

City of Tenino

149 Hodgen Street South

Tenino, WA 98589

City Council Meeting

Tuesday, April 28, 2020 at 6:30 PM

Agenda

WORK SESSION

- [1.](#) The Administration proposes to create a grant program to provide relief to both individual Citizens of Tenino and Tenino business owners similar to the original Tenino Wooden Money program of the 1930's.

The grant would only be available to those who are responsible for paying a City of Tenino water or sewer utility account and who can prove the need is related to the COVID-19 emergency. The grant may only be redeemed at businesses within the Tenino City Limits who agree to participate in the program.

Proposed Ordinance 910 provides details.

- [2.](#) The Administration proposes to suspend the provisions of the Facade Improvement Grant Program in favor of a one-time grant of \$5000.00 to the Tenino Community Service Center in support of Tenino Food Bank Plus.

Proposed Ordinance 911 provides details.

CALL TO ORDER

AGENDA APPROVAL

3. Agenda for the "virtual" April 28, 2020, Regular Meeting of the Tenino City Council.

Recommended Action: Move to approve the agenda for the "virtual" April 28, 2020, Regular Meeting of the Tenino City Council, as presented.

APPROVAL OF MINUTES

- [4.](#) March 10, 2020: Deferred

- [5.](#) April 14, 2020: Deferred

CONSENT CALENDAR

6. Payroll EFT's in the amount of \$21,420.97, and Claims Checks #29067 through #29089 and other EFT's in the amount of \$39,800.73, for a Grand Total of \$61,221.70.

Recommended action: Move to approve the April 28, 2020 vouchers and other claims as presented, in the total amount of \$61,221.70.

7. Liquor and Cannabis Licenses: None

ORDINANCES

- [8.](#) Ordinance 910 would create the City of Tenino COVID-19 Recovery Grant Program.

Recommended action: Move to adopt Ordinance 910 as presented.

- [9.](#) Ordinance 911 would suspend the Facade Improvement Grant Program for the remainder of 2020 and provide for a one-time grant of \$5000.00 to the Tenino Community Service Center for the improvement of the Tenino Food Bank Plus facilities.

Recommended Action: Move to adopt Ordinance 911 as presented.

ADJOURNMENT

Item Attachment Documents:

1. The Administration proposes to create a grant program to provide relief to both individual Citizens of Tenino and Tenino business owners similar to the original Tenino Wooden Money program of the 1930's.

The grant would only be available to those who are responsible for paying a City of Tenino water or sewer utility account and who can prove the need is related to the COVID-19 emergency. The grant may only be redeemed at businesses within the Tenino City Limits who agree to participate in the program.

Proposed Ordinance 910 provides details.

ORDINANCE 910

**AN ORDINANCE OF THE CITY OF TENINO
ESTABLISHING THE CITY OF TENINO
COVID-19 RECOVERY GRANT PROGRAM**

WHEREAS, on February 29, 2020, Governor Jay Inslee proclaimed a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, on March 23, 2020, Governor Inslee imposed a “Stay Home – Stay Healthy” Order throughout Washington State which prohibited all people in Washington State from leaving their homes or participating in social, spiritual, and recreational gatherings of any kind regardless of the number of participant, and all non-essential businesses in Washington State from conducting business, within the limitations provided by Proclamation 20-25; and

WHEREAS, the economic downturn resulting from the state of emergency and resulting “Stay Home – Stay Healthy” Order have had a tremendous adverse economic effect on the Citizens of the City of Tenino and many Businesses located in Tenino; and

WHEREAS, these adverse economic conditions having been caused by the government, citizens and businesses are now looking to the government for economic relief; and

WHEREAS, Article 8, Section 7, Washington State Constitution, provides that “No county, city, town or other municipal corporation shall here-after give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm; and

WHEREAS, the test used by Washington courts to determine whether there has been a gift of public funds consists of two questions: 1) were the funds expended to carry out a fundamental purpose of the government, and 2) were the funds given with donative intent and what the public received in exchange. If the answer to question #1 is “yes,” then there has been no gift of public funds and the inquiry ceases; and

WHEREAS, in a Memorandum dated March 17, 2020, the Washington Attorney General’s Office issued a memorandum that states: “In general, constitutional restrictions on use of public funds should not be an impediment to state and local efforts to combat COVID-19, because expenditures being made in furtherance of this effort in this time of crisis further fundamental public purposes, such as protecting the public health and welfare; and

WHEREAS, the March 17, 2020, Memorandum also states that “Given the public health crisis our state is facing, there is a strong basis for state and local governments to make expenditures for the primary purpose of protecting and promoting public health which may have an incidental benefit on private citizens and entities;” and

WHEREAS, in a Memorandum dated April 3, 2020, the Washington Attorney General’s Office issued a memorandum that states “Given the unprecedented health crisis that

Washington faces, loans or grants are likely permissible if a local government can establish a clear nexus between such programs and either protecting the local economy or promoting compliance with public health guidelines;" and

WHEREAS, in a Memorandum dated April 6, 2020, the Washington Attorney General's Office issued a memorandum that states that under Article VIII, Section 7 of the state constitution, a local government may provide cash assistance to low-income individuals who have lost their jobs or are struggling financially due to COVID-19. Further, the opinion stated a local government "probably, with sufficient safeguards in place" may provide grants or loans to small businesses struggling with the State-ordered closure of their businesses; and

WHEREAS, the City of Tenino, having issued wooden scrip in 1932 as a medium of exchange under conditions similar to the conditions caused by the "Stay Home – Stay Healthy" Order, has a precedent from which to draw upon for the relief of individual Citizens; and

WHEREAS, the wooden scrip under consideration would only be made available to those who have established a utility account for sewer or water service with the City of Tenino; and

WHEREAS, only those Citizens who can demonstrate the need for City assistance is directly related to the COVID-19 emergency; and

WHEREAS, the wooden scrip under consideration would only be able to be redeemed once, and then only by businesses located within the Tenino City Limits; and

WHEREAS, the City Council of the City of Tenino finds that the issuance of wooden scrip to Citizens of the City and redemption by businesses within the City serves the fundamental purpose of protecting the public welfare and is necessary for the support of the poor and infirm.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TENINO, WASHINGTON, that the City of Tenino will fund the issuance of wooden scrip in an amount not to exceed \$10,000.00 (exclusive of the costs of producing such scrip and the administrative costs of managing the program) as follows:

Section 1. The specifications for the manufacture of the scrip and program guidance for grant implementation are spelled out at Exhibit I, attached hereto, made part hereof, and incorporated herein by reference.

Section 2. The Clerk/Treasurer is hereby directed to amend the City's 2020 Municipal Budget to include this \$10,000.00 grant and may, at his discretion, utilize monies from the General Fund (Fund 001), Contingency Fund (Fund 109), or Municipal Capital Improvement Fund (Fund 310) for this purpose.

Section 3. Due to the emergent nature of this action, a second reading of this ordinance is not required.

Section 4. This ordinance will be in effect five days after publication as required by law.

ADOPTED by the City Council of the City of Tenino, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 28th day of April, 2020.

Wayne Fournier, Mayor

Attest:

John Millard, City Clerk-Treasurer

Approved as to form:

Richard L. Hughes, City Attorney

EXHIBIT 1 TO ORDINANCE 910**The Tenino COVID-19 Recovery Grant Program****1. Legislative Findings and Intent.**

A. Findings. The City Council of the City of Tenino finds:

- i. The economic downturn resulting from the application of COVID-19 emergency measures at the national, state, and local level has had an unacceptable negative impact on individual Citizens within the Tenino City Limits, the Tenino Business Community, and the City's own Economic Development efforts.
- ii. The Citizens of the City of Tenino themselves are in best position to determine where the proceeds of this grant program will be most effective in ameliorating the effects of the COVID-19 emergency relative to their own unique circumstances.
- iii. Any monies, but especially those that derive from the payment of taxes to the government, spent at businesses located within the Tenino City Limits is beneficial to the entire City and all of its Citizens.

B. Intent. Through this program, the City Council intends to provide relief on an individual basis by providing a means of directly augmenting the income of those Citizens most adversely impacted by this economic downturn, while simultaneously supporting the Tenino Business Community generally by requiring the proceeds of these grant funds be spent solely within the Tenino City Limits, thereby achieving a primary goal of the City's Economic Development Program.

2. General program description

Tenino's COVID-19 Recovery Grant Program is based on Tenino's response to the economic downturn referred to as "The Great Depression" of the 1930's. The goal is to provide economic relief to those Citizens of Tenino who can prove economic hardship as a direct result of the COVID-19 emergency, and to Tenino businesses, through the use of wooden scrip of \$25 dollar denomination which can be redeemed only by participating businesses within the Tenino City Limits.

3. The Scrip.

A. Manufacture. The South Thurston Historical Society will produce the scrip from custom materials provided by the Tenino Depot Museum using equipment available only at the Tenino Depot Museum.

- i. The scrip will be serially numbered in blocks of \$500. Each block will bear a unique sequence of numbers, known only to the City and the Museum, to defeat attempts at counterfeiting.

EXHIBIT 1 TO ORDINANCE 910

- ii. The City of Tenino shall reimburse the South Thurston Historical Society for all expenses incurred in the manufacture of the scrip.

B. Denomination. Scrip will only be produced in denominations of \$25.

C. Amount. The City will guarantee scrip redemption in an amount not to exceed \$10,000.00. The Clerk/Treasurer shall keep a log, by serial number, of each individual scrip. The inventory log is shown at Tab A to this Exhibit. The Clerk/Treasurer shall inventory scrip:

- i. When first received.
- ii. When issued.
- iii. When redeemed.
- iv. On a weekly basis, for any scrip that is on-hand, but unissued.

D. Storage. Scrip shall be stored within the City's vault until it is issued.

E. Authentication. To be valid for redemption, each scrip must be signed by the Mayor of the City of Tenino and countersigned by the Clerk/Treasurer of the City of Tenino. No scrip will be authenticated until the Clerk/Treasurer has been presented with a Certificate of Eligibility for award of a grant.

F. Scrip will be issued only to the bearer of a Certificate of Eligibility.

- i. Certificates of Eligibility will be serially numbered and must be requested from the City. An example Certificate of Eligibility is shown at Tab B to this Exhibit.
- ii. Only a Citizen of the City of Tenino may request a Certificate of Eligibility. For the purposes of this grant, "Citizen of Tenino" means a natural person who has an active sewer or water utility account with the City. The request will be made on a form provided by the City as shown at Tab C to this Exhibit.

4. Award.

A. Eligibility. Grant eligibility is based solely on two criteria, both of which must be met in order to receive a Certificate of Eligibility

- i. The potential grantee must be responsible for the payment of a City of Tenino utility account through either ownership or tenancy. (Sewer or water or both.)
- ii. The potential grantee must demonstrate the need for the grant is directly related to COVID-19. Proof will consist of a completed COVID-19 Recovery Grant Application form that is accompanied by at least one of the forms of

EXHIBIT 1 TO ORDINANCE 910

substantiating documentation described in the application. Applications that have not been signed by the requestor, or which are not accompanied by substantiating documentation, are deemed incomplete and will not be accepted for consideration. Grant applications are shown at Tab C to this Exhibit.

B. Approval. Upon receipt of a signed application that is accompanied by the required substantiating documents:

- i. The Utility Clerk will verify the requestor meets the Citizenship Requirement and, if so, will affix her or his signature to the application. If not, the requester will be notified they do not meet eligibility requirements and the request will be returned.
- ii. The Court Clerk will verify the requestor meets the Need Requirement and, if so, will affix her or his signature to the application and the request will be deemed valid. If not, the requester will be notified they do not meet eligibility requirements and the request will be returned.
- iii. Upon receiving a valid request, the Clerk/Treasurer will complete a Certificate of Eligibility, obtain the signatures of the Utility Clerk and Court Clerk, and affix an impressed City Seal. Once the Certificate of Eligibility has been prepared, the Clerk/Treasurer will then proceed to prepare the scrip for issue as described in paragraph 5, below.

C. Limitations on Award. Because the duration of the COVID-19 is unknown, and therefore, the extent of the financial hardship resulting from the emergency cannot be predicted with certainty, and because the grant funds are limited, no grant recipient may receive more than \$300 in scrip per month. There is no limitation on how many times a single recipient may be awarded a grant (provided that a new grant request must be submitted and result in the issuance of a new Certificate of Eligibility.) All grants are processed on a “first-come, first-served” basis until the program is terminated or all grant funds have been expended.

5. Issue. Upon presentation of a valid Certificate of Eligibility, the Clerk/Treasurer will prepare the scrip for issue by:

- A. Recording the issue of scrip, by serial number, on the inventory log kept for that purpose, and noting the serial number of the Certificate of Eligibility for which the scrip has been drawn.
- B. The Clerk/Treasurer shall then indicate the serial numbers of the scrip being issued on the Certificate of Eligibility.
- C. Obtaining the signature of the Mayor and then affixing his or her own signature as countersign on as many scrip as necessary up to the amount indicated on the Certificate of Eligibility.

EXHIBIT 1 TO ORDINANCE 910

D. The bearer of the Certificate of Eligibility shall indicate receipt of the scrip by signing the Inventory Log kept for this purpose. A copy of the signed Certificate will be retained by the Clerk/Treasurer and the original shall be given to the holder of the scrip as proof of eligibility.

E. The Clerk/Treasurer shall keep all copies of Certificates of Eligibility with the Inventory Log and make both available for inspection in accordance with the Public Records Act (42.56 RCW).

6. Redemption.

A. Scrip may be redeemed by any business within the Tenino City Limits who has agreed to participate with the terms of the Grant Program. Agreement is indicated by the submission of a signed Recovery Grant Participation Agreement as shown at Tab D to this Exhibit.

B. Scrip may be used to purchase anything sold by a participating business except:

- i. Alcoholic beverages of any kind.
- ii. Cannabis products of any kind.
- iii. Tobacco products of any kind.
- iv. Personal services, unless those services are provided by a licensed or certified:
 - Barber;
 - Contractor;
 - Cosmetician;
 - Accountant, Architect, Doctor, Engineer, Lawyer, Surveyor; or
 - Information Technology Service Provider

C. Grant recipients are responsible for the payment of any taxes or fees that apply to any transaction for which scrip is to be redeemed, whether the transaction involves the use of scrip alone, or in conjunction with cash, check, or credit card.

D. Change. The scrip has no cash value. No scrip may be exchanged solely for cash. When scrip is tendered for payment, businesses may not issue change, whether by cash, check, or the extension of credit, in an amount that exceeds \$0.99.

E. Participating merchants may submit a COVID-19 Recovery Grant Reimbursement Request twice each month corresponding with the City's Accounts Payable cycle. Reimbursement requests are shown at Tab E to this Exhibit.

- i. The due date for submitting the first batch is the close of business on the Friday before the first regularly scheduled City Council meeting in any given month.

EXHIBIT 1 TO ORDINANCE 910

ii. The due date for the second batch is the close of business on the Friday before the second regularly scheduled City Council meeting in any given month.

iii. The City shall remit payment by issuing a Voucher and Check corresponding to each reimbursement request for the amount of scrip returned to the City at the close of each Accounts Payable cycle.

iv. The Clerk/Treasurer shall stamp each redeemed scrip with the word “REDEEMED” on the reverse of each scrip actually redeemed and shall indicate the scrip was redeemed by entering a “Y” in the redemption column of the inventory log.

v. Redeemed scrip will be donated to the Tenino Depot Museum for use in its marketing and advertising campaigns.

vi. Upon termination of this program, for whatever reason, the Clerk/Treasurer shall stamp the reverse of any unissued scrip with the word “VOID” and will write the word “void” in the Redeemed Y/N column of the inventory log. Voided scrip will be donated to the Tenino Depot Museum for use in its marketing and advertising campaigns.

F. Duration. The City will honor scrip until such time, at its sole discretion, the adverse economic effects of the COVID-19 Emergency policies and procedures have abated. Provided, however, that the City shall not terminate, or otherwise suspend the provisions of this Ordinance, without providing at least 15 days prior written notice to all program participants.

7. Recordkeeping. The City’s Public Records Officer shall maintain all records created in furtherance of this program according to the most recent Retention Schedule published by the Office of the State Archivist and shall make such records available in accordance with the Public Records Act (42.56 RCW).

1.

[illegible]

TENINO COVID-19 RECOVERY GRANT PROGRAM CERTIFICATE OF ELIGIBILITY

TO ALL WHO SHALL SEE THESE PRESENTS, GREETINGS

(NAME OF GRANTEE)

Having demonstrated residency and need as required by City of Tenino Ordinance 910,
this certificate attests to the right of the above named bearer, or a family member, to
redeem City of Tenino COVID-19 Recovery Scrip serial numbers

XXXXX-XXXX through XXXXXX-XXXX, inclusive.

Dated this XX Day of XXXXX, 2020

Certificate Number: XXX-XXXX-XXXX

SEAL

Utility Clerk

Court Clerk

1.

**CITY OF TENINO
APPLICATION FOR AWARD OF
CITY OF TENINO COVID-19 RECOVERY GRANT**

This application is for A City of Tenino COVID-19 Recovery Grant. This program is in effect until further notice. The City will determine, at its sole discretion, whether the applicant qualifies for this form of hardship assistance. By accepting this grant, applicant agrees to abide by the terms and conditions of the grant program in accordance with City of Tenino Ordinance 910, including Exhibit 1 thereto. Once approved, applicants are entitled to no more than \$300 per month and must requalify for additional grants. Applicant acknowledges that grant applications and related documents may be subject to the Washington Public Records Act, RCW 42.56 and should consider this when deciding whether to apply for this assistance. The City may discontinue this program at any time.

COVID-19 Hardship: To be eligible, you must demonstrate household loss of income as a result of the COVID-19 pandemic. Proof of hardship can be in the form of unemployment enrollment subsequent to March 15, 2020, notice from employer stating reduction in hours, and/or any form supporting loss of income that, at the City's sole discretion, adequately shows a relationship to the COVID-19 pandemic. Applicant must show that they are responsible, either as a landlord or as a tenant, for payment of a City of Tenino utility account (either water, sewer, or both). "Income" is considered money received from all sources, including wages, social security payments, interest, dividends, rents, royalties, welfare payments, rent subsidies, disability payments, retirement plans or any other source. If you qualify for grant award, you will receive a Certificate of Eligibility according to the schedule listed below. Proof of income is required.

**PERSONS IN
HOUSEHOLD**

MONTHLY HOUSEHOLD POVERTY GUIDELINES

	<u>100%</u>	<u>133%</u>	<u>150%</u>	<u>200%</u>
1	1,063	1,414	1,595	2,127
2	1,437	1,911	2,155	2,873
3	1,810	2,407	2,715	3,620
4 or more	2,183	2,904	3,275	4,367
Maximum Grant Award	\$300	\$250	\$200	\$150

Name _____

Address _____

Phone Number _____

Utility Account Number _____

Total 2020 Monthly Household Income _____

Pre-Pandemic _____ Post-Pandemic _____

Number in Household _____

Special conditions for consideration: _____

I hereby certify that the above information is true and correct to the best of my knowledge. I agree to provide the documentation listed above to the City of Tenino. I understand that the grant will be awarded in accordance with the above schedule and is for use only within the City of Tenino. I further understand that the grant may be applied as a credit on my account and I am responsible for any amounts remaining after application of the credit.

Signature

Date

**CITY OF TENINO
COVID-19 RECOVERY GRANT
PROGRAM PARTICIPATION AGREEMENT**

This agreement to participate in the City of Tenino COVID-19 Recovery Grant Program is made by and between the City of Tenino, a Washington Municipal Corporation (City), and _____, a business licensed by the State of Washington and the City of Tenino to do business within the Tenino City Limits (Merchant) (collectively, “the Parties”).

Effective on the date last written, below, the parties agree:

1. To abide by all terms and conditions as provided in Ordinance 910, along with Exhibit 1 and Tabs A-E inclusive, including, but not limited to:

A. Accepting City of Tenino COVID-19 Recovery Grant Scrip as valid payment for any product or service normally provided by Merchant. Provided, however, that Merchant shall not accept scrip in payment for:

- i. Alcoholic beverages.
- ii. Cannabis products.
- iii. Tobacco products.
- iv. Personal services, except services provided by licensed or certified and including, but not limited to:
 - Barbers
 - Cosmetologists
 - Accountants, Architects, Doctors, Engineers, Lawyers, Surveyors; or
 - Information Technology Service Providers.

B. Verifying that the bearer of the scrip is an authorized grant recipient by comparing the scrip serial numbers being tendered match the serial numbers shown on the Certificate of Eligibility. Merchant shall not honor scrip that cannot be so verified.

C. Ensuring the collection of any taxes or fees imposed by any governmental agency during the transaction.

D. Prohibiting the exchanging of scrip for cash or tendering more than \$0.99 in change for any transaction involving the use of scrip.

E. Redeeming scrip no more than twice per month.

2. Authentication:

For City:

For Merchant:

Wayne Fournier
Mayor

Authorized Representative
Title

Date

Date

[illegible]

By: _____
For: _____

Item Attachment Documents:

2. The Administration proposes to suspend the provisions of the Facade Improvement Grant Program in favor of a one-time grant of \$5000.00 to the Tenino Community Service Center in support of Tenino Food Bank Plus.

Proposed Ordinance 911 provides details.

ORDINANCE 911

**AN ORDINANCE OF THE CITY OF TENINO
SUSPENDING THE CITY OF TENINO FAÇADE IMPROVEMENT GRANT PROGRAM
FOR FISCAL YEAR 2020 AND ESTABLISHING A ONE-TIME GRANT IN FAVOR OF
TENINO FOOD BANK PLUS**

WHEREAS, on February 29, 2020, Governor Jay Inslee proclaimed a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, on March 23, 2020, Governor Inslee imposed a “Stay Home – Stay Healthy” Order throughout Washington State which prohibited all people in Washington State from leaving their homes or participating in social, spiritual, and recreational gatherings of any kind regardless of the number of participant, and all non-essential businesses in Washington State from conducting business, within the limitations provided by Proclamation 20-25; and

WHEREAS, the economic downturn resulting from the state of emergency and resulting “Stay Home – Stay Healthy” Order have had a tremendous adverse economic effect on the Citizens of the City of Tenino and many Businesses located in Tenino; and

WHEREAS, these adverse economic conditions having been caused by the government, citizens and businesses are now looking to the government for economic relief; and

WHEREAS, Article 8, Section 7, Washington State Constitution, provides that “No county, city, town or other municipal corporation shall here-after give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm; and

WHEREAS, the test used by Washington courts to determine whether there has been a gift of public funds consists of two questions: 1) were the funds expended to carry out a fundamental purpose of the government, and 2) were the funds given with donative intent and what the public received in exchange. If the answer to question #1 is “yes,” then there has been no gift of public funds and the inquiry ceases; and

WHEREAS, in a Memorandum dated March 17, 2020, the Washington Attorney General’s Office issued a memorandum that states: “In general, constitutional restrictions on use of public funds should not be an impediment to state and local efforts to combat COVID-19, because expenditures being made in furtherance of this effort in this time of crisis further fundamental public purposes, such as protecting the public health and welfare; and

WHEREAS, the Memorandum also states that “Given the public health crisis our state is facing, there is a strong basis for state and local governments to make expenditures for the primary purpose of protecting and promoting public health which may have an incidental benefit on private citizens and entities;” and

WHEREAS, the City Council of the City of Tenino finds that the efforts of Tenino Community Service Center, especially the operations of the Tenino Food Bank Plus, is essential to the public welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TENINO, WASHINGTON, that the Tenino Façade Improvement Grant Program is suspended for Fiscal Year 2020 and in its place, the City will provide a one-time grant of funds to the Tenino Community Service Center's Tenino Food Bank Plus as follows:

Section 1. The Tenino Façade Improvement Grant Program for FY-20 are hereby suspended, except that any grants that have already been approved for FY-20 shall be honored by the City.

Section 2. A one-time grant in the amount of \$5000.00 shall be awarded to the Tenino Community Service Center's Tenino Food Bank Plus for the specific purpose of improving the conditions of the Food Bank's facilities so as to increase the capacity to receive, store, and distribute food products necessary for the support of the poor and infirm.

Section 3. The Clerk/Treasurer is hereby directed to amend the City's 2020 Municipal Budget to include this \$5000.00 grant and may, at his discretion, utilize monies from the General Fund (Fund 001), Contingency Fund (Fund 109), or Municipal Capital Improvement Fund (Fund 310) for this purpose.

Section 4. Because of the emergent nature of this action, a second reading of this ordinance shall not be required.

Section 5. This ordinance shall be effective five days after publication as required by law.

ADOPTED by the City Council of the City of Tenino, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 28th day of April, 2020.

Wayne Fournier, Mayor

Attest:

John Millard, City Clerk-Treasurer

Approved as to form:

Richard L. Hughes, City Attorney

4.

Item Attachment Documents:

- 4. March 10, 2020: Deferred

**City Council Meeting
Tuesday, March 10, 2020**

Minutes

WORK SESSION

Work session cancelled.

CALL TO ORDER

Mayor Pro Tem Gotovac called the meeting to order at 7:30 pm. Mayor Fournier is absent.

PRESENT

Councilmember Linda Gotovac
Councilmember Dave Watterson
Councilmember John O'Callahan
Councilmember Jason Lawton
Councilmember Rachel Davidson

AGENDA APPROVAL

Motion made by Councilmember O'Callahan, Seconded by Councilmember Watterson to approve the agenda as presented.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

APPROVAL OF MINUTES

See vouchers

1. Minutes of the February 25, 2020, Regular Meeting of the Tenino City Council.

Recommended action: Move to approve the minutes of the February 25, 2020, Regular Meeting of the Tenino City Council as presented.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Lawton to approve the minutes of the February 25, 2020 meeting.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

CONSENT CALENDAR

2. Payroll and other EFT's in the amount of \$28,043.55 and Claims Checks #28940 through #28983 in the amount of \$40,013.96 for a Grand Total of \$68,057.51.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Lawton to approve the March 10, 2020 vouchers consisting of payroll EFT's in the amount of \$28,043.55 and claim checks #28940 through #28983 in the amount of \$40,013.96 for a grand total of \$68,057.51.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

3. New Licenses: None

Renewals: None

EXECUTIVE SESSION

None

PRESENTATIONS

4. Ms. Linda McKinnie, Branch Manager of the Tenino Branch of the Timberland Regional Library, will present information to the Council and Public about the 2020 Census.

5. Ms. Kimi Dana, Society for Creative Anarchism, will present information on the 2020 Mayfaire Festival.

Did not appear

PUBLIC COMMENTS

None

PUBLIC HEARING

None

PROCLAMATIONS

OLD BUSINESS

6. The City Engineer has completed the plan to extend sewer and water lines to the Ag Park properties and requires Council Approval to begin the bidding process. He is also developing an amendment to the Scope of Work to provide for construction management and inspection.

Recommended Action: Move to authorize the City Engineer to begin the bidding process.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Watterson to authorize the City Engineer to begin the bidding process.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

7. Gibbs & Olsen has prepared an amendment to the Scope of Work for the Quarry House Renovation to cover construction management and inspection.

Recommended action: Move to authorize Mayor Fournier to sign the amended Scope of Work as presented.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Lawton to authorize Mayor Fournier to sign the amended Scope of Work as presented.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

NEW BUSINESS

None

RESOLUTIONS

None

ORDINANCES

None

REPORTS

8. 1) Tenino Chamber of Commerce
 - 2) Thurston Economic Development Council (EDC)
 - 3) Experience Olympia & Beyond (VCB)
 - 4) South Thurston Fire & EMS (District #12)
 - 5) Tenino Branch, Timberland Regional Library: Linda reported that they have removed all children's toys in the Library for the time being due to virus'. None of their programs have been cancelled. Please check facebook, online website calendar for any upcoming programs.
 - 6) Tenino Depot Museum: Councilmember O'Callahan reported that Jessica Rush Reeves has obtained a few grants for the Museum for some updates they would like to make. At this time the Museum is open limited hours so please sign up on their facebook page or website.
9. 1) ARCH Commission
 - 2) Civil Service Commission
 - 3) Planning Commission
 - 4) Facade Improvement Grant Review Committee
 - 5) Finance Committee
 - 6) Public Safety Committee
 - 4) Facade Improvement Grant Review Committee: Mayor Pro-Tem Gotovac advised a grant was awarded to the owners of the Lady of the Lake Rest. who purchased the mini mall for some continued updates.
10. 1) Chief of Police: Chief Swain presented a plaque between the Police Dept and Dept of Corrections who have had an office in the PD since 1994 for check in. The parole officers have been a big help in the some of the PD's investigations. He attended Command School in Walla Walla this past week. Officer Garcia read to 10 different classes between the Elementary and Parkside Schools. His next coffee with the Chief will be this Saturday beginning at 11 at Western

Coffee House. The Reserve academy will start in June and the Citizens academy will begin in May. He will double check but does believe the National Night Out will be held on August 4th. He also requested from Council that they push for a contract between the City and Joint Animal Control services.

2) Director of Public Works

3) City Planner / Building Official

4) City Attorney

5) Clerk/Treasurer

6) Mayor

11. 1) Bucoda/Tenino Healthy Action Team (BTHAT): Linda McKinnies reported that a movie will be held at the High School on April 1st starting at 6:30 pm featuring Scream Agers 2 which provides information on mental health issues.

2) Community Investment Partnership (CIP): Councilmember Watterson reported they are having a meeting this week and that the name will be changing to HHSC. They will be calling for RFP's for the monies available.

3) Solid Waste Advisory Board: Councilmember Watterson reported that they will be updating the solid waste plan as well as the bylaw changes.

4) TCOMM/911: Chief Swain requested the Council pass a resolution for a seat on the board. He feels this is important for City.

5) Tenino School Board: Councilmember Davidson reported that the auction raised nearly \$38,000.00 for the upkeep of the schools and that all tickets were sold out.

6) Thurston Regional PLanning Council (TRPC): Councilmember Watterson reported they are working on the I5 corridor studies.

7) South Thurston Economic Development Initiative (STEDI)

8) Transportation Policy Board

PUBLIC COMMENTS 2

None

ANNOUNCEMENTS

None

ADJOURNMENT

Mayor Pro Tempore Gotovac Adjourned the meeting at 8:18 pm

5.

Item Attachment Documents:

5. April 14, 2020: Deferred

City Council Meeting Tuesday, April 14, 2020

Minutes

WORK SESSION

Admin Note: This meeting was the first Open Public Meeting conducted under the authority of Governor Inslee's Proclamation 20-28, dated March 24, 2020, as amplified by the Washington State Attorney General's Office Opinion, dated March 26, 2020, and conducted "virtually" via remote meeting software.

Mayor Fournier called the Work Session to order at 7:00 pm.

PRESENT

Councilmember Linda Gotovac
Councilmember Dave Watterson
Councilmember John O'Callahan
Councilmember Jason Lawton
Councilmember Rachel Davidson

Mayor Fournier adjourned the Work Session at 7:17 pm

1. **Remote Meetings.** City Attorney Hughes cautions us that the items that can be on a virtual meeting agenda are limited and so that any items that can wait until later, should be deferred until after the emergency has concluded.

The two attached documents provide guidance as to how we can manage agenda items during the COVID-19 emergency. Agenda items that are both "necessary" and "routine" (such as voucher approval) should be included; those items that are necessary, but not routine (such as an Ordinance that changes Park Rules), or those items that are routine, but not necessary (like staff reports), should be omitted.

For these reasons, the draft agenda published on Thursday, April 9, 2020, has been amended to conform with the guidance provided.

2. **Electronic Signature Policy.** In doing the research necessary to advise his Municipal Clients regarding their responses to the COVID-19 emergency, City Attorney Hughes advises that the City should adopt an Electronic Signature Policy.

Proposed Resolution 2020-02 would adopt such a policy, protecting the City's interests while conducting business using modern document technologies.

3. **Emergency Procedures.** The COVID-19 emergency has highlighted the need to update our Financial and Personnel Policies in regard to paying City Employees during a health-related emergency that precludes employees from reporting to work, even though those employees may be ready, willing, and able to work.

Proposed Ordinance 906 would give the Mayor the authority to continue to pay City Employees who would otherwise report to work but for a "stay at home" order the full amount of their regular pay. This proposed ordinance has been reviewed and includes the changes suggested by City Attorney Hughes.

CALL TO ORDER

Mayor Fournier Called the Meeting to Order at 7:30 pm.

PRESENT

Councilmember Linda Gotovac
 Councilmember Dave Watterson
 Councilmember John O'Callahan
 Councilmember Jason Lawton
 Councilmember Rachel Davidson

AGENDA APPROVAL

4. Proposed agenda for the April 14, 2020, regular meeting of the Tenino City Council.

Recommended action: Move to approve the proposed agenda for the April 14, 2020, regular meeting of the Tenino City Council as presented.

Motion made by Councilmember Gotovac, Seconded by Councilmember Davidson.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

Motion passes.

APPROVAL OF MINUTES

Approval of minutes for the March 10, 2020 Regular Meeting of the Tenino City Council is deferred until the COVID-19 emergency has ended.

CONSENT CALENDAR

Motion to approve the consent calendar as presented made by Councilmember O'Callahan, Seconded by Councilmember Watterson.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

Motion passes.

5. Payroll and other EFT's in the amount of \$84,399.06, and Claims Checks #29011 through #29064 in the amount of \$65,779.03 for a Grand Total of \$150,178.09.

6. New Licenses: None

Renewals: None

EXECUTIVE SESSION - None

PRESENTATIONS

A scheduled presentation by Timberland Regional Library District was deferred until the COVID-19 emergency has ended.

PUBLIC COMMENTS

Ms. Linda McKinnie, in her capacity as a Private Citizen, reminded everyone that even though the Tenino Branch of the Timberland Regional Library is closed for the duration of the COVID-19 emergency, there are many online programs available that can be accessed from the Library's Facebook page.

PUBLIC HEARING - None

PROCLAMATIONS

A Proclamation related to National Bike Month was deferred until the COVID-19 emergency has ended.

OLD BUSINESS

7. **Special Market Conditions.** Mr. Don Bowman, lead volunteer for the Caboose Restoration Project, identified a cast iron caboose stove of the exact type originally used in Caboose X549 on an on-line auction site in the amount of \$600. He asked the City if he could make the purchase on a reimbursable basis and, because there was only a single stove meeting the exact specification available, and because the price was reasonable, and because the opportunity to make such an acquisition at any price may not present itself in the future, the Administration approved the purchase.

Recommended action: Move to declare the existence of "special market conditions" and to ratify the purchase of the caboose stove as part of the restoration project.

Motion made by Councilmember Watterson, Seconded by Councilmember Lawton.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

Motion passes.

8. **Contract Amendment.** Gibbs & Olson has proposed an amendment to our standing Engineering Services Agreement to authorized them to provide both Bid Phase and Construction Management Phase Engineering Services for the extension of the City's sewer and water infrastructure to the Ag Park. City Attorney Hughes is still reviewing.

Recommended action: Move to authorize Mayor Fournier signing the amendment, provided that any issued identified by City Attorney Hughes are addressed to his satisfaction.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Lawton.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

Motion passes.

9. **Contract Award.** The Invitation to Bid for the extension of the City's sewer and water infrastructure to the site of the future SW WA Agriculture & Innovation Park yielded 13 bids. The bids were opened during an open public meeting conducted via "GoToMeeting" and the apparent low bidder was Barcott Construction, LLC. The City Engineer reviewed all documents submitted in the bid and concluded that "Barcott's bid is the low bid submitted and is properly filled out, including signatures, and is deemed to be responsive." He also verified that Barcott Construction is in good standing with the State of Washington and recommends they be awarded the contract. Please see attached Bid Tabulation and Award Recommendation.

Recommended Action: Move to approve Mayor Fournier entering into a contract with Barcott Construction for the extension of the City's sewer and water infrastructure to the future site of the SW WA Agriculture and Innovation Park, provided that such contract is first approved by the City Attorney.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Watterson.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton, Councilmember Davidson

Motion passes.

NEW BUSINESS

10. **Proposed Ordinance 906** would give the Mayor the authority to continue to pay City Employees who would otherwise report to work but for a "stay at home" order the full amount of their regular pay. This proposed ordinance has been reviewed and includes the changes suggested by City Attorney Hughes.

Recommended action: Move to accept as the first reading Proposed Ordinance 906 as presented.

RESOLUTIONS

11. **Proposed Resolution 2020-02** would adopt an Electronic Signature Policy that would protect the City's interests while conducting business using modern document technologies.

Recommended action: Move to approve Resolution 2020-02 as presented.

ORDINANCES - None

REPORTS

12. Because "Reports" are not necessary, as defined in the AGO's Opinion of March 26, 2020, they are included only for the purpose of providing access as part of the City's efforts to make public records as accessible as possible.

PUBLIC COMMENTS 2

ANNOUNCEMENTS

C/T Millard explained the situation within the Washington Municipal Clerks Association where the regularly assigned treasurer is out with COVID-19, leaving the association without the ability to pay its bills. Particularly troublesome are the contracts that must be paid for the Association's 50th Anniversary Conference that has been postponed due to the COVID-19 emergency. The Association has requested that Tenino (because of C/T Millard's membership in the Association and position on the Association's Finance Committee) pay several such contractors in the approximate amount of \$23,000.00, for which the Association will reimburse the City upon the return of the Association's regularly assigned Treasurer). All members of the Council gave their approval for this action.

13. Thursday, April 23, 2020, is the second annual #LibraryGivingDay across the nation. The Timberland Regional Library asks that those who are able please consider a donation to the District so that they may continue to expand their digital offerings.

ADJOURNMENT

Mayor Fournier adjourned the meeting at 7:53 pm.

Item Attachment Documents:

8. Ordinance 910 would create the City of Tenino COVID-19 Recovery Grant Program.

Recommended action: Move to adopt Ordinance 910 as presented.

ORDINANCE 910

**AN ORDINANCE OF THE CITY OF TENINO
ESTABLISHING THE CITY OF TENINO
COVID-19 RECOVERY GRANT PROGRAM**

WHEREAS, on February 29, 2020, Governor Jay Inslee proclaimed a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, on March 23, 2020, Governor Inslee imposed a “Stay Home – Stay Healthy” Order throughout Washington State which prohibited all people in Washington State from leaving their homes or participating in social, spiritual, and recreational gatherings of any kind regardless of the number of participant, and all non-essential businesses in Washington State from conducting business, within the limitations provided by Proclamation 20-25; and

WHEREAS, the economic downturn resulting from the state of emergency and resulting “Stay Home – Stay Healthy” Order have had a tremendous adverse economic effect on the Citizens of the City of Tenino and many Businesses located in Tenino; and

WHEREAS, these adverse economic conditions having been caused by the government, citizens and businesses are now looking to the government for economic relief; and

WHEREAS, Article 8, Section 7, Washington State Constitution, provides that “No county, city, town or other municipal corporation shall here-after give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm; and

WHEREAS, the test used by Washington courts to determine whether there has been a gift of public funds consists of two questions: 1) were the funds expended to carry out a fundamental purpose of the government, and 2) were the funds given with donative intent and what the public received in exchange. If the answer to question #1 is “yes,” then there has been no gift of public funds and the inquiry ceases; and

WHEREAS, in a Memorandum dated March 17, 2020, the Washington Attorney General’s Office issued a memorandum that states: “In general, constitutional restrictions on use of public funds should not be an impediment to state and local efforts to combat COVID-19, because expenditures being made in furtherance of this effort in this time of crisis further fundamental public purposes, such as protecting the public health and welfare; and

WHEREAS, the March 17, 2020, Memorandum also states that “Given the public health crisis our state is facing, there is a strong basis for state and local governments to make expenditures for the primary purpose of protecting and promoting public health which may have an incidental benefit on private citizens and entities;” and

WHEREAS, in a Memorandum dated April 3, 2020, the Washington Attorney General’s Office issued a memorandum that states “Given the unprecedented health crisis that

Washington faces, loans or grants are likely permissible if a local government can establish a clear nexus between such programs and either protecting the local economy or promoting compliance with public health guidelines;" and

WHEREAS, in a Memorandum dated April 6, 2020, the Washington Attorney General's Office issued a memorandum that states that under Article VIII, Section 7 of the state constitution, a local government may provide cash assistance to low-income individuals who have lost their jobs or are struggling financially due to COVID-19. Further, the opinion stated a local government "probably, with sufficient safeguards in place" may provide grants or loans to small businesses struggling with the State-ordered closure of their businesses; and

WHEREAS, the City of Tenino, having issued wooden scrip in 1932 as a medium of exchange under conditions similar to the conditions caused by the "Stay Home – Stay Healthy" Order, has a precedent from which to draw upon for the relief of individual Citizens; and

WHEREAS, the wooden scrip under consideration would only be made available to those who have established a utility account for sewer or water service with the City of Tenino; and

WHEREAS, only those Citizens who can demonstrate the need for City assistance is directly related to the COVID-19 emergency; and

WHEREAS, the wooden scrip under consideration would only be able to be redeemed once, and then only by businesses located within the Tenino City Limits; and

WHEREAS, the City Council of the City of Tenino finds that the issuance of wooden scrip to Citizens of the City and redemption by businesses within the City serves the fundamental purpose of protecting the public welfare and is necessary for the support of the poor and infirm.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TENINO, WASHINGTON, that the City of Tenino will fund the issuance of wooden scrip in an amount not to exceed \$10,000.00 (exclusive of the costs of producing such scrip and the administrative costs of managing the program) as follows:

Section 1. The specifications for the manufacture of the scrip and program guidance for grant implementation are spelled out at Exhibit I, attached hereto, made part hereof, and incorporated herein by reference.

Section 2. The Clerk/Treasurer is hereby directed to amend the City's 2020 Municipal Budget to include this \$10,000.00 grant and may, at his discretion, utilize monies from the General Fund (Fund 001), Contingency Fund (Fund 109), or Municipal Capital Improvement Fund (Fund 310) for this purpose.

Section 3. Due to the emergent nature of this action, a second reading of this ordinance is not required.

Section 4. This ordinance will be in effect five days after publication as required by law.

ADOPTED by the City Council of the City of Tenino, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 28th day of April, 2020.

Wayne Fournier, Mayor

Attest:

John Millard, City Clerk-Treasurer

Approved as to form:

Richard L. Hughes, City Attorney

The Tenino COVID-19 Recovery Grant Program

1. Legislative Findings and Intent.

A. Findings. The City Council of the City of Tenino finds:

- i. The economic downturn resulting from the application of COVID-19 emergency measures at the national, state, and local level has had an unacceptable negative impact on individual Citizens within the Tenino City Limits, the Tenino Business Community, and the City's own Economic Development efforts.
- ii. The Citizens of the City of Tenino themselves are in best position to determine where the proceeds of this grant program will be most effective in ameliorating the effects of the COVID-19 emergency relative to their own unique circumstances.
- iii. Any monies, but especially those that derive from the payment of taxes to the government, spent at businesses located within the Tenino City Limits is beneficial to the entire City and all of its Citizens.

B. Intent. Through this program, the City Council intends to provide relief on an individual basis by providing a means of directly augmenting the income of those Citizens most adversely impacted by this economic downturn, while simultaneously supporting the Tenino Business Community generally by requiring the proceeds of these grant funds be spent solely within the Tenino City Limits, thereby achieving a primary goal of the City's Economic Development Program.

2. General program description

Tenino's COVID-19 Recovery Grant Program is based on Tenino's response to the economic downturn referred to as "The Great Depression" of the 1930's. The goal is to provide economic relief to those Citizens of Tenino who can prove economic hardship as a direct result of the COVID-19 emergency, and to Tenino businesses, through the use of wooden scrip of \$25 dollar denomination which can be redeemed only by participating businesses within the Tenino City Limits.

3. The Scrip.

A. Manufacture. The South Thurston Historical Society will produce the scrip from custom materials provided by the Tenino Depot Museum using equipment available only at the Tenino Depot Museum.

- i. The scrip will be serially numbered in blocks of \$500. Each block will bear a unique sequence of numbers, known only to the City and the Museum, to defeat attempts at counterfeiting.

EXHIBIT 1 TO ORDINANCE 910

- ii. The City of Tenino shall reimburse the South Thurston Historical Society for all expenses incurred in the manufacture of the scrip.

B. Denomination. Scrip will only be produced in denominations of \$25.

C. Amount. The City will guarantee scrip redemption in an amount not to exceed \$10,000.00. The Clerk/Treasurer shall keep a log, by serial number, of each individual scrip. The inventory log is shown at Tab A to this Exhibit. The Clerk/Treasurer shall inventory scrip:

- i. When first received.
- ii. When issued.
- iii. When redeemed.
- iv. On a weekly basis, for any scrip that is on-hand, but unissued.

D. Storage. Scrip shall be stored within the City's vault until it is issued.

E. Authentication. To be valid for redemption, each scrip must be signed by the Mayor of the City of Tenino and countersigned by the Clerk/Treasurer of the City of Tenino. No scrip will be authenticated until the Clerk/Treasurer has been presented with a Certificate of Eligibility for award of a grant.

F. Scrip will be issued only to the bearer of a Certificate of Eligibility.

- i. Certificates of Eligibility will be serially numbered and must be requested from the City. An example Certificate of Eligibility is shown at Tab B to this Exhibit.
- ii. Only a Citizen of the City of Tenino may request a Certificate of Eligibility. For the purposes of this grant, "Citizen of Tenino" means a natural person who has an active sewer or water utility account with the City. The request will be made on a form provided by the City as shown at Tab C to this Exhibit.

4. Award.

A. Eligibility. Grant eligibility is based solely on two criteria, both of which must be met in order to receive a Certificate of Eligibility

- i. The potential grantee must be responsible for the payment of a City of Tenino utility account through either ownership or tenancy. (Sewer or water or both.)
- ii. The potential grantee must demonstrate the need for the grant is directly related to COVID-19. Proof will consist of a completed COVID-19 Recovery Grant Application form that is accompanied by at least one of the forms of

EXHIBIT 1 TO ORDINANCE 910

substantiating documentation described in the application. Applications that have not been signed by the requestor, or which are not accompanied by substantiating documentation, are deemed incomplete and will not be accepted for consideration. Grant applications are shown at Tab C to this Exhibit.

B. Approval. Upon receipt of a signed application that is accompanied by the required substantiating documents:

- i. The Utility Clerk will verify the requestor meets the Citizenship Requirement and, if so, will affix her or his signature to the application. If not, the requester will be notified they do not meet eligibility requirements and the request will be returned.
- ii. The Court Clerk will verify the requestor meets the Need Requirement and, if so, will affix her or his signature to the application and the request will be deemed valid. If not, the requester will be notified they do not meet eligibility requirements and the request will be returned.
- iii. Upon receiving a valid request, the Clerk/Treasurer will complete a Certificate of Eligibility, obtain the signatures of the Utility Clerk and Court Clerk, and affix an impressed City Seal. Once the Certificate of Eligibility has been prepared, the Clerk/Treasurer will then proceed to prepare the scrip for issue as described in paragraph 5, below.

C. Limitations on Award. Because the duration of the COVID-19 is unknown, and therefore, the extent of the financial hardship resulting from the emergency cannot be predicted with certainty, and because the grant funds are limited, no grant recipient may receive more than \$300 in scrip per month. There is no limitation on how many times a single recipient may be awarded a grant (provided that a new grant request must be submitted and result in the issuance of a new Certificate of Eligibility.) All grants are processed on a “first-come, first-served” basis until the program is terminated or all grant funds have been expended.

5. Issue. Upon presentation of a valid Certificate of Eligibility, the Clerk/Treasurer will prepare the scrip for issue by:

- A. Recording the issue of scrip, by serial number, on the inventory log kept for that purpose, and noting the serial number of the Certificate of Eligibility for which the scrip has been drawn.
- B. The Clerk/Treasurer shall then indicate the serial numbers of the scrip being issued on the Certificate of Eligibility.
- C. Obtaining the signature of the Mayor and then affixing his or her own signature as countersign on as many scrip as necessary up to the amount indicated on the Certificate of Eligibility.

EXHIBIT 1 TO ORDINANCE 910

D. The bearer of the Certificate of Eligibility shall indicate receipt of the scrip by signing the Inventory Log kept for this purpose. A copy of the signed Certificate will be retained by the Clerk/Treasurer and the original shall be given to the holder of the scrip as proof of eligibility.

E. The Clerk/Treasurer shall keep all copies of Certificates of Eligibility with the Inventory Log and make both available for inspection in accordance with the Public Records Act (42.56 RCW).

6. Redemption.

A. Scrip may be redeemed by any business within the Tenino City Limits who has agreed to participate with the terms of the Grant Program. Agreement is indicated by the submission of a signed Recovery Grant Participation Agreement as shown at Tab D to this Exhibit.

B. Scrip may be used to purchase anything sold by a participating business except:

- i. Alcoholic beverages of any kind.
- ii. Cannabis products of any kind.
- iii. Tobacco products of any kind.
- iv. Personal services, unless those services are provided by a licensed or certified:
 - Barber;
 - Contractor;
 - Cosmetician;
 - Accountant, Architect, Doctor, Engineer, Lawyer, Surveyor; or
 - Information Technology Service Provider

C. Grant recipients are responsible for the payment of any taxes or fees that apply to any transaction for which scrip is to be redeemed, whether the transaction involves the use of scrip alone, or in conjunction with cash, check, or credit card.

D. Change. The scrip has no cash value. No scrip may be exchanged solely for cash. When scrip is tendered for payment, businesses may not issue change, whether by cash, check, or the extension of credit, in an amount that exceeds \$0.99.

E. Participating merchants may submit a COVID-19 Recovery Grant Reimbursement Request twice each month corresponding with the City's Accounts Payable cycle. Reimbursement requests are shown at Tab E to this Exhibit.

- i. The due date for submitting the first batch is the close of business on the Friday before the first regularly scheduled City Council meeting in any given month.

EXHIBIT 1 TO ORDINANCE 910

ii. The due date for the second batch is the close of business on the Friday before the second regularly scheduled City Council meeting in any given month.

iii. The City shall remit payment by issuing a Voucher and Check corresponding to each reimbursement request for the amount of scrip returned to the City at the close of each Accounts Payable cycle.

iv. The Clerk/Treasurer shall stamp each redeemed scrip with the word “REDEEMED” on the reverse of each scrip actually redeemed and shall indicate the scrip was redeemed by entering a “Y” in the redemption column of the inventory log.

v. Redeemed scrip will be donated to the Tenino Depot Museum for use in its marketing and advertising campaigns.

vi. Upon termination of this program, for whatever reason, the Clerk/Treasurer shall stamp the reverse of any unissued scrip with the word “VOID” and will write the word “void” in the Redeemed Y/N column of the inventory log. Voided scrip will be donated to the Tenino Depot Museum for use in its marketing and advertising campaigns.

F. Duration. The City will honor scrip until such time, at its sole discretion, the adverse economic effects of the COVID-19 Emergency policies and procedures have abated. Provided, however, that the City shall not terminate, or otherwise suspend the provisions of this Ordinance, without providing at least 15 days prior written notice to all program participants.

7. Recordkeeping. The City’s Public Records Officer shall maintain all records created in furtherance of this program according to the most recent Retention Schedule published by the Office of the State Archivist and shall make such records available in accordance with the Public Records Act (42.56 RCW).

8.

[illegible]

TENINO COVID-19 RECOVERY GRANT PROGRAM CERTIFICATE OF ELIGIBILITY

TO ALL WHO SHALL SEE THESE PRESENTS, GREETINGS

(NAME OF GRANTEE)

Having demonstrated residency and need as required by City of Tenino Ordinance 910,
this certificate attests to the right of the above named bearer, or a family member, to
redeem City of Tenino COVID-19 Recovery Scrip serial numbers

XXXXX-XXXX through XXXXXX-XXXX, inclusive.

Dated this XX Day of XXXXX, 2020

Certificate Number: XXX-XXXX-XXXX

SEAL

Utility Clerk

Court Clerk

8.

CITY OF TENINO
APPLICATION FOR AWARD OF
CITY OF TENINO COVID-19 RECOVERY GRANT

This application is for A City of Tenino COVID-19 Recovery Grant. This program is in effect until further notice. The City will determine, at its sole discretion, whether the applicant qualifies for this form of hardship assistance. By accepting this grant, applicant agrees to abide by the terms and conditions of the grant program in accordance with City of Tenino Ordinance 910, including Exhibit 1 thereto. Once approved, applicants are entitled to no more than \$300 per month and must requalify for additional grants. Applicant acknowledge that grant applications and related documents may be subject to the Washington Public Records Act, RCW 42.56 and should consider this when deciding whether to apply for this assistance. The City may discontinue this program at any time.

COVID-19 Hardship: To be eligible, you must demonstrate household loss of income as a result of the COVID-19 pandemic. Proof of hardship can be in the form of unemployment enrollment subsequent to March 15, 2020, notice from employer stating reduction in hours, and/or any form supporting loss of income that, at the City’s sole discretion, adequately shows a relationship to the COVID-19 pandemic. Applicant must show that they are responsible, either as a landlord or as a tenant, for payment of a City of Tenino utility account (either water, sewer, or both). “Income” is considered money received from all sources, including wages, social security payments, interest, dividends, rents, royalties, welfare payments, rent subsidies, disability payments, retirement plans or any other source. If you qualify for grant award, you will receive a Certificate of Eligibility according to the schedule listed below. Proof of income is required.

**PERSONS IN
HOUSEHOLD**

MONTHLY HOUSEHOLD POVERTY GUIDELINES

	<u>100%</u>	<u>133%</u>	<u>150%</u>	<u>200%</u>
1	1,063	1,414	1,595	2,127
2	1,437	1,911	2,155	2,873
3	1,810	2,407	2,715	3,620
4 or more	2,183	2,904	3,275	4,367
Maximum Grant Award	\$300	\$250	\$200	\$150

Name _____

Address _____

Phone Number _____

Utility Account Number _____

Total 2020 Monthly Household Income _____

Pre-Pandemic _____ Post-Pandemic _____

Number in Household _____

Special conditions for consideration: _____

I hereby certify that the above information is true and correct to the best of my knowledge. I agree to provide the documentation listed above to the City of Tenino. I understand that the grant will be awarded in accordance with the above schedule and is for use only within the City of Tenino. I further understand that the grant may be applied as a credit on my account and I am responsible for any amounts remaining after application of the credit.

Signature

Date

**CITY OF TENINO
COVID-19 RECOVERY GRANT
PROGRAM PARTICIPATION AGREEMENT**

This agreement to participate in the City of Tenino COVID-19 Recovery Grant Program is made by and between the City of Tenino, a Washington Municipal Corporation (City), and _____, a business licensed by the State of Washington and the City of Tenino to do business within the Tenino City Limits (Merchant) (collectively, “the Parties”).)

Effective on the date last written, below, the parties agree:

1. To abide by all terms and conditions as provided in Ordinance 910, along with Exhibit 1 and Tabs A-E inclusive, including, but not limited to:

A. Accepting City of Tenino COVID-19 Recovery Grant Scrip as valid payment for any product or service normally provided by Merchant. Provided, however, that Merchant shall not accept scrip in payment for:

- i. Alcoholic beverages.
- ii. Cannabis products.
- iii. Tobacco products.
- iv. Personal services, except services provided by licensed or certified and including, but not limited to:
 - Barbers
 - Cosmetologists
 - Accountants, Architects, Doctors, Engineers, Lawyers, Surveyors; or
 - Information Technology Service Providers.

B. Verifying that the bearer of the scrip is an authorized grant recipient by comparing the scrip serial numbers being tendered match the serial numbers shown on the Certificate of Eligibility. Merchant shall not honor scrip that cannot be so verified.

C. Ensuring the collection of any taxes or fees imposed by any governmental agency during the transaction.

D. Prohibiting the exchanging of scrip for cash or tendering more than \$0.99 in change for any transaction involving the use of scrip.

E. Redeeming scrip no more than twice per month.

2. Authentication:

For City:

For Merchant:

Wayne Fournier
Mayor

Authorized Representative
Title

Date

Date

CITY OF TENINO COVID-19 RECOVERY GRANT REIMBURSEMENT REQUEST

Merchant Name: _____

Address: _____

As a duly authorized participant in the City of Tenino COVID-19 Recovery Grant Program, I hereby request reimbursement for the redemption of the scrip indentified below that was used to purchase services or goods (except alcoholic beverages, tobacco products, or cannabis products) from the period _____ to _____, 2020.

Serial Number	Certificate Number	Serial Number	Certificate Number

By: _____

For: _____

Item Attachment Documents:

9. Ordinance 911 would suspend the Facade Improvement Grant Program for the remainder of 2020 and provide for a one-time grant of \$5000.00 to the Tenino Community Service Center for the improvement of the Tenino Food Bank Plus facilities.

Recommended Action: Move to adopt Ordinance 911 as presented.

ORDINANCE 911

**AN ORDINANCE OF THE CITY OF TENINO
SUSPENDING THE CITY OF TENINO FAÇADE IMPROVEMENT GRANT PROGRAM
FOR FISCAL YEAR 2020 AND ESTABLISHING A ONE-TIME GRANT IN FAVOR OF
TENINO FOOD BANK PLUS**

WHEREAS, on February 29, 2020, Governor Jay Inslee proclaimed a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, on March 23, 2020, Governor Inslee imposed a “Stay Home – Stay Healthy” Order throughout Washington State which prohibited all people in Washington State from leaving their homes or participating in social, spiritual, and recreational gatherings of any kind regardless of the number of participant, and all non-essential businesses in Washington State from conducting business, within the limitations provided by Proclamation 20-25; and

WHEREAS, the economic downturn resulting from the state of emergency and resulting “Stay Home – Stay Healthy” Order have had a tremendous adverse economic effect on the Citizens of the City of Tenino and many Businesses located in Tenino; and

WHEREAS, these adverse economic conditions having been caused by the government, citizens and businesses are now looking to the government for economic relief; and

WHEREAS, Article 8, Section 7, Washington State Constitution, provides that “No county, city, town or other municipal corporation shall here-after give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm; and

WHEREAS, the test used by Washington courts to determine whether there has been a gift of public funds consists of two questions: 1) were the funds expended to carry out a fundamental purpose of the government, and 2) were the funds given with donative intent and what the public received in exchange. If the answer to question #1 is “yes,” then there has been no gift of public funds and the inquiry ceases; and

WHEREAS, in a Memorandum dated March 17, 2020, the Washington Attorney General’s Office issued a memorandum that states: “In general, constitutional restrictions on use of public funds should not be an impediment to state and local efforts to combat COVID-19, because expenditures being made in furtherance of this effort in this time of crisis further fundamental public purposes, such as protecting the public health and welfare; and

WHEREAS, the Memorandum also states that “Given the public health crisis our state is facing, there is a strong basis for state and local governments to make expenditures for the primary purpose of protecting and promoting public health which may have an incidental benefit on private citizens and entities;” and

WHEREAS, the City Council of the City of Tenino finds that the efforts of Tenino Community Service Center, especially the operations of the Tenino Food Bank Plus, is essential to the public welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TENINO, WASHINGTON, that the Tenino Façade Improvement Grant Program is suspended for Fiscal Year 2020 and in its place, the City will provide a one-time grant of funds to the Tenino Community Service Center's Tenino Food Bank Plus as follows:

Section 1. The Tenino Façade Improvement Grant Program for FY-20 are hereby suspended, except that any grants that have already been approved for FY-20 shall be honored by the City.

Section 2. A one-time grant in the amount of \$5000.00 shall be awarded to the Tenino Community Service Center's Tenino Food Bank Plus for the specific purpose of improving the conditions of the Food Bank's facilities so as to increase the capacity to receive, store, and distribute food products necessary for the support of the poor and infirm.

Section 3. The Clerk/Treasurer is hereby directed to amend the City's 2020 Municipal Budget to include this \$5000.00 grant and may, at his discretion, utilize monies from the General Fund (Fund 001), Contingency Fund (Fund 109), or Municipal Capital Improvement Fund (Fund 310) for this purpose.

Section 4. Because of the emergent nature of this action, a second reading of this ordinance shall not be required.

Section 5. This ordinance shall be effective five days after publication as required by law.

ADOPTED by the City Council of the City of Tenino, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 23rd day of April, 2020.

Wayne Fournier, Mayor

Attest:

John Millard, City Clerk-Treasurer

Approved as to form:

Richard L. Hughes, City Attorney