



EPHRATA CITY COUNCIL

MAYOR BRUCE REIM MAYOR PRO-TEM WILLIAM COE
KATHLEEN ALLSTOT, SARAH McDONNELL, VALLI MILLARD,
MATT MOORE, TONY MORA, MARK WANKE
CITY ADMINISTRATOR MIKE WARREN

– AGENDA FOR August 19, 2020 –

ZOOM — TO PARTICIPATE BY PHONE DIAL 1-253-215-8782, follow prompts
City of Ephrata Meeting ID: [642-397-7833#](tel:642-397-7833), OR ONLINE <https://zoom.us/j/6423977833>

6:15 PM

EXECUTIVE SESSION THE CITY OF EPHRATA CONDUCTS EXECUTIVE SESSIONS IN ACCORDANCE WITH RCW 42.30.110 OF THE OPEN PUBLIC MEETINGS ACT

1. Sale and Acquisition of Real Estate (RCW 42.30.110 (1) b))

7:00 PM

REGULAR SESSION

1. Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Recording of Meeting: NO
5. Additions or corrections to published Agenda
6. Presentations: **Sandy Duffy, Emergency Management Coordinator – COVID-19 Masking Project**

II

CONSENT AGENDA

1. Approval of Claim Fund Bills and Checks Issued
2. Approval of Council Minutes: August 5, 2020
3. Approval of Special Event Application:

III

STAFF, COMMITTEE, & AGENCY REPORTS

IV CLOSED RECORD DECISIONS (RCW CHAPTERS 36, 42: OPEN PUBLIC INPUT NOT PERMITTED)

V PUBLIC HEARINGS

VI ORDINANCES & RESOLUTIONS

1. Resolution 20-011 Small Business Relief Program

VII ITEMS FOR COUNCIL CONSIDERATION

1. Proclamation In Support of Masking
2. Accept Donations
3. Report on Utility Fee Rate Notification – HB 2889
4. 2021 Budget Schedule & Goals and Objectives– Discussion
5. Authorize Agreement for Phase II Division Street TIB Grant funding
6. CARES Act Grant Application

VIII CITY ADMINISTRATOR REPORT

1. Update on 2020 Budget and Cash Balance

From: Marcy
To: Sandi Duffey
Subject: Re: Face Masks
Date: Monday, July 27, 2020 6:44:45 PM

Hi Sandi,

I was not home, but did get a nice surprise. The masks were at my front door when I got home. Unbelievable!

I already thanked Chief Koch, via email.

What a team!

Thanks so much!

Marcy

On Jul 27, 2020, at 12:10 PM, Sandi Duffey <sduffey@grantcountywa.gov> wrote:

Marcy,

Thank you for your email, I have cc'd Chief Koch with Ephrata Police Department in this email as the Ephrata Police have partnered with Emergency Management to distribute masks to their community. Chief Koch has graciously offered to deliver masks to you for you and your mother.

Thank you for wanting to wear a mask to reduce the transmission of COVID-19! If there is anything else that I can assist you with please let me know.

The new normal, wear a mask and wash your hands with soap and water.

Sandi
509-766-5014-Desk
509-237-2987-Cell

-----Original Message-----

From: Marcy <mb32449@nwi.net>
Sent: Monday, July 27, 2020 12:09 AM
To: Sandi Duffey <sduffey@grantcountywa.gov>
Subject: Face Masks

To Whom It May Concern:

Hello,

I read online that if I emailed you, you could send a free face mask for my elderly Mother and me.

If this is true, I would be happy to pay for the postage.

My special thanks!

Marcy Blackmore
45 Summitview Drive SE
Ephrata, WA 98823

From: Marcy
To: Sandi Duffey
Subject: Re: Face Masks
Date: Monday, July 27, 2020 4:40:55 PM

Wow, awesome!

Thank you so much for the masks.

What a nice surprise. I am caring for two elderly parents, and this is very much appreciated.

Marcy Blackmore

On Jul 27, 2020, at 12:09 AM, Marcy <mb32449@nwi.net> wrote:

To Whom It May Concern:

Hello,

I read online that if I emailed you, you could send a free face mask for my elderly Mother and me.

If this is true, I would be happy to pay for the postage.

My special thanks!

Marcy Blackmore
45 Summitview Drive SE
Ephrata, WA 98823



CITY COUNCIL MINUTES

August 5, 2020

City Council of the City of Ephrata, Grant County Washington met in regular session on August 5, 2020. The meeting was called to order at 7:00 p.m. by Mayor Bruce Reim. Due to the COVID-19 Pandemic and Governor Inslee's Proclamation 20-28, this meeting is being conducted telephonically using the ZOOM audio only conferencing.

Members Present: Mayor Bruce Reim, Mayor Pro Tem William Coe, Council members Mark Wanke, Matt Moore, Sarah McDonnell, and Kathleen Allstot

Staff Present: City Administrator Mike Warren, City Attorney Anna Franz, Public Works Director Bill Sangster, Interim Police Chief Erik Koch, Community Relations Director Traci Bennett, Building Official Bill Cox, and City Clerk/Finance Director Leslie Trachsler

This meeting is being recorded for testing purposes.

Motion to excuse Council member Mora. (m/s Allstot/McDonnell) Motion carried.

Pledge of Allegiance was said.

Agenda: There were no additions or correction to the agenda.

Presentations: None

Consent Agenda: Motion was made to approve consent agenda. (m/s Wanke/Moore) Motion carried.

Items on the consent agenda are as follows:

Claims #92210 through #92265 in the amount of \$393,383.39
Claims #92198 through #92209 in the amount of \$1,640.53
VOIDED ACH in the amount of \$(128.40)
VOIDED Claim #90926 in the amount of \$(140.00)
VOIDED Claim #91222 in the amount of \$(378.00)
VOIDED Claim #91487 in the amount of \$(115.05)
VOIDED Claims #91669 in the amount of \$(33.78)
Payroll Check #46703 through #46720 in the amount of \$33,532.68

Payroll Claims #92180 through #92197 in the amount of \$231,078.40
Payroll Direct Debit in the amount of \$5,875.00
Payroll Direct Deposits in the amount of \$175,630.61
Minutes of the July 15, 2020 Council meeting

Proclamation – Child Cancer Awareness Month: In an effort to raise awareness for childhood cancer, Jessica Beckstrand is requesting Cities all across the state, including the Governor’s office, to proclaim the month of September as **Childhood Cancer Awareness Month**.

Motion to accept and approve Proclamation to declare September, 2020 as **Childhood Cancer Awareness Month**. (m/s Coe/Moore) Motion carried.

City Administrator Report:

CARES Funding update – Director Trachsler advised that the City is eligible for CARES Grant Funding in the amount of \$245,400.00. Payment request has been submitted and received for \$182,191 for reimbursement of city expenses for labor/materials for security window’s at the front counter, sanitizing, and wages to comply with the Stay Home Stay Safe Order for March and April. The remaining balance of \$63,209 is designated toward helping the small businesses impacted by the pandemic.

Director Bennett advised that she is working with the Chamber to define qualification and establish an application process for those impacted by the mandatory shut down. A committee has been established consisting of business owners in the community and a representative from council. They will establish the application process, review completed applications and make recommendations to Council for approval and funding. She anticipates having the application and guidelines to Council for approval at the next Council meeting.

Council discussion ensued. Council member Coe advised that the Economic Development Council has received CARES funding requests from 7 Ephrata businesses, he will pass those on to prevent double funding.

Report on Jail Site Selection Progress – Building Official Cox reported that he and Director Leavitt have been working with the County regarding the site selection for building the new jail facility. Per Ephrata’s Code, in the absence of a specific zone for jails, a Site Selection Committee has to be formed to review proposed sites before this project can move forward. There are two sites being considered; downtown next to the current facility, and out by the airport. The Committee has 13 considerations to consider for each location. The committee will meet again in a couple of weeks and have a period for public comment.

Council discussion ensued.

Chlorination of City Water System – Director Sangster advised that he is gathering bids for tanks and chemicals as well as electrical work to begin the install. City personnel will install the pipe and piping to each well. He anticipates chlorination to be on-line by the end of the month.

Council discussion ensued regarding placement of tanks. Sangster advised that they will not fit in the pump houses and we may have to fence around them. Public notice will be given before chlorination goes live.

“C” Street Sidewalk Update – Director Sangster reported that the Pre-Construction meeting with Central Paving is scheduled for tomorrow afternoon. He anticipates they will start next week. If so, the project should be completed before school starts. Project is from Parkway to the High School.

Council discussion ensued. At present, it is unknown which end they will start with however, Sangster advised that he anticipates they will do a block at a time and there will be a handicap ramp at every intersection. They will not be replacing good sidewalk.

Council discussion ensued regarding the meeting format – audio only versus video. Staff will check out the Council tablets to see if they have video capabilities and look into other options.

There being no further business meeting adjourned at 7:34 p.m.

Bruce Reim, Mayor

ATTEST:

Leslie Trachsler, City Clerk



DATE : August 12, 2020
Department : City Clerk/Finance

Past Activity

- Continue to support other departments and commissions
- Monthly duties as assigned
- Working with Mayor/Administrator on COVID-19 related issues
- Complete Tax and User Fee Survey
- Work with City Administrator on Library Re-roof project
- Prepared Budget Schedule for 2021 Budget Cycle
- Prepared report for Council regarding HB 2889 – Utility Fee Rate Notification
- Prepared Proclamation to support masking campaign for Council

Future Activity

- Normal monthly duties
 - Monthly Balancing of all financial transactions
 - Prepare and submit monthly tax reports
 - Monitor revenues/expenses of the City
 - Monitor Budget
 - Attend all Council Meetings
 - Initiate Legal Publications as required
 - Provide and monitor requests for Public Records
 - Monitor Records retention/destruction
 - End of Month Payroll process
 - Monthly/Quarterly PR Reports
 - Address Human Resource issues
 - Support staff in their daily operations
 - Support City Administrator
 - Monthly Civil Service Commission meetings – suspended due to COVID-19
 - Attend LEOFF I Disability Board monthly meetings – suspended due to COVID-19
- Continue work on creating a Utility Relief application and payment agreement form
- Begin work on 2021 Budget worksheets for Department Heads
- Prepare 2021 Revenue Projections
- Work on Supplemental Appropriations for 2020
- Complete renewal application for 2020-2021 CIAW Insurance Coverage

Budget Concerns

- Non-essential spending has been frozen as per Council direction
- Monitoring tax revenues closely

Other Issues

- Coverage for employee vacations – City Administrator vacation



City Council Report

Parks and Recreation
August 13, 2020

PAST ACTIVITY:

1. PARKS COMMISSION:
 - a. July meeting – No Quorum
2. Recreation/Community Programming:
 - a. BOLD finished for the summer
 - b. Summer movie series altered to Drive-In style
 - c. Youth soccer clinics underway
 - d. Summer concert series at Rock Park canceled
3. Parks:
 - a. Opening of some park restrooms
4. Public Relations/Tourism:
 - a. Developed CARES funds application for small businesses
 - b. Provided information on Phase 3 approach to start programs
 - c. Developed a Safe Start Plan for city employees and citizens
 - d. Working on 2019 JLARC report for state on Lodging Tax
5. Special Events:
 - a. None
6. Recreation Supervisor:
 - a. Accepting registration alternative summer programs and activities
 - b. Modified summer activities based upon 'phase' openings
 - c. Assisting utility customers
7. Splash Zone:
 - a. Received bid for pool resurfacing in spring of 2022

FUTURE GOALS/ACTIVITY:

1. Continuing administration of current and new programs
 2. Continuing to work with and support various community groups
 3. Develop new recreation programs and activities
 4. Develop tree replacement program
 5. Develop a park reservation system
 6. Researching web site options
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City of
Ephrata

August 13th, 2020

Department: Public Works Field Supervisor

**past
Activity**

Cleaned the head works at the waste water treatment facility. Completed monthly sewer flushing. Flushing and Sweeping city streets as needed to conserve fuel. Monthly water testing. Still working on getting # 3 well back up and running after another issue with a broken shaft. Select herbicide maintenance. Regular scheduled Park and public works maintenance, numerous funerals, and as always responded to any and all City related calls.

**Future
Activity:**

Clean head works at the waste water treatment facility. Monthly sewer flushing. Monthly water testing. Read meters. Replace a broken shaft, chlorinate and put well # 3 back on line. Set up all wells for chlorination. Flushing and sweeping city streets (only as needed to conserve fuel use). Continue with routine inspections and maintenance on all trucks and equipment. Summer herbicide maintenance as needed. And as always respond to any and all City related calls.

**Budget
Concerns:**

Continue to monitor closely

**Other
Issues:**

Continuing to maintain social distancing!

Dennis Ohl
Public works field
supervisor



City of Ephrata
 Department of Planning and Building
 Permits Issued Jul-20

Permit	Parcel	Issue Date	Owner	Contractor	Location	Work Done	Valuation	Fee (less State Fee)
20-089	140875000	7/17/2020	ESD High School	ESD	333 4th Ave NW	Pole Building	\$ 40,000.00	\$ 516.14
20-090	130085403	7/2/2020	ESD Middle School	ESD	384 A SE	Pole Building	\$ 40,000.00	\$ 495.50
20-109	131335000	7/16/2020	Benjamin Bazan	Benjamin Bazan	154 4 NE	Fence	\$ 1,000.00	\$ 11.85
20-124	131586525	7/14/2020	WalMart	WalMart	1399 Nat Washington	Interior Remod	\$ 65,000.00	\$ 1,111.56
20-141	130443010	7/2/2020	Luz Ocampo	NCW Mobile Home	2480 Basin SW #51	Place Home	\$ 24,000.00	\$ 641.60
20-143	313502000	7/1/2020	Joseph Mihelich	HiLine Homes	90 Parkside Loop	SFR	\$ 147,000.00	\$ 6,049.75
20-144	130581000	7/9/2020	Dave Dungan	Ryan Scheib	301 Statter	Fence	\$ 5,000.00	\$ 11.85
20-148	140931000	7/6/2020	Charles Wiesand	Charles Wiesand	237 2nd SW	Sign	\$ 1,500.00	\$ 87.38
20-151	130510000	7/14/2020	Kevin Burck	Kevin Burck	2083 Basin SW	HVAC	\$ 3,700.00	\$ 68.60
20-152	131624308	7/6/2020	RJ Fronsman	RJ Fronsman	314 Ivy	Covered Patio	\$ 3,000.00	\$ 90.67
20-153	141125000	7/15/2020	Veniamin Babak	Veniamin Babak	335 Canal Dr.	SFR	\$ 200,000.00	\$ 5,408.84
20-154	140124724	7/7/2020	Alderbrook	Alderbrook	1107 7th Ave NE	SFR	\$ 250,000.00	\$ 7,452.68
20-155	140463000	7/6/2020	Settlers Market	Arrowhead Roofing	741 Basin NW	ReRoof	\$ 16,000.00	\$ 58.05
20-156	130200031	7/9/2020	McArthur Forbord	McArthur Forbord	423 9th SE	Fence	\$ 5,000.00	\$ 11.85
20-157	140124701	7/30/2020	Foxford LLP	Wildheart Homes	913 8th NE	SFR	\$ 200,000.00	\$ 5,993.64
20-158	140475128	7/14/2020	Cesar Garcia	Bruce Hill	1077 9th SE	Supported Patio	\$ 8,500.00	\$ 122.04
20-159	131586623	7/15/2020	Judith Johnson	Judith Johnson	890 L SE	Patio Enclosure	\$ 1,800.00	\$ 89.75
20-160	131120000	7/14/2020	Douglas Engberg	Rm Construction	66 F SE	ReRoof	\$ 1,000.00	\$ 58.05
20-161	131586028	7/20/2020	Chad Robinson	Steel Structures America	235 F Circle	Shop	\$ 32,570.99	\$ 357.04
20-162	131225000	7/14/2020	Tina Brissey	Tina Brissey	166 F SE	ReRoof	\$ 1,200.00	\$ 58.05
20-163	140853000	7/15/2020	Steve Oliver	Steve Oliver	233 2nd NW	Fence	\$ 1,200.00	\$ 11.85
20-164	131592001	7/15/2020	ESD Shop	Polhamus	340 7th NW	HVAC	\$ 10,045.00	\$ 68.60
20-165	131592001	7/15/2020	ESD Tech Office	Polhamus	340 7th NW	HVAC	\$ 6,585.00	\$ 68.60
20-166	131524000	7/15/2020	Rosalia Mayo	Rosalia Mayo	69 K NE	Driveway	\$ 1,056.00	\$ 38.00

20-167	312598000	7/21/2020	Port Dist. 9	Port Dist. 9	400 Rialroad	Fence	\$ 15,000.00	\$ 11.85
20-169	131103000	7/21/2020	Joel Diaz	Joel Diaz	18 E SE	Sprinkler	\$ 500.00	\$ 37.50
20-170	131481000	7/21/2020	Justin Grubb	Dircio's	238 F NE	Sidewalk	\$ 3,000.00	\$ 75.00
20-171	14012472	7/28/2020	Alderbrook	Alderbrook	1012 7 NE	SFR	\$ 250,000.00	\$ 6,068.87
20-173	140124700	7/30/2020	Foxford LLP	Wildheart Homes	909 8th NE	SFR	\$ 170,000.00	\$ 5,948.83
20-175	140249000	7/24/2020	Matthew Reynolds	Matthew Reynolds	1203 Cottage	ReRoof	\$ 1,000.00	\$ 58.05
20-176	130200031	7/29/2020	McArthur Forbord	McArthur Forbord	423 9th Ave SE	Shed 1	\$ 2,296.55	\$ 29.30
20-177	130200031	7/29/2020	McArthur Forbord	McArthur Forbord	423 9th Ave SE	Shed 2	\$ 2,296.55	\$ 29.30
20-178	140124639	7/28/2020	Corey Burns	Niks Quality Fencing	613 8th NE	Fence	\$ 3,300.00	\$ 11.85
20-179	131046000	7/28/2020	Paul Trevino	Niks Quality Fencing	23 E NE	Fence	\$ 1,000.00	\$ 11.85
20-180	140307507	7/28/2020	John Schwab	John Schwab	23 Parkside Loop	Fence	\$ 500.00	\$ 11.85
20-181	131586642	7/28/2020	Quentin Stepon	Home Depot	617 L SE	Shed	\$ 6,000.00	\$ 29.30
20-183	130231000	7/31/2020	Nelly Perez	Polhamus	385 4th SE	replace heat pump	\$ 6,200.00	\$ 68.60
20-184	140697040	7/31/2020	Jared Grubb	Jared Grubb	6 Summitview	Fence	\$ 1,000.00	\$ 11.85
20-185	130817000	7/31/2020	Willis Kerzman	Willis Kerzman	204 E SW	ReRoof	\$ 3,000.00	\$ 58.05

	\$ 1,530,250.09	\$41,343.99
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DATE: August 19, 2020

ITEM: Ordinances/Resolutions

SUMMARY

1. Resolution 20-011 – Adopting the Small Business Relief Program to Distribute Coronavirus Relief Fund to the Ephrata Community. Establishes authorization for the CARES Act Grant to Small Businesses, and Eligibility Criteria.

BUDGET IMPACTS

1. \$63,209.00 in CARES Act Grant Funds

Staff recommends acceptance and approval.

**ENABLING
ACTIONS**

Motion to Authorize, Confirm, or Approve and Accept All Items.

If you have any questions, concerns, or require additional information; please contact me prior to the meeting.

RESOLUTION NO. 20-011

A RESOLUTION ESTABLISHING A SMALL BUSINESS RELIEF PROGRAM TO DISTRIBUTE CORONAVIRUS RELIEF FUNDS TO THE EPHRATA COMMUNITY

WHEREAS, the Washington Governor has declared a state of emergency in response to new cases of COVID-19, issued a stay at home order, and subsequently established a phased reopening of business and other activities in an effort to contain the coronavirus outbreak under the Washington Governor's Proclamation 20-25; and

WHEREAS, the COVID-19 outbreak presents an extreme risk of person-to-person transmission of the virus and public health experts advise the best way to prevent a calamitous explosion of cases is to prevent infected people from coming in close contact with healthy ones; and

WHEREAS, on March 18, 2020, the Mayor and City Council of the City of Ephrata declared the existence of an emergency within the City of Ephrata related to the COVID-19 virus; and

WHEREAS, small businesses play a vital role in the overall health and welfare of Ephrata's citizens;

WHEREAS, while the practice of social distancing and other aspects of the Governor's Proclamation are critical in mitigating the rate of spread of the COVID-19 virus, they are also having significant negative economic effects on small businesses and employees within the City of Ephrata; and

WHEREAS, citizens, employees, and business owners whose primary source of income has been significantly diminished or wiped out entirely by the effects of the COVID-19 pandemic may be unable to continue to afford to stay home or practice social distancing, which will have a negative impact on the public's health; and

WHEREAS, the provision of adequate government services critical to the public health, safety, and welfare, including without limitation police, fire, emergency medical services, public health services, potable water, sanitary sewer, and wastewater treatment services, and the provision of local employment opportunities for city, town, and county residents, depend in significant part upon the strength and continued viability of local businesses and tax revenues paid by such businesses and their employees; and

WHEREAS, it is therefore a fundamental purpose of local government to assist in maintaining the stability of the local economy in order to protect the city's ability to continue to provide essential services for the public welfare and benefit, and to allow citizens, employees, and business owners to continue social distancing and other practices necessary to maintaining public health; and

WHEREAS, the Ephrata City Council recognizes that one of its essential functions is to secure the health and welfare of Ephrata's citizens, and the City and its state and local government agency partners are working to swiftly respond to the economic impact that the COVID-19 pandemic is having on Washington state; and

WHEREAS, financial resources are necessary to help small businesses survive the COVID-19 pandemic, and certain small businesses in Ephrata reasonably require public financial assistance in order to remain viable and continue supporting the Ephrata community; and

WHEREAS, on March 27, 2020, the United States Congress adopted the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") which, among other things, amended Section 601(a) of the Social Security Act and established the Coronavirus Relief Fund (the "Fund") into which Congress appropriated \$150 billion to make payments for specified uses to States and certain local governments; and

WHEREAS, the CARES Act fund are available to reimburse government recipients for necessary expenditures, incurred due to the COVID-19 public health emergency, that were not accounted for in the government recipient's most-recently approved budget (as of March 27, 2020) and that were incurred between March 1 and December 31, 2020; and

WHEREAS, guidelines issued by the United States Treasury Department ("Treasury guidelines") indicate that "necessary expenditures" include expenses of actions to facilitate compliance with COVID-19-related public health measures, such as (for example) expenses for food delivery to residents, including senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions; and

WHEREAS, the Treasury Guidelines also indicate that "necessary expenditures" also include expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, payroll support, or unemployment insurance costs related to the COVID-19 public health emergency, if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise; and

WHEREAS, the Treasury Guidelines further indicate that an expenditure or cost "is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account"; and

WHEREAS, the State of Washington has determined to distribute a certain portion of its share of the CARES Act funds to Washington cities, including the City of Ephrata; and

WHEREAS, the City Council desires to establish a small business and nonprofit CARES Act grant program;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Ephrata, Washington as follows:

Section 1. Findings of Fact.

The City Council hereby adopts the recitals expressed above as Findings of Fact.

Section 2. Small Business and Nonprofit CARES Act Grant Program Established.

The City Council hereby establishes the Ephrata Small Business and Nonprofit CARES Act Grant Program ("the Program"). The focus of this Program is to provide short-term economic stability via monetary grants to brick and mortar businesses and community organizations located within City limits. Key Program goals will include the ability to make decisions and distribute awarded funds quickly; to use best efforts to direct funding to viable businesses and organizations; to minimize the amount of private financial or tax records and data coming into the City's possession; and to maximize the City's ability to seek reimbursement for Program expenditures from CARES Act funding and/or other federal, state, or regional sources. The Program will be implemented as follows:

(A) The City Council directs that sixty-three thousand two hundred and nine dollars (\$63,209.00) shall be allocated to the Small Business and Nonprofit CARES Act Grant Program.

(B) The funds allocated to this Program shall be based upon the eligibility criteria set forth in Exhibit A, attached and incorporated herein, the Treasury Guidelines, and any guidance forthcoming from the Washington Department of Commerce regarding eligibility for reimbursement with CARES Act funding.

(C) A review committee shall be reestablished to evaluate the applications and make funding recommendations to the City Council.

(D) The City will publicize the existence of the Program and solicit applications from small businesses and community organizations meeting the eligibility criteria.

(E) Following evaluation of applications and recommendation by the committee, the City Council will select and enter into contracts to provide a grant of financial assistance to applicants meeting the eligibility criteria. The contract shall require the recipient to provide such financial and other reporting determined by the City to provide eligibility for reimbursement through the CARES Act or other federal or state funding and compliance with City financial reporting and audit requirements.

Section 3. Acceptance of Grants.

The Mayor or City Administrator is authorized to accept grants or donations of any monies for the Program, including without limitation any grants or donations from any state or local governments or agencies, and to spend such monies to implement and administer the Program.

Section 4. Reimbursement.

The Mayor and City Administrator are authorized and directed to seek reimbursement to the maximum extent possible from any and all federal or state funds appropriated or otherwise made available for COVID-19-related community or business impact assistance, including without limitation from CARES Act funds distributed to local governments by the State of Washington and any subsequent federal or state grant or assistance programs.

Section 5. Severability.

If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and, to this end, the provisions of this Resolution are severable; unless however, the invalidity pertains to qualifying criterion for one of the subsidiary Programs set forth herein, in which case, all qualifying criterion for such subsidiary Program shall be deemed not to have further effect with Council retaining the ability to redraft new criterion in light of the invalidity.

Section 6. General Provisions.

(A) This Resolution shall be implemented consistent with applicable law and subject to the availability of funding.

(B) This Resolution is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the City of Ephrata, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the City Council of the City of Ephrata, Washington, this 19th day of August, 2020.

Bruce Reim, Mayor

ATTEST:

Leslie Trachsler, City Clerk/Finance Director

EXHIBIT A
Small Business and Nonprofit CARES Act Grant Program
Eligibility Criteria

I. Criteria for All Applicants

All applicants must meet the following criteria for financial support:

1. The business must be physically located within City boundaries.
2. The business must have a valid Unified Business Identifier and City of Ephrata business license.
3. The business has been in operation in the City of Ephrata for longer than six (6) months.
4. The business must have fifteen (15) or fewer full-time equivalent employees (FTEs) whose primary workstation is within the City of Ephrata. (The number of FTEs is determined by calculating the sum of each employee's average number of hours paid per week, divided by 40, and rounding the total to the nearest tenth. The maximum for each employee is capped at 1.0.)
5. The business is in good standing, current on all City taxes and fees due, current on all State and City regulatory requirements, and has no outstanding code violations. For the purposes of this requirement, the business is not disqualified if it has taken advantage of an extension of taxes and fees, or other regulatory requirements, if those obligations have been suspended or deferred by appropriate local or state directives.
6. Unless exempt, the business must have available for inspection a written Safety Plan outlining how its workplace will prevent the spread of COVID-19 that is at least as protective as the requirements from the Washington State Department of Labor & Industries. If the State of Washington has issued guidance for the business's specific industry, the Safety Plan must also be compliant with any industry-specific guidance.
7. As a condition of receiving a grant, the business must commit to the following minimum requirements:
 - a. Cooperate with public health authorities in the investigation of cases, suspected cases, outbreaks, and suspected outbreaks of COVID-19;
 - b. Cooperate with the implementation of infection control measures, including but not limited to isolation and quarantine, and follow the cleaning guidelines set by the CDC to deep clean and sanitize;
 - c. Comply with all public health authority orders and directives; and

d. Comply with all Department of Labor & Industries interpretive guidance, regulations and rules, and Department of Labor & Industries-administered statutes.

8. Grants may be used to leverage funding from a public or private financing program.

Exclusions from the Program. Businesses meeting one or more of the following criteria are excluded from receiving grants under this program:

1. Businesses that have more than fifteen (15) FTEs whose primary workplace is within the City of Ephrata; or
2. Businesses that qualified as an “essential business” and remained open to the public or worked under normal operating conditions from March 16, 2020 to June 30, 2020, unless the business can prove a loss of 25% revenue due to COVID impacts; or
3. Governmental entities and nonprofits (other than nonprofits engaged in the provision of human services); or
4. Grants cannot be made to businesses owned, partially owned, or with managers, officers, directors, or employees who are employees or public officials of the City of Ephrata.

II. Use of Program Funds

Eligible business expenses are limited to the following types of expenditures:

1. Payment of rent or required monthly loan payments.
2. Payments of essential wages, taxes, and normal benefits to employees essential to maintain business; provided such expenses have not been and, to the best knowledge of the recipient, will not be reimbursed under any federal, state or regional program, including any grant or loan programs.
3. Normal operating costs that are included in “cost of goods sold” on business’s income statement (raw materials for manufacturers, component pieces for assemblers, items for resale for retailers, food for restaurants, etc.).
4. Normal operating expenses that are included in “operating expenses” on business’s income statement (utilities, insurance, professional services, etc.).
5. Normal draw or wages on a weekly or monthly basis to owner.
6. Increased costs which are necessary to comply with safety-compliance measures or regulatory compliance associated with COVID-19.

Grant funds may not be spent on the following:

1. Any expense that would not be considered an eligible business expense by IRS rules.
2. Political contributions.
3. Bonuses to owners or employees.
4. Wages to any member of owner's family who is not a bona fide employee.
5. Charitable contributions.
6. Gifts or parties.
7. Draw or salary to owner that exceeded the amount that they were paid on a weekly or monthly basis for the same period last year.
8. Pay down or pay off debt by more than required in underlying debt instrument.
9. Payment of local, state or federal taxes or assessments.
10. That portion of payroll and other employee- or business-associated costs for which the recipient has received or expects to receive reimbursement from other federal, state or regional funds (e.g. Payroll Protection Program or unemployment insurance).
11. Damages covered by insurance.
12. Severance pay.
13. Legal settlements.

III. Application Evaluation.

- Applications will be reviewed for eligibility in the grant program. (See eligible businesses above.)
- In the event that the total number of grant funds requested by qualified applicants exceeds available funds for the Program, the City will randomly select qualified applicants to receive grant awards.
- Any remaining funds, after this initial distribution, shall be distributed on a first-come first-served basis to qualified applicants.



DATE: August 19, 2020

ITEM: Items for Council Consideration

SUMMARY

1. Proclamation: Encourage citizens to support and protect local businesses by wearing a mask not only when entering a business but also in any public setting.
2. Accept Donation: Parks and Recreation has received several very generous donations:
 - \$200 for Parks and Recreation Scholarship Fund - anonymous
 - \$300 from Columbia Basin Chiropractic Care to sponsor a drive-in movie
 - \$300 from Washington Trust Bank to sponsor a drive-in movie
 - \$300 from Granco Credit Union to sponsor a drive-in movie
 - Flat Screen TV from Sue Thompson for BOLD program
 - \$10,000 from Richard Reimers – undesignated – Recommend this donation be used to offset the new bottom surface for SplashzoneAll donations must be accepted by Council
3. Utility Fee Rate Notification – HB 2889: New legislation requiring notification to ratepayers of assessed fees and taxes on gross revenues of the water, sewer, wastewater or stormwater utility. See attached staff report.
4. Review and discuss Goals and Objectives for 2021; review 2021 Budget Schedule
5. Agreement to accept TIB grant funding for Phase II of Division Street East overlay project. Scope of work for Phase I is for D Street NE to Summitview Drive; Phase II is Summitview Drive to Airport Street. Work for both phases will take place in 2021.
6. Informational: City of Ephrata Small Business and Nonprofit CARES Act Grant Application. Taken from Grant County EDC and modified for Ephrata.

BUDGET IMPACTS

1. None
2. \$11,100 additional for recreational programs and facility upgrade
3. None
4. None
5. \$147,000± 10% match – 2021 Budget
6. None

RECOMMENATION Staff recommends acceptance and approval of all Items.

ENABLING ACTIONS

Motion to Authorize, Confirm, or Approve and Accept All Items.

If you have any questions, concerns, or require additional information; please contact me prior to the meeting.



PROCLAMATION

WHEREAS, City of Ephrata continues to experience a significant surge in Corona Virus (COVID-19) cases over the past few weeks; and

WHEREAS, the Mayor and Ephrata City Council fear that the economy and the health and well-being of the people of Ephrata are severely compromised by the lack of urgency in controlling the virus; and

WHEREAS, the Mayor and Ephrata City Council recognizes that it is the commitment of the citizens at a "Grass Root" level that will be most effective in succeeding at eliminating the COVID-19 Virus; and

WHEREAS, the Mayor and Ephrata City Council agree that their collective leadership is important in compelling the community to act.

NOW, THEREFORE, the Mayor and Ephrata City Council hereby proclaim as follows:

- We are extremely grateful to the business owners, citizens, public health care organizations, and city employees for their efforts and sacrifices made in response to this virus, and
- We implore the Ephrata citizens and County residents to implement cautionary measures as directed by the Grant County Health Officials and the State Health Department, and
- In signing this Proclamation, the Mayor and each City of Ephrata Council member commits to setting an example to the public in implementing the measures recommended by the Grant County Health Officials, and specifically by wearing a mask when in a public setting, and
- That this Proclamation shall be in effect until such a time as the "State of Emergency" has been rescinded by the Governor of the State of Washington.

Signed this 19th day of August, 2020

Bruce Reim, Mayor



MEMO
PARKS AND RECREATION DEPARTMENT

TO: Mike Warren – City Administrator
FROM: Traci Bennett – Parks and Recreation Director
DATE: July 30, 2020
RE: BOLD Scholarship Donation

An anonymous donation of \$200 was given to the Parks and Recreation Department for the BOLD scholarship fund.

MEMORANDUM

Parks and Recreation Department



TO: Leslie Trachsler – Finance Director
FROM: Traci Bennett - Park and Recreation Director
DATE: August 12, 2020
RE: Donations

Handwritten initials "TB" in black ink, positioned to the right of the "FROM:" line.

The Parks and Recreation Department received \$300 donations from the following businesses to extend the Drive-In movie series:

Columbia Basin Chiropractic Care – Dr. Bedford
WA Trust Bank
Granco Credit Union

A flat screen tv was also donated the BOLD program from Sue Thompson.



MEMORANDUM

To: Mayor Reim, City Council and City Administrator Warren
From: Leslie Trachsler, Finance Director
Date: August 13, 2020
Re: Utility Fee Rate Notification to Rate Payers

The recent passage of Substitute House Bill 2889 by the House and Senate in March, 2020 with an effective date of June 11, 2020 addressed Utility Tax Disclosures and added a new section to Chapter 35.92 RCW, Municipal Utilities. The new law requires any city or town that owns and operates a water, sewer, wastewater, or stormwater utility and that also imposes a fee or tax on the gross revenues of those utilities to disclose the fee or tax rate to its customers.

In response to HB 2889, staff proposes the following post on Ephrata's web site and September billing statement. The highlighted text is new and addresses what is required by House Bill 2889.

UTILITY RATES

Residential water is billed a basic charge of \$51.55 per month. Water usage is billed at \$0.83 per thousand gallons. Residential sewer is billed at a flat \$41.05 per month. Water meters are read every other month, May through November. You will be billed for water usage in addition to your basic bill on each of the read months. Commercial sewer rates vary according to winter water usage. **The amount billed includes a utility tax of 20% calculated on the gross operating income of the water and sewer utilities.**

WRITTEN NOTICE TO UTILITY CUSTOMERS

Verbiage to be included on September, 2020 billing statement:

Information on utility rates and utility fees can be found on the City's website at <http://ephrata.org>

PLEASE SEE ATTACHED SUBSTITUTE HOUSE BILL 2889

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 2889

66th Legislature
2020 Regular Session

Passed by the House March 9, 2020
Yeas 94 Nays 2

**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2020
Yeas 48 Nays 0

President of the Senate
Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2889** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2889

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington 66th Legislature 2020 Regular Session

By House Local Government (originally sponsored by Representative Griffey)

READ FIRST TIME 02/07/20.

1 AN ACT Relating to utility tax disclosures; and adding a new
2 section to chapter 35.92 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.92
5 RCW to read as follows:

6 (1) Any city or town that operates its own water, sewer or
7 wastewater, or stormwater utility and imposes a fee or tax on the
8 gross revenue of such a utility shall disclose the fee or tax rate to
9 its utility customers. Such disclosure shall include statements, as
10 applicable, that "the amount billed includes a fee or tax up
11 to (dollar amount or percentage) calculated on the gross
12 revenue of the water utility; a fee or tax up to (dollar
13 amount or percentage) calculated on gross revenue of the sewer or
14 wastewater utility; a fee or tax up to (dollar amount or
15 percentage) calculated on the gross revenue of the stormwater
16 utility."

17 (2) The disclosures required by this section must occur through
18 at least one of the following methods:

19 (a) On regular billing statements provided electronically or in
20 written form;

1 (b) On the city or town's web site, if the city or town provides
2 written notice to customers or taxpayers that such information is
3 available on its web site; or

4 (c) Through a billing insert, mailer, or other written or
5 electronic communication provided to customers or taxpayers on either
6 an annual basis or within thirty days of the effective date of any
7 subsequent tax rate change.

--- END ---

2021 CITY OF EPHRATA BUDGET SCHEDULE AND GOALS & OBJECTIVES



2021 BUDGET SCHEDULE

DATE	EVENT	PROCESS
19 AUG	Council Meeting	Council discusses draft goals and objectives for 2021 Budget
04 SEP	Council Meeting	Council adopts 2021 Goals and Objectives
05 SEP	Worksheets	Staff receives worksheets for 2021 budget requests.
05 SEP	Staff Work	Administration refines revenue forecasts and prepare budget message.
28 SEP	Worksheets Due	All departmental heads return worksheets to Administration. Forms are collated and prepared for preliminary budget.
07 OCT	Council Meeting	1 st Draft of the Budget presented to Council using worksheet format.
21 OCT	Council Meeting	2 nd Draft of the Budget presented to Council, still using worksheet format. Set Public Hearing: Ad Valorem taxes for 04 Nov.
03 NOV	ELECTION DAY	
04 NOV	Public Hearing Property Tax	Draft of the Budget presented to Council using BARS format. Ad Valorem ordinance passage. Set Public Hearings: 2021 Budget 18 Nov and 02 Dec.
18 NOV	1st Public Hearing	Final draft of the Budget presented to public using BARS and Summary format. Preliminary Budget Hearing
30 NOV	Ad Valorem Tax Certification	Last day to certify Ad Valorem Taxes with County Commissioners and the Assessors office
02 DEC	2nd Public Hearing	Final draft of the Budget presented to public using BARS and Summary format. Passage of 2021 Final Budget Hearing
16 DEC	Council Meeting	Passage of final Supplementary Appropriation ordinances for 2020.



CITY OF EPHRATA MISSION STATEMENT

MOTTO

We Exist to Serve

MISSION

Our mission is to build the finest community, with the highest quality of life, in Central Washington.

CORE VALUES

Service to build a *Safe City*
Service to build a high *Quality of Life*
Service to build *Responsive Government*
Service that builds *Courage in Leadership*
Service to build *Recreation for All Ages*
Service that builds *Fiscal Conservatism*
Service that builds *Innovation*
Service that builds an *Inclusive Community*

LONG RANGE GOALS

- 1) City to lead by example
- 2) Improve our Beauty and Appearance
- 3) Improve Recreation Programs for all
- 4) Update and Improve Infrastructure
- 5) Aggressively Market Ephrata
- 6) Build facilities only when they can be maintained and "done right"

2019 OBJECTIVES

1. Continue to Improve Public Safety
2. Improve Prevention of, and Response to, Roadway Damage
2. Maintain Financial Stability and Accountability
3. Attract, Develop, and Retain Quality Employees
5. Continue to Reward and Promote Efficiency

2020 OBJECTIVES

1. Continue to Improve Public Safety
2. Improve Public Works Response and Improve Quality at Facilities
3. Continue to Slowly Grow Reserves to Targets
4. Continue to Hire the Best and Most Qualified Individuals for Long-Term Employment
5. Continue to Reward and Promote Efficiency in all Department



City of Ephrata
3-E-164(006)-1
FY 2021 Overlay Project
Multiple Locations

STATE OF WASHINGTON
TRANSPORTATION IMPROVEMENT BOARD
AND
City of Ephrata
AGREEMENT

THIS GRANT AGREEMENT (hereinafter "Agreement") for the FY 2021 Overlay Project, Multiple Locations (hereinafter "Project") is entered into by the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD (hereinafter "TIB") and City of Ephrata, a political subdivision of the State of Washington (hereinafter "RECIPIENT").

1.0 PURPOSE

TIB hereby grants funds in the amount of \$656,933 for the project specified above, pursuant to terms contained in the RECIPIENT'S Grant Application, supporting documentation, chapter 47.26 RCW, title 479 WAC, and the terms and conditions listed below.

2.0 SCOPE AND BUDGET

The Project Scope and Budget are initially described in RECIPIENT'S Grant Application and incorporated by reference into this Agreement. Scope and Budget will be further developed and refined, but not substantially altered during the Design, Bid Authorization and Construction Phases. Any material alterations to the original Project Scope or Budget as initially described in the Grant Application must be authorized by TIB in advance by written amendment.

3.0 PROJECT DOCUMENTATION

TIB requires RECIPIENT to make reasonable progress and submit timely Project documentation as applicable throughout the Project. Upon RECIPIENT'S submission of each Project document to TIB, the terms contained in the document will be incorporated by reference into the Agreement. Required documents include, but are not limited to the following:

- a) Project Funding Status Form
- b) Bid Authorization Form with plans and engineers estimate
- c) Award Updated Cost Estimate
- d) Bid Tabulations
- e) Contract Completion Updated Cost Estimate with final summary of quantities
- f) Project Accounting History

4.0 BILLING AND PAYMENT



The local agency shall submit progress billings as project costs are incurred to enable TIB to maintain accurate budgeting and fund management. Payment requests may be submitted as often as the RECIPIENT deems necessary, but shall be submitted at least quarterly if billable amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

5.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through closeout of the grant or until terminated as provided herein, but shall not exceed 10 years unless amended by the Parties.

6.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

7.0 ASSIGNMENT

The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

8.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9.0 DEFAULT AND TERMINATION

9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) In response to the notice, RECIPIENT shall provide a written response within 10 business days of receipt of TIB's notice of non-compliance, which should include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details.
- c) TIB will provide 30 days for RECIPIENT to make reasonable progress toward compliance pursuant to its plan to correct or implement its amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold further payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

9.2 DEFAULT



RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:

- a) RECIPIENT is not making reasonable progress toward correction and compliance.
- b) TIB denies the RECIPIENT's request to amend the Project.
- c) After investigation TIB confirms RECIPIENT'S non-compliance.

TIB reserves the right to order RECIPIENT to immediately stop work on the Project and TIB may stop Project payments until the requested corrections have been made or the Agreement has been terminated.

9.3 TERMINATION

a) In the event of default by the RECIPIENT as determined pursuant to Section 9.2, TIB shall serve RECIPIENT with a written notice of termination of this Agreement, which shall be served in person, by email or by certified letter. Upon service of notice of termination, the RECIPIENT shall immediately stop work and/or take such action as may be directed by TIB.

b) In the event of default and/or termination by either PARTY, the RECIPIENT may be liable for damages as authorized by law including, but not limited to, repayment of grant funds.

c) The rights and remedies of TIB provided in the AGREEMENT are not exclusive and are in addition to any other rights and remedies provided by law.

9.4 TERMINATION FOR NECESSITY

TIB may, with ten (10) days written notice, terminate this Agreement, in whole or in part, because funds are no longer available for the purpose of meeting TIB's obligations. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for performance rendered or costs incurred prior to the effective date of termination.

10.0 USE OF TIB GRANT FUNDS

TIB grant funds come from Motor Vehicle Fuel Tax revenue. Any use of these funds for anything other than highway or roadway system improvements is prohibited and shall subject the RECIPIENT to the terms, conditions and remedies set forth in Section 9. If Right of Way is purchased using TIB funds, and some or all of the Right of Way is subsequently sold, proceeds from the sale must be deposited into the RECIPIENT's motor vehicle fund and used for a motor vehicle purpose.

11.0 INCREASE OR DECREASE IN TIB GRANT FUNDS

At Bid Award and Contract Completion, RECIPIENT may request an increase in the TIB funds for the specific project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. All increase requests must be made pursuant to WAC 479-05-202 and/or WAC 479-01-060. If an increase is denied, the recipient shall be liable for costs incurred in excess of the grant amount. In the event that final costs related to the specific project are less than the initial grant award, TIB funds will be decreased and/or refunded to TIB in a manner that maintains the original ratio between TIB funds and total project costs.



12.0 INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

Each of the PARTIES, shall protect, defend, indemnify, and save harmless the other PARTY, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, that PARTY's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No PARTY will be required to indemnify, defend, or save harmless the other PARTY if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other PARTY. Where such claims, suits, or actions result from the concurrent negligence of the PARTIES, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a PARTY's own negligence. Each of the PARTIES agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each of the PARTIES, by mutual negotiation, hereby waives, with respect to the other PARTY only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW. In any action to enforce the provisions of the Section, the prevailing PARTY shall be entitled to recover its reasonable attorney's fees and costs incurred from the other PARTY. The obligations of this Section shall survive termination of this Agreement.

14.0 DISPUTE RESOLUTION

- a) The PARTIES shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this AGREEMENT. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this AGREEMENT.
- b) Informal Resolution. The PARTIES shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the PARTIES are unable to resolve the dispute, the PARTIES shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The PARTIES shall share equally in the cost of the mediator.
- d) Each PARTY agrees to compromise to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The PARTIES agree that they shall have no right to seek relief in a court of law until and unless the Dispute Resolution process has been exhausted.



15.0 ENTIRE AGREEMENT

This Agreement, together with the RECIPIENT'S Grant Application, the provisions of chapter 47.26 Revised Code of Washington, the provisions of title 479 Washington Administrative Code, and TIB Policies, constitutes the entire agreement between the PARTIES and supersedes all previous written or oral agreements between the PARTIES.

16.0 RECORDS MAINTENANCE

The RECIPIENT shall maintain books, records, documents, data and other evidence relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. RECIPIENT shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the Agreement shall be subject at all reasonable times to inspection, review or audit by TIB personnel duly authorized by TIB, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Approved as to Form
Attorney General

By:

Signature on file

Guy Bowman
Assistant Attorney General

Lead Agency

Transportation Improvement Board

Chief Executive Officer Date

Executive Director Date

Print Name

Print Name



City of Ephrata

Date Submitted:

CITY OF EPHRATA SMALL BUSINESS AND NONPROFIT CARES ACT GRANT

The information provided allows the City of Ephrata to evaluate your grant application. This contract must be filled out **completely** to be considered for the CARES Act Grant. This grant is a **reimbursable** grant that will be awarded after proper documentation and submission of verified expenditures accrued.

*****Requirements for this reimbursable grant are as follows: *****

- 1) Businesses with **15 or less full-time equivalent** employees;
- 2) The business is situated in Ephrata, Washington;
- 3) The business has been in operation for longer than **six months**;
- 4) The business has a **valid Unified Business Identifier (UBI)** and a city business license;
- 5) The business has completed an Application form and entered into the agreement with The City of Ephrata.
- 6) The total amount of grant funds available to any one business shall not exceed \$5,000.

Company Name:	Establishment Date:	In Operation for at least 6 months? <input type="checkbox"/> Yes <input type="checkbox"/> No	UBI Number:
Location:			
CEO/Owner Name:			
Email:			
Phone:			
Industry Sector: <input type="checkbox"/> Retail <input type="checkbox"/> Restaurant/Food Business <input type="checkbox"/> Hospitality <input type="checkbox"/> Manufacturing <input type="checkbox"/> Other:			
Has your business been affected by emergency public health protections in place and/or mandatory closure by executive order due to COVID-19? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Amount of Emergency Grant Money Being Requested: \$			
COMPANY BACKGROUND			
Total Number of Employees as of 01/01/2020:		Number of Workers Laid Off Due to COVID-19:	
If one employee only, is this a sole proprietor? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Company Description:			
Describe the company and its products/services.			
Economic Impact:			
Describe the effect of the public health crisis on the business and how allocated funds can help the business. Why funding is critical to the business?			

When did the impact start? Start date:

Estimated revenue losses in 3/2020-10/2020 compared to last year please give details.

Likelihood of Permanently Closing the Business High Medium Low Business Closed Due to Governor's Directive

Number of potential jobs lost

Will This grant help retain jobs? If so, how many?

Has the company received any state, federal, or other funding? If yes, please provide details.

EXPLANATION OF USE OF FUNDS

Explain how funds will be used to help the business. This information can help the City of Ephrata ensure that the expenses proposed are eligible for reimbursement.
Applications without a list of proposed expenses will be considered incomplete.

Allowable Expenses: *Funding can be used towards COVID-19-related medical or public health expenses, payroll expenses for employees who are substantially dedicated to mitigating or responding to the COVID-19 public health emergency, expenses to facilitate compliance with COVID-19 public health measures, expenses associated with the provision of economic support necessary for responding to COVID-19.*

Unallowable Expenses: *Expenses for the state share of Medicaid, damages covered by insurance, payroll or benefits to employees whose everyday work duties are not substantially dedicated to responding to COVID-19, expenses that have been or will be reimbursed under any federal program such than hazard pay or overtime, severance pay, and legal settlements.*

EMPLOYMENT INFORMATION

Average Annual Payroll:

Average Annual Salary for One Individual:

Benefits Paid to Employees? Yes No

Is the applicant's LNI account current? Yes No Not Sure
You may look up the businesses online at <https://secure.lni.wa.gov/verify>

What measures the company is already taking or trying to take to support employees during the pandemic?

ADDITIONAL INFORMATION

Currently, is the company facing any pending litigation or legal action?

Has the company had any state compliance/regulatory issues within Washington or another state you are or have done business in?

SIGN: "I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct":