

CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, JULY 27, 2020

1. CALL TO ORDER: 7:00 P.M.
2. PLEDGE OF ALLEGIANCE:
3. AGENDA CHANGES:
4. APPROVAL OF MINUTES: July 13, 2020 Regular Meeting
5. COMMUNICATIONS:
 - A. From the Public: **Public Comment for this meeting must be submitted by email to: saustin@clarkston-wa.com or via website form at: www.clarkston-wa.com by 5pm on 7/27/20.**
 - B. From the Mayor:
 - C. From Staff or Employees:
6. COMMITTEE REPORTS:
 - A. Finance/Admin – Audit Report on Current Bills – No Meeting
 - B. Public Safety – July 20, 2020
 - C. Public Works – July 21, 2020
 - D. Outside Organizations – Health District, EMS Council, Valley Vision, PTBA, SEWEDA, MPO, Regional Stormwater, Lodging Tax Advisory
7. UNFINISHED BUSINESS:
 - A. Ordinance 1640, Critical Areas – 2nd Reading (Public Works)
 - B. Ordinance 1641, Parks Advisory Committee – 2nd Reading (Public Works)
8. CONSENT AGENDA:
 - A. Resolution 2020-06, Surplus Fire Equipment (Public Safety)
 - B. Award Letter - FEMA (Public Safety)
 - C. Local Agency Contract – White Diamond Concrete (Public Works)
9. NEW BUSINESS:
 - A. Resolution 2020-07, EMS Levy
10. COUNCIL COMMENTS:
11. QUESTIONS FROM THE PRESS:
12. EXECUTIVE SESSION: None
13. ADJOURN:

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

*****ATTENTION:** The Council meeting will be adhering to the Governor's Emergency Proclamations regarding meetings. This meeting will be held via telephone through Cisco WebEx. If you would like to join the meeting, please email your request to saustin@clarkston-wa.com or call 509-758-5541 by 5:00pm on Monday 7/27/20. ***

Individuals with disabilities may request reasonable accommodations by calling (509) 769-0131 at least three days prior to meeting.

CLARKSTON CITY COUNCIL MINUTES
July 13, 2020

ROLL CALL: Skate Pierce, John Murray, Russ Evans, Pat Holman, Melyssa Andrews and Steven Ebert joined telephonically. Belinda Larsen excused on MOTION BY HOLMAN/EVANS. Motion Carried.

STAFF: Chief Hastings, Chief White, PWD Poole, Clerk Austin.

AGENDA CHANGES: None

APPROVAL OF MINUTES: Minutes of the June 22, 2020 Regular Meeting were approved as distributed on a MOTION BY MURRAY/ANDREWS. Motion Carried.

COMMUNICATIONS:

A. From the Public: None

B. From the Mayor: Mayor Lawrence advised council that most had items in their mailboxes at City Hall. She mentioned that the statistics on Police and Fire calls for service on the 4th of July were included in the agenda packet. Mayor Lawrence thanked Councilmember Evans for attending LC Valley Cruise Boat Committee Meeting. She also thanked Chief White for helping Clearwater Paper with recent interviews.

C. From Staff or Employees: Chief White announced Jessica Broemmeling was leaving for other employment effective July 15, 2020 and will be presented a plaque for her service. He also congratulated Captain Jim Babino for 25 years of service to the City of Clarkston Fire Department.

COMMITTEE REPORTS:

Finance/Admin: Did not meet. Total expenditures for the January – April End of Month Periods of \$738.49 and the total expenditures for the July 13, 2020 period of \$486,766.39. MOTION BY ANDREWS/MURRAY to approve the bills as read. Motion Carried

Public Safety: Mayor Lawrence advised that the Committee met on July 6, 2020. The minutes were included in the packet.

Public Works: Mayor Lawrence advised that the Committee met on July 7, 2020. The minutes were included in the packet.

Outside Organizations: Councilmember Evans attended the Riverboat Steering Committee meeting on July 1 and the PTBA meeting on July 7. The minutes were included in the packet. Councilmember Murray advised that he attended the MPO meeting on the previous Thursday and the agenda is available online for review.

UNFINISHED BUSINESS: None

CONSENT AGENDA: MOTION BY MURRAY/HOLMAN to approve the Consent Agenda. Motion Carried

- A. Interagency Agreement – Commerce Department COVID Funding**
- B. Addendum No. 1 to WWTP Facilities Report – Keller Associates (Public Works)**
- C. NPDES Permit Certification – Asotin Co Landfill (Public Works)**

NEW BUSINESS:

A. Ordinance 1640, Critical Areas – 1st Reading (Public Works) Vote will be at next meeting.

B. Ordinance 1641, Parks Advisory Committee – 1st Reading (Public Works) Vote will be at next meeting.

C. Agreement for Patient Transportation Services – Prestige Care (Public Safety) Chief White presented the agreement for transportation services and explained the need for the agreement. MOTION BY EVANS/EBERT to approve agreement. Murray asked if this was to cover the uninsured. Chief White advised that this was to cover the gap in Medicare. Currently the Department only receives payment if there is an emergency transfer and receives no compensation for non-emergency transfers. Prestige Care receives reimbursement for non-emergency calls directly from Medicare. Murray asked if the City could bill Medicare directly. Chief White advised that the City could only bill Medicare for emergencies since Prestige already receives payment for non-emergencies. This agreement would allow Prestige to pass those payments to the City for services provided by the Ambulance service. Motion Carried

D. Response Recovery Program – EFR (Public Safety) Chief White presented the program to bill insurance companies for recovery of Fire/EMS costs related primarily to motor vehicle accidents. Mayor Lawrence advised that this was not an action item, but an introduction of the program for information only at this time. Councilmember Andrews commented that the program sounded like a good idea. Murray asked if there was any way to determine costs for extrication or other services. Chief White advised that the program would determine if there is a per incident charge or an hourly rate for services.

COUNCIL COMMENTS: Councilmember Murray attended the community fireworks display at the field across from the High School. He advised that he noticed social distancing and good behavior. He commented that the community should get through the 4th of July without any COVID spikes.

PRESS QUESTIONS: None

EXECUTIVE SESSION: None

ADJOURNMENT:

Meeting adjourned at 7:27pm

Steve Austin, City Clerk

Monika Lawrence, Mayor

Total Fund Expenditures 7/13/20	Ck # 70809-70881	\$164,394.19
Total Fund Expenditures Jan-April EOM		\$738.49
Payroll 7/2/20	Ck # 70779-70806	\$322,272.20

Public Safety Meeting 07/20/2020

Fire Chief Darren White gave us the good news that the fire department had received a FEMA Grant Award in the amount of \$6710.86 with us contributing matching funds of \$335.64. Next up, Chief White will apply for the local Walmart Community Grant to help purchase modems for our Zoll monitors.

The Chief also explained that much of our equipment has or is near expiration and will need replaced. This includes fire hose and turnouts. We also are in need of finding a company that does hose testing to make sure we are in compliance with regulations.

Police Chief Joel Hastings has been inundated with public records requests and has almost completed them all. He is sharing them with the Asotin County Library as the Library has a U. of W. grant for an open data initiative. This allows for the public to have open access to the same information and keeps things transparent. Chief also has the uniformed crime report that he would like to publish to the website that makes an easier and more understandable report for the public.

The Police Department continues its efforts to reward kids with the Positive Ticket Program. In the past, the Asotin County Family Aquatic Center has generously donated swim tickets for the officers to pass out to kids who are displaying a positive attitude while out and about in our community. This might be something such as wearing a helmet while riding their bike, or picking up trash and throwing it away rather than just passing it by. As the Aquatic Center has not been able to open this summer, the Police Department will team up with Baskin Robbins and P1FCU to provide ice cream cone "tickets" to the kids for the rest of the summer.

Public Works Committee 7/21/2020

Attending: Russ Evans, John Murray, Skate Pierce and Kevin Poole

- 1) Bridge/2nd/Diagonal intersection. We're still waiting on a response from the Corps of Engineers. We still potentially have 5 months to wait for their response.
- 2) 8th/Elm/Diagonal If we don't get HSIP funding, we need to rethink what we want to do with that project.
- 3) WWTP master plan is looking at future projects for our 20 year plan. We filed our comment for the TMDL modification. We requested that they remove the WWTP from the included area.
- 4) 2020 street project is underway. We just have some seal coating to finish.
- 5) Safe Routes to School grant was recently filed.
- 6) Sidewalk repair project bid should be awarded by council White Diamond Concrete from Bonner's Ferry, Id. We're at about 75% participation as of right now.
- 7) We reviewed the 6 year transportation plan. We'll need council approval for the revision of our 6 year plan.
 - 2nd/Bridge/Diagonal ROW
 - 2nd/Bridge/Diagonal Construction
 - Libby St. Overlay
 - 2nd St. Overlay
 - Clarkston Roundabout Design 13th St ROW, Construction and Design
- 8) Justice Memorial Park Status. We haven't been able to discover anything that prohibits the city from selling the property. There is one memorial plaque located at the park, that we will move to an appropriate place. We will discuss this in an executive session at some point in the future.

Steve Austin

From: Russ Evans
Sent: Thursday, July 16, 2020 3:23 PM
To: Steve Austin
Subject: VLCV

VLCV met July 15th .

Cruise boats wont be coming to our area until we reach Phase 4 . Asotin County lodging tax is down 17% . in comparison Nez Perce County is down 20% . With that being said our RV parks are sold out and motels are filling up . Mainly due to all the baseball tournaments .

The Idaho Travel Council would like us to include north Idaho which would result in increased funding .

Radio stations in Spokane are still advertising for VLCV as well as all of the other outlets . Relocation Packets are being requested as a result of this advertising . People like our area . The Real Estate business is doing very well .

The Spring of 2021 is expected to be very strong and productive for our valley and surrounding area .

Steve Austin

From: Russ Evans
Sent: Thursday, July 16, 2020 2:29 PM
To: Steve Austin
Subject: SEWEDA

SWEDA met July 14th . Asotin county has received \$222,500 for small business grants . Helping 19 companies employing 103 individuals and preventing the loss of 78 jobs .

Garfield county has received \$69,000 helping 5 companies employing 25 people and preventing the loss of 16 jobs .

Whitman county received \$259,665 helping 36 companies employing 129 and preventing the loss of over 115 jobs .

The Washington State Dept of Commerce expects more grants coming soon to help the small businesses and communities around the region .

Ordinance No. 1640

An Ordinance of the City of Clarkston, Washington, amending Clarkston Municipal Code Chapter 17.85, which identifies and regulates RESOURCE LANDS & CRITICAL AREAS.

WHEREAS, the City of Clarkston is required by RCW 36.70A.060 to adopt a critical areas ordinance and to complete periodic reviews of that ordinance and make revisions necessary to remain in compliance with current state regulations and to reflect changes in the critical areas and resource lands:

WHEREAS, this ordinance incorporates the changes necessary to be in full compliance with the requirements of the Growth Management Act in regards to Resource Lands and Critical Areas and with its adoption the City certifies that it is in full compliance with the requirements of the Growth Management Act;

NOW THEREFORE, the City Council of the City of Clarkston do ordain as follows:

SECTION 1.0 AMENDMENT OF SECTION 17.85.042

Clarkston Municipal Code Chapter 17.85.042 is hereby amended as follows:

17.85.042 Reasonable use.

Reasonable use means the minimum use to which a property owner is entitled under applicable state and federal constitutional provisions, including takings and substantive due process. Reasonable use shall be liberally construed to protect the constitutional property rights of the applicant. A reasonable use exemption may only be secured by using the city's conditional use process.

A reasonable use exemption may be secured only if:

- (1) The strict application of the CAO would deny reasonable use of the property.
- (2) There is no other reasonable use that would result in less impact on the critical area.
- (3) Any alterations permitted to the critical area shall be the minimum necessary to allow for reasonable use of the property. [Ord. 1470, 2010.]
- (4) The inability to derive reasonable economic use is not the result of the applicant's actions or that of a previous property owner, such as by segregating or dividing the property and creating an undevelopable condition.
- (5) Any alteration of a critical area approved under this section shall be subject to appropriate conditions and will require mitigation under an approved mitigation plan. Classifying, inventorying, and designating lands does not imply a change in a landowner's right to use his or her land under current law. The law requires that natural resource land uses be protected from land uses on adjacent lands that would restrict resource production. Development regulations adopted to protect critical areas may limit some land development options.

SECTION 2.0 AMENDMENT OF SECTION 17.85.090

Clarkston Municipal Code Chapter 17.85.090 is hereby amended as follows:

17.85.090 Best available science.

(1) Best available science means current scientific information used in the process to designate, protect, or *restore critical areas, that is derived from a valid scientific process as defined by WAC 365-195-900 through 365-195-925. Critical area reports and decisions to alter critical areas shall rely on the best available science to* protect the functions and values of critical areas and must give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish, such as salmon and bull trout, and their habitat.

(2) The best available science is that scientific information applicable to the critical area prepared by local, state, or federal natural resource agencies, a qualified scientific professional, or team of qualified scientific professionals that is consistent with criteria established in WAC 365-195-900 through 365-195-925. [Ord. 1470, 2010; Ord. 1382, 2004. Code 1966 § 17.20.090.]

SECTION 3.0 AMENDMENT OF SECTION 17.85.130

Clarkston Municipal Code Chapter 17.85.130 is hereby amended as follows:

17.85.130 Critical Areas – Fish and Wildlife Conservation. City of Clarkston has identified or designated lands which are classified as fish and wildlife conservation areas. Uses and activities allowed within designated fish and wildlife conservation areas are those uses permitted by the zoning district, subject to the provisions of this chapter. Governing standards and criteria addressing uses and activities, as well as bulk, height and dimensional standards within the incorporated areas of City of Clarkston are found in the City of Clarkston Zoning Ordinance.

1. Classification:

(a) All fish and wildlife conservation areas shall be identified and classified by City of Clarkston to reflect the relative function, value and unique-ness of the habitat area as established through an approved habitat ranking evaluation (see 17.85.120 – 3 below) submitted by the applicant for any development permit. City of Clarkston may use the information sources in 17.85.050 as guidance in identifying the presence of potential fish and wildlife habitat conservation areas and the subsequent need for a habitat boundary survey along with an on site inspection, if necessary.

(b) Fish and wildlife habitat conservation areas include:

- (i) Areas in which endangered, threatened, and sensitive species have a primary association;
- (ii) Habitats and species of local importance;
- (iii) Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;
- (iv) Waters of the state;

(v) Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity; or

(vi) State natural area preserves and natural resource conservation areas.

(c) Fish and wildlife habitat conservation areas" are areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness. Counties and cities may also designate locally important habitats and species. Fish and wildlife habitat conservation areas amended to reflect statutory amendment in 2012 to RCW 36.70A.030 to "not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company.

SECTION 3.1 AMENDMENT OF SECTION 17.85.130

Clarkston Municipal Code Chapter 17.85.130 is hereby amended as follows:

4. Fish/wildlife habitat management and mitigation plan.

(d) The fish/wildlife habitat management and mitigation plan shall contain a report containing, but not limited to, the following information:

~~(xv)~~ xiv) Anadromous fish: Conservation or protection measures necessary to preserve or enhance anadromous fisheries include measures that protect habitat important for all life stages of anadromous fish, including, but not limited to, spawning and incubation, juvenile rearing and adult residence, juvenile migration downstream to the sea, and adult migration upstream to spawning areas. Special consideration should be given to habitat protection measures based on the best available science relevant to stream flows, water quality and temperature, spawning substrates, instream structural diversity, migratory access, estuary and nearshore marine habitat quality, and the maintenance of salmon prey species. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall, at a minimum, adhere to the following standards:

(A) Activities shall be timed to occur only during the allowable work window as designated by the state Department of Fish and Wildlife for the applicable species.

(B) Alternative alignments or location for the activity is determined to be nonfeasible.

The activity is designed so that it does not degrade the functions and values of the fish habitat or other critical areas. Any impacts to the functions and values of the habitat conservation area shall be mitigated in accordance with an approved critical areas report mitigation plan. [Ord. 1470, 2010; Ord. 1382, 2004. Code 1966 §17.20.130.]

SECTION 4.0 AMENDMENT OF SECTION 17.85.160

Clarkston Municipal Code Chapter 17.85.160 is hereby amended as follows:

17.85.160 Critical Areas – Wetlands. The city of Clarkston has identified or designated no lands which are classified as wetlands. “Wetland” or “wetlands” means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

1. The following is included to provide for a possible designated wetland in the future.

“Wetland” or “wetlands” means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

“Qualified professional” for wetlands should be a professional wetland scientist with at least two years of full-time work experience as a wetlands professional, including delineating wetlands using the state or federal manuals, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans.

A Wetland containing features satisfying the criteria of more than one of the following categories shall be classified in the highest applicable category. A wetland can be classified into more than one category when distinct areas that clearly meet the criteria of separate categories exist. The following categories are consistent with the ~~2004 Eastern Washington Rating System for determining wetland categories~~ *Washington State Wetland Rating System for Eastern Washington: 2014 Update (Washington State Department of Ecology Publication #14- 06-030, Olympia, WA, October 2014) and the approved federal wetland delineation manual and applicable regional supplements. These documents contain the definitions and methods for determining if the criteria below are met:*

Wetland Category	Description
Category I	<i>Category I wetlands are:</i> 1) alkali wetlands; 2) wetlands <i>of high conservation value</i> that are identified by scientists of the Washington Natural Heritage Program/DNR as high quality wetlands; 3) bogs <i>and calcareous fens</i> ; 4) mature and old-growth forested wetlands over ¼ acre with slow-growing trees; 5) forests with stands of aspen; and 6) wetlands that perform many functions very well (scores of 70 points or more <i>between 22-27</i>). These wetlands are those that 1) represent a unique or rare wetland type; or 2) are more sensitive to disturbance than most wetlands; or 3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or 4) provide a high level of function.
Category II	<i>Category II wetlands are:</i> 1) forested wetlands in the floodplains of rivers; 2) mature and old-growth forested wetlands over ¼ acre with fast-growing trees; 3) vernal pools; and 4) wetlands that perform functions well (scores between 51-69 <i>19-21</i> points). These wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. <i>These wetlands occur more commonly than Category I wetlands but still need a relatively high level of protection.</i>
Category III	1) vernal pools that are isolated, and 2) wetlands with a moderate level of functions (scores between 30-50 points). <i>Category III wetlands have a moderate level of functions (scores between 16-18 points). These wetlands can be often adequately replaced with a well-planned mitigation project. Wetlands scoring between 16-18 points generally have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.</i>
Category IV	Category IV wetlands have the lowest level of functions (scores less than 30-16 points) and are often heavily disturbed. These are wetlands that we should be able to replace, and in some cases be able to improve. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions and also need to be protected.

SECTION 5.0 AMENDMENT OF SECTION 17.85.170

Clarkston Municipal Code Chapter 17.85.170 is hereby amended as follows:

17.85.170 Critical Areas – Frequently Flooded Areas.

The city of Clarkston has identified or designated lands which are classified as frequently flooded areas. Frequently flooded areas are lands in the floodplain subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like areas where high ground water forms ponds on the ground surface. Uses and activities permitted within designated frequently flooded areas and wellhead protection areas are those that are authorized in the applicable zoning district, subject to the provisions of this chapter. Governing standards and criteria addressing uses and activities, as well as bulk, height and dimensional standards within the incorporated areas of City of Clarkston are found in the City of Clarkston Zoning Ordinance.

SECTION 6.0 EFFECTIVE DATE

This amendment to the Zoning Ordinance shall become effective five days from and after its passage and approval in such publication as may be required by law.

Adopted by the Council for the City of Clarkston and signed into effect this 27th day of July, 2020.

Monika Lawrence, Mayor

Attest:

Steve Austin, City Clerk

Approved as to Form:

Todd Richardson, City Attorney

ORDINANCE NO. 1641

An ordinance of the City of Clarkston, Washington, amending Clarkston Municipal Code Chapter 2.20, providing authority to the City establish and create a Parks Advisory Committee,

WHEREAS, the City previously established a Board of Park Commissioners pursuant to an RCW that no longer has applicable restrictions as the City has since become a Code City; and

WHEREAS, it is the desire of the City to now establish a parks advisory committee; and

WHEREAS, such a committee will allow for more public involvement in City parks; and

WHEREAS, the City Council finds that it would be in the best interest of the City to receive advisory recommendations from community members on park acquisitions and improvements, etc.;

NOW, THEREFORE, the City Council of the City of Clarkston do ordain as follows:

AMENDMENT OF SECTION 2.20 creating a Parks Advisory Committee, in lieu of Board of Parks Commissioners, as follows:

SECTION 1.0 THE TITLE OF CHAPTER 2.20 IS HEREBY AMENDED AS FOLLOWS:

~~BOARD OF PARK COMMISSIONERS~~ PARKS ADVISORY COMMITTEE

SECTION 2.0 CHAPTER 2.20 OF THE CLARKSTON MUNICIPAL CODE IS HEREBY AMENDED TO ADD THE FOLLOWING SECTION:

2.20.001 - Purpose

It shall be the purpose of this ordinance to officially dissolve any Board of Park Commissioners operating in the City of Clarkston, Washington, and institute a parks advisory committee that will offer advice and recommendations to the Mayor and City Council regarding City park decisions.

SECTION 3.0 CHAPTER 2.20 SUBSECTION 010 OF THE CLARKSTON MUNICIPAL CODE IS HEREBY AMENDED AS FOLLOWS:

2.20.010 - Membership

It shall be the duty of the mayor to appoint a board of park commissioners for the city of Clarkston, said board to be three in number, and to serve during the pleasure of said mayor, and to consist of two members of the city council and one from without the council. [Ord. 82 § 1, 1909.]

A. There is established a City of Clarkston Parks Advisory Committee (the committee), consisting of five members to be appointed by the mayor and confirmed by the city council. The term of office of the five members shall be three years, except that the initial appointments shall be staggered from one to three years so that no more than three members shall have their terms expire in any one year. Each of the members of the committee will serve without compensation. Initial determination of term of appointment shall be determined by lot. Members of the committee shall reside within the boundaries of Clarkston School District, with preference given to residents of

the city. At all times, at least three members of the committee shall be residents of the city.

- B. Nonvoting advisors may be approved by the city council to assist in the deliberations of the Parks Advisory Committee.

SECTION 4.0 CHAPTER 2.20 SUBSECTION 020 OF THE CLARKSTON MUNICIPAL CODE IS HEREBY AMENDED AS FOLLOWS:

2.20.020 - Powers and Duties

The board of park commissioners shall have the control and supervision of any park or parks belonging to the city, and it shall be the duty of the board to see that the park or parks is or are properly cared for. The board shall have the power to prescribe such rules and regulations for the government and management thereof, and the rules and regulations shall be enforced by the police department of the city. It shall also be the duty of the board to organize by the election of a president and a secretary. It shall keep a record of its proceedings, and make a quarterly report to the town council. It shall also audit all bills and accounts for the maintenance and improvement of the parks before the same are paid by the town council. The expense for maintenance and improvement shall not exceed the amount of the levy made for that purpose from year to year. [Ord. 82 § 2, 1909.]

- A. The committee is entrusted with the responsibilities of advising and making recommendations to the city council for the acquisition, control, improvement, beautification and planning of all public parks of the city. The committee shall periodically review whether the lands being used for park purposes are adequate and shall recommend to the city council what additional lands and grounds should be acquired and used for park and recreation purposes. The committee may explore and recommend public/private partnerships where appropriate and feasible. The committee shall also recommend design of parks and structures therein to the city council and shall make recommendations on an updated comprehensive plan element for parks facilities for the city.
- B. The committee shall recommend to the city council appropriate measures to ensure that the city has a well-integrated and complete program for the use of its parks and recreation playgrounds and to accomplish this end, the committee shall from time to time meet with appropriate city employees and with representatives and officials of other groups, public and private, who are interested in the use and development of city parks and for the public benefit.
- C. It shall be the responsibility of the committee to study, investigate, counsel and develop and/or update annually, and administer a written plan for the care, preservation, pruning, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. The committee, when requested by the city council, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.
- D. The committee shall advise and make recommendations to the city council on matters pertaining to bicycle routes and trails throughout the city.

SECTION 5.0 CHAPTER 2.20 OF THE CLARKSTON MUNICIPAL CODE IS HEREBY AMENDED TO ADD THE FOLLOWING SECTION:

2.20.030 – Procedures

Meetings of the committee shall comply with Chapter 42.30 RCW, the Open Public Meetings Act. The committee shall elect its own chairperson. The committee shall hold at least one meeting per month, unless cancelled by the committee chairperson, and shall adopt rules for the transaction of business.

keep a record of its meeting by a committee member, who shall be appointed secretary, and shall submit such record to the city clerk. A majority of the members of the committee shall constitute a quorum for the transaction of business and any action taken by a majority of those present shall be deemed action of the committee.

SECTION 6.0 CHAPTER 2.20 OF THE CLARKSTON MUNICIPAL CODE IS HEREBY AMENDED TO ADD THE FOLLOWING SECTION:

2.20.040 - Removal of Committee Member

The mayor may remove any member of the committee for any reason other than disagreement with an official recommendation of the committee or its members; provided, that such removal has been confirmed by a majority of the city council. Vacancies occurring otherwise than by expiration of the term of office shall be filled for the unexpired term in the same manner as regular appointments are made.

SECTION 7.0 EFFECTIVE DATE.

This ordinance shall take effect thirty (30) days after its passage, approval, and publication.

SECTION 8.0 SEVERABILITY.

If any section, subsections, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Adopted by the Council for the City of Clarkston and signed into effect this 27th day of July, 2020.

Monika Lawrence, Mayor

Attest:

Approved as to form:

Steve Austin, City Clerk

Todd Richardson, City Attorney

CITY OF CLARKSTON

InterOffice Memorandum

DEPARTMENT: FIRE

DATE: July 20, 2020

TO: Public Safety Committee

FROM: Darren White *DW*

SUBJECT: Surplus Equipment

The Department has 41 sections of fire hose that are deemed out of service. These sections of hose have been removed from service due to an NFPA (National Fire Protection Association) mandate issued in the 2013 edition of NFPA 1962 that all fire hose manufactured prior to 1987 shall be removed from service.

Since these sections of hose can never be used for fire suppression again I ask that the Council declare them as surplus and allow them to be disposed of.

RESOLUTION NO. 2020-06

**A RESOLUTION DECLARING CERTAIN CITY PROPERTY SURPLUS
AND AUTHORIZING DISPOSITION OF SAID PROPERTY.**

WHEREAS, RCW 35A.11.010 provides authorization for code cities to obtain and dispose of real and personal property; and

WHEREAS, RCW 63.32 authorizes the sale, transfer or exchange or destruction of obsolete or damaged property in the possession of the Fire department; and

WHEREAS, the Fire Department is in possession of obsolete or damaged property per the attached listing; and

WHEREAS, the City Council has deemed said property to be surplus and holding no value. Said property listed as surplus with no value should be disposed of in accordance with RCW 63.32;

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Clarkston, State of Washington, does hereby declare the aforementioned property to be surplus and authorizes the disposal of said property at the discretion of the Fire Chief.

DATED this 27th day of July, 2020.

Monika Lawrence, Mayor

Steve Austin, City Clerk

Surplus Hose List Clarkston Fire Dept.

Hose #	Diam.	Length	Manufacturer	Date of Manuf.	Date of Purchase	COST	Out Of Service	Useful Life Date
9	1.75"	50		10-1983				
13	1.75"	50		11-1983				
14	1.75"	50		10-1983				
75	1.75"	50		06-1983				
124	2.5"	50		05-1977				
130	2.5"	50		03-1974				
137	2.5"	50		03-1974				
155	2.5"	50		06-1975				
158	2.5"	50		06-1976				
161	2.50	50		5-1984				
168	2.5"	50		05-1977				
169	2.5"	50		05-1977				
176	2.5"	50		05-1977				
177	2.5"	50		05-1977				
178	2.5"	50		05-1977				
179	2.5"	50		05-1977				
182	2.5"	50		05-1977				
183	2.5"	50		05-1977				
184	2.5"	50		05-1977				
186	2.5"	50		05-1977				
187	2.5"	50		05-1977				
190	2.5"	50		05-1984				
191	2.5"	50		05-1984				
193	2.5"	25		05-1984				
194	2.5"	50		05-1984				
195	2.5"	50		05-1984				
197	2.5"	50		05-1984				
199	2.5"	50		05-1984				
201	2.5"	50		05-1984				
203	2.5"	50		05-1984				
204	2.5"	50		05-1984				
205	2.5"	50		05-1985				
206	2.5"	50		09-1985				
207	2.5"	50		10-1985				
209	2.5"	50		10-1985				
210	2.5"	50		10-1985				
211	2.5"	50		10-1985				
212	2.5"	50		10-1985				
214	2.5"	50		10-1985				
215	2.5"	50		10-1985				
219	2.5"	50		05-1977				

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Michelle Courtney
CLARKSTON, CITY OF
820 5TH STREET
CLARKSTON, WA 99403



EMW-2020-FG-00798

Dear Michelle Courtney,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) has been approved in the amount of \$6,710.86 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 5.00% of the Federal funds awarded, or \$335.54 for a total approved budget of \$7,046.40. Please see the FY 2020 AFG-S Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- FY 2020 AFG-S Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink, which appears to read 'Bridget Bean', is positioned below the 'Sincerely,' text.

Bridget Bean
Assistant Administrator
Grant Programs Directorate

Local Agency Contract

THIS AGREEMENT, made and entered into this 28th day of July, 2020.
between the City of Clarkston, WA and

White Diamond Concrete, LLC
1247 Lost Mile Rd.
Bonners Ferry, ID 83805

hereinafter called the Contractor.
WITNESSETH:

That in consideration of the terms and conditions contained herein and attached and made a part of this agreement, the parties hereto covenant and agree as follows:

I. The Contractor shall do all work and furnish all tools, materials, and equipment for:

2020 Sidewalk Repair Project:

Unit price contract for the Base Bid of \$240,311.45 including sales tax per attached Bid Schedule.

in accordance with and as described in the attached plans and specifications, and the standard specifications of the which are by this reference incorporated herein and made part hereof and, shall perform any changes in the work in accord with the Contract Documents.

The Contractor shall provide and bear the expense of all equipment, work and labor, of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in these Contract Documents except those items mentioned therein to be furnished by .

II. hereby promises and agrees with the Contractor to employ, and does employ the Contractor to provide the materials and to do and cause to be done the above described work and to complete and finish the same in accord with the attached plans and specifications and the terms and conditions herein contained and hereby contracts to pay for the same according to the attached specifications and the schedule of unit or itemized prices at the time and in the manner and upon the conditions provided for in this contract.

III. The Contractor for himself/herself, and for his/her heirs, executors, administrators, successors, and assigns, does hereby agree to full performance of all covenants required of the Contractor in the contract.

IV. It is further provided that no liability shall attach to the State by reason of entering into this contract, except as provided herein.

IN WITNESS WHEREOF, the Contractor has executed this instrument, on the day and year first below written and has caused this instrument to be executed by and in the name of the day and year first above written.

Executed by the Contractor _____ , _____ .

(Contractor)

Local Agency: City of Clarkston

Title: Mayor

By: _____

Date: July 28, 2020 _____

BID SCHEDULE

2020 Sidewalk Repair Project						
ITEM NO.	WSDOT Std. Item No.	ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
1	0001	MOBILIZATION	1	L.S.	15000	15000
2	0035	CLEARING & GRUBBING	1	L.S.	2000	2000
3	0050	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	1	L.S.	2000	2000
4	0080	REMOVING BITUMINOUS PAVEMENT	200	S.Y.	25	5000
5	0090	REMOVING CEMENT CONCRETE SIDEWALK	1537	S.Y.	15	23055
6	0108	REMOVING CEMENT CONC. CURB AND GUTTER	900	L.F.	15	13500
7	1065	CEMENT CONC. CURB AND GUTTER	900	L.F.	30	27000
8	6971	PROJECT TEMPORARY TRAFFIC CONTROL	1	L.S.	4500	4500
9	5875	COMMERCIAL HMA	25	TN	525	13125
10	7055	CEMENT CONCRETE SIDEWALK	1361	S.Y.	51.30	69819.30
11	7058	CEMENT CONC. CURB RAMP TYPE PERPENDICULAR	1	EACH	2300	2300
12	7058	CEMENT CONC. CURB RAMP TYPE PARALLEL A	20	EACH	2150	43000
13	7164	GRAVITY BLOCK WALL	15	S.F.	120	1800
SUBTOTAL PRICE :						222,099.30
SALES TAX 8.2%:						18,212.15
TOTAL BID PRICE:						240,311.45
TOTAL PRICE IN WORDS : Two hundred forty thousand three hundred eleven dollars & 45 cents						

Local Agency Signature Page

The undersigned hereby agrees to pay labor not less than the prevailing rates of wages in accordance with the requirements of the special provisions for this project.

Signature of Authorized Official(s)

Proposal Must be Signed

Avon Weyman

Firm Name

WHITE DIAMOND CONCRETE

Address

2122 W 1800 N Clintotn Ut. 84015

State of Washington Contractor's License No.

WHITEDC812M5

Federal ID No.

83-2160348

Note:

- (1) This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the will be cause for considering the proposal irregular and subsequent rejection of the bid.
- (2) Please refer to section 1-02.6 of the standard specifications, re: "Preparation of Proposal," or "Article 4" of the Instruction to Bidders for building construction jobs.
- (3) Each month the contractor may be required to submit paid invoices showing that disbursements have been made to laborers, materialmen, mechanics, and subcontractors due such persons from the previous progress payment. If such disbursements have not been made, the monthly progress payment shall be withheld pending receipt of the paid invoices.

RESOLUTION NO. 2020-07

A RESOLUTION PLACING AN EXCESS PROPERTY TAX LEVY FOR AN AMBULANCE SERVICE OPERATED BY THE CITY OF CLARKSTON, ON THE BALLOT AT A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, the City of Clarkston has established and operates an ambulance service providing emergency medical services and ambulance transport to the residents of the City of Clarkston; and

WHEREAS, the City portion of the cost of said Ambulance services for 2021 is anticipated to be \$788,167.00; and

WHEREAS, if the Ambulance is discontinued, the City will be unable to meet its obligations to IAFF #2299, a labor contract; and

WHEREAS, RCW 84.52.052 AUTHORIZES AN EXCESS PROPERTY TAX LEVY TO SUPPORT OBLIGATIONS OF CONTRACT AND FOR OTHER PURPOSES UPON VOTER APPROVAL; and

WHEREAS, the lack of emergency medical services care to the residents of the City of Clarkston constitutes an emergency dealing with health and welfare of the citizens of the City;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSTON IN REGULAR MEETING ASSEMBLED AS FOLLOWS:

SECTION 1.0

That a special election is to be held in the City of Clarkston, State of Washington, on November 3, 2020, in conjunction with the state general election to be held on the same date. This election is for the purpose of submitting an excess levy proposition as authorized by RCW 84.52.052 in the amount of \$788,167.00 to the electors of said City for their approval or rejection, the proceeds thereof be placed in the Ambulance/EMS Fund of the City to be used for the maintenance and operation of the Ambulance Service.

SECTION 2.0

Proposition: Shall the City of Clarkston, Washington, authorize the County Commissioners of Asotin County to levy in the year 2021 as part of the ad valorem real property taxes to be collected for the City in 2021 the sum of \$788,167.00, which will require a rate of approximately \$1.60 per thousand dollars of assessed valuation of the aforesaid City based upon the assessment ratio of 100 percent of true and fair value. Said tax levy is to be in addition to the

maximum levy provided by law for such City. The proceeds thereof are to be placed in the Ambulance / EMS Fund to be used for the maintenance and operation of the Ambulance / Emergency Medical Services Unit, which shall be submitted to the electors of said City for their approval or rejection in the form of the following ballot title:

**CITY OF CLARKSTON, WASHINGTON
EMERGENCY MEDICAL SERVICES EXCESS
TAX LEVY**

The City Council of the City of Clarkston, Washington, adopted Resolution No. 2020-06 concerning a proposition to finance emergency medical services. This proposition, if approved, would permit maintenance and operation of Ambulance / Emergency Medical Services through the levy of a special excess tax for collection in 2021 of \$788,167.00 requiring approximately \$1.60 per thousand dollars of assessed value (based on 100% of true and fair value). Should this proposition be approved?

LEVY YES

LEVY NO

SECTION 3.0

The Clerk of the aforesaid City is hereby directed to immediately transmit to the Asotin County Auditor a copy of this Resolution duly signed and attested and upon receipt of which the Asotin County Auditor is hereby requested to concur in the finding of an emergency and to take all procedural steps necessary and as are required by law to the end that this proposition shall be submitted to the voters of said City.

DATED this 27th day of July, 2020.

Monika Lawrence, Mayor

Authenticated by:

Steve Austin, City Clerk