



**TOPPENISH CITY COUNCIL
REGULAR MEETING AGENDA
OCTOBER 9, 2023 – 7:00 P.M.**

TELEVISED LIVE ON MIDVALLEY TELEVISION
SPECTRUM CABLE CHANNEL 194

1. REGULAR SESSION CALL TO ORDER

Pledge of Allegiance/Roll Call/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. At this time, citizen comments and inquiries about agenda business or general City matters are encouraged. If you wish to address the City Council, please stand or raise a hand so you can be called upon. After you are recognized, please come forward to the lectern, state your name, and address for the public record. Your remarks must be limited to three minutes or less. Please use the microphone.

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 September 25, 2023, Regular Meeting
- b. Approve Minutes of the October 2, 2023, Study Session
- c. Approve Payroll Checks Numbers 36401 through 36425 and Electronic Transfers EFTPR3082-EFTPR3092 in the total amount of \$296,669.17 dated October 6, 2023
- d. Approve Claims Checks Numbers 97807 through 97866 and Electronic Transfer EFTAP357-EFTAP358 in the total amount of \$1,462,571.10 dated October 9, 2023, and voided Check NR97640

5. NEW BUSINESS

- a. AB 23-065 [Proposed] Resolution 2023-40, Approve Grant Agreement with U.S. Department of Transportation for FY22 Safe Streets and Roads for All (SS4A)

6. COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

7. CITY MANAGER REPORT

8. ADJOURNMENT

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON OCTOBER 23, 2023

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

**TOPPENISH CITY COUNCIL
Regular Meeting Minutes
September 25, 2023**

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

ROLL CALL

Attendees: Mayor Elpidia Saavedra and Councilmembers Loren Belton, Naila Duval, George Garcia, and Kyle Pettit
Absent: Councilmember Juan Ceja
Staff: City Manager Debbie Zabell (CM Zabell), City Attorney Gary Cuillier, Assistant City Manager/Public Works Director Dan Ford, Chief of Police John Clary, Fire Chief Tim Smith, Public Works Office Manager Beth Simmons, City Clerk Heidi Riojas (CC Riojas), and Community Television Manager Sean Davido

CC Riojas conducted roll call for each City Councilmember to respond their attendance at the meeting. Mayor Saavedra and Councilmembers Belton, Duval, Garcia, and Pettit responded their attendance during roll call. Councilmember Ceja was not present at the meeting.

APPROVE AGENDA

Councilmember Pettit moved, seconded by Councilmember Garcia to approve the September 25, 2023, Agenda. Motion carried unanimously.

PUBLIC COMMENT

Alex Mejia, 402 Bolin Drive, Toppenish, spoke to his concerns regarding various issues in the community focused on public safety.

CONSENT AGENDA

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

- a. Approve Minutes of the September 11, 2023, Regular Meeting
- b. Approve Payroll Checks Numbers 36396 through 36400 and Electronic Transfers EFTPR3072-EFTPR3081 in the total amount of \$216,704.30 dated September 22, 2023
- c. Approve Claims Checks Numbers 97731 through 97806 and Electronic Transfer EFTAP356 in the total amount of \$1,662,395.19 dated September 25, 2023, and void Check Number NR97711

Motion carried unanimously.

NEW BUSINESS

Resolution 2023-37: A Resolution Approving Agreement No. 38230 Between Yakima County and City of Toppenish in Conjunction With the American Rescue Plan, Coronavirus State and Local Fiscal Recovery Funds Award.

Councilmember Pettit moved, seconded by Councilmember Garcia to approve Resolution 2023-37. Motion carried unanimously.

Resolution 2023-38: A Resolution That Authorizes City Manager, or Designee, to Submit an Application to the Recreation and Conservation Office Funding Board for a Deferred Maintenance Grant.

Councilmember Pettit moved, seconded by Councilmember Belton to approve Resolution 2023-38. Motion carried unanimously.

Resolution 2023-39: A Resolution Approving Janitorial Services Addendum With Intermountain Cleaning Services, Inc.

Councilmember Duval moved, seconded by Councilmember Belton to approve Resolution 2023-39. Motion carried unanimously.

Approve Purchase of Server Replacements for City Hall and Police Department.

Councilmember Duval moved, seconded by Councilmember Belton to Authorize the City Manager to Proceed with the Purchase of Server Equipment for City Hall and Police Department. Motion carried unanimously.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Councilmember Garcia had nothing to report.

Councilmember Pettit had nothing to report.

Councilmember Belton had nothing to report.

Councilmember Duval reported her attendance at the Yakima Valley Conference of Governments (YVCOG) General Membership meeting on September 20, 2023, in Grandview.

Mayor Saavedra encouraged residents to create an emergency plan with family members. She thanked the Fire and Police Department employees for protecting the community on September 22, 2023, during the emergency evacuation to keep people safe.

CITY MANAGER REPORT

FC Smith updated the Council on the events from the emergency evacuation caused by the incident on September 22, 2023.

CM updated Council on the following:

- Attended the YVCOG General Membership meeting
- Meeting with Yakima Human Services

INTERVIEW COUNCIL CANDIDATE

Mayor Saavedra announced that the Council will interview the Candidate to fill the vacancy of Position 3.

Councilmember Duval moved, seconded by Councilmember Belton to interview Candidate Garza, at this time for consideration to fill vacancy of Position 3, from the resignation of Clara Jiménez, for the short-term until November 25, 2025, after the 2025 election is certified. Motion carried unanimously.

The Council queried the candidate on his thoughts regarding a variety of issues before going into Executive Session.

EXECUTIVE SESSION

At 8:00 p.m., Mayor Saavedra called for the Council to go into Executive Session for the purpose of evaluating the qualifications of the candidate for appointment to fill the City Council vacancy pursuant to RCW 42.30.110(1)(h). The approximate time for the Executive Session is 15 minutes with anticipated action.

At 8:15 p.m., Mayor Saavedra reconvened the regular session back to order.

SELECT NEW COUNCILMEMBER BY MAJORITY ROLL-CALL VOTE

Mayor Saavedra opened nominations.

Councilmember Belton nominated Candidate Garza to fill Position 3 for the remainder of the term until a qualified person is elected. Councilmember Pettit seconded the nomination.

Mayor Saavedra closed nominations.

Roll Call Vote:

CC Riojas administered a roll call vote on the nomination for Candidate Garza:

Councilmember Garcia – Yes

Councilmember Pettit – Yes

Councilmember Duval – Yes

Councilmember Belton – Yes

Mayor Saavedra – Yes

Candidate Garza was selected to fill vacant City Council Position 3 with five yes votes.

SWEARING IN OF NEWLY APPOINTED OFFICIAL

CC Riojas administered the Oath of Office to newly appointed Josh Garza to fill Position 3 on the Toppenish City Council for the remainder of the term until a qualified person is elected at the next election.

ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:19 p.m.

ELPIDIA SAAVEDRA, MAYOR

HEIDI RIOJAS, CMC, CITY CLERK

**TOPPENISH CITY COUNCIL
Study Session Minutes
October 2, 2023**

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 Duval, George Garcia, and Josh Garza
Absent: Councilmembers Juan Ceja and Kyle Pettit
Staff: City Manager Debbie Zabell (CM Zabell), City Attorney Gary Cuillier, Assistant City Manager/Public Works Director Dan Ford, City Clerk Heidi Riojas, and Human Resources Generalist Mary Goodale (HRG Goodale)

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

APPROVE AGENDA

Mayor Pro Tem Belton moved, seconded by Councilmember Garcia to approve the October 2, 2023, Agenda. Motion carried unanimously.

PUBLIC COMMENT

None

SELECT MAYOR PRO-TEMPORE FOR REMAINDER OF 2023

Mayor Saavedra called for nominations for the position of Mayor Pro Tem for the remainder of 2023. Councilmember Garcia nominated Councilmember Belton. There being no further nominations, Mayor Saavedra closed nominations for the position of Mayor Pro Tem. The vote was unanimous to elect Councilmember Belton as Mayor Pro Tem.

**SELECT MEMBERS AND ALTERNATES TO SERVE ON COMMITTEES
FOR REMAINDER OF 2023**

Boards and Commissions Selection Committee: Mayor Pro Tem Belton agreed to serve on the Boards and Commissions Selection Committee.

Cable Regulation Board: Councilmember Garza agreed to serve as the Alternate on the Cable Regulation Board.

Public Safety Committee: Councilmember Garcia agreed to serve on the Public Safety Committee.

Yakima County Gang Commission: Mayor Saavedra agreed to serve as the Alternate on the Yakima County Gang Commission.

**SELECT YAKIMA VALLEY CONFERENCE OF GOVERNMENTS
MEMBER FOR REMAINDER OF 2023**

Councilmember Duval agreed to serve as the Member for Yakima Valley Conference of Governments for the remainder of 2023. Councilmember Garcia agreed to serve as the Alternate for Yakima Valley Conference of Governments for the remainder of 2023.

DISCUSSION REGARDING TOURISM 2024

CM Zabell updated the Council on the current status of tourism in the City. She presented the staff recommendation to use the unrestricted funds for street improvements as outlined in the City's Six Year Transportation Improvement Plan.

Mayor Pro Tem Belton moved, seconded by Councilmember Garcia to transfer the unrestricted funds from the Tourism Fund to the Capital Street Fund, and to start the Request for Proposal to Distribute Tourism Funds for 2024. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned to 5:24 p.m.

ELPIDIA SAAVEDRA, MAYOR

HEIDI RIOJAS, CMC, CITY CLERK

Payroll Check Register

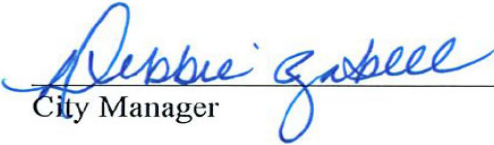
Payroll for Period: 09/16 - 9/30/2023

Fund Number	Description	Amount
001-000-011	Legislative	\$2,067.47
001-000-013	Executive	\$7,599.38
001-000-014	Finance, Record	\$22,834.87
001-000-018	Central Services, Personnel Services	\$18,034.65
001-000-021	Law Enforcement	\$67,462.84
001-000-022	Fire Services	\$46,929.93
001-000-024	Protective Inspections	\$5,288.07
001-000-058	Planning and Community Development	\$2,293.28
001-000-071	Recreational Services	\$2,887.87
001-000-076	Pool, Park Facilities	\$6,991.18
030-000-021	Criminal Justice Fund	\$34,973.82
050-000-000	Special Projects Fund	\$1,871.51
071-000-071	Recreation	\$1,328.89
101-000-000	Street Fund	\$9,195.49
108-000-000	Cemetery Fund	\$6,391.89
157-000-000	Cable TV Fund	\$4,983.16
401-000-000	Water Fund	\$19,967.54
403-000-000	Wastewater Fund	\$24,571.60
405-000-000	Solid Waste Fund	<u>\$10,995.73</u>
	Grand Total	\$296,669.17

Payroll Checks

Payroll Checks 36401 - 36425, Electronic Transfers EFTPR3082 - EFTPR3092

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.



City Manager

October 6, 2023

Date

Accounts Payable Check Register

October 9, 2023

Number	Vendor Name	Account Description	Amount
97807	Michael D'Orazio	Travel	\$240.00
97808	Dan Ford	Travel	\$115.00
97809	Tamara Colley	Travel	\$144.00
97810	Beth Simmons	Travel	\$144.00
97811	Advanced Partnership	Sewer Sales Residential	\$1,030.33
		Solid Waste Services	\$268.78
		Water Sales Residential	\$940.72
		Check Total:	\$2,239.83
97812	Amazon Capital Services	Office & Operating Supplies	\$336.21
		Operating/Maintenance Supplies - General	\$227.24
		Check Total:	\$563.45
97813	Aramark	Rentals	\$32.38
97814	Budget Septic LLC	Professional Services	\$1,000.35
97815	Cascade Natural Gas Corp.	Fuel for Heating	\$103.61
		Fuel for Heating - City Hall	\$16.01
		Fuel for Heating - Fire	\$40.01
		Fuel for Heating - Police	\$62.14
		Fuel for Heating - Swimming Pool	\$14.60
		Check Total:	\$236.37
97816	CenturyLink	Telephone	\$877.13
		Telephone - Utility Billing	\$79.74
		Check Total:	\$956.87
97817	CenturyLink	Telephone	\$2,180.59
97818	Charter Communications	Internet	\$129.99
		Internet & Cable MVTV	\$186.96
		Internet & Cable City Hall	\$187.77
		Internet & Cable Fire Department	\$179.98
		Internet & Cable Police Department	\$23.42
		Internet - Parks	\$149.98
		Check Total:	\$858.10
97819	Cintas Corporation #605	Rentals	\$39.22
		Uniform Cleaning	\$318.49
		Check Total:	\$357.71
97820	Department of Licensing	Weapon Permit - DOL License	\$21.00
97821	DeVries Business Records Management, Inc.	Professional Services	\$11.51
97822	Dobbs Truck Group - Corporate	Operating/Maintenance Supplies - Vehicles	\$384.03
97823	EarthCam, Inc.	Alarm Monitoring	\$300.00
97824	Elwood Staffing Services, Inc.	Professional Services	\$4,066.50
		Professional Services - Seasonal Help	\$2,094.87
		Check Total:	\$6,161.37
97825	Eurofins Environment Testing Northwest, LLC	Professional Services	\$3,757.50


Number	Vendor Name	Account Description	Amount
97826	Eurofins Microbiology Laboratories, Inc.	Professional Services	\$370.00
97827	Granite Construction Company	Operating/Maintenance Supplies - General	\$2,653.47
97828	Gray & Osborne, Inc.	Sewer System Imp - Engineering	\$51,291.21
97829	Gregoria Vasquez	Travel	\$241.04
97830	H.D. Fowler Co., Inc.	Water Service Supplies	\$9,061.41
97831	Hach Company	Lab Supplies	\$784.38
97832	Howard's Tire Factory Inc	Operating/Maintenance Supplies - Vehicles	\$70.15
97833	Ideal Lumber & Hardware, Inc.	Capital Improvements - Temporary Police Building	\$47.80
		Office & Operating Supplies	\$480.17
		Operating/Maint. Supplies	\$156.75
		Operating/Maint. Supplies - General	\$81.84
		Operating/Maint. Supplies - Park Facilities	\$36.24
		Operating/Maintenance Supplies - General	\$2,006.77
		Operating/Maintenance Supplies - Vehicles	\$64.90
		Small Tools & Minor Equipment	\$45.06
		Water Service Supplies	\$3.51
		Check Total:	\$2,923.04
97834	Inland Fire Protection, Inc.	Repair & Maintenance Equipment	\$170.11
		Service Repair/Maintenance City Hall	\$22.03
		Service Repair/Maintenance Equipment	\$87.91
		Check Total:	\$280.05
97835	Intermedia.net Inc.	Telephone	\$141.06
97836	Intermountain Cleaning Service, Inc.	Janitorial Services - City Hall	\$1,715.00
		Operating/Maint. Supplies	\$152.70
		Operating/Maintenance Supplies - General	\$168.94
		Check Total:	\$2,036.64
97837	J.P. Cooke Company	Office & Operating Supplies	\$118.35
97838	Johnson Controls Security Solutions LLC	Alarm Monitoring	\$673.91
97839	Lab Test	Professional Services	\$4,725.00
97840	Lynden Precast LLC	Liners & Markers	\$1,440.00
97841	Moon Security Service, Inc.	Alarm Monitoring	\$123.07
97842	Natural Selection Farms, Inc.	Biosolids Removal Program	\$36,041.20
97843	ODP Business Solutions, LLC	Office & Operating Supplies	\$197.16
		Operating/Maintenance Supplies - General	\$147.18
		Small Tools & Minor Equipment	(\$10.79)
		Check Total:	\$333.55
97844	Ogden Murphy Wallace Attorneys	Professional Services	\$560.00
97845	O'Reilly Auto Parts	Operating/Maintenance Supplies - Vehicles	\$611.70
97846	Pacific Alliance Title	Sewer Sales Residential	\$60.85
		Solid Waste Services	\$17.20
		Water Sales Residential	\$54.24

Number	Vendor Name	Account Description	Amount
		Check Total:	\$132.29
97847	Pacific Office Automation	Photocopies	\$187.03
97848	Pacific Office Automation	Rentals	\$126.37
97849	Pacific Power & Light Co.	Electricity - City Hall	\$390.41
		Electricity - Fire	\$454.34
		Electricity - Police	\$1,151.52
		Electricity - Recreation	\$135.52
		Electricity - Swimming Pool	\$823.77
		Check Total:	\$2,955.56
97850	Prothman	Professional Services	\$4,420.35
97851	Rathbun Iron Works, Inc.	Operating/Maintenance Supplies - Vehicles	\$329.47
		Service Repair/Maintenance Equipment	\$181.43
		Check Total:	\$510.90
97852	Richart Family Inc.	P: Mechanical Permits	\$61.08
97853	Sea Western, Inc.	Personal Protective Equipment	\$144.40
97854	Shaun Burgess	Travel	\$52.00
97855	Sign Solutions USA, LLC	Operating/Maintenance Supplies - Traffic Control Devices	\$1,047.95
97856	Solid Waste Division	Dump Site Fees	\$19,328.90
97857	Systems for Public Safety, Inc.	Small Tools & Minor Equipment	\$821.88
97858	The Print Guys	Office & Operating Supplies	\$310.23
97859	Trojan Technologies	Professional Services	\$3,240.00
97860	U.S. Bank Corporate Payment Systems	Advertising	\$830.00
		Employee Appreciation Awards/Supplies	\$63.30
		Memberships- Registrations - Subscriptions	\$1,020.47
		Miscellaneous Fees & Charges	\$202.00
		Office & Operating Supplies	\$74.00
		Operating/Maintenance Supplies - General	\$255.04
		Pre-Employment Services	\$60.00
		Recycling & Shred Services	\$11.00
		Software Subscriptions	\$631.54
		Travel	\$2,121.18
		Uniforms & Clothing	\$349.00
		Check Total:	\$5,617.53
97861	Vision Municipal Solutions, LLC	Postage	\$1,128.75
		Professional Services	\$2,322.80
		Check Total:	\$3,451.55
97862	Wapenish Sand & Gravel	Operating Maintenance Supplies - General	\$780.23
		Operating/Maintenance Supplies - General	\$780.23
		Check Total:	\$1,560.46
97863	West Coast Fire & Rescue	Service/Maintenance Agreements	\$291.60
97864	Yakima Waste Systems, Inc.	Recycling & Shred Services	\$42.62
97865	True North Equipment	Capital Purchase - Fire Equipment	\$1,269,825.01
97866	Law Office of Gary Cuillier	Legal - City Attorney	\$2,080.00

Number	Vendor Name	Account Description	Amount
EFTAP357	USDA RD DCFO Loan Payment (EFT)	IG: Interest USDA/RD Loan City Wide Sewer Rehab	\$5,134.22
		IG: Principal USDA/RD Loan City Wide Sewer Rehab	\$6,717.78
		Check Total:	\$11,852.00
EFTAP358	Invoice Cloud	On-Line Utility Payment Charges	\$410.80
NR97640	Freightliner Northwest	Operating/Maintenance Supplies - Vehicles	(\$82.70)
Grand Total			\$1,462,571.10

Accounts Payable Checks 97807-97866, EFTAP357-EFTAP358, and Voided Check NR97640.

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.



 City Manager

October 9, 2023



CITY OF TOPPENISH
REQUEST FOR COUNCIL ACTION
Agenda Bill No.: 23-065

Meeting Date: October 9, 2023

Subject: SS4A Grant FY22 City of Toppenish

Attachments: Resolution 2023-40; U.S. Department of Transportation Grant Agreement for FY22 Safe Streets and Roads for All (SS4A)

Prepared by: Dan Ford, PE - Public Works Director

Presented by: Dan Ford, PE - Public Works Director

Approved For Agenda By: Debbie Zabell, City Manager

Discussion:

On September 14, 2022, the city applied to the U.S. Department of Transportation for a Safe Streets and Roads for All (SS4A) Grant for the Safety Action Plan for the City of Toppenish.

The City was successful and received \$80,000, of which there is a \$20,000 match required, bringing the total to \$100,000 to create a Transportation Safety Action Plan.

This agreement reflects the conditions of the grant and requires the City Manager's approval. Because there is a required match, council must approve the city manager to sign the agreement.

The funds would specifically be used to secure a qualified consultant to prepare the Transportation Safety Action Plan.

The benefits of the Transportation Safety Action Plan are significant and align with the cities Transportation improvement priorities as well as councils' goal to create a safer Toppenish.

Fiscal Impact: \$20,000

Recommendation: Approve Resolution 2023-40, authorizing the City Manager to approve and accept the Grant Agreement.

Alternatives: 1) Do not approve and return the \$80,000 grant award.

RESOLUTION 2023-40

**A RESOLUTION APPROVING U.S. DEPARTMENT OF
TRANSPORTATION GRANT AGREEMENT UNDER THE FISCAL YEAR
2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM**

WHEREAS the City of Toppenish applied to the U.S. Department of Transportation for a Safe Streets and Roads for All (SS4A) Grant for the Safety Action Plan, and

WHEREAS the City has been selected as an award recipient to receive an \$80,000 grant, with a \$20,000 match, for a total of \$100,000 to be used for a Traffic Safety Action Plan,

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

The Grant Agreement between the U.S. Department of Transportation and the City of Toppenish for a Safe Streets and Roads for All (SS4A) Grant for a Safety Action Plan is approved. The City Manager is authorized to sign said agreement and any other documents that may be necessary for the management and implementation of the SS4A grant funds in compliance with federal regulations.

This resolution shall be effective immediately upon passage and signatures.

PASSED by the City Council at its regular meeting held on October 9, 2023.

ELPIDIA SAAVEDRA, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

- | | | | | | | | | | | | |
|--|--|----------------|----------|------------------|----------|----------------------|-----|--------------|-----|--------|-----------|
| <p>1. Award No.
693JJ32340147</p> <p>4. Award To
City of Toppenish
21 West 1st Avenue
Toppenish, WA 98948
Unique Entity Id.: LWM5PH7ZJFV7
TIN No.: 91-6001286</p> <p>6. Period of Performance
Effective Date of Award
through 6/30/2025</p> <p>8. Type of Agreement
Grant</p> <p>10. Procurement Request No.
HSSP230478PR</p> <p>12. Submit Payment Requests To
See article 20.</p> <p>14. Accounting and Appropriations Data
15X0173E50.0000.055SR10500.5592000000.41010.61006600</p> <p>15. Description of Project
Safety Action Plan</p> | <p>2. Effective Date
See No. 17 Below</p> <p>3. Assistance Listings No.
20.939</p> <p>5. Sponsoring Office
U.S. Department of Transportation
Federal Highway Administration
Office of Safety
1200 New Jersey Avenue, SE
HSSA-1, Mail Drop E71-117
Washington, DC 20590</p> <p>7. Total Amount</p> <table border="0" style="width: 100%;"> <tr> <td>Federal Share:</td> <td style="text-align: right;">\$80,000</td> </tr> <tr> <td>Recipient Share:</td> <td style="text-align: right;">\$20,000</td> </tr> <tr> <td>Other Federal Funds:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Other Funds:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$100,000</td> </tr> </table> <p>9. Authority
Section 24112 of the Infrastructure Investment and Jobs Act (Pub. L. 117–58, November 15, 2021; also referred to as the “Bipartisan Infrastructure Law” or “BIL”)</p> <p>11. Federal Funds Obligated
\$80,000</p> <p>13. Payment Office
See article 20.</p> | Federal Share: | \$80,000 | Recipient Share: | \$20,000 | Other Federal Funds: | \$0 | Other Funds: | \$0 | Total: | \$100,000 |
| Federal Share: | \$80,000 | | | | | | | | | | |
| Recipient Share: | \$20,000 | | | | | | | | | | |
| Other Federal Funds: | \$0 | | | | | | | | | | |
| Other Funds: | \$0 | | | | | | | | | | |
| Total: | \$100,000 | | | | | | | | | | |

RECIPIENT

16. Signature of Person Authorized to Sign

Signature Date
Name: Debbie Zabell
Title: City Manager

FEDERAL HIGHWAY ADMINISTRATION

17. Signature of Agreement Officer

Signature Date
Name: Ryan Mavis
Title: Agreement Officer

U.S. DEPARTMENT OF TRANSPORTATION

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM**

This agreement is between the Federal Highway Administration (the “FHWA”) and the City of Toppenish (the “**Recipient**”).

This agreement reflects the selection of the Recipient to receive a Safe Streets and Roads for All (“SS4A”) Grant for the Safety Action Plan for the City of Toppenish.

The parties therefore agree to the following:

**ARTICLE 1
GENERAL TERMS AND CONDITIONS**

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Safe Streets and Roads for All Grant Program,” dated March 28, 2023, which is available at <https://www.transportation.gov/grants/ss4a/grant-agreements>. Articles 7–30 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions. Recipient also states that it is required to comply with all applicable Federal laws and regulations including, but not limited to, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200); National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.); and Build America, Buy America Act (BIL, div. G §§ 70901-27).
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, termination of the SS4A Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the SS4A Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
APPLICATION, PROJECT, AND AWARD**

2.1 Application.

Application Title: City of Toppenish - Traffic Safety Action Plan

Application Date: September 14, 2022

2.2 Award Amount.

SS4A Grant Amount: \$80,000

2.3 Award Dates.

Period of Performance End Date: See section 6 on page 1

2.4 Budget Period

Budget Period End Date: See section 6 on page 1

2.5 Action Plan Grant or Implementation Grant Designation.

Designation: Action Plan

2.6 Federal Award Identification Number. The Federal Award Identification Number is listed on page 1, line 1.

**ARTICLE 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project's Statement of Work.

The award will be used by the City of Toppenish to develop a Transportation Safety Action Plan

3.2 Project's Estimated Schedule.

ACTION PLAN SCHEDULE

Milestone	Schedule Date
Planned Draft Action Plan Completion Date:	10/31/2024
Planned Action Plan Completion Date:	06/30/2025
Planned Action Plan Adoption Date:	11/25/2025
Planned SS4A Final Report Date:	01/02/2026

3.3 Project's Estimated Costs.

(a) Eligible Project Costs

Eligible Project Costs	
SS4A Grant Amount:	\$80,000
Other Federal Funds:	\$0
State Funds:	\$0
Local Funds:	\$20,000
In-Kind Match:	\$0
Other Funds:	\$0
Total Eligible Project Cost:	\$100,000

(b) Supplemental Estimated Budget

Cost Element	Federal Share	Non-Federal Share	Total Budget Amount
Direct Labor	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual/Consultant	\$77,500	\$20,000	\$97,500
Other	\$2,500	\$0.00	\$2,500
Indirect Costs	\$0.00	\$0.00	\$0.00
Total Budget	\$80,000	\$20,000	\$100,000

ARTICLE 4

RECIPIENT INFORMATION

4.1 Recipient's Unique Entity Identifier.

LWM5PH7ZJFV7

4.2 Recipient Contact(s).

Dan Ford
Public Works Director
City of Toppenish
408 Washington Ave, Toppenish, WA 98948
509-854-4545
dan.ford@cityoftoppenish.us

4.3 Recipient Key Personnel.

Name	Title or Position
Dan Ford	Asst. City Mgr./Public Works Director
Debbie Zabell	City Manager

4.4 USDOT Project Contact(s).

Stephen Parker
Safe Streets and Roads for All Program Manager
Federal Highway Administration
Office of Safety
HSSA-1, Mail Stop: E71-117
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202)366-4668
Stephen.Parker@dot.gov

and

Ashley Cucchiarelli
Agreement Officer (AO)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-33
12300 W Dakota Ave
Lakewood, CO 80228
(720) 963-3589
ashley.cucchiarelli@dot.gov

and

Division Administrator
Agreement Officer's Representative (AOR)
Washington Division
711 Capitol Way S. Suite 501
(360)753-9480
hdawa@dot.gov

and

Joel Barnett
Washington Division Office Point of Contact
Safety/Design Engineer

711 Capitol Way S. Suite 501
Olympia, WA 98501
(360) 534-9323
Joel.Barnett@dot.gov

ARTICLE 5 USDOT ADMINISTRATIVE INFORMATION

5.1 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition and Grants Management

SUBAWARDS AND CONTRACTS APPROVAL

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the AO are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.327.

Note: This clause is only applicable to Action Plan Grants.

Unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award above the Simplified Acquisition Threshold. This provision does not apply to the acquisition of supplies, material, equipment, or general support services. Approval of each subaward or contract is contingent upon the Recipient's submittal of a written fair and reasonable price determination, and approval by the AO for each proposed contractor/sub-recipient. Consent to enter into subawards or contracts will be issued through written notification from the AO or a formal amendment to the Agreement.

The following subawards and contracts are currently approved under the Agreement by the AO. This list does not include supplies, material, equipment, or general support services which are exempt from the pre-approval requirements of this clause.

(Fill in at award or by amendment)

5.2 Reimbursement Requests

- (a) The Recipient may request reimbursement of costs incurred in the performance of this agreement if those costs do not exceed the funds available under section 2.2 and are allowable under the applicable cost provisions of 2 C.F.R. Part 200, Subpart E. The Recipient shall not request reimbursement more frequently than monthly.

- (b) The Recipient shall use the DELPHI eInvoicing System to submit requests for reimbursement to the payment office. When requesting reimbursement of costs incurred or credit for cost share incurred, the Recipient shall electronically submit supporting cost detail with the SF 271 (Outlay Report and Request for Reimbursement for Construction Programs) to clearly document all costs incurred.
- (c) The Recipient's supporting cost detail shall include a detailed breakout of all costs incurred, including direct labor, indirect costs, other direct costs, travel, etc., and the Recipient shall identify the Federal share and the Recipient's share of costs. If the Recipient does not provide sufficient detail in a request for reimbursement, the AO may withhold processing that request until the Recipient provides sufficient detail.
- (d) The USDOT shall not reimburse costs unless the Agreement Officer's Representative (the "AOR") reviews and approves the costs to ensure that progress on this agreement is sufficient to substantiate payment.
- (e) The USDOT may waive the requirement that the Recipient use the DELPHI eInvoicing System. The Recipient may obtain waiver request forms on the DELPHI eInvoicing website (<http://www.dot.gov/cfo/delphi-einvoicing-system.html>) or by contacting the AO. A Recipient who seeks a waiver shall explain why they are unable to use or access the Internet to register and enter payment requests and send a waiver request to

Director of the Office of Financial Management
US Department of Transportation,
Office of Financial Management B-30, Room W93-431
1200 New Jersey Avenue SE
Washington DC 20590-0001

or

DOTElectronicInvoicing@dot.gov.

If the USDOT grants the Recipient a waiver, the Recipient shall submit SF 271s directly to:

DOT/FAA
P.O. Box 268865
Oklahoma City, OK 73125-8865
Attn: Agreement Specialist

- (f) The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for Recipients.

ARTICLE 6
SPECIAL GRANT TERMS

- 6.1** SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds, which is the budget period end date in section 10.3 of the Terms and Conditions and section 2.4.
- 6.2** The Recipient acknowledges that the Action Plan will be made publicly available, and the Recipient agrees that it will publish the final Action Plan on a publicly available website.
- 6.3** The Recipient demonstrates compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements.
- 6.4** There are no other special grant requirements for this award.

**ATTACHMENT A
PERFORMANCE MEASUREMENT INFORMATION**

Study Area: The City of Toppenish Washington

Baseline Measurement Date: July 1, 2025

Baseline Report Date: September 1, 2025

Table 1: Performance Measure Table

Measure	Category and Description	Measurement Frequency
Equity	Percent of Funds to Underserved Communities: Funding amount (of total project amount) benefitting underserved communities, as defined by USDOT	End of period of performance
Costs	Project Costs: Quantification of the cost of each eligible project carried out using the grant	End of period of performance
Lessons Learned and Recommendations	Lessons Learned and Recommendations: Description of lessons learned and any recommendations relating to future projects of strategies to prevent death and serious injury on roads and streets.	End of period of performance

**ATTACHMENT B
CHANGES FROM APPLICATION**

INSTRUCTIONS FOR COMPLETING ATTACHMENT B: Describe all material differences between the scope, schedule, and budget described in the application and the scope, schedule, and budget described in Article 3. The purpose of this attachment B is to document the differences clearly and accurately in scope, schedule, and budget to establish the parties' knowledge and acceptance of those differences. See section 10.1.

Note: *Intentionally left blank*

Scope:

Schedule:

Budget:

The table below provides a summary comparison of the project budget.

Fund Source	Application		Section 3.3	
	\$	%	\$	%
Previously Incurred Costs (Non-Eligible Project Costs)				
Federal Funds				
Non-Federal Funds				
Total Previously Incurred Costs				
Future Eligible Project Costs				
SS4AFunds				
Other Federal Funds				
Non-Federal Funds				
Total Future Eligible Project Costs				
Total Project Costs				

**ATTACHMENT C
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

	A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i>
	The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i>
	The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity, as described in the supporting narrative below.
X	The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the project, will take relevant actions described in the supporting narrative below
	The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award.

2. Supporting Narrative.

Although this is not a construction project, the action plan will incorporate collaboration, outreach, and analysis to point toward relevant implementation actions to improve racial equity and reduce barriers to opportunity.