Resolution No. 2026-01 Authorizing Agreement between the City and Ecology Final
2. TOPPENISH_Draft_FY25_Agreement_Jan2026v6

Presented By: Andrew Hattori, CED Director, Dan Musgrave, Public Works Supervisor

Approved for Dan Ford, City Manager

Agenda By:

Discussion:

The City of Toppenish is currently undergoing various scopes of work to repair and improve the Wastewater Treatment Plant (WWTP). These improvements include the future design and construction of the following facilities:

- Suldge Holding Tank Improvements
- Grit System Upgrades
- Aeration Basin Treatment Improvements
- Secondary Clarifier Replacement
- Operations Building Improvements
- UV System Upgrades

The listed improvements are necessary to ensure the longevity and functionality of the facilities and ensuring increasing levels of compliance and service for our residents. Staff applied for funding for the design of the facilities through the Department of Ecology's Water Quality Combined Financial Assistance program and the City was awarded \$1,453,000.00 in funding. \$726,500 (50%) of which is a forgivable loan, meaning we will not need to pay it back. The remaining \$726,500.00, will be required to be paid back at an interest rate of 1.2% starting within a year of project completion or the beginning of a facilities operations, whichever occurs first. The funding will be used to design each of the facilities in preparation for future construction.

Fiscal Impact:

The City will be required to start paying back \$726,500.00 to the Department of Ecology at an interest rate of 1.2% within one year of project completion or at the beginning of facility operations. The ACM/Finance Director is aware and approves of this expenditure.

The ACM/Finance Director has been informed of this expenditure and has no objections to its consideration for approval.

Recommendation:

Approve Resolution No. 2026-01 Authorizing the City Manager to sign an agreement on behalf of the City for Wastewater Treatment Plant facilities design funding.

Alternatives:

RESOLUTION NO. 2026-01

A RESOLUTION OF THE CITY OF TOPPENISH, WASHINGTON AUTHORIZING AN AGREEMENT WITH THE DEPARTMENT OF ECOLOGY FOR WASTEWATER TREATMENT PLANT FACILITIES DESIGN LOAN FUNDING

WHEREAS, the City of Toppenish (hereinafter the “City”) operates a Wastewater Treatment Plant (hereinafter “WWTP”) to provide wastewater services for residents of the City; and,

WHEREAS, the WWTP requires periodic updates to its facilities to ensure its longevity and that adequate services are provided; and,

WHEREAS, the City applied for and was awarded \$1,453,000.00 in funding for the design of future improvements, with 50% of the loan being forgivable; and,

WHEREAS, the Washington State Department of Ecology (herein “DOE”) has provided agreement WQC-2025-Toppen-00115 for the City’s considerations to accept the funding.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TOPPENISH WASHINGTON, HEREBY RESOLVES as follows:

Section 1. Approval: The City Manager, or designee, is authorized to enter into an agreement with the DOE on behalf of the City for loan funding in the amount of \$726,500.00 in substantial conformity with the agreement attached hereto, marked as Exhibit A and incorporated herein by this reference.

Section 2. Corrections: The City Clerk is authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener’s/clerical errors, references, Resolution numbering, section/subsection numbering and any references thereto.

Section 3. Effective Date: This Resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its regular meeting held on January 12, 2026.

ELPIDIA SAAVEDRA, MAYOR

ATTEST:

HEIDI RIOJAS, CMC, CITY CLERK

APPROVED AS TO FORM:

DANIEL B. HEID, CITY ATTORNEY

EXHIBIT A



Agreement WQC-2025-Toppen-00115

WATER QUALITY COMBINED FINANCIAL ASSISTANCE AGREEMENT

BETWEEN

THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

AND

CITY OF TOPPENISH

DRAFT

This is a binding Agreement entered into by and between the State of Washington, Department of Ecology, hereinafter referred to as "ECOLOGY" and the **CITY OF TOPPENISH**, hereinafter referred to as the "RECIPIENT" to carry out with the provided funds, the activities described herein.

GENERAL INFORMATION

Project Title:	Solids Treatment Facilities Improvements Design
Total Cost:	\$1,453,000.00
Total Eligible Cost:	\$1,453,000.00
Ecology Share:	\$1,453,000.00
Recipient Share:	\$ 0.00
The Effective Date of this Agreement is:	07/01/2024
The Expiration Date of this Agreement is no later than:	03/01/2028
Project Type:	Wastewater Facility

EXHIBIT A

Project Short Description: (500-character limit, includes spaces)

This project improves water quality in the Yakima River through design upgrades to the City of Toppenish (RECIPIENT) Solids Treatment and Handling Operations at its wastewater treatment facility (WWTF). The WWTF discharges to the Toppenish Drainage, a man-made tributary to the Yakima River. This project will replace inoperable and ageing equipment and upgrade infrastructure to improve solids handling and treatment process functionality to restore operational efficiency to meet NPDES requirements. (WC: 501)

Project Long Description: (4,000-character limit, includes spaces)

This project improves water quality in the Yakima River through design upgrades to the City of Toppenish (RECIPIENT) Solids Treatment and Handling Operations at its wastewater treatment facility (WWTF). The WWTF discharges to the Toppenish Drainage, a man-made tributary to the Yakima River. This project will replace inoperable and ageing equipment and upgrade infrastructure to improve solids handling and treatment process functionality to restore operational efficiency to meet NPDES requirements.

The RECIPIENT's WWTF solids treatment infrastructure has reached the end of its useful life with some components over 50 years old. As a result, the facility has struggled with numerous plant upsets and permit violations. Most recently in February 2025, Toppenish WWTF experienced multiple critical system failures that compromised the Recipient's ability to properly process municipal sewage. The operations failures were partially due to the inability to procure replacement parts since many of the parts are no longer manufactured.

In September 2025, EPA (R10) issued an Administrative Order on Consent to the City of Toppenish to resolve CWA violations at its wastewater treatment facility. The order required the RECIPIENT to complete upgrades and repairs to its facility following the series of infrastructure failures that caused effluent limit exceedances and other permit violations. The order committed the RECIPIENT to deadlines to complete upgrades including the construction of a sludge bypass system, SCADA system upgrade, installation of new aeration blowers, headworks influent screen replacement, and installation of a biosolids drying system.

In response to the multiple system failures, the WA State Legislature appropriated \$2,000,000 million dollars to support urgent repairs to manage solids at the WWTF. Additionally, the WA State Public Works Board provided \$1 Million dollars in Emergency Funds to replace blowers screen, SCADA, and bypass piping at the primary clarifier sludge pump building. The RECIPIENT also received an additional \$8.2 Million in funds for design and construction of the new solid's handling dryer.

This project will address prioritized design improvements to the WWTP solid's handling systems and infrastructure, based on need and the critical function. These improvements will enhance reliability, redundancy and improve overall WWTP operations, while also reducing plant upset.

Overall Goal:

The goal of this project is to design upgrades to the WWTF that will provide for more efficient and reliable treatment of the facility's solids thereby reducing upsets and NPDES permit violations, with the added benefit of reduced greenhouse gas emissions.

EXHIBIT A

RECIPIENT INFORMATION

Organization Name: City of Toppenish

Mailing Address: 21 West First Ave
Toppenish, WA 98948

Physical Address: City of Toppenish
Wastewater Treatment Plant
501 Annahat Road
Toppenish, WA 98948

RECIPIENT CONTACTS

Project Manager	Andrew Hattori, Community & Economic Development Director 21 W 1st Ave Toppenish, Washington 98948 Email: Andrew.Hattori@cityoftoppenish.us Phone: (509) 865-2080
Authorized Signatory	Daniel Scott Ford, City Manager 21 W 1st Ave Toppenish, Washington 98948 Email: Dan.Ford@cityoftoppenish.us Phone: (509) 379-0847
Billing Contact	Adam Vaughn, Budget & Finance Director 21 W 1st Ave Toppenish, Washington 98948 Email: adam.vaughn@cityoftoppenish.us Phone: (509) 865-2080

EXHIBIT A

ECOLOGY INFORMATION

Mailing Address: Department of Ecology
Water Quality Program
PO BOX 47600
Olympia, WA 98504-7600

Physical Address: Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

ECOLOGY CONTACTS

Project Manager	Vicki Davis 1250 W Alder Street Union Gap, WA 98903 Email: vicki.davis@ecy.wa.gov Cell: 509-746-8306
Financial Manager	Sean Mellon PO Box 47600 Olympia, Washington 98504-7600 Email: sean.mellon@ecy.wa.gov Cell: 360-628-7318
Technical Advisor	Coleman Miller, PE 1250 W Alder Street Union Gap, WA 98903 Email: coleman.miller@ecy.wa.gov Cell: 509-406-5664

EXHIBIT A

AUTHORIZING SIGNATURES

RECIPIENT agrees to furnish the necessary personnel, equipment, materials, services, and otherwise do all things necessary for or incidental to the performance of work as set forth in this Agreement.

RECIPIENT acknowledges that they had the opportunity to review the entire Agreement, including all the terms and conditions of this Agreement, Scope of Work, attachments, and incorporated or referenced documents, as well as all applicable laws, statutes, rules, regulations, and guidelines mentioned in this Agreement. Furthermore, the RECIPIENT has read, understood, and accepts all requirements contained within this Agreement.

This Agreement contains the entire understanding between the parties, and there are no other understandings or representations other than as set forth, or incorporated by reference, herein.

No subsequent modifications or amendments to this agreement will be of any force or effect unless in writing, signed by authorized representatives of the RECIPIENT and ECOLOGY and made a part of this agreement. ECOLOGY and RECIPIENT may change their respective staff contacts without the concurrence of either party.

This Agreement shall be subject to the written approval of Ecology's authorized representative and shall not be binding until so approved.

The signatories to this Agreement represent that they have the authority to execute this Agreement and bind their respective organizations to this Agreement.

**Washington State
Department of Ecology****City of Toppenish**

By: _____
Jon Kenning, PhD Date
Water Quality
Program Manager

By: _____
Dan Ford, PE Date
City Manager

SCOPE OF WORK

Task Number 1

Task Cost: \$10,000.00

Task Title: Grant and Loan Administration

Task Description:

A. The RECIPIENT shall carry out all work necessary to meet ECOLOGY grant or loan administration requirements. Responsibilities include but are not limited to maintenance of project records; submittal of requests for reimbursement and corresponding backup documentation; progress reports; and an EAGL (Ecology Administration of Grants and Loans) RECIPIENT Closeout Report (RCOR). In the event the RECIPIENT elects to use a contractor to complete project elements, the RECIPIENT shall retain responsibility for the oversight and management of this funding agreement.

B. The RECIPIENT shall keep documentation that demonstrates the project is in compliance with applicable procurement, contracting, and interlocal agreement requirements; permitting requirements, including application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items. This documentation shall be made available to ECOLOGY upon request.

C. The RECIPIENT shall maintain effective communication with ECOLOGY and maintain up-to-date staff contact information in the EAGL system. The RECIPIENT shall carry out this project in accordance with any completion dates outlined in this agreement.

Task Goal Statement:

Properly managed and fully documented project that meets ECOLOGY's grant and loan administrative requirements.

Task Expected Outcome:

- * Timely and complete submittal of requests for reimbursement, quarterly progress reports, and Recipient Closeout Report.
- * Properly maintained project documentation.

Grant and Loan Administration Deliverables

Number	Description	Due Date
1.1	Progress Reports must include descriptions of work accomplished, project challenges, changes in the project schedule, and invoices. Submitted at least quarterly. (Due 30-days after end of each quarter)	
1.2	Recipient Closeout Report (EAGL Form).	

SCOPE OF WORK

Task Number 2

Task Cost: \$1,443,000.00

Task Title: Design

Task Description:

A. The RECIPIENT will procure professional services in accordance with state law. The RECIPIENT will include ECOLOGY's State Revolving Fund Engineering Services Insert in the contract documents between the RECIPIENT and the professional services team. The RECIPIENT must submit all professional services contracts before ECOLOGY will provide reimbursement for work performed under this task.

B. The RECIPIENT will design [the upgrades for the Solids Treatment and Handling operations at its wastewater treatment facility](#). Construction contract documents developed by the RECIPIENT must be consistent with the requirements of Chapter 173-240 WAC.

[Elements of Design will include:](#)

- [Sludge holding tank improvements](#)
- [Grit system upgrade](#)
- [Aeration basin treatment improvements](#)
- [Replace secondary clarifier](#)
- [Operations building improvements](#)
- [UV system upgrade](#)

C. The construction contract documents will be approved by the RECIPIENT prior to submittal for ECOLOGY review. All construction plans submitted to ECOLOGY for review and approval will be reduced to no larger than 11" x 17" in size. All reduced drawings will be completely legible. Plans should note if they are to scale or not. The project manager may request plans be submitted in either PDF or AutoCAD electronic format, and specifications in a searchable PDF or Microsoft Word electronic file. An updated construction cost estimate will be submitted along with each plan/specification submittal. The project manager may request a spreadsheet of the estimate in electronic file format.

D. The RECIPIENT will provide ECOLOGY with a plan for increasing the user rates necessary to support this loan. This plan will be provided within 180 days of signing the loan agreement. The plan will include the total revenue requirement and the user rates necessary for the RECIPIENT to operate and maintain the funded utility, to establish reserves to pay for equipment replacement, and to pay debt service. The plan will identify a schedule of rate increases necessary to achieve the total revenue requirement by the estimated date of loan repayment.

E. The RECIPIENT will provide ECOLOGY with a resolution or ordinance adopting the required schedule of rate increases.

F. The RECIPIENT will conduct an Investment Grade Efficiency Audit (IGEA). The RECIPIENT will review their energy use looking for cost-effective energy savings. The recipient may also submit documentation of an energy efficiency review conducted within the last five years.

G. The RECIPIENT will submit the minimum requirements as outlined in the 2025 Updated Environmental Information Document (EID) Guidance, Section A and in the State Environmental Review Process (SERP) EID at the time of or before design documents are submitted to Ecology for approval. All recipients of funding for water pollution control facility projects must comply with the SERP in accordance with WAC 173-98-720.

H. The RECIPIENT will provide an Ecology Cultural Resources Review (CRR) form as part of the minimum SERP requirements. The RECIPIENT will provide any additional information for ECOLOGY to lead the required cultural resources consultation. **Costs incurred for ground-disturbing activities that occur before cultural review will not be eligible for reimbursement.**

I. The RECIPIENT will complete an Ecology Inadvertent Discovery Plan (IDP) for their project.

J. The RECIPIENT will notify Ecology when deliverables are available and have been uploaded to EAGL.

Task Goal Statement:

See overall goal.

Task Expected Outcome:

See overall goal.

Task 2 Design Deliverables

Number	Description	Due Date
2.1	Documentation of the RECIPIENT's process for procuring engineering services	
2.2	Copy of Executed contract(s) for engineering services	
2.3	Copies of draft and final Design	
2.4	Sewer Revenue and User Rate Plan	
2.5	Resolution or Ordinance adopting Rate Increases	
2.6	Documentation of an Energy Efficiency Review (IGEA)	
2.7	Resolution or Ordinance authorizing Recipient to accept the loan	
2.8	Opinion of Legal Counsel	
2.9	Completed SERP EID	
2.10	Ecology Cultural Resource Review Form	
2.11	Inadvertent Discovery Plan	

BUDGET

Funding Distribution EF250700

NOTE: The above funding distribution number is used to identify this specific agreement and budget on payment remittances and may be referenced on other communications from ECOLOGY. Your agreement may have multiple funding distribution numbers to identify each budget.

Funding Title: **SRF Forgivable Principal** Funding Type: Forgivable Loan
 Funding Effective Date: **07/01/2024** Funding Expiration Date: **03/01/2028**

Funding Source:

Title: CWSRF-**SFY25** (State)

Fund: FD0727

Type: State

Funding Source %: 100%

Description: The Clean Water Act (CWA) (33 U.S.C 1251-1387) established the State Revolving Fund (SRF) low interest loans program (40. C.F.R. Part 31, 35 Sub Part K). Washington State administers the program under Chapter 173-98 WAC. The portion of this project funded with this funding distribution comes from non-federal source and are not subject to Federal Funding Accountability and Transparency Act (FFATA) and Single Audit Act (SAA). However, this project is subject to the federal requirements outlined in Section 4 and 5 of agreement terms and conditions.

Approved Indirect Costs Rate: Approved State Indirect Rate: 30%

Recipient Match %: 0%

InKind Interlocal Allowed: No

InKind Other Allowed: No

Is this Funding Distribution used to match a federal grant? No

SRF Forgivable Principal	Task Total
Grant and Loan Administration	\$ 5,000.00
Design	\$ 721,500.00
Total:	\$726,500.00

BUDGET**Funding Distribution EL250699**

Funding Title: SRF Loan (State)

Funding Type: Loan

Funding Effective Date: 07/01/2024

Funding Expiration Date: 03/01/2028

Funding Source:

Title: CWSRF-SFY25 (State)

Fund: FD0727

Type: State

Funding Source %: 100%

Description: The Clean Water Act (CWA) (33 U.S.C 1251-1387) established the State Revolving Fund (SRF) low interest loans program (40. C.F.R. Part 31, 35 Sub Part K). Washington State administers the program under Chapter 173-98 WAC. The portion of this project funded with this funding distribution comes from non-federal source and are not subject to Federal Funding Accountability and Transparency Act (FFATA) and Single Audit Act (SAA). However, this project is subject to the federal requirements outlined in Section 4 and 5 of agreement terms and conditions.

Approved Indirect Costs Rate: Approved State Indirect Rate: 30%

Recipient Match %: 0%

InKind Interlocal Allowed: No

InKind Other Allowed: No

Is this Funding Distribution used to match a federal grant? No

Effective Interest Rate: 0.9%

Interest Rate: 1.2%

Admin Charge: 0.3%

Terms: 20-years

Project Start Date: 07/01/2024

Project Completion Date: 03/01/2028

Estimated Initiation of Operation date:

Loan Security:

Revenue Secure Lien Obligation of the Recipient

Final Accrued Interest:

\$

Final Loan Amount:

\$

Repayment Schedule Number:

8675309

SRF Standard Loan	Task Total
Grant and Loan Administration	\$ 5,000.00
Design	\$721,500.00
Total	\$726,500.00

RECIPIENT / ECOLOGY SHARE DISTRIBUTION

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
SRF Standard Loan	0.0%	0.0	\$726,500.00	\$726,500.00
SRF Forgivable Loan	0.0%	0.0	\$726,500.00	\$726,500.00
			\$1,453,000.00	\$1,453,000.00

FUNDING DISTRIBUTION SUMMARY

Tasks	Total PROJECT Cost	Total Eligible PROJECT Cost	SRF Forgivable Principal	SRF Loan Amount
1. Grant & Loan Administration	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00
2. Design	\$1,443,000.00	\$1,443,000.00	\$721,500.00	\$721,500.00
			\$	
Total	\$1,453,000.00	\$1,453,000.00	\$726,500.00	\$726,500.00