



**TOPPENISH CITY COUNCIL
REGULAR MEETING AGENDA
MAY 26, 2020 – 7:00 P.M.**

TELEVISED LIVE ON MIDVALLEY TELEVISION
SPECTRUM CABLE CHANNEL 194

1. REMOTE MEETING INSTRUCTIONS

Pursuant to Governor Inslee's Emergency Proclamation regarding suspending certain provisions of the Open Public Meetings Act during the COVID-19 Outbreak, the Toppenish City Council will not accept in-person public comments. All members of the public wanting to comment on City Council agenda items may submit written comments, to include your name and address for the record, in advance to City Clerk Heidi Riojas by email to heidi.riojas@cityoftoppenish.us by 4:00 p.m. on May 26, 2020 to be read during the meeting.

To attend the Toppenish City Council Regular Meeting in "listen only" mode register at [GoToWebinar](#). After registering, you will receive a confirmation email containing information about joining the webinar. Call-in information for "listen-only" mode is: (415) 930-5321 Access Code: 402-365-546

2. REGULAR SESSION CALL TO ORDER

Pledge of Allegiance/Roll Call/Welcome

3. APPROVE AGENDA

4. ADVANCE PUBLIC COMMENTS RECEIVED BY 4:00 P.M. ON MAY 26, 2020 TO BE READ BY STAFF AT THE MEETING

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 May 11, 2020 Regular Council Meeting.
- b. Approve Payroll Checks Number 34958 through 34967 and electronic transfers in the total amount of \$232,625.20 dated May 21, 2020.
- c. Approve Claims Checks Number 91938 through 91999 and electronic transfers in the total amount of \$1,267,110.85 dated May 26, 2020.

6. NEW BUSINESS

- a. AB 20-028: Further Extending Declaration of Emergency and Relief for Utility Customers Due to the COVID-19 Outbreak:
 - Resolution 2020-28: Proclaiming Second Extension of the Declaration of Emergency Due to the COVID-19 Outbreak
 - Resolution 2020-29: Temporary Suspension of Utility Late Fees During the COVID-19 Outbreak
 - Resolution 2020-30: Temporary Suspension Utility Shut Offs During the COVID-19 Outbreak
 - Resolution 2020-31: Authorizing City Manager to Establish Temporary Payment Plan for Utility Customers Economically Impacted During the COVID-19 Outbreak
- b. AB 20-029: New Police Patrol Vehicles Purchase
- c. AB 20-030: Resolution 2020-32: Approving Amendment No. 7 with Gray & Osborne, Inc. for Sewer Improvements Project
- d. Set June 8, 2020 as date for Public Hearing Regarding Adopting the Six-Year Comprehensive Transportation (Streets) Improvement Program for the Years 2021 Through 2026.

7. COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

8. CITY MANAGER REPORTS

9. ADJOURNMENT

NEXT COUNCIL MEETING WILL BE HELD ON JUNE 1, 2020.

**TOPPENISH CITY COUNCIL
Regular Meeting Minutes
May 11, 2020**

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

ROLL CALL

Present: Mayor Mark Oaks, Councilmembers Loren Belton, and Clara Jiménez.
Remote Attendees: Mayor Pro Tem Elpidia Saavedra, Councilmembers Naila Duval, and George Garcia.
Staff Present: City Manager Lance Hoyt (CM Hoyt), Administrative Services Director Debbie Zabell (ASD Zabell), City Clerk Heidi Riojas, and Mid Valley Television Manager Judy Devall.
Remote Staff: City Attorney Gary Cuillier, Public Works Superintendent Rocky Wallace (PWS Wallace), and Chief of Police Curt Ruggles.

REMOTE MEETING INSTRUCTIONS

CC Riojas recited the remote meeting instructions for the record pursuant to Governor Inslee's Emergency Proclamation with the temporary suspension of certain provisions of the Open Public Meetings Act during the COVID-19 Outbreak that prohibit all in-person public comments. All public comments received by 4:00 p.m. prior to the meeting will be read into the record during the public comment period.

ROLL CALL

CC Riojas conducted roll call for each City Councilmember to verbally respond their attendance at the meeting. Mayor Oaks, Councilmembers Belton, and Jiménez were present in the Council Chambers. Mayor Pro Tem Saavedra, Councilmembers Duval, and Garcia remotely attended the meeting.

APPROVE AGENDA

Mayor Pro Tem Saavedra moved, seconded by Councilmember Garcia to approve the May 11, 2020 Agenda. Motion carried unanimously.

**ADVANCE PUBLIC COMMENTS RECEIVED BY 4:00 P.M. ON MAY 11,
2020**

CC Riojas noted the City received no public comments by the 4:00 p.m. deadline prior to the meeting.

CONSENT AGENDA

Councilmember Jiménez moved, seconded by Mayor Pro Tem Saavedra to approve Consent Agenda items a and d:

- a. Approve Minutes of the April 27, 2020 Regular Council Meeting.
- b. Approve Minutes of the May 4, 2020 Study Session.

- c. Approve Payroll Checks Number 34948 through 34957 and electronic transfers in the total amount of \$160,794.11 dated May 5, 2020.
- d. Approve Claims Checks Number 91938 through 91999 and electronic transfers in the total amount of \$1,267,110.85 dated May 11, 2020.

Motion carried unanimously.

NEW BUSINESS

Swimming Pool Closure for the 2020 Season Due to COVID-19.

CM Hoyt noted that with the current health crisis dealing with the COVID-19 Outbreak, it is staff recommendation that the City swimming pool be closed for the 2020 season. He reported the pool season would be cut in half to 45 days based on the Governor's four phased approach to reopen businesses, limiting gatherings, and maintaining social distancing guidelines. In addition, the City typically offers lifeguard training classes at the end of May prior to the pool opening to the public to insure that the City has staffing levels for public safety, and the upcoming retirement of Recreation and Aquatics Manager James Cole are a few of the difficult reasons staff is making the recommendation to not open the pool.

Councilmember Duval moved, seconded by Councilmember Garcia to support the swimming pool closure for the 2020 season due to COVID-19. Motion carried. Mayor Pro Tem Saavedra voted no.

Resolution 2020-24: A Resolution Approving Outside Utility Agreement for Property Located at 50 Germantown Road, Containing Approximately 0.85 Acres.

Mayor Pro Tem Saavedra moved, seconded by Councilmember Duval to approve Resolution 2020-24. Motion carried unanimously.

Resolution 2020-25: A Resolution Approving Change Order No. 5 to Contract with Tapani, Inc. for the Sewer Improvements Project, Phase IV.

Councilmember Belton moved, seconded by Councilmember Jiménez to approve Resolution 2020-25. Motion carried unanimously.

Resolution 2020-26: A Resolution Approving Change Order No. 6 to Contract with Tapani, Inc. for the Sewer Improvements Project, Phase IV.

Mayor Pro Tem Saavedra moved, seconded by Councilmember Belton to approve Resolution 2020-26. Motion carried unanimously.

Resolution 2020-27: A Resolution Approving Change Order No. 1 to Contract with Tapani, Inc. for the Lincoln Avenue, Dayton Avenue, and Beech Street Improvements Project.

Councilmember Jiménez moved, seconded by Councilmember Belton to approve Resolution 2020-27. Motion carried unanimously.

Set Agenda for June 1, 2020 Study Session.

It was the consensus of Council to receive an update on the Police Department, the status of the Council Vacancy, postponing of Thorington and Cole retirement events, and Six-Year Street Transportation Plan during the June 1, 2020 Study Session.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Mayor Pro Tem Saavedra had nothing to report.

Councilmember Garcia reported his volunteering for Granger School District.

Councilmember Duval reported on the teacher appreciation parade in the community neighborhoods for school district employees.

Councilmember Belton reported he viewed the teacher appreciation parade through his neighborhood.

Councilmember Jiménez had nothing to report.

Mayor Oaks had nothing to report.

CITY MANAGER REPORT

CM Hoyt updated Council on the following:

- Update on BNSF railroad crossing repairs
- Update on the insurance settlement for the new Public Works buildings
- Update on planning for cemetery visitors over the Memorial Day weekend

ASD Zabell reminded Council and the viewing audience the importance of the residents completing the 2020 Census to make sure the City receives its share of State shared revenues for the community.

ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 7:43 p.m.

MARK OAKS, MAYOR

HEIDI RIOJAS, CMC, CITY CLERK

Payroll Check Register

Payroll for Period 05/01/2020 - 05/15/2020

Fund Number	Description	Amount
001-000-013	Executive	\$7,767.23
001-000-014	Finance, Record	\$16,508.35
001-000-017	Risk Management	\$5,710.92
001-000-018	Central Services, Personnel Services	\$6,804.08
001-000-021	Law Enforcement	\$57,095.84
001-000-022	Fire Services	\$28,854.25
001-000-024	Protective Inspections	\$2,112.68
001-000-058	Planning and Community Development	\$498.57
001-000-076	Pool, Park Facilities	\$5,781.69
030-000-000	Criminal Justice Fund	\$26,895.93
071-000-071	Recreation	\$3,551.75
101-000-000	Street Fund	\$6,585.72
108-000-000	Cemetery Fund	\$4,433.37
401-000-000	Water Fund	\$19,299.85
403-000-000	Wastewater Fund	\$20,715.40
405-000-000	Solid Waste Fund	\$13,308.40
457-000-000	Cable TV Fund	\$4,459.93
611-000-000	Pension Trust Fund	\$2,241.24
Grand Total		\$232,625.20

Payroll checks 34958-34967 and electronic transfers.

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.



 Debbie Zabell, Administrative Services Director

 May 21, 2020
 Date

Accounts Payable Check Register

May 11, 2020

Number	Vendor Name	Account Description	Amount
91938	Verizon Wireless	Telephone	\$1,237.41
		Telephone - Utility Billing	\$68.13
		Check Total:	\$1,305.54
91939	Amazon Capital Services	Office & Operating Supplies	\$232.05
		Operating/Maint. Supplies - Vehicles	\$109.02
		Service Repair/Maintenance Police Dept Bldg	\$95.27
		Small Tools & Minor Equipment	\$310.93
		Uniforms & Clothing	\$107.70
		Check Total:	\$854.97
91940	Aramark Uniform Services Everett Lockbox	Service Repair/Maintenance Police Dept Bldg	\$21.58
91941	Auto Zone	Office & Operating Supplies	\$17.00
		Service Repair/Maintenance Vehicles	\$52.64
		Check Total:	\$69.64
91942	Backflow Management, Inc.	Cross Connection Program	\$2,027.75
		Operating/Maintenance Supplies - General	\$517.19
		Check Total:	\$2,544.94
91943	Baer Testing, Inc.	Lincoln/Dayton - Construction	\$2,412.50
91944	Cascade Analytical, Inc.	Professional Services	\$382.00
91945	Cascade Natural Gas Corp.	Fuel for Heating	\$14.21
91946	Central Pre- Mix Concrete Co.	Operating/Maintenance Supplies - General	\$61.15
91947	CenturyLink	Telephone	\$1,573.36
91948	CenturyLink 313081835	Telephone	\$821.18
		Telephone - Utility Billing	\$117.42
		Check Total:	\$938.60
91949	Charter Communications	Internet - Water	\$89.99
		Rentals	\$18.60
		Check Total:	\$108.59
91950	Cintas Corporation #605	Rentals	\$129.40
		Uniform Cleaning	\$4.85
		Check Total:	\$134.25
91951	D & G Cleaning, LLC	Janitorial Services - City Hall	\$1,200.00
		Janitorial Services - Police Department	\$1,200.00
		Check Total:	\$2,400.00
91952	DeVries Business Records Management, Inc.	Miscellaneous Fees & Charges	\$20.00
91953	Employment Security Department	Unemployment Compensation	\$3,909.78
91954	Federal Express Corporation	Postage	\$247.78
91955	Fidelity Title Co.	Professional Services - Loan Defaults	\$108.30
91956	G. S. LONG CO., INC.	Operating/Maintenance Supplies - General	\$87.91
91957	Government Jobs	Advertising	\$900.00
91958	H.D. Fowler Company	Hydrant/Valve Replacement Supplies	\$17,634.00

Number	Vendor Name	Account Description	Amount
		Operating/Maintenance Supplies - General	\$11,656.32
		Check Total:	\$29,290.32
91959	Hach Company	Operating/Maintenance Supplies - General	\$526.96
91960	Howards Tire Factory Inc	Repair & Maintenance - Vehicles	\$96.02
91961	Humane Society of Cent WA	Professional Services	\$2,918.00
91962	Ideal Lumber & Hardware, Inc.	Graffiti Program Supplies	\$35.93
		Operating/Maint. Supplies	\$79.09
		Operating/Maint. Supplies - General	\$105.05
		Operating/Maintenance Supplies - General	\$745.37
		Personal Protective Equipment	\$22.53
		Personnel Protective Equipment	\$344.74
		Service Repair/Maintenance - Fire Dept Building	\$315.07
		Small Tools & Minor Equipment	\$520.71
		Check Total:	\$2,168.49
91963	Intermedia.net Inc.	Telephone	\$136.97
91964	L- P Body Shop, Inc.	Service Repair/Maintenance Equipment	\$376.02
91965	Law Office of Gary M. Cuillier	Legal Services	\$1,302.00
		Legal Services - City Attorney	\$762.00
		Sewer System Imp (Ph#4) - Legal	\$154.00
		Check Total:	\$2,218.00
91966	Lynn Peavey Company	Office & Operating Supplies	\$423.36
91967	Marney Electric, LLC	Sewer System Imp (Ph#4) - Construction	\$879.34
91968	Mora, Arthur R	Counsel for Indigents	\$5,100.00
91969	Mortons Supply Inc.	Operating/Maint. Supplies - General	\$113.07
91970	Municipal Emergency Services Inc.	Uniforms & Clothing	\$990.36
91971	Newegg, Inc.	Office & Operating Supplies	(\$68.02)
		Operating/Maint. Supplies - General	\$14.62
		Operating/Maintenance Supplies - General	\$131.61
		Small Tools & Minor Equipment	\$594.63
		Check Total:	\$672.84
91972	Northern Safety Co., Inc.	Personal Protective Equipment	\$192.13
91973	Northwest Code Professionals	Professional Services	\$904.02
91974	Nutrien Ag Solutions, Inc.	Chemicals	\$256.57
91975	Office Depot Card Plan	Office & Operating Supplies	\$201.86
91976	One Call Concepts, Inc.	Professional Services	\$104.86
91977	O'Reilly Auto Parts	Service Repair/Maintenance Equipment	\$17.79
91978	Oxarc, Inc.	Chemicals	\$2,557.24
91979	Pacific Office Automation	Photocopies	\$90.97
		Rentals	\$52.97
		Check Total:	\$143.94
91980	Pacific Power & Light Co.	Electricity	\$100.16
		Electricity - City Hall	\$305.41
		Electricity - Fire	\$387.72

Number	Vendor Name	Account Description	Amount
		Electricity - Police	\$609.76
		Electricity - Recreation	\$36.29
		Electricity - Swimming Pool	\$179.26
		Check Total:	\$1,618.60
91981	Petty Cash/City of Toppenish: Debbie Zabell Custodian	Sewer System Imp (Ph#4) - Construction	\$112.45
91982	Pitney Bowes Inc.	Office & Operating Supplies	\$122.08
91983	Porter Lee Corporation	Professional Services	\$875.00
91984	Rathbun Iron Works Inc.	Operating/Maintenance Supplies - Vehicles	\$51.04
91985	Ruggles Auto Repair, Inc	Service Repair/Maintenance Vehicles	\$758.68
91986	Tapani, Inc.	2017 Waste Water Collection - Construction	\$1,175,517.81
91987	The Janitor's Closet	Service Repair/Maintenance Police Dept Bldg	\$24.91
91988	Thyssenkrupp Elevators Corp.	Service Repair/Maintenance City Hall	\$593.15
91989	U.S. Bank Corporate Payment System	Advertising	\$516.60
		Memberships & Registrations	\$54.61
		Office & Operating Supplies	\$2,007.97
		Operating Supplies	\$48.44
		Operating/Maint Supplies - General	\$232.84
		Operating/Maintenance Supplies - General	\$799.27
		Personal Protective Equipment	\$480.98
		Professional Services	\$117.73
		Range Supplies	\$397.00
		Service Repair/Maintenance Vehicles	\$76.00
		Small Tools & Minor Equipment	\$1,521.15
		Uniforms & Clothing	\$1,786.63
		Wellness Program Supplies	\$210.00
		Check Total:	\$8,249.22
91990	Univar Solutions USA Inc.	Chemicals	\$550.00
91991	Vision Municipal Solutions, LLC	IT Services - Police	\$133.65
91992	WA St Dept of Licensing	Weapon Permit - DOL License	\$18.00
91993	Wells Fargo Vendor Fin Serv	Photocopies	\$10.24
		Rentals	\$362.87
		Check Total:	\$373.11
91994	Western Peterbilt, Inc.	Repair & Maintenance - Vehicles	\$829.11
91995	Wheeler Rock Products	Operating/Maintenance Supplies - General	\$1,794.45
91996	Wilson Orchard and Vineyard Supply	Operating/Maintenance Supplies - General	\$44.01
91997	Yakima County Fire District 5	Medical Services	\$91.12
		Operating/Maint Supplies - General	\$185.00
		Operating/Maint. Supplies - General	\$155.00
		Personnel Protective Equipment	\$361.00
		Check Total:	\$792.12
91998	Yakima Valley Conference of Governments	Professional Services	\$2,743.54

Number	Vendor Name	Account Description	Amount
91999	Yakima Waste Systems, Inc.	Recycling Services	\$109.26
EFTAP5/2020	Invoice Cloud	Banking Fees & Charges	\$3,417.40
Grand Total			\$1,267,110.85
Accounts Payable Checks: 91938 - 91999, Electronic Transfer			\$1,267,110.85

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.



 Debbie Zabell, Administrative Services Director

May 8, 2020



CITY OF TOPPENISH
REQUEST FOR COUNCIL ACTION
Agenda Bill No.: 20-028

Meeting Date: May 26, 2020

Subject: Second Extension of Declaration of Emergency and Relief for Utility Customers due to the COVID-19 Outbreak

Attachments: Resolutions 2020-28; 2020-29; 2020-30 & 2020-31

Presented by: Lance Hoyt, City Manager

Approved for Agenda By: Lance Hoyt, City Manager

Discussion:

Due to the Emergency Declaration related to the COVID-19 Outbreak being declared at the Federal, State, County and Local levels and conditions are still warranting extraordinary measures to address the threat of the COVID-19 for public health and safety, the current adopted measures need to be extended for the duration of Governor Inslee's issued Proclamations, and all amendments thereto, for the "Stay Home, Stay Healthy" Executive Order and the temporary suspension of certain provisions of the Open Public Meetings Act, in addition to following the same schedule of the Yakima Health District issued Stay Home Order for all Yakima County residents. The following Resolutions are being presented for City Council consideration:

- Resolution 2020-28: Second Extension to the Declaration of Emergency for the duration of the Stay Home, Stay Healthy Executive Order, and the Stay Home Order for all Yakima County residents.
- Resolution 2020-29: Temporary Suspension of the Utility Late Fees during the COVID-19 Outbreak.
- Resolution 2020-30: Temporary Suspension of Utility Shut offs during the COVID-19 Outbreak.
- Resolution 2020-31: Authorizing the City Manager to establish a Temporary Payment Plan during the COVID-19 Outbreak.

The first wave of COVID-19 influencing monthly utility billing began in April 2020 and is expected to continue through July 2020. These temporary suspensions of the Declaration of Emergency for COVID-19, Late Fees, Utility Shut Offs, and establishment of Temporary Utility Payment Plan can be rescinded sooner or extended by City Council. City Council will be reviewing impacts of these actions during the June 22, 2020 Council meeting.

As communities and households continue to grapple with the COVID-19 Outbreak and the Declaration of National Emergency, first and foremost, the health, welfare and safety of our customers, employees, and community is our top priority and concern. It is the ultimately the Local Government's responsibility to provide services to their communities short and long term during and after the COVID-19 Outbreak.

Fiscal Impact: Unknown, most likely financially negative impact to our City if the COVID-19 continues long term.

Recommendation: Approve the following: Resolution 2020-28: Second Extension of Declaration of Emergency Due to COVID-19 Outbreak; Resolution 2020-29: Temporary Suspension of Utility Late Fees During the COVID-19 Outbreak; Resolution 2020-30: Temporary Suspension of Utility Shut Offs During the COVID-19 Outbreak; and Resolution 2020-31: Authorizing the City Manager to Establish Payment Plan Economically Impacted During the COVID-19 Outbreak.

Alternatives: 1) If no approval, City Utility Process would continue. 2) Forward to Study Session for further review.

RESOLUTION 2020-28

**A RESOLUTION PROCLAIMING THE SECOND EXTENSION OF THE
DECLARATION OF EMERGENCY IN THE CITY OF TOPPENISH,
WASHINGTON DUE TO THE CORONAVIRUS DISEASE 2019 (“COVID-19”)**

WHEREAS, on February 29, 2020, the Governor of the State of Washington issued a Proclamation declaring a State of Emergency due to the number of confirmed cases of the novel coronavirus, which has been named “coronavirus disease 2019” (abbreviated “COVID-19”), in the State of Washington and the serious nature of the effects of COVID-19 on the population, and

WHEREAS, on March 12, 2020, the Yakima County Commissioners declared a State of Emergency in Yakima County as a result of confirmed cases of COVID-19 in Yakima County, thus enabling Yakima County to take extraordinary measures to address the threat of the novel coronavirus (COVID-19) to the public health and safety, and

WHEREAS, on March 16, 2020, the City Council of the City of Toppenish issued a Declaration of Emergency through April 27, 2020, and on April 27, 2020, issued a First Extension of the Declaration of Emergency through May 26, 2020, and

WHEREAS, on March 22, 2020, the Yakima Health District issued a Stay at Home Order for all Yakima County residents, with the intent to take immediate action to slow the spread of COVID-19, and

WHEREAS, on March 23, 2020, Governor Inslee issued a Proclamation directing all Washington residents to “Stay Home, Stay Healthy” until April 8, 2020, restricting public gatherings and travel except to buy food and supplies or to obtain medical care and medicine, and all in-person work activity not related to essential critical infrastructure, and which was extended until May 4, 2020, and further extended until the termination of the State of Emergency May 31, 2020, and

WHEREAS, on March 24, 2020, Governor Inslee issued a Proclamation temporarily suspending portions of the Open Public Meetings Act and prohibiting state and local government entities from holding in-person public meetings through April 23, 2020, and which was extended until May 4, 2020, in writing by the leadership of the State Senate and the House of Representatives on April 22, 2020, and which was further extended until May 31, 2020, per extension in writing by the leadership of the State Senate and the House of Representatives on May 11, 2020,

WHEREAS, COVID-19 is a highly infectious disease that can result in serious respiratory illness, organ damage, and death, and more than 2,600 COVID-19 cases have now been confirmed in Yakima County, which makes Yakima County the highest per capita rate of confirmed COVID-19 cases in Washington State, and disruption of important services, damage to life, or damage to property is occurring in local municipalities, including the City of Toppenish, from the above conditions, and

WHEREAS, the City Council has determined that it is in the best interests of the City of Toppenish to authorize the Second Extension of the Declaration of Emergency shall follow the same schedule as Governor Inslee's issued Proclamations, and all amendments thereto, for the "Stay Home, Stay Healthy" Executive Order and the temporary suspension of certain provisions of the Open Public Meetings Act, in addition to following the same schedule of the Yakima Health District issued Stay Home Order for all Yakima County residents,

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

1. The City Council of the City of Toppenish issues a Second Extension of the Declaration of Emergency on May 26, 2020, attached hereto, and incorporated herein, and takes the following action:
 - Authorizes all City Council meetings to be conducted remotely and to not accept in-person public comments as required by Governor Inslee's issued Proclamation, and all amendments thereto, temporarily suspending portions of the Open Public Meetings Act and prohibiting state and local government entities from holding in-person public meetings until May 31, 2020, per extension in writing by the leadership of the State Senate and the House of Representatives on May 11, 2020,
 - Closure of all City buildings, to include City Hall, Fire Department, Police Department, to the public and occupancy use limits in compliance as imposed by local, state, and federal regulations.
 - Authorizes the suspension of online service charges to utility customers while this Second Extension of the Declaration of Emergency is in effect.
 - The City Manager is authorized to request any state or federal assistance needed to meet the demands of the emergency that exists, as the City may be in need of economic assistance from available state and federal sources for expenses associated with the response to the COVID-19 threat and the costs associated therewith.
 - The City Manager may take whatever measures the City Manager deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents during this state of civil emergency.
2. The duration of the attached Second Extension of the Declaration of Emergency shall follow the same schedule as Governor Inslee's issued Proclamations, and all amendments thereto, for the "Stay Home, Stay Healthy" Executive Order and the temporary suspension of certain provisions of the Open Public Meetings Act, in addition to following the same schedule of the Yakima Health District issued Stay Home Order for all Yakima County residents.

This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its regular meeting held on May 26, 2020.

MARK OAKS, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

**SECOND EXTENSION OF
DECLARATION OF EMERGENCY**

**City of Toppenish, Washington
May 26, 2020**

WHEREAS, on March 12, 2020, the first confirmed cases of Novel Coronavirus (COVID-19) were detected in Yakima County, and

WHEREAS, COVID-19 is an infectious respiratory disease that can result in serious illness or death and that can easily spread from person to person, and

WHEREAS, international, federal, and state government public health authorities have issued warnings regarding the impacts and severity of the COVID-19 pandemic, and

WHEREAS, the Governor of the State of Washington proclaimed that a State of Emergency related to COVID-19 exists in all counties in the state of Washington, and

WHEREAS, on March 12, 2020, Yakima County, and the City of Yakima both declared an Emergency related to COVID-19, and

WHEREAS, on March 16, 2020, the City Council of the City of Toppenish issued a Declaration of Emergency through April 27, 2020, and on April 27, 2020, issued a First Extension of the Declaration of Emergency through May 26, 2020, and

WHEREAS, on March 22, 2020, the Yakima Health District issued a Stay at Home Order for all Yakima County residents, with the intent to take immediate action to slow the spread of COVID-19, and

WHEREAS, on March 23, 2020, Governor Inslee issued a Proclamation directing all Washington residents to “Stay Home, Stay Healthy” until April 8, 2020, restricting public gatherings and travel except to buy food and supplies or to obtain medical care and medicine, and all in-person work activity not related to essential critical infrastructure, and which was extended until May 4, 2020, and further extended until the termination of the State of Emergency May 31, 2020, and

WHEREAS, on March 24, 2020, Governor Inslee issued a Proclamation temporarily suspending portions of the Open Public Meetings Act and prohibiting state and local government entities from holding in-person public meetings through April 23, 2020, and which was extended until May 4, 2020, in writing by the leadership of the State Senate and the House of Representatives on April 22, 2020, and which was further extended until May 31, 2020, per the extension in writing by the leadership of the State Senate and the House of Representatives on May 11, 2020,

WHEREAS, one or more COVID-19 events have now occurred in Yakima County, and disruption of important services, damage to life, or damage to property can be expected in local municipalities, including the City of Toppenish, from the above conditions, and

WHEREAS, measures must be taken to protect the public health, safety and welfare within the City of Toppenish and City resources related to disease prevention, continuity of operations, public information, and related public services and funding are expected to be severely affected and/or exhausted, and

WHEREAS, the Yakima Valley Office of Emergency Management and the Yakima County Health District have declared a local health emergency and have recommended that Cities in Yakima County likewise declare an emergency to manage the impacts of COVID-19,

NOW, THEREFORE, IT IS HEREBY DECLARED BY THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON AS FOLLOWS:

1. **Emergency Declaration:** A State of Emergency, pursuant to Chapter 38.52 RCW, exists within the City of Toppenish to respond to the impacts of COVID-19.
2. **Emergency Powers:** All emergency powers and authority granted in Chapter 38.52 RCW and in RCW 39.04.280, which allows streamlined processes for purchasing goods and services, are hereby invoked. Each City department is authorized to exercise the powers vested under this declaration to take emergency actions and provide emergency services to protect the health and safety of persons and property.
3. **State and Federal Assistance:** The City Manager is authorized to seek State and Federal assistance and potential reimbursement for local funds spent on COVID-19 response.
4. **Limitations:** This declaration is not intended as a finding of "public danger" under RCW 35A.13.030.

Dated this 26th day of May, 2020.

CITY OF TOPPENISH

Mark Oaks, Mayor

RESOLUTION 2020-29

**A RESOLUTION AUTHORIZING TEMPORARY SUSPENSION
OF UTILITY LATE FEES DURING THE COVID-19 OUTBREAK**

WHEREAS businesses and individuals throughout the State of Washington have been negatively impacted by the COVID-19 outbreak, and are experiencing unprecedented economic hardship, and

WHEREAS the City Council desires to provide a form of relief to help utility customers in the City of Toppenish by granting temporary suspension of utility late fees for customers during the COVID-19 outbreak, unless rescinded sooner or extended by the City Council,

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

The City Council authorizes the temporary suspension of utility late fees for customers during the COVID-19 outbreak, unless rescinded sooner or extended by the City Council.

This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its regular meeting held on May 26, 2020.

MARK OAKS, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

RESOLUTION 2020-30

**A RESOLUTION AUTHORIZING TEMPORARY SUSPENSION OF
UTILITY SHUT OFFS DURING THE COVID-19 OUTBREAK**

WHEREAS businesses and individuals throughout the State of Washington have been negatively impacted by the COVID-19 outbreak, and are experiencing unprecedented economic hardship, and

WHEREAS the City Council desires to provide a form of relief to help utility customers in the City of Toppenish by granting temporary suspension of utility shut offs that would occur during the COVID-19 outbreak, unless rescinded sooner or extended by the City Council,

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

The City Council authorizes the temporary suspension of the utility shut offs during the COVID-19 outbreak, unless rescinded sooner or extended by the City Council.

This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its regular meeting held on May 26, 2020.

MARK OAKS, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

RESOLUTION 2020-31

**A RESOLUTION AUTHORIZING A TEMPORARY PAYMENT PLAN
FOR UTILITY CUSTOMERS ECONOMICALLY IMPACTED DURING
THE COVID-19 OUTBREAK**

WHEREAS businesses and individuals throughout the State of Washington have been negatively impacted by the COVID-19 outbreak, and are experiencing unprecedented economic hardship, and

WHEREAS the City Council desires to provide a form of relief to help utility customers in the City of Toppenish by granting a utility payment plan for utility customers economically impacted during the COVID-19 outbreak, unless rescinded sooner or extended by the City Council,

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

The City Council authorizes the City Manager to establish a payment plan for utility customers economically impacted during the COVID-19 outbreak, unless rescinded sooner or extended by the City Council.

This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its regular meeting held on May 26, 2020.

MARK OAKS, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk



CITY OF TOPPENISH
REQUEST FOR COUNCIL ACTION
Agenda Bill No.: 20-029

Meeting Date: May 26, 2020

Subject: New Patrol Vehicle Purchases

Attachments: N/A

Prepared by: Curt Ruggles, Chief of Police

Presented by: Curt Ruggles, Chief of Police

Approved For Agenda By: Lance Hoyt, City Manager

Discussion:

This communication is to update the City Council on the condition of the Police Department’s patrol vehicles and to request a modification the Department’s Vehicle Replacement Schedule. Recently, one of the patrol vehicles, (the oldest in the fleet scheduled for replacement in 2021) broke down while on shift, due to the engine seizing up. The cost to repair the vehicle is estimated at \$6,000.00. Due to the limited number of vehicles, repairing the vehicle is not an option, but a necessity. In addition, the two other patrol vehicles scheduled for replacement in 2021 have required frequent costly maintenance and repair to keep them road worthy.

In the Police Department Evaluation Study performed in 2019, one of the outcomes was establishing a Police Department Vehicle Replacement Schedule. Based on the current state of the vehicles staff is proposing to modify the Schedule to allow for two of next year’s vehicles to be purchased this year. This would help to stabilize the fleet and accelerate the purchases projected for the future. The proposed modification would result in the following:

Current Vehicle Replacement Schedule			Proposed Vehicle Replacement Schedule		
2020	2 patrol vehicles	\$75,000/vehicle	2020	4 patrol vehicles	\$75,000/vehicle
2021	3 patrol vehicles	\$75,000/vehicle	2021	1 patrol vehicles	\$75,000/vehicle
2022	1 investigation vehicle	\$53,000/vehicle	2022	1 investigation vehicle	\$53,000/vehicle
				1 patrol vehicle	\$75,000/vehicle
2023	1 admin vehicle &	\$53,000/vehicle	2023	1 admin vehicle &	\$53,000/vehicle
	2 patrol vehicles	\$79,000/vehicle		1 patrol vehicle	\$79,000/vehicle

(total of 7 replacement patrol vehicles between 2020 and 2023)

The purchase of the two additional patrol vehicles this year could be funded through (1) the one-time salary savings from the unfilled officer positions or (2) the State’s LOCAL Loan program. The City currently has one remaining payment of \$25,000.00 for the two patrol vehicles purchased through this Program in 2015. By using the State’s low interest loan Program, the City could anticipate annual loan payments of \$30,000.00 over a five-year period.

Fiscal Impact: The fiscal impact of this modification would result an additional \$150,000.00 to the 2020 Budget to purchase two vehicles or approximate loan payments of \$30,000.00 for 2021 through 2026.

Recommendation: Motion to authorize the modification of the Vehicle Replacement Schedule to allow for the purchase of two vehicles utilizing the State’s LOCAL loan program to minimize the impact of the City’s annual resources.

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



CITY OF TOPPENISH
REQUEST FOR COUNCIL ACTION
Agenda Bill No.: 20-030

Meeting Date: May 26, 2020

Subject: Study Basement Sump Pumps (sources of inflow) within the City's Collection System

Attachments: Resolution 2020-33: Amendment No. 7 with Gray & Osborne, Inc. Professional Engineering Services Contract

Presented by: Lance Hoyt, City Manager

Approved for Agenda By: Lance Hoyt, City Manager

Discussion

City Council awarded Gray & Osborne, Inc a Professional Services Contract in 1/22/2018 for General Sewer.

- Amendment No. 7 is for a sewer infiltration issue related to sump pumps in basement in homes which are wastewater contributors to the City of Toppenish Wastewater Treatment Plant. Of the City of Toppenish +/- 2600 sewer customers, YakiMap lists +/- 550 customers have basements which may or may not have sump pumps which pump groundwater from the surrounding basement areas into the City sewer collection system.
- It cost the same to treat a gallon of clear ground water as it does to treat a gallon of gray water. This additional treatment of ground water increases the cost of maintenance and operation of the City WWTP as well as accelerates the replacement schedules of WWTP equipment, creates a dilution factor in WWTP treatment and can affect temperature and PH. All these factors affect compliance with the City's NPDES Permit.

Scope of Work:

- Identity, map, quantify ground water contribution by sump pumps in basements and coordinate location to exiting underdrain/storm water systems to determine if the volume of ground water being added in the sanitary sewer collection system is affecting WWTP operations and if is cost effective to remove.

Planned Project Schedule:

- Project Length: +/- 6 months from approval.

Anticipated Budget:

- Budget Proposed: Not to exceed \$30,780.
- Fund 170 Housing Rehabilitation, Community Development Block Grant income, has funds available and the use is appropriate by CBGD requirements.

Goal:

- Analyze the basement sump pump contributions to the WWTP and bring effective conclusions and recommendations to deal with the additional ground water.

Fiscal Impact: \$30,780

Recommendation: Motion to adopt Resolution 2020-33 to approve Amendment No. 7 with Gray and Osborne, Inc. and authorize the City Manager to sign Amendment No. 7.

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

**AMENDMENT NO. 7
TO
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

THIS AMENDMENT, by and between the City of Toppenish, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) January 22, 2018, for additional services related to the On-Call Engineering Services Contract.

City of Toppenish – General Sewer Plan Amendment 2 - Sump Pump Study

IN WITNESS WHEREOF, the parties hereto have executed, or cause to be executed by their duly authorized officials, this AMENDMENT to the Contract for Engineering Services in duplicate on the respective dates indicated below.

GRAY & OSBORNE, INC.

CITY OF TOPPENISH

By: 
(Signature)

By: _____
(Signature)

Name: Michael B. Johnson, P.E., President
GRAY & OSBORNE, INC.

Name: _____
(Print)

Date: 5/19/2020

Date: _____

"Equal Opportunity/Affirmative Action Employer"

EXHIBIT “A”

SCOPE OF WORK

CITY OF TOPPENISH GENERAL SEWER PLAN AMENDMENT NO. 2 - SUMP PUMP STUDY

Based on our understanding of the project, this Scope of Work presents the professional engineering services requested by the City of Toppenish to prepare a General Sewer Plan Amendment to study basement sump pumps (sources of inflow) within the City’s collection system.

The amendment is required due to the City’s concerns with number of buildings that have basements and these basements being a potential source of inflow into the sewer system. The Plan will include a survey of the affected properties, an estimate of impact to the City’s collection system, an analysis of possible solutions to the issues

We understand that this amendment will be funded by the City.

SCOPE OF WORK

The Plan will include, at a minimum, the following elements:

Task 1 – Project Management

This task will incorporate overall project management as well as in-house quality assurance and quality control (QA/QC) reviews of all documents in order to address the relevant issues that may affect the project. The project management task also covers oversight of the project schedule and budget.

Task 2 – Data Collection and Analysis

This task will include the following work:

- Develop a map the properties in the City identified as having basements.
- Develop a survey to obtain data about each affected property, assist the City in distributing the survey.
- Complete site visits at each property, with a public works staff member, to asses location and quantity of inflow sources.
- Develop a comprehensive map of the City’s storm drain and under drain system based on current records.

Task 3 – Amendment

This task will be the development of the General Sewer Plan Amendment. The Amendment will include the following:

- Introduction
- Survey Information/Results
- Analysis of the impact of sump pumps, estimate of inflow and a comparison to the WWTF flow.
- Preliminary development of alternatives for removing inflow sources. Alternative analysis will include planning level cost estimates. Alternatives may include:
 - Do nothing alternative and its impact on the WWTF.
 - Extension of the City’s existing underdrain and rerouting of inflow to the underdrains system.
 - Extension of the City’s existing stormwater system and rerouting of inflow to the storm drain system.
- Conclusions and recommendations.

Task 4 – Final Amendment

The Amendment will be developed and two copies of the Amendment will be submitted to the City for review and comment at each level of completion, 60 percent and 90 percent. A review meeting will be held at each level of completion and comments will be incorporated. Two copies of the final Amendment will be presented to the City, at that time we understand the City will determine which agency, if any, they will submit the Amendment to for further review and comment.

Task 5 – Meetings and Plan Approval

This task will include attending up to four meetings with the City. A meeting will be held at the kickoff of the project, each level of completion (60 percent, and 90 percent) and we will present the Amendment at a public meeting, respond to questions and comments, and incorporate comments from these meetings in the Amendment. At this time the City does not have plans to submit the Amendment to the EPA, the Yakama Nation, or Ecology.

SCHEDULE

A preliminary schedule for the project is provided as noted below. We note that this schedule is based on the Stay Home Stay Healthy proclamation by Governor Inslee and subsequent amendments current to the date of May 11, 2020. If additional restrictions are placed on public works projects due to the COVID-19 virus, the schedule will be adjusted accordingly.

Task	Task Completion
Notice to Proceed	---
Kickoff Meeting with the City	2 Weeks after the NTP
Survey Submittal to the City	3 Weeks after the NTP
*60 percent Amendment Submittal	4 Months after NTP
*90 percent Plan Submittal	6 Months after NTP

*The schedule for 60 percent and 90 percent Plan submittals are dependent upon the City’s review of the Plan, comments and required decisions by the City.

CITY SUPPLIED INFORMATION/SERVICES

We will work with the City to ensure that all the information needed to complete the Amendment is obtained. Following are the services and information to be supplied by the City.

- Record drawings of the storm drain and underdrain systems within the City.
- City will distribute survey.
- City will collect survey.
- City will provide a staff person to accompany G&O on the site investigations.
- City will provide camera investigation of the storm drain and underdrain system as requested.

SCOPE EXCLUSIONS

This scope of work does not include the following:

- Survey services related to mapping the storm drain and underdrain system. All mapping will be based on current record drawings.
- 05/05 Consultation or a Cultural Resource Survey
- SEPA/NEPA Environmental Documentation

PROJECT BUDGET

The maximum amount payable to the Engineer for completion of work associated with this Scope of Work is shown in Exhibit “B.” This amount shall not be exceeded without prior written authorization of the City.

EXHIBIT "B"

**ENGINEERING SERVICES
SCOPE AND ESTIMATED COST**

**CITY OF TOPPENISH
GENERAL SEWER PLAN AMENDMENT NO. 2 SUMP PUMP STUDY**

Tasks	Principal Hours	Project Manager Hours	Project Engineer Hours	AutoCAD/ GIS Tech./ Eng. Intern Hours
Project Management	6	8		
Data Collection and Analysis		8	60	
Amendment		10	68	80
Final Amendment	2	6	6	
Meetings and Plan Approval	6	8	8	
Hour Estimate:	14	40	142	80
Fully Burdened Billing Rate Range:*	\$135 to \$200	\$119 to \$200	\$119 to \$148	\$50 to \$132
Estimated Fully Burdened Billing Rate:*	\$155	\$150	\$105	\$90
Fully Burdened Labor Cost:	\$2,170	\$6,000	\$14,910	\$7,200

Total Fully Burdened Labor Cost: \$ 30,280
 Direct Non-Salary Cost:
 Mileage & Expenses (Mileage @ current IRS rate) \$ 500
TOTAL ESTIMATED COST: \$ 30,780

* Actual labor cost will be based on each employee's actual rate. Estimated rates are for determining total estimated cost only. Fully burdened billing rates include direct salary cost, overhead, and profit.