

IMPORTANT NOTICE

Until further notice, City Council meetings will be restricted to Council and staff.

The City of Chehalis wishes to do its part to implement social distancing and slow the transmission rate of COVID-19, while still meeting the requirements of the Open Public Meetings Act RCW 42.30.

Citizens may live stream the June 8, 2020, meeting beginning at 5:00 pm using the following link:

<https://www.ci.chehalis.wa.us/citycouncil/live-streaming-and-demand-viewing-city-council-meetings>

Citizens wishing to provide public comments in general and on agenda items should submit comments by 2:00 pm on the day of the meeting. All comments received will be read by the Mayor under the Citizens Business portion of the meeting agenda. Please use the following form to submit comments – <https://www.ci.chehalis.wa.us/contact>. If you do not have computer access or would prefer to submit a comment verbally, please contact City Clerk Caryn Foley at 360-345-1042.

If you have any questions about live streaming the meeting or submitting a comment, please contact City Clerk Caryn Foley at cfoley@ci.chehalis.wa.us or 360-345-1042.

**The City truly appreciates the community's cooperation
and patience during this challenging time.**

CHEHALIS CITY COUNCIL AGENDA

CITY HALL
350 N MARKET BLVD | CHEHALIS, WA 98532

Dennis L. Dawes, Position at Large Mayor		
Jerry Lord, District 1 Daryl J. Lund, District 2 Dr. Isaac S. Pope, District 4		Anthony E. Ketchum Sr., District 3 Chad E. Taylor, Position at Large, Mayor Pro Tem Robert J. Spahr, Position at Large

Regular Meeting of Monday, June 8, 2020 5:00 p.m.

1. Call to Order. (Mayor)

CITIZENS BUSINESS

This is an opportunity for members of the audience to address the council on matters not listed elsewhere on the agenda. Citizens wishing to provide public comments in general and on agenda items must submit comments by 2:00 pm on the day of the meeting using the form available at <https://www.ci.chehalis.wa.us/contact>.

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
CONSENT CALENDAR		
2. <u>Minutes of the Regular City Council Meeting of May 26, 2020.</u> (City Clerk)	APPROVE	1
3. <u>Vouchers and Transfers – Accounts Payable in the Amount of \$1,203,738.32, Dated May 29, 2020.</u> (City Manager, Finance Director)	APPROVE	4
4. <u>Vouchers and Transfers – Payroll in the Amount of \$763,730.81, Dated May 29, 2020.</u> (City Manager, Finance Director)	APPROVE	5
5. <u>Correction to Vouchers and Transfers Dated May 15, 2020.</u> (City Manager, City Clerk)	APPROVE	6
6. <u>Set June 22, 2020 at 5:00 pm to Conduct a Public Hearing on the City's 2021-2026 Six-Year Transportation Improvement Program.</u> (City Manager, Public Works Director)	APPROVE	8

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
NEW BUSINESS		
7. <u>Emergency Fire Station Alternatives Analysis.</u> (City Manager, Public Works Director, Fire Chief)	APPROVE	9
8. <u>Resolution No. 7-2020, First and Final Reading – Formally Declaring an Emergency Relating to the Need of an Emergency Temporary Fire Station Facility and Assigning Emergency Contracting Authority to the City Manager.</u> (City Manager, Public Works Director)	ADOPT	38
9. <u>Ordinance No. 1007-B, First and Final Reading – Providing for and Establishing Charges, Rates, and Fees for Installations and Connections to the Water System and the Providing of Water Services.</u> (City Manager, Public Works Director)	PASS	42

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
ADMINISTRATION AND CITY COUNCIL REPORTS		
10. <u>Administration Reports.</u> a. City Manager Update. (City Manager)	INFORMATION ONLY	- - -
11. <u>Councilor Reports/Committee Updates.</u> (City Council)	INFORMATION ONLY	- - -

EXECUTIVE SESSION
12. Pursuant to RCW: a. 42.30.110(1)(b) – Selection of Site or Acquisition of Real Estate. b. 42.30.110(1)(c) – Sale/Lease of Property.

**THE CITY COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA.
NEXT REGULAR CITY COUNCIL MEETING IS MONDAY, JUNE 22, 2020.**

May 26, 2020

The Chehalis city council met in regular session on Tuesday, May 26, 2020, in the Chehalis city hall. Mayor Dennis Dawes (present in the council chambers) called the meeting to order at 5:00 pm with the following council members present via Zoom: Tony Ketchum, Jerry Lord, Daryl Lund, Dr. Isaac Pope; Bob Spahr; and Chad Taylor. Staff present in the council chambers included: Jill Anderson, City Manager; Caryn Foley, City Clerk; Erin Hillier, City Attorney; Trent Lougheed, Public Works Director; Brandon Rakes, Airport Operations Coordinator; and Judy Schave, HR/Risk Manager. Due to orders from the Governor's office relating to COVID-19, members of the public and the press were restricted from the meeting room but were able to view the meeting via live streaming and were provided a process for submitting comments prior to the meeting.

1. **Recognition of Don Schmitt – Public Works Street/Stormwater Superintendent.** Mayor Dawes read a plaque recognizing Don Schmitt in honor of his retirement from the city after 33+ years of service.

2. **Consent Calendar.** Councilor Taylor moved to approve the consent calendar comprised of the following:

- a. Minutes of the regular city council meeting of May 11, 2020;
- b. May 15, 2020 Claim Vouchers No. 128994 – 129126 and Electronic Funds Transfer Nos. 42020 and 52020 in the amount of \$334,042.41;
- c. Engineering services agreement with RB Engineering in the amount of \$75,310 for design and construction services for the Snively Avenue to 16th Street to Railroad Water and Sewer Replacement Project; and
- d. Consideration of offer to lease Tract 5A and associated non-exclusive lease commission agreement, located between Sonic and I-5 at 625 NW Arkansas Way.

The motion was seconded by Councilor Pope.

Discussion was had regarding item "d" and whether or not language should be added to the proposed lease to set a certain amount of time for due diligence work to clarify that after that period of time, the tenant must begin with construction and operation on the property or be in breach of the agreement and the city can reclaim the property. The council also discussed the requirement of a deposit and whether or not it should be refundable if the project was not pursued.

City Attorney Hillier first clarified that in the future, if a council member wished to discuss an item on the Consent Calendar, it should first be removed from the Consent Calendar and placed under New Business. The council should then approve the Consent Calendar without the subject item and then move on to New Business.

City Attorney Hillier stated the city had historically used the proposed lease for all airport tracts. The issue was experiences with one or two tenants that have found loopholes in their leases to tie up properties. Ms. Hillier stated she added language to the proposed agreement to address an inspection or due diligence period to ensure that once that date ends that the tenant commence improvement upon the property within 30 days or the tenant would be in breach. She also addressed the section of the lease that referred to payment of rent and when a tenant was supposed to start compensating the city. She recommended that if areas are identified as ambiguous there should be some adjustment in the language to make it less ambiguous.

After further council discussion that the subject property was already filled, was basically shovel-ready, and was a single project (without multiple tenants) the council concurred that the proposed lease was sufficient.

The motion carried unanimously.

City Manager Anderson requested an executive session item be added to the agenda relating to the sale/lease of property.

3. **Code Inspector/Fire Marshal Position.** Judy Schave stated the city was required by RCW 48.48 to provide the services of a fire marshal or fire authority to conduct fire code inspections and enforcement. The city's municipal code (2.30.050) also requires the fire department to provide fire prevention, fire suppression, fire investigations, fire code plans review and enforcement, and emergency medical services. In 2001 an assistant fire chief/fire marshal, as well as a building official position provided these services; however, the two positions were eliminated in 2011 after they became vacant. In 2012, the city entered

May 26, 2020

into an interlocal agreement with Riverside Fire Authority (RFA) to provide fire marshal services. That agreement expired at the end of 2019 due to a retirement and RFA notified the city they would no longer be able to provide the services. Since January, city staff has been able to provide some of the services, but someone who has the experience, knowledge, and credentials in this field is needed. The administration was proposing a non-represented, part-time code inspector/fire marshal position to be added to the 2020 salary schedule at a flat rate of \$46.50 based on the level of responsibility, knowledge, and required certifications, less legally required or authorized deductions. The limit on the actual work hours would make the position ineligible for retirement benefits, and health insurance benefits would be limited if the employee elected to have coverage. The annual impact based on 78 hours per month was estimated at \$46,000.

Councilor Spahr moved to approve the creation of a Code Inspector/Fire Marshal position to be added to the 2020 Salary Schedule. The motion was seconded by Councilor Lund and carried unanimously.

City Manager Anderson noted the code inspector/fire marshal was currently being provided on a contract basis, so there are partial funds in the budget to fund the position.

4. Administration Reports.

a. City Manager Update. City Manager Anderson provided an update on the situation involving the need for an emergency fire station. She had anticipated providing the council options to review at tonight's meeting. Staff has continued to investigate options and analysis on sites that might meet some of the criteria needed for an emergency station. Some of the criteria for a site includes:

- Accommodate portables/temporary housing
- Accommodate equipment and potentially coverage for equipment
- Safety of staff
- Protect equipment from vandalism/theft, inclement weather
- Ability to respond and move the large vehicles into traffic
- Not subject to flooding

To-date, a site has not been found that provides all of those criteria, so staff is trying to find a site that meets most of those criteria. Some have asked about using the old fire station. The old fire station has had two structural reviews. The building has continued to deteriorate due to long standing water damage and there are issues with the structural stability of the building in the event of a seismic event. There are concerns about the materials used to construct the building that are deteriorating because the building is almost 100 years old.

City Manager Anderson thought a special meeting might be needed, but the restrictions the Governor has placed on open meetings makes it difficult to work through complicated issues. She hoped that between now and June 8, the restrictions would be relaxed and there could be in-person city council meetings. In the meantime, she offered council members tours of the old fire station. The plan is to bring this to the council on June 8 with a set of recommendations and a request for budget authority to move forward in order to meet the July 5 deadline established by District 6.

City Manager Anderson stated staff is watching regulations for potentially reopening city offices for in-person traffic and looking for ways to protect the staff and public. In the meantime, staff continues to be appreciative of the community who have so easily adapted to doing work on-line and on the phone.

City Manager Anderson thanked Don Schmitt for his years of service to the city.

5. Councilor Reports/Committee Updates.

a. Councilor Pope. Councilor Pope noted that Pope's Kids Place has now seen 25 years of service to many families and they are thankful for that, and also for the community's support to sustain the facility.

b. Councilor Spahr. Councilor Spahr attended a meeting regarding the fire department.

May 26, 2020

c. **Mayor Dawes.** Mayor Dawes asked staff to look into National Avenue at Chamber Way where the grass is getting tall and there are grocery carts that need to be removed, along with bedding under the bridge. He was concerned that when people go under the bridge they dig out and that could compromise the structure of the bridge. He was also frustrated with the lack of progress on the pool resurfacing project. It was a 60-day project that was to start in September, and it is now May and it is still not completed. Progress is being made on the Kresky resurfacing project. Mayor Dawes noted he continues to attend meetings related to COVID. He stated the city provided a letter of support to the county's application for moving into phase 2.

6. **Executive Session.** Councilor Taylor recused himself from the executive session. Mayor Dawes announced the council would be in executive session pursuant to RCW 42.30.110(1)(c) – Sale/Lease of Real Estate, not to exceed 6:00 pm and there would be no action following conclusion of the executive session. Mayor Dawes closed the regular meeting at 5:32 pm. The executive session began at 5:34 pm. At 6:00 pm, Mayor Dawes announced the council would continue in executive session not to exceed 6:15 pm. Following conclusion of the executive session, the regular meeting was reopened at 6:05 pm and immediately adjourned.

Dennis L. Dawes, Mayor

Caryn Foley, City Clerk

Approved:

Initials: _____

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Chun Saul, Finance Director
Michelle White, Accounting Tech II

MEETING OF: June 8, 2020

SUBJECT: Vouchers and Transfers – Accounts Payable in the Amount of \$1,203,738.32

ISSUE

City Council approval is requested for Vouchers and Transfers dated May 29, 2020.

DISCUSSION

The May 29, 2020 claim vouchers have been reviewed by a committee of three councilors prior to the release of payments. The administration is requesting City Council approval for Claim Vouchers No. 129127 – 129226 and Electronic Funds Transfer Nos. 420201, 420202 and 420203 in the amount of \$1,203,738.32 dated May 29, 2020 which includes the transfer of:

- \$ 46,830.69 from the General Fund
- \$ 4,485.98 from Dedicated Street Fund – 4% Sales Tax
- \$ 8,386.61 from Transportation Benefit District Fund
- \$ 3,146.88 from the LEOFF 1 OPEB Reserve Fund
- \$ 120,595.32 from the Public Facilities Reserve Fund
- \$ 855,851.90 from the Wastewater Fund
- \$ 135,146.96 from the Water Fund
- \$ 3,063.44 from the Storm & Surface Water Utility Fund
- \$ 25,515.57 from the Airport Fund
- \$ 714.97 from the Firemen’s Pension Fund

RECOMMENDATION

It is recommended that the City Council approve the May 29, 2020 Claim Vouchers No. 129127 – 129226 and Electronic Funds Transfer Nos. 420201, 420202 and 420203 in the amount of \$1,203,738.32.

SUGGESTED MOTION

I move that the City Council approve the May 29, 2020 Claim Vouchers No. 129127 – 129226 and Electronic Funds Transfer Nos. 420201, 420202 and 420203 in the amount of \$1,203,738.32.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Chun Saul, Finance Director
Betty Brooks, Payroll Accountant

MEETING OF: June 8, 2020

SUBJECT: Vouchers and Transfers – Payroll in the Amount of \$763,730.81

ISSUE

City Council approval is requested for Payroll Vouchers and Transfers dated May 29, 2020.

DISCUSSION

The administration requests City Council approval for Payroll Vouchers No. 41298-41327, Direct Deposit Payroll Vouchers No. 12134-12241, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 295-298 dated May 29, 2020 in the amount of \$763,730.81, which include the transfer of:

- \$507,984.39 from the General Fund
- \$5,747.56 from the Arterial Street Fund
- \$5,940.00 from the LEOFF1 OPEB Reserve Fund
- \$88,983.84 from the Wastewater Fund
- \$96,053.19 from the Water Fund
- \$26,210.24 from the Storm & Surface Water Utility Fund
- \$32,811.59 from the Airport Fund

RECOMMENDATION

It is recommended that the City Council approve the May 29, 2020 Payroll Vouchers No. 41298-41327, Direct Deposit Payroll Vouchers No. 12134-12241, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 295-298 in the amount of \$763,730.81.

SUGGESTED MOTION

I move that the City Council approve the May 29, 2020, Payroll Vouchers No. 41298-41327, Direct Deposit Payroll Vouchers No. 12134-12241, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 295-298 in the amount of \$763,730.81.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council
FROM: Jill Anderson, City Manager
BY: Caryn Foley, City Clerk
MEETING OF: June 8, 2020
SUBJECT: Correction to Vouchers and Transfers Dated May 15, 2020

ISSUE

A correction is needed to the Accounts Payable Vouchers and Transfers dated May 15, 2020, which was approved by the City Council on May 26, 2020.

DISCUSSION

The May 15, 2020 claim vouchers shown on the attached agenda report were approved by the City Council on May 26. The vouchers and transfers listed under "Discussion" totaled \$344,042.41; however, a typo indicated the total as \$334,042.41.

The City Attorney recommended that the City Council acknowledge the typo and affirm the correct amount.

RECOMMENDATION

It is recommended that the City Council affirm that the May 15, 2020 Claim Vouchers No. 128994 – 129126 and Electronic Funds Transfer Nos. 42020 and 52020 approved by the City Council on May 26, 2020, totaled \$344,042.41.

SUGGESTED MOTION

I move that the City Council affirm that the May 15, 2020 Claim Vouchers No. 128994 – 129126 and Electronic Funds Transfer Nos. 42020 and 52020 approved by the City Council on May 26, 2020, totaled \$344,042.41.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Chun Saul, Finance Director
Michelle White, Accounting Tech II

MEETING OF: May 26, 2020

SUBJECT: Vouchers and Transfers – Accounts Payable in the Amount of \$334,042.41

ISSUE

City Council approval is requested for Vouchers and Transfers dated May 15, 2020.

DISCUSSION

The May 15, 2020 claim vouchers have been reviewed by a committee of three councilors prior to the release of payments. The administration is requesting City Council approval for Claim Vouchers No. 128994 – 129126 and Electronic Funds Transfer Nos. 42020 and 52020 in the amount of \$334,042.41 dated May 15, 2020 which includes the transfer of:

- \$ 92,056.06 from the General Fund
- \$ 48.09 from Dedicated Street Fund – 4% Sales Tax
- \$ 11,500.00 from Transportation Benefit District Fund
- \$ 2,235.81 from the LEOFF 1 OPEB Reserve Fund
- \$ 11,109.38 from the 2011 G.O. Bond Fund
- \$ 45,469.47 from the Public Facilities Reserve Fund
- \$ 33.36 from the Garbage Fund
- \$ 60,931.04 from the Wastewater Fund
- \$ 33,795.09 from the Water Fund
- \$ 6,543.87 from the Storm & Surface Water Utility Fund
- \$ 80,320.24 from the Airport Fund

RECOMMENDATION

It is recommended that the City Council approve the May 15, 2020 Claim Vouchers No. 128994 – 129126 and Electronic Funds Transfer Nos. 42020 and 52020 in the amount of \$334,042.41.

SUGGESTED MOTION

I move that the City Council approve the May 15, 2020 Claim Vouchers No. 128994 – 129126 and Electronic Funds Transfer Nos. 42020 and 52020 in the amount of \$334,042.41.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Trent Lougheed, Public Works Director

MEETING OF: June 8, 2020

SUBJECT: Set June 22, 2020 at 5:00 pm to Conduct a Public Hearing on the City's 2021-2026 Six-Year Transportation Improvement Program

ISSUE

A public hearing will be included on the June 22, 2020, meeting agenda to provide the opportunity for comment and input on the city's proposed 2021-2026 Transportation Improvement Program (TIP). This hearing is required as part of the Six-Year Transportation Improvement Program (STIP) preparation process.

DISCUSSION

State law requires that a municipality conduct a public hearing to provide citizens the opportunity to comment on a proposed TIP prior to its adoption. It is proposed that the required public hearing be held on Monday, June 22 as part of the regularly scheduled City Council meeting and that the City Council take action on the required resolution to adopt the TIP following the public hearing.

The public hearing is historically held during one meeting and then the resolution to adopt the TIP is presented at the next City Council meeting. Due to COVID-19 and the Governor's order on restricting citizens to attend public meetings, the public hearing date was pushed back and the two steps to the process are being combined in order to meet the June 30 deadline in submitting the city's TIP to the state.

FISCAL IMPACT

N/A

RECOMMENDATION

It is recommended that the City Council set June 8, 2020, at 5:00 pm as the date and time to conduct the public hearing concerning the city's 2021-2026 Six-Year Transportation Improvement Program.

SUGGESTED MOTION

I move that the City Council set June 8, 2020, at 5:00 pm as the date and time to conduct the public hearing concerning the city's 2021-2026 Six-Year Transportation Improvement Program.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Ken Cardinale, Fire Chief
Trent Lougheed, Public Works Director

MEETING OF: June 8, 2020

SUBJECT: Emergency Fire Station Alternatives Analysis

ISSUE

Lewis County Fire District #6 (LCFD#6) notified the City that it is terminating the March 2019 Station Use Interlocal effective July 5, 2020. The City received notice informally and by official written notice as required by the contract before May 1, 2020, which fully met the 60-day notice requirement. Therefore, the City needs to identify a temporary emergency location for the Department to operate, while a longer term temporary and permanent plan can be more fully developed and funded.

BACKGROUND

The 2019 agreement with LCFD #6 was approved by both agencies to extend a temporary lease agreement that was put in place after the Chehalis Fire Department moved into Lewis County Fire District #6 in August 2017 when the identification of asbestos required evacuation of Fire Station 48. The City has until Sunday, July 5 to vacate LCFD #6. Since receiving the notification from LCFD #6, the City has evaluated multiple sites for feasibility as possible emergency fire station location, including Station 48, the City's former fire station.

Many people have asked whether or not Station 48 could be used again on an emergency basis. In order to address this very reasonable question in more detail, I provided a memo to the City Council summarizing the recent history of the building; the current conditions; reports by structural engineers; and liability risks. The memo is attached to this report for easy reference and recommends against further consideration of Station 48 as an emergency station because of concerns for the health and safety of the City's firefighters due to the current conditions of the building, including but not limited to, the structural deterioration of the building, which is almost 100 years old.

If the City Council would like to reconsider making the necessary investments in restoring the historic Fire Station building so that it can be used again in the future instead of purchasing a new site and building a new fire station, staff can do that with your direction to do so. The issues surrounding the need for a permanent solution will be the subject of future discussions.

The purpose of this agenda report is to address the urgent issue of relocating the Fire Department to a workable location when the station use agreement with LCFD #6 expires on Sunday, July 5, 2020.

CITY IN THE PROCESS OF BUYING A SITE FOR A NEW FIRE STATION

The notice from LCFD #6 and the need to find a location quickly has again raised several questions and concerns about where to go next. Making an investment in any site seems financially questionable because the City has submitted a purchase offer on a piece of property for a new fire station and is in the process of assessing the feasibility of the site for a fire station. This includes assessing the geotechnical and environmental conditions, as well as making sure the property can accommodate a 21st Century fire station.

- The current feasibility period is scheduled to end on June 9, 2020
- A Phase II Environmental Document is needed and additional soil samples are needed. It is likely that an additional extension will be needed for the test results to be completed and analyzed.
- The need for an additional extension of the feasibility period to July 9, 2020 has been communicated to the City's agent to make the appropriate arrangements with the seller.

The City has also contracted with the Architectural Firm of Rice Fergus Miller to assist with the evaluation of the proposed property, assess specific alternatives and prepare the preliminary design and engineering documents.

While there is optimism that the purchase of the property will be completed, the City will not have possession of this site until sometime this Fall, assuming there are no issues with the Phase II results and the proposed funding plan can be executed in the uncertain economic environment caused by COVID-19.

Therefore, the City has a need for an "Emergency" Station for a period of approximately 6 months to determine if the purchase of the property (Chamber Way and State Avenue) for a new station is completed. If the purchase is completed, the City could prepare the site and construct a long-term temporary fire station until such time that a new fire station can be designed, funded and constructed. With the economy in distress due to the COVID-19 Pandemic, it is uncertain how long that might take; however, it is likely to be between 5 and 10 years. If the property purchase is not completed, the City will need to identify another long-term temporary station site.

THREE ISSUES

With the ongoing effort to purchase a site for a new permanent fire station, the fire station issues are:

- 1) Emergency Fire Station Needed on or before July 5, 2020
 - How long will it be needed: 4-6 months or longer?

2) Long-term Temporary Station (5-10 years)

- A place for the fire department to operate while a permanent site is purchased and a new fire station can be designed, funded and built.

3) Permanent Fire Station

Key Question: How long will we need the Emergency Station? If it is needed for 3 or 4 months, there is more flexibility because protecting the engines from the weather is not as critical. However, each fire engine is worth approximately \$1 million, so protection from the weather as well as security from theft and vandalism are important considerations at all times of the year. If the Emergency Station for 6 to 12 months or longer, there needs to be the ability to provide a safe and secure place for the firefighters and the equipment through the winter months. This likely means that a pole building or industrial fabric building will need to be constructed or purchased.

EVALUATING POTENTIAL EMERGENCY FIRE STATION SITES

Criteria for an Emergency Fire Station

In evaluating the potential sites, the criteria considered included:

- Safety of the Firefighters
- Ability to respond to emergency calls
- Ability to provide power to maintain the batteries that support the radios and emergency response equipment
- Ability to prepare the site for occupation of the site on or before Sunday, July 5 2020
- Cost to prepare the site and potential ongoing rent/lease costs
- Security of the Equipment
- Protection from the Weather
- Ability to add a structure to protect the equipment if the need for the emergency site extends into the winter months (October and beyond), so that the City did not need to incur the costs of time and money to move the station to another location if there was a delay in the purchase process
- Potential disruption to the provision of services to the public and related public inconvenience

Every potential site considered for the Emergency Station had a major downside, most commonly related to securing and protecting the equipment.

Emergency Station Options Evaluated:

- City Hall
- Vacant Darigold Property at Chehalis and Main
- Former Les Schwab Store
- Property at Chamber and State

- Holiday Inn Express
- Best Western
- Lewis County Fairgrounds
- Existing Fire Station Right of Way
- Existing Fire Station (Additional information provide in attached memo)
- Vacant City (Airport Fund) owned property on Arkansas between Walmart and Home Depot
- Cascade School
- Eagles Parking Lot
- Moerke Pump and Drilling
- County owned parking lot between NW North and NW Center Streets
- Conrad Industries Industrial Site (121 Melhart Street)

The Sites with the Most Potential for an Emergency Station by July 5, 2020

Several locations have been identified as possible emergency locations, some more probable than other: City Hall; City owned land on Arkansas between Home Depot and Walmart; Vacant lot owned by Darigold at Chehalis Avenue and Main Street; and renting property at Chamber Way and State Avenue.

The Public Works Director, Facilities Manager, and the Fire Chief have provided input into the analysis of the various locations. There is an attached spreadsheet that summarizes the pros and cons of each site. Attachment 2 provides a more detailed analysis of most of the sites and possible ways to make the site work, as well as the associated challenges. For purposes of the report, I will summarize what staff considers the top sites, with the key pros and cons.

1) CITY HALL

Potential Emergency Site by 7/5/2020)

Proposed Living Quarters (Basement)

- The basement of City Hall, previously set up by the county as an emergency operations center, has all necessities for an emergency crew quarters facility
- The space includes a full kitchen, bathrooms (including a private bathroom with a shower), a workout room, and two separate rooms which may serve as a workspace and a living space. The workspace may be completely closed off from the living space. The living space is large enough to provide space for three separate bedrooms and a living area, which could be completed at a low cost
- Combination door locks could be installed on the exits to provide security for the firefighters and their personal belongings
- The basement has a sprinkler system, fire alarm system, and two separate points of egress that meet with the City's congregate housing facilities building code. The only provision that may not meet this code is the interior doors which provide a fire barrier, which can easily be replaced to bring the quarters up to code

- As an emergency operations center, the space is set up to function during a power outage and is set up to provide most (if not all) of the fire department's technological needs including internet access

Proposed Apparatus Housing

- Remote controlled advanced indicator beacon system needed with "Stop when Flashing" signage (2 required) with either option
- Either option meets WSRB Apparatus Requirements
 - **Option 1 – Parking Lot (Remodel):**
 - *(Public Works Comments):* Due to interference with police operations, the need to back into lot with large apparatus, continual interference with traffic flows, and high costs to convert parking lot (replace approaches and curb & gutter, removal of planter area, potential relocation of power pole and street light), it is not simple to utilize the parking area to house apparatus
 - *(Fire Chief Comments):* This option would cause the displacement of police vehicles and the general disruption of police operations. There is no power available for shore lines for apparatus. This option would not work for the long term unless a temporary apparatus structure was put in place before the cold weather
 - *(Facilities Comments):* Remodel of the parking lot could possibly fit three fire apparatus but would likely cause an inconvenience for the police department. This option would also limit citizen access to City Hall, Municipal Court, and the Police Department since they would no longer have access to a parking lot
 - **Option 2 – Park Street (Temporary Closure of a Portion of Park Street):**
 - *(Public Works Comments):* Apparatus can be parked on Park Street with temporary road closure from the alley to Market Boulevard. Seven delineator posts would need to be removed on Market Boulevard for apparatus responding to the south. This alternative would have the least impacts on existing City functions; however, it disrupts traffic patterns, but less than Option 1.
 - *(Fire Chief Comments):* This would cause the least disruption to police operations, but it would still require a temporary street closure. Apparatus security would also be an issue on Park Street
 - *(Facilities Comments):* The temporary closure of Park Street between Market Boulevard and the alleyway approximately halfway up the street could provide a temporary parking space for apparatus without causing any inconvenience to the police department and minimal inconvenience to citizens.
 - Temporary fencing (owned by the City) would need to be set up to provide some security for the fire apparatus

2) ARKANSAS (BETWEEN WALMART AND HOME DEPOT)

Emergency Site. It could serve as a Long-Term Temporary Site if Property at Chamber/State is available to the City by the end of 2020

- The site is owned by the City, which ensures lease agreements will not be unexpectedly terminated
- The site also provides multiple response routes
- This site is closer to the majority of the call volume for the Fire Department
- The proximity to the downtown core meets WSRB distance ratings
- Delays due to trains are eliminated
- The site is closer to Riverside Fire Authority to meet Automatic Aid Agreements
- This site is in a high traffic area, which may cause issues with maneuverability
- Minor grading, fill, and compaction required prior to paving. Replacement of 40' curb, gutter, and sidewalk with driveway approach.
- Costs of improvements can be paid utilizing Airport funds similar to the filling of Tract 5A; can be leased as "improved property" once vacated by the Fire Department
- While the site is in a flood plain, flood mitigation infrastructure has been completed by the Chehalis Flood Authority to reduce flood severity in the area. Improvements include the construction of a new pump station in 2017 and levee enhancements, which are designed to provide protection to at least one foot above the 100-year flood water levels.

Proposed Living Quarters

- Pacific Mobile Structures will be required while plans for property purchase at State Avenue and Chamber Way are finalized.
- Utilities are already stubbed to site (including power, water, gas, sewer, internet access, and telephone services)

Proposed Apparatus Housing

- Remote controlled advanced indicator beacon system needed with "Stop when Flashing" signage (2 required – 4 recommended)
- The Home Depot Manager indicated paved area would be available short-term to house apparatus while site is prepared for long-term temporary facilities
- Site can easily be prepared for a temporary apparatus bay

3) Vacant lot owned by Darigold on Main Street: An initial assessment was done on the property and it is a reasonable location with many positive features.

- Darigold has been very cooperative and there is a possibility that we could make this work as an emergency station if given the latitude to negotiate the lease arrangements.
- The concern is that Darigold would require their legal department to review any potential lease agreement, creating the potential for delay.

- It would cost approximately \$55,000, plus the monthly costs of mobile living units, which are about \$4,000 a month. There would need to be temporary fencing immediately, which the City owns.
- The location is ideal and the existing traffic control infrastructure reduces the potential for unexpected disruptions to traffic flows.
- The downside is that the funds used to prepare the property for a temporary fire station would be a part of the costs of leasing the site and would not be recoverable.

SUMMARY

Many potential sites have been considered conceptually during this process. Several sites have been evaluated very carefully. While all options have a downside, there has been a staff consensus that the top options for an Emergency Fire Station Site are:

- **City Hall**, with the temporary closure of Park Street from the Alley behind City Hall to Market Blvd.
 - **Key Pros:** Quickly available and decent living quarters at a relatively low cost.
 - **Key Cons:** Difficult to secure and protect the equipment parked on the street. Only workable until October. Temporary Street Closure creates a public inconvenience and an awkward set up for parking and securing the fire engines, particularly if a tent is needed as winter approaches.
- **Arkansas Site:** The property owned by the City (Airport) between Walmart and Home Depot next to the electric vehicle charging station.
 - **Key Pros:** It is owned by the City and could be paved and prepared with Airport funds to be leased later at a higher rent because it would be improved. It is large enough to build a pole building in the very near future to protect and secure the fire apparatus sooner rather than later.
 - **Key Cons:** It would require renting Pacific Mobile Structure living units and in the event of a major flood (bigger than a 100 flood) Fire personnel and equipment would need to be staged in advance at an alternative location year, using the Advanced Flood warning system to plan for temporary staging of apparatus in the event of 100 year plus flood.
- **Darigold property:** Vacant lot at Main Street and Chehalis Avenue
 - **Key Pros:** Readily available for paving and temporary fencing; owners are responsive; location is ideal for responding to calls
 - **Key Cons:** It will require a lease negotiation and associated payments that have not yet been determined making it a challenge to be ready by July 5. Darigold attorneys will need to review the documents creating the potential for delay. The estimated \$40,000 investment in preparing the site cannot be recovered by the City.

During the course of the next six months, the City should know if it will be able to purchase the property at State and Chamber and/or make plans for a long-term temporary station that can accommodate a temporary apparatus bay to protect the fire apparatus during the winter.

If ownership of the property at Chamber Way and State Avenue is secured by the City, it is feasible to construct a long-term temporary station using a manufactured home and a long-term temporary apparatus bay. This would be a suitable arrangement for the five (5) plus years that it will likely take to design, engineer, fund, and ultimately construct a new fire station in a post-COVID economy. If that does not work out, the City can explore further options for a long-term temporary station at another location.

RECOMMENDATION

In consideration of the time and financial constraints facing the City, it is recommended that the City Council authorize the City Manager to expend the funds necessary to prepare the property owned by the City through the Airport on Arkansas between Walmart and Home Depot for an emergency station for the following reasons:

- With an emergency declaration, it is potentially possible to prepare the site for an interim station by July 5, 2020.
- The associated costs of preparing the site would be borne by the Airport fund and could be recovered because the work would allow the Airport to lease the property as improved when no longer needed by the Fire Department (Approximately \$75,000 for site prep, not including a pole building. In addition, the City would need to rent temporary living quarters, which are approximately \$4,000 a month)
- If the purchase of the property at Chamber and State is delayed a month or two, a temporary apparatus bay could be constructed most easily at that location. It is also feasible to construct a pole building this summer to provide security and protection, if funds are available.
- There is a possibility that a pole building could be built to be deconstructed and moved for reuse by the Police Department as an evidence garage
- The flooding risk is less than in the past due to recent construction of a pump station at the airport which is much more advanced than the one that failed in the 2007 Flood.
- Flood prediction has improved with the Advanced Flood Warning System, providing the opportunity to stage personnel and equipment at an alternative location in the event of a flood greater than a 100-year flood.
- If the City can complete the purchase the site at Chamber and State and be on the new property by November, the flood risk would not be an issue of concern.

OR

Consider an alternative recommendation, which is to authorize the City Manager to prepare City Hall basement area to serve as an Emergency Fire Station, including the temporary closure of a portion of Park Street for the parking of the fire apparatus and the installation of a temporary power source, temporary fencing, lights and cameras to create a makeshift parking area between the library grounds and City Hall for the following reasons:

- This option provides the best immediate living quarters for the firefighters at the lowest cost.

- The use of the street right-of-way can work and is the least expensive location for the equipment; however, it would look makeshift and be inconvenient for the neighborhood and reduce parking options for library and City Hall patrons, albeit to a lesser degree than use of the City Hall Parking lot.
- The emergency station at City Hall can then be relocated when it is determined when the City will be able to secure the property currently under contract.
- Use of the City Hall basement and Park Street have an estimated cost of \$35,000, including upgrades to the City Hall Basement and temporary power, lighting and security cameras, which is less than the other sites; however, this amount will be borne 100% by the General Fund. Ongoing monthly costs will minimal, making it the most budget-friendly option in the short-run.

FISCAL IMPACT

The fiscal impact will be determined by the site chosen, with a range of \$35,000 to \$70,000, with additional costs for monthly rental for emergency living quarters if a site other than City Hall is selected. The monthly rental costs are approximately \$4,000 a month plus set up costs. The City is currently paying LCFD #6 \$3,000 a month, which is included in the budget, so there is some budgeted money to offset the expected costs.

SUGGESTED MOTION

I move that the City Council authorize the City Manager to take the steps necessary, including the expenditure of funds and the signing of agreements, to establish an Emergency Fire Station location at the City owned property on Arkansas OR alternatively at City Hall.

Fire Station Location Pros and Cons List - June 5, 2020

Fire Station Location Pros and Cons List - June 5, 2020	
Location	Cons
<p>City Hall</p> <p>City Owned - Under Our Control Available Immediately</p> <p>Available Space has Amenities - incl Technology</p>	<p>Parking/Available Left Turn</p> <p>Interference with Other Departments (Police, Court, Admin)</p> <p>Security Fencing Needed for Apparatus</p>
<p>Airport Property</p> <p>City Owned - More Flexibility</p> <p>Improvements Have Been Made to Prevent Flooding</p> <p>Development May Be Paid by Airport</p> <p>Future Lease Rents Increased for "Improved Property"</p> <p>Location</p> <p>Multiple Response Routes</p> <p>Majority of Call Volume of FD North of 13th Street</p> <p>Utilities Already Stubbed to Site</p>	<p>Requires Temporary Mobile Structures</p> <p>A Major Flood Would Require Staging Equipment at Alternative Site</p> <p>Property Needs Development and Prep (Estimated \$75k)</p>
<p>Darigold Lot (Chehalis & Main)</p> <p>Owner Willing to Lease</p> <p>Site Available for Immediate Use</p> <p>Central Location</p> <p>Utilities Already Stubbed to Site</p>	<p>Lack of Control</p> <p>Site Development Costs</p> <p>Cost of Improvements are Not Recoverable</p> <p>Limited Security for Fire Apparatus - Fencing Needed</p> <p>Requires Temporary Mobile Structures</p>
<p>Cascade Traders (State & Chamber)</p> <p>Proposed Site for Permanent Fire Station</p> <p>Location</p>	<p>Lack of Immediate Control</p> <p>Requires Improvements to Sitka</p> <p>Limited Security for Fire Apparatus</p> <p>Requires Temporary Mobile Structures</p> <p>Requires Utility Improvements to Temporary Structure</p> <p>Location</p>
<p>Best Western</p> <p>Hotel Rooms Provide Crew Quarters</p> <p>Large, Accessible Parking Lot</p> <p>Location</p> <p>Misc. Amenities - Breakfast, Gym, Pool, Etc.</p>	<p>Limited Security for Fire Apparatus Fencing Needed</p> <p>Apparatus Would Be Outside with No Climate Control</p> <p>Not Under Our Control</p> <p>Rooms Do Not Have Kitchens - A Per Diem for Lunch and Dinner Would be Needed</p> <p>Parking Area Is Subject to Minor Flooding</p>
<p>Holiday Inn Express <i>(Not Available)</i></p> <p>Hotel Rooms Provide Crew Quarters</p> <p>Large, Accessible Parking Lot</p> <p>Location</p> <p>Misc. Amenities - Breakfast, Gym, Pool, Etc.</p>	<p>Limited Security for Fire Apparatus - Fencing Needed</p> <p>Apparatus Would Be Outside with No Climate Control</p> <p>City Does Not Control the Site</p> <p>Hotel Management Cannot Allow Loss of Parking Area</p>

<p>County Property</p> <p>Location Available Immediately</p>	<p>Plans for the Site in 2021 Not Under Our Control Will Require Emergency Facilities Until Mobile Homes Can be Acquired Any Disruptions to the Site Would Need to be Restored</p>
<p>Fairgrounds</p>	<p>Covered Storage for Apparatus Full Living Quarters</p> <p>Homeless Shelter in Same Complex Showers and Bathrooms are Separate from the Living Quarters Possible Events Hosted On Site Apparatus Security - Fencing Needed Not Under Our Control</p>
<p>Old Fire Station</p>	<p>City Owned Apparatus Could Be Stored Inside to Provide Climate Protection</p> <p>Structural Integrity - Roof, No Insulation, No Vapor Barrier, Corrosion, Wood Rot, Wiring, Etc. Health and Safety Issues Not Enough Time to Fix the Issues for Emergency Station Cost of Repairs Would Be Extensive Extensive Mold Issues Current Water Leaking into the Structure Rodent (Rat & Mice) Infestation</p>
<p>Old Fire Station - ROW</p>	<p>City Owned Apparatus Could Be Stored Inside to Provide Climate Protection</p> <p>Cannot Place Temporary Quarters In ROW Without Placing Over Utilities Would Require the Closure of a Portion of NW Park St. BNSF Would Not Allow Placement on Front St ROW Needs Additional Service Connections for Utilities</p>
<p>Misc. Sites (Cascade School, Les Schwab, Eagles Parking Lot, Moerke Pump & Drilling, Former L&E Parking Lot, and Conrad Industries Recycling)</p>	<p>Sites Are Not City Owned - Lease Negotiations Needed Lack of Feasibility for Emergency Occupancy Cascade School - Under Contract - Not Available Les Schwab - Safety Concerns of Existing Building, Lack of Showers, and Apparatus Unable to Fit in Bays Eagles Lot - No Existing Services Moerke Site Subject to Localized Flooding L&E Bottling Adjacent to Marijuana Grow Business Conrad Industries - Showers Separate from Living Quarters and Location Adds to Response Times</p>

Summary of Conditions at Potential Emergency and/or Long-term Temporary Fire Station Sites

June 4, 2020

CITY HALL

(Emergency Site: Needs to be Available to Occupy by 7/5/2020)

Proposed Living Quarters (Basement)

- The basement of City Hall, previously set up by the county as an emergency operations center, has all necessities for an emergency crew quarters facility
- The space includes a full kitchen, bathrooms (including a private bathroom with a shower), a workout room, and two separate rooms which may serve as a workspace and a living space. The workspace may be completely closed off from the living space. The living space is large enough to provide space for three separate bedrooms and a living area, which could be completed at a low cost
- Combination door locks would be installed on the exits to provide security for the firefighters and their personal belongings
- The basement has a sprinkler system, fire alarm system, and two separate points of egress that meet with the City's congregate housing facilities building code. The only provision that may not meet this code is the interior doors which provide a fire barrier, which can easily be replaced to bring the quarters up to code
- As an emergency operations center, the space is set up to function during a power outage and is set up to provide most (if not all) of the fire department's technological needs including internet access

Proposed Apparatus Housing

- Remote controlled advanced indicator beacon system needed with "Stop when Flashing" signage (2 required) with either option
- Either option meets WSRB Apparatus Requirements
- **Option 1 – Parking Lot (Remodel):**
 - *(Public Works Comments):* Due to interference with police operations, the need to back into lot with large apparatus, and high costs to convert parking lot (replace approaches and curb & gutter, removal of planter area, potential relocation of power pole and street light), it is not simple to utilize the parking area to house apparatus
 - *(Fire Chief Comments):* This option would cause the displacement of police vehicles and the general disruption of police operations. There is no power available for shore lines for apparatus. This option would not work for the long term unless a temporary apparatus structure was put in place before the cold weather
 - *(Facilities Comments):* Remodel of the parking lot could possibly fit three fire apparatus but would likely cause an inconvenience for the police department.

This option would also limit citizen access to City Hall, Municipal Court, and the Police Department since they would no longer have access to a parking lot

- **Option 2 – Park Street (Temporary Closure of a Portion of Park Street):**
 - *(Public Works Comments):* Apparatus can be parked on Park Street with temporary road closure from the alley to Market Boulevard. Seven delineator posts would need to be removed on Market Boulevard for apparatus responding to the south. This alternative would have the least impacts on existing City functions; however, it disrupts traffic patterns
 - *(Fire Chief Comments):* This would cause the least disruption to police operations, but it would still require a temporary street closure. Apparatus security would also be an issue on Park Street; fencing would be needed for apparatus security
 - *(Facilities Comments):* The temporary closure of Park Street between Market Boulevard and the alleyway approximately halfway up the street could provide a temporary parking space for apparatus without causing any inconvenience to the police department and minimal inconvenience to citizens. Delineator posts would need to be removed in order for apparatus to exit the street to the left

ARKANSAS (BETWEEN WALMART AND HOME DEPOT)

Emergency Site AND Potentially a Long-Term Temporary Site

- The site is owned by the City, which ensures lease agreements will not be unexpectedly terminated
- The site provides multiple response routes
- This site is closer to the majority of the call volume for the Fire Department
- The proximity to the downtown core meets WSRB distance ratings
- The site is closer to Riverside Fire Authority to meet Automatic Aid Agreements
- Delays due to trains are eliminated
- This site is in a high traffic area, which may cause issues with maneuverability
- Minor grading, fill, and compaction required prior to paving. Replacement of 40' curb, gutter, and sidewalk with driveway approach. Costs of improvements can be paid utilizing Airport funds similar to the filling of Tract 5A; can be leased as "improved property" once vacated by the Fire Department
- While the site is in a flood plain, flood mitigation infrastructure has been completed by the Chehalis Flood Basin to reduce flood severity in the area, including the construction of a new pump station in 2017-18. The site may also be raised above the 100-year flood level to provide protection for the temporary facilities

Proposed Living Quarters

- Pacific Mobile Structures will be required while the site is being prepared and before the pre-manufactured quarters arrive
- Utilities are already stubbed to site (including power, water, gas, sewer, internet access, and telephone services)

Proposed Apparatus Housing

- Remote controlled advanced indicator beacon system needed with “Stop when Flashing” signage (2 required – 4 recommended)
- The Home Depot Manager indicated paved area would be available short-term to house apparatus while site is prepared for long-term temporary facilities
- Site can easily be prepared for a temporary apparatus bay, which could be done in the near future and potentially be deconstructed and used by the Police Department as an evidence garage when no longer needed by the Fire Department

PROPERTY AT CHAMBER & STATE

Long-Term Temporary Site (if Property can be purchased)

- Utilities stubbed to site
- The City is currently in negotiations to purchase the property; however, the feasibility studies are not yet completed
- It is uncertain when the property could be available and under the control of the City

Proposed Living Quarters

- Area is available for temporary facilities that will not interfere with construction of new headquarters station, assuming the City completes the purchase of the site

Proposed Apparatus Housing

- Remote controlled advanced indicator beacon system needed with “Stop when Flashing” signage (2 required, 3 recommended with signalization controls at State & Chamber)
- Some grading, fill, and compaction required prior to paving and preparation for structures off of Sitka
- Replacement of 40’ of curb, gutter, and sidewalk with driveway approach on Sitka to serve temporary structures

Potential as an Emergency Site on July 5, 2020:

- If the purchase is completed, the long-term temporary station would be in place and the location is ideal
- The owners have not been approached about the possibility and it could complicate the negotiations. Unlikely to be agreed to in time to meet the July 5th deadline

PROPERTY AT CHEHALIS & MAIN (DARIGOLD LOT)

Emergency Site AND Potentially a Long-Term Temporary Site

- Owner is willing to lease
- Site available for immediate use
- Central location

Proposed Living Quarters

- Pacific Mobile Structures will be required
- Utilities are already stubbed to site (including power, water, gas, sewer, internet access, and telephone services)

Proposed Apparatus Housing

- No security for fire apparatus; fencing would be needed
- Some grading, fill, and compaction required prior to paving and preparation for structures (Cost of improvements would not be recoverable)

LEWIS COUNTY FAIRGROUNDS

Emergency Site: Needs to be Available to Occupy by 7/5/2020

- This site is located on the north end of the coverage area, which contains the highest call volume
- This site is in the flood plain
- The current Homeless Shelter is on the same site
- After COVID-19 restrictions are lifted, events are likely to be hosted at this site

Proposed Living Quarters

- Current building could easily serve as fire personnel headquarters with a full kitchen and access to restrooms, though restrooms and showers are separate from the living quarters

Proposed Apparatus Housing

- Remote Controlled advanced indicator beacon system needed with “Stop when Flashing” signage (1 required)
- Currently has a covered area with access to electricity needed for apparatus shore lines
- Mark Heron indicated that the subgrade is incredibly soft under pole structure needed for apparatus, and potential to damage pavement with heavy apparatus is very high
- Gate can be upgraded to an automatic gate system for ease of access and increased security
- No security for fire apparatus; fencing would be needed

EXISTING FIRE STATION 48

Long-Term Temporary Site

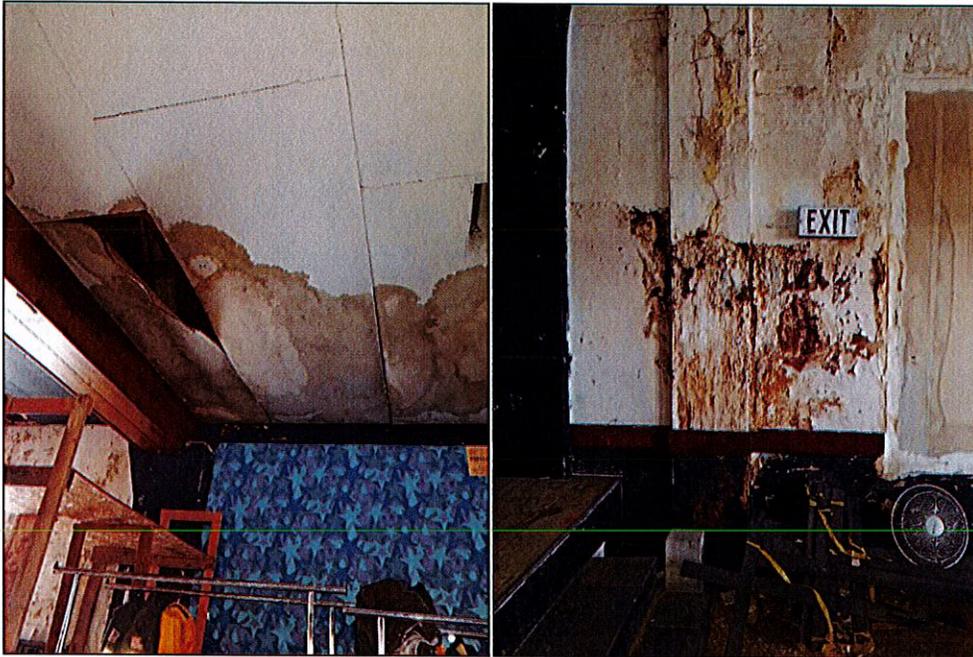
- Major, costly, and time-consuming upgrades would be necessary to repair existing facility for habitation (including repairs to unreinforced masonry, water damage which could lead to mold issues, seismic upgrades, etc.)
- Previous asbestos discovery on the premises
- Current rodent infestation
- Significant health and safety concerns associated with the building unless major investments are made

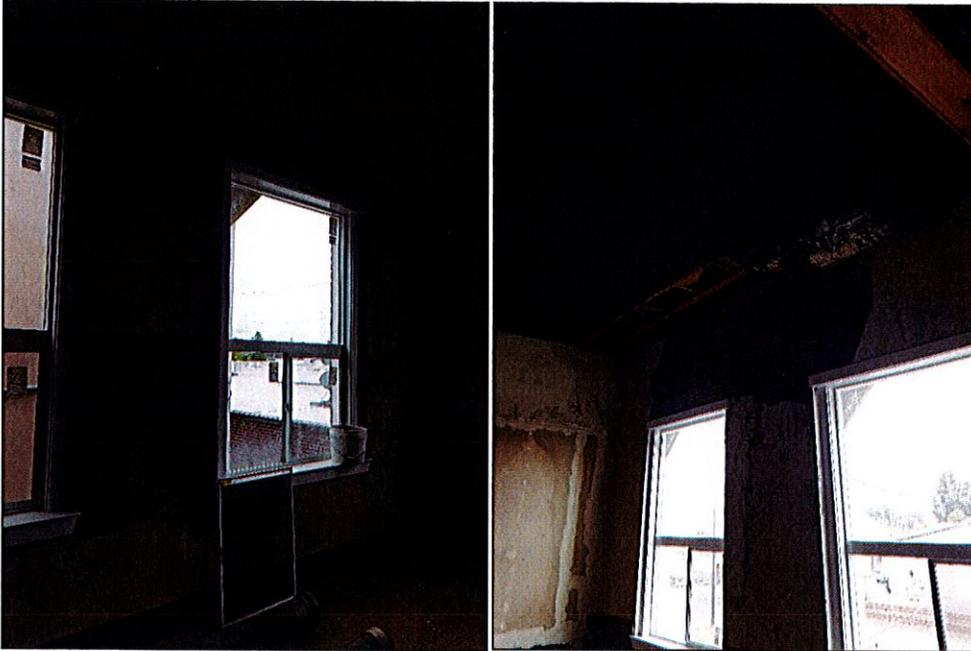
Proposed Living Quarters

- All necessary housing needs are met with this facility

Proposed Apparatus Housing

- Apparatus could be stored inside to provide climate protection
- Susceptible to seismic activity, which could hinder or even eliminate the ability to respond to emergencies after an earthquake





EXISTING FIRE STATION RIGHT-OF-WAY

(Emergency Site: Needs to be Available to Occupy by 7/5/2020)

Proposed Living Quarters

- Would not be able to place living quarters or a temporary apparatus bay on ROW without placing over old utilities (would not be able to repair in the event of failure)
- Would require the closure of a portion of NW Park Street
- Businesses using NW Park would likely be negatively impacted
- Pacific Mobile Structure required until pre-manufactured quarters arrive
- Need additional service connections for all necessary utilities
- BNSF would not allow placement on Front Street ROW

Proposed Apparatus Housing

- Apparatus could be stored inside to provide climate protection

EAGLES PARKING LOT

(Emergency Site: Needs to be Available to Occupy by 7/5/2020)

Proposed Living Quarters

- Needs additional service connections for all necessary utilities

Proposed Apparatus Housing

- Replacement of 40' of Curb & Gutter and sidewalk with driveway approach
- Remote controlled advanced indicator beacon system needed with "Stop when Flashing" signage (2 recommended on Market Boulevard with 20th Street unsignalized)
- No security for fire apparatus

BEST WESTERN

Emergency Site: Needs to be Available to Occupy by 7/5/2020

Proposed Living Quarters

- Hotel rooms are available at a government rate would provide immediate crew quarters
- Best Western offers free breakfasts, a gym facility, and an indoor pool – amenities that offset some of the inconvenience of operating out of a hotel
- The rooms do not have a kitchen, so the City would need to adopt a per diem for lunch and dinner for fire personnel and pay it for the duration of the hotel stay facilities only since they do not have a kitchen
- Rooms could likely be equipped with mini-refrigerators and microwaves, if they do not already have them. (Some rooms do)
- Two or three rooms could be rented to provide sleeping, living, and office quarters
- The use of the rooms would help a local business at a time when occupancy is below normal due to COVID-19
- No large capital outlays would be needed in the short-term

Proposed Apparatus Housing

- A gravel parking lot in the back is large enough to allow parking of two or three engines and easy access from the hotel
- Security is a concern, so additional cameras would need to be installed
- The parking lot area may be subject to some localized flooding, so this would be a very short-term option
- There is no existing protection from the weather at the site

NOT AVAILABLE -- HOLIDAY INN EXPRESS -- EMERGENCY FACILITY

(Emergency Site: Needs to be Available to Occupy by 7/5/2020)

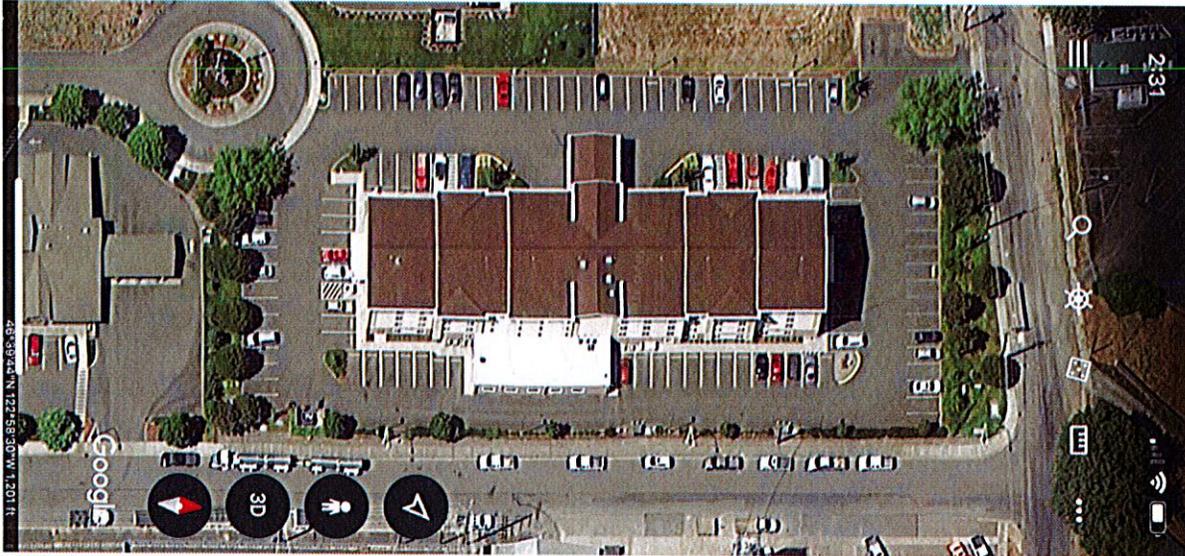
Proposed Living Quarters

- Hotel rooms would provide immediate crew quarters
- Holiday Inn Express has the largest and most accessible parking lot of the four hotels in the City
- Holiday Inn Express is well positioned to provide timely response to all areas of the City
- The rooms do not have a kitchen, so the City would need to adopt a per diem for lunch and dinner for fire personnel and pay it for the duration of the hotel stay facilities only since they do not have a kitchen
- The Holiday Inn Express typically offers free breakfasts, a gym facility, and an indoor pool – amenities that offset some of the inconvenience of operating out of a hotel
- Rooms could likely be equipped with mini-refrigerators and microwaves

- Two or three rooms could be rented to provide sleeping, living, and office quarters
- The use of the rooms would help a local business at a time when occupancy is below normal due to COVID-19
- No large capital outlays would be needed in the short-term
- Miscellaneous Amenities: Breakfast, gym, pool, etc.

Proposed Apparatus Housing

- Remote controlled advanced indicator beacon system needed with “Stop when Flashing” signage (2 required)
- Parking lot is large and accessible
- There are two driveways accessing the site, providing multiple options for call response
 - There is a wide driveway providing access to and from the Hotel via Prindle
 - The front driveway off of Main Street is narrow driveway approach and round-a-bout with very large fountain monument would make exiting difficult for maneuvering; however, Prindle provides a reasonable alternative if the roundabout is too challenging
- Apparatus would be parked outside with no climate control measures
 - Limited security options for fire apparatus
 - Temporary fencing could be established on site to protect the equipment as part of the arrangement with the hotel
 - Installation of cameras could be done at a reasonable cost and potentially connected to an existing security system
- Hotel management cannot allow the loss of parking area



MISCELLANEOUS SITES

Cascade School: While the Cascade School site was not considered a great permanent site, it was evaluated as a potential temporary site because of the large paved area and the potential to use existing facilities or the utility hook-ups. Superintendent Rothlin was contacted by the City Manager to explore the District’s interest in allowing the City to lease the site and learned that the property is currently under

contract to be purchased. As a result, it was considered to be a long-shot and working with the District and the potential future owner could be a time-consuming complication.

Les Schwab: The facility is constructed with unreinforced masonry blocks, posing some of the same safety concerns as the existing fire station. The buildings do not have showers and the bays do not appear to be large enough to hold the larger engines. This had been discussed as a possible permanent site, if the preferred site at Chamber and State was not available. In order to be effective as a permanent site, the existing buildings would need to be demolished and the intersection would need to be reconfigured.

County Owned Parking Lot between NW North Street and NW Center Street behind Vacated Chehalis Avenue Properties: The lot owned by the County is a reasonable location for an emergency site. Although, the lot does not have any temporary structures on it that could provide for temporary housing and would require emergency facilities until mobile homes could be acquired. The County does have plans for this lot in early 2021 and would require that all disruptions to the site be restored prior to the City vacating the lot.

City of Chehalis Memorandum

Date: June 4, 2020
To: Mayor Dawes and Members of the City Council
From: Jill Anderson, City Manager
Subject: Need for an Emergency Fire Station – Background and Condition of Fire Station 48

INTRODUCTION

On May 1, the City received formal notice that Lewis County Fire District #6 was terminating the station use agreement with the City of Chehalis that had been approved in 2019. The 2019 agreement was approved by both agencies in order to extend a temporary lease agreement that was put in place after the Chehalis Fire Department moved into Lewis County Fire District #6 in August 2017 when the identification of asbestos required evacuation of the Fire Station 48. The City has until Sunday, July 5 to vacate LCFD #6.

Since receiving the notification, the City has evaluated multiple sites for feasibility as possible emergency fire station locations, including Station 48, the City's former fire station. An agenda report for the Monday, June 8, City Council meeting summarizing the options that have been considered is being prepared for your consideration. In the meantime, I will attempt to address the natural question about the feasibility of using the "old" fire station on an emergency basis until a long-term temporary or a new permanent station can be built. This memo attempts to summarize the situation and answer the multitude of reasonable questions that have been raised about returning to the station on an emergency basis. I believe that after reading the memo, it will be clear why I strongly recommend that Station 48 not be used as an emergency fire station location. The reasons I will outline include concerns about the health and safety of the City's firefighters, liability issues, and the inability to respond to our community in the event of an earthquake.

If the City Council would like to reconsider making the necessary investments in restoring the historic Fire Station building so that it can be used again in the future instead of purchasing a new site and building a new fire station, I will do that with your direction to do so. In the meantime, I am preparing an agenda report, with much assistance from staff, to address the urgent issue of relocating the Fire Department to a workable location when the station use agreement with LCFD #6 expires on Sunday, July 5, 2020, as noted above.

BACKGROUND

REASSESSMENT OF STATION CONDITIONS IN FALL OF 2016

The City's Fire Department had been working out of Station 48 for more than 90 years. By 2016, the building had fallen into a state of disrepair due to the lack of an ongoing maintenance plan and ongoing funding commitment to maintain a historic structure being used 24 hours a day as an essential facility. The City's limited financial resources, made even worse by the Great Recession, made it difficult to address the significant and continuous maintenance requirements of a large historic structure used for a 24/7 operation. It is my understanding that some of the preventative maintenance was also delayed due to the expectation that the City would successfully consolidate with or annex to another agency in order to provide fire service in a more cost effective manner. Unfortunately, the savings anticipated did not materialize despite the City's best efforts.

In late 2016, the City Council was made aware of how significantly the condition of the building had deteriorated. While it was reported that the roof had been replaced in the decade prior to 2016, there was still evidence of water damage and ongoing leaks throughout the building. The damage seemed to be caused by leaks through the window frames which were no longer water tight. Sections of the interior walls and ceiling were failing, from age and/or water damage. Firefighters reported multiple incidents of chunks of plaster falling from the ceiling and walls and there was even an incident in the office where ceiling tiles fell onto a work station, which was fortunately not being used at the time. In addition, there were reports and evidence of rodents and mold, that seemed to be resistant to all efforts to control them.

The City's Firefighters were understandably very concerned about the working conditions, as was the Fire Chief. In the Fall of 2016, the Fire Chief briefed me, as the new City Manager, about the condition of the Fire Station and provided a tour of the Station, which was in very poor condition. Shortly thereafter, we briefed the City Council Budget Committee regarding the health and safety concerns related to the building. In response to the information about the poor condition of the Fire Station, the City Council approved \$75K in the 2017 Budget with the recommendation of the Budget Committee. There was also an acknowledgement that more money might be needed to address the wide range of issues moving forward.

STRUCTURAL ENGINEER'S REPORT - 2017

As plans for the station repairs proceeded in late 2016 and early 2017, it became apparent that repairs would not be simple due to the age and condition of the building, which was more complicated due to the moisture associated with the building materials, as well as the damage from actual leaks. The wood rot that was obvious raised concerns about what damage may not be visible, so a structural engineer, James W. Ashley-Cole, P.E., was hired to do a limited visual observation to determine the structural integrity of the building. That report is dated April 28, 2017 and concluded that the building needed major repairs to prevent collapse in a seismic event and would need a seismic retrofit to achieve compliance with current building codes applicable to current building standards:

This structural assessment has been limited to the visible portions of the building structure not concealed by architectural finishes. The preparation of a detailed engineering analysis comparing the capacity of the structural components or systems with the current building code requirements has not been performed or requested and exceeds the scope of services authorized. In my opinion, the preparation of such an analysis would likely indicate unacceptable levels of over stress in several structural systems as compared to the current Building Code and the Uniform Code for the Abatement of Dangerous Building.

There are numerous deficiencies in structural and non- structural building systems in the Chehalis Fire Station. The probable cost to retrofit the building to achieve compliance with the importance factors for an essential facility specified by the current Building Code and BPON (Basic Performance Equivalent to New Building Standards) will likely exceed the cost to provide a new facility.

The report continues and provides a list of recommended improvements to focus on Collapse Prevention, which is the lowest performance level considered for building structures while the City made plans for a permanent solution:

In the interim it is recommended that a program of limited improvements and repairs be implemented in the near term for the more critical components of the building structure. These limited improvements and repairs will decrease the potential magnitude of the more significant hazards in the building with targeted Collapse Prevention but should not be considered to be a seismic retrofit. In my opinion, significant deficiencies will still be present in the building relative to other essential facilities designed to current Building Code standards and operation al standards for a fire station.

The 2017 report then identified an estimated \$222,000 of interim repairs to address some of the most immediate concerns.

INTERIM QUESTION IN 2017: REPAIR OR MOVE?

The Structural Engineer's report was of significant concern and raised the question of whether or not it would be better for the Fire Department to be moved to an interim location for safety. The problem then, as it is now, is that there are few available locations big enough for even an interim station in areas that do not flood. Other issues include call response times and leveraging the response capacity available through mutual aid agreements.

In addition to the safety concerns, as well as related liability, the City considered investing in the building, assuming a figure of \$250K - \$300K. It also considered the costs of an interim station at a City owned site near Walmart and Home Depot, which at that time would have cost about the same.

During the evaluation, the options were reviewed with the City's Fire Union, IAFF 2510, which indicated that the Firefighters would prefer to have the investment made in Station 48, rather than move to an interim station, even with the structural concerns. At that time, the Firefighters and the City acknowledged the risk but the building had survived a long time without collapsing in an earthquake, so

the decision was to invest in the existing building with the recognition that a new fire station was needed and would be pursued diligently.



RENOVATIONS BEGIN IN SUMMER 2018

In addition to the recommendations in the Structural Engineer's report, the City staff, with Chief Cardinale's leadership, identified a list of improvements that would make the building safer and more livable for a period of 3 to 5 years while efforts to build a new fire station continued. This effort would need to include the ability to secure/purchase a suitable site for a fire station; prepare design and engineering documents; and develop a funding plan.

The renovation project was to include the replacement of the building windows; the installation of new flooring in the apparatus bays, office and living areas; as well as extensive repair of wall and ceiling material to correct water damage; painting of most of the ground floor areas; as well as some basic updates to the living quarters to make them more functional and attractive.

During the removal of the floors, a question was raised about asbestos and samples tested positive for very small amounts of asbestos. When the presence of asbestos was identified, the Fire Chief immediately vacated the station. LCFD#6 graciously agreed to allow Chehalis to immediately move into its station, where the Fire Station continues to operate today.

The asbestos issue and the subsequent work to clean the equipment and areas impacted, using professional contractors, raised more questions about what problems and costs that could be encountered during the remaining parts of the renovation project. It also prompted a review of the status of the building repairs that had been done and those that still needed to be done. After the complications associated with the asbestos incident, I (Jill Anderson) had increasingly serious concerns about the potential safety and financial risks associated with trying to make improvements to a building with severe structural deficiencies, including unreinforced masonry, water damage, wood rot, and susceptibility to seismic activity.



This led to further reconsideration of the risks of trying to repair the structural issues and the associated liabilities of continuing to use the building as an essential facility with City employed Firefighters living there 24 hours at a time. While the building was not at risk of collapsing under its own weight, the building could collapse in the event of an earthquake or other outside impact such as high winds or snow accumulation. Directing public employees to report to work a 24- hour shift in a building that has documented structural issues, even if it is their preference, creates a set of liabilities associated with the higher legal standards for public entities.

I shared my concerns about the health and safety concerns, as well as the potential liability with you, the City Council, which led to a temporary and then a long-term station use agreement with LCFD #6.

While the effort to invest limited City funds into a City building, rather than a temporary site, was a reasonable risk to take at the time, it proved to be more costly and complicated than originally expected. Fortunately, the City was able to enter into an extended Station Use Agreement with LCFD #6 in March 2019, which set forth rent and other terms for sharing of the station. Unfortunately, that is no longer working well for LCFD#6 and gave they gave the City formal notice of termination at the end of April with an effective date of July 5, 2020, giving the City just over 60 days to vacate the LCFD #6 station.

CURRENT SITUATION – NEED A LOCATION BY JULY 5, 2020

CITY IN THE PROCESS OF BUYING A SITE FOR A NEW FIRE STATION

The notice from LCFD #6 and the need to find a location quickly has again raised several questions and concerns about where to go next. Making an investment in any site seems financially questionable because the City has submitted a purchase offer on a piece of property for a new fire station and is in the process of assessing the feasibility of the site for a fire station. This includes assessing the geotechnical and environmental conditions, as well as making sure the property can accommodate a 21st Century fire station.

- The current feasibility period is scheduled to end on June 9, 2020
- A Phase II Environmental Document is needed and additional soil samples are needed. It is likely that an additional extension will be needed for the test results to be completed and analyzed.
- A verbal request has been made to the City's real estate representative to extend the feasibility period to July 9, 2020

The City has also contracted with the Architectural Firm of Rice Fergus Miller to assist with the evaluation of the proposed property, assess specific alternatives and prepare the preliminary design and engineering documents.

While there is optimism that the purchase of the property will be completed, the City will not have possession of this site until sometime this Fall, assuming there are no issues with the Phase II results and the proposed funding plan can be executed in the uncertain economic environment caused by COVID-19.

THE NEXT QUESTION: CAN WE USE THE OLD FIRE STATION TEMPORARILY?

In consideration of the fiscal constraints facing the City and the possibility of securing a piece of property for a permanent new fire station, several people, including Firefighters, have asked about the possibility of moving back into the old station. The idea is that the building is not ideal but it has lasted this long, so why not try and make it work. This is reminiscent of the discussions that took place in 2017 and 2018 and led to the Summer 2018 renovation project that uncovered the asbestos. That being said, these are difficult financial times and we have no obvious place to house a fire department. In order to address the question of whether or not Station 48 can be used as an emergency fire station, the associated safety and liability issues have been revisited.

Structural Concerns

As part of the alternatives analysis, the City asked Rice Fergus Miller to do a peer review of the Limited Visual Observation conducted by James W. Ashley-Cole, P.E. in April 2017. The firm of Reid Middleton, Inc. was engaged and its principal, Corbin M. Hammer, P.E., SE provided a peer review report dated May 12, 2020.

The Reid Middleton Report identifies “performance levels that buildings are required to meet based on different earthquake levels: these performance levels are Collapse Prevention, Life Safety, and Immediate Occupancy.” Collapse Prevention is the lowest performance level and Immediate Occupancy is considered the highest performance level for buildings. “At the Collapse Prevention level, the risk of injury to occupants is moderate and the structure is no likely repairable after an earthquake.” The report goes on to state:

“Due to the combination of building type and risk category, the vacated Chehalis Fire Station does not appear to meet the Collapse Prevention, Life Safety, or Immediate Occupancy performance levels as determined by ASCE 41-17.”

Ultimately, the Reid Middleton report confirms the findings of the 2017 Limited Visual Observation with the following summary:

“Reid Middleton agrees with the observations, findings, and recommendations noted in the “Limited Visual Observation” report of the existing Chehalis Fire Station, completed by James W. Ashley-Cole, P.E. and dated April 28, 2017.”

Liability Issues

As noted above, after the asbestos issue in Summer 2018, the structural analysis from 2017 was revisited and it was determined that any additional work to the facility might uncover more costly repairs and create more concerns about the safety of the facility. A copy of the structural assessment was given to the City’s insurance risk pool, Washington Cities Insurance Authority (WCIA) to get their opinion on the structural issues of the Chehalis Fire Station, to get a better assessment of the potential liability issues associated with relocating back to Station 48.

In talking with WICA Claims Manager Reed Hardesty, he advised after reading the 2018 report that the facility was loaded with exposure liability, but declined to put this in writing as it might put the city at risk for negligent exposure liability down the road, which could create financial exposure to the City (and its risk pool). Mr. Hardesty advised that based on the information we have about the facility the City would have no defense against any claim made by someone from the public or by city personnel. With that information and the good working relationship with LCFD#6, work began to develop an extended agreement with LCFD#6 to continue to house City personnel and equipment at their station.

More recently, the question has come up regarding the use of a waiver or hold harmless agreement to allow our personnel to move back into the old fire station in its current condition. At the advice of our Assistant City Attorney, Erin Hillier, a waiver/hold harmless agreement would not be adequate to protect

the City from the myriad of claims and potential liability under the current circumstances. Ms. Hillier advised that the City cannot contract against its own negligence or liability where it knows the condition and potential associated risks.

Recommendation AGAINST the Use of Station 48 as an Emergency/Temporary Station

While Station 48 has new windows and some of the improvements to ground floor ceilings and walls were completed, the building has continued to deteriorate since August 2018 because of ongoing issues related to the difficulty of weatherizing a building constructed in 1925 with no vapor barrier and no insulation. In addition, the City would be risking significant liability associated with potential safety issues related to other building systems, such as the piecemealed electrical system, not to mention the structural issues.

Therefore, the City Administration strongly recommends AGAINST the use of Fire Station 48 as an emergency or temporary facility unless there is an allocation of funds to make the renovations required to adequately address the building's structural deficiencies to meet at minimum, the Collapse Prevention building performance level.

Based on the information available to date, the ability to accomplish the work needed prior to July 5 or even in the next several months would be difficult. In addition, funding would need to be secured to have funds to cover the estimated repairs and a healthy contingency due to the age of the building and the nature of the required improvements. The base estimate was \$222,000 in 2017 and it is now likely that the entire roof will likely need to be replaced, most likely bringing the total a very roughly estimated \$750K, potentially more. A specific cost estimate is not available at this time. If the City Council would like to proceed with repairs to the existing fire station, arrangements can be made to obtain an engineer's cost estimate.

CONCLUSION

RECOMMENDATION

While the agenda report for the City Council meeting of June 8, 2020 will include a brief summary of the pros and cons of using Station 48, it will not be recommended for use as an emergency fire station location based on the information provided in this memo. I hope that you will find the more extensive background information to be helpful as an additional memo rather than included in the agenda report.

MOVING FORWARD

Thank you for taking the time to consider the information provided in this memo. I recognize that some of the information in this memo has been provided to you as part of other reports over the last three and half years, so it may seem familiar to those of you who have been on the City Council for a long time. The goal of the memo is to provide the background information for those that are not familiar with the history of the Station, while addressing the questions that have been raised about the current condition of Station 48 in one document.

I also appreciate that you have all taken the time to be briefed in groups of two or three regarding the condition of the former fire station, as well as the other possible options for an emergency fire station. The small Council briefings were particularly helpful since we were not able to meet in person for a workshop on the situation due to the restrictions placed on public meetings by Governor Inslee due to the COVID-19 pandemic.

I would also like to thank Fire Chief Cardinale, Public Works Director Trent Lougheed, Facilities Manager Andrew Hunziker, HR Manager Judy Schave, and Administrative Assistant Kiley Franz for the work that they have done to assist with the preparation of this memo. If you would like to discuss this matter further, review the reports, take a tour of the station, or have questions about the future of the building, please let me know. With the help of my capable staff, I am confident that we can work through any issues that may come up as we discuss this challenging issue.

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**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, Acting City Manager

BY: Trent Lougheed, Public Works Director

DATE: June 8, 2020

SUBJECT: Resolution No. 7-2020, First and Final Reading, Formally Declaring an Emergency Relating to the Need of an Emergency Temporary Fire Station Facility and Assigning Emergency Contracting Authority to the City Manager

ISSUE

The City has received recent and unanticipated notice to terminate the interlocal agreement to operate Chehalis Fire Department (CFD) through Lewis County Fire District 6 facilities. Said notice effectively terminates the facility use to the CFD by July 5, 2020. The City must find immediate emergency facilities from which to operate the CFD and to avoid interruption in emergency service to the public.

BACKGROUND

On Wednesday, August 1, 2018 it was discovered that contractors hired to make repairs to Station 48 had removed floor tiles that contained asbestos, causing the fibers to go airborne and subsequently contaminating portions of the building, equipment, and the apparatus. Station 48 was evacuated, and arrangements were made with neighboring fire agencies to house the firefighters, as well as provide Chehalis Fire with loaned apparatus and equipment so the fire department could remain functional. A structural report provided by a licensed engineer indicated that the existing fire station building was structurally deficient, which led to the long-term temporary agreement with District 6.

DISCUSSION

The City received official notice from District 6 that we were given 60 days to vacate the building, and that co-habitation of their facilities was no longer a viable alternative. At this time, the City has until July 5, 2020 to find alternative emergency and long-term temporary facilities to house the firefighters and apparatus to maintain essential emergency services with the City of Chehalis. A second engineering evaluation of the existing fire station building confirmed the structural deficiencies identified in the first structural analysis, which the City received on May 12, 2020.

Due to the short timeline to find emergency temporary and long-term temporary housing solutions, the City cannot comply with the City's and State's bidding requirements for work needed to provide temporary facilities that can function as needed for these essential emergency services. Once a site is selected, the City must be able to immediately contract with a construction company to complete the necessary improvements in the next 27 days. Therefore, it is necessary to enter into contracts and incur obligations without complying with City and State competitive bidding requirements.

This work is necessary to respond to this emergency to protect the health and safety of citizens that visit and reside or work in the City of Chehalis.

FISCAL IMPACT

The fiscal impact has yet to be determined.

RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 7-2020 on first and final reading.

SUGGESTED MOTION

I move that the City Council adopt Resolution No. 7-2020 on first and final reading.

RESOLUTION NO. 7-2020

**A RESOLUTION OF THE CITY OF CHEHALIS, WASHINGTON,
FORMALLY DECLARING AN EMERGENCY RELATING TO THE NEED
OF AN EMERGENCY TEMPORARY FIRE STATION FACILITY AND
ASSIGNING EMERGENCY CONTRACTING AUTHORITY TO THE CITY
MANAGER.**

WHEREAS, the presence of asbestos was found during the process of renovations (removal of floor tiles) at the Chehalis fire station located at 455 NW Park Street; and

WHEREAS, the presence of asbestos required the building to be vacated by city staff in order to have the asbestos abated through a licensed asbestos contractor; and

WHEREAS, a structural report by a licensed Engineer in the State of Washington determined the existing fire station building structurally deficient; and

WHEREAS, Lewis County Fire District 6 and Riverside Fire Authority provided automatic aid during the temporary shut-down of the department; and

WHEREAS, the Fire Department staff was relocated to the Lewis County Fire District 6 station to conduct emergency responses; and

WHEREAS, Lewis County Fire District 6, submitted official notice to the City that co-habitation of their facilities is no longer a viable alternative, resulting in the need to find Emergency Temporary Facilities by July 5, 2020; and

WHEREAS, there is a present emergency which necessitates utilization of emergency powers granted pursuant to RCW 35.33.081, RCW 39.04.280, and RCW 39.80.060; now, therefore

THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. It is hereby declared by the City Council that, in accordance with the terms and conditions of RCW 35.33.081, RCW 39.04.280, and RCW 39.80.060, there is an emergency due to the above stated conditions in Chehalis. Therefore, the City Manager is authorized to waive competitive bidding requirements, award all contracts and incur obligations necessary to immediately address said emergency, protecting the health and safety of persons and property.

Section 2. The City Manager is authorized, in accordance with the terms and conditions of RCW 35.33.081, RCW 39.04.280, and RCW 39.80.060, to exercise the powers vested under Section 1 of this resolution in the light of the exigencies of an emergency situation without regard to time-consuming procedures and competitive bidding requirements.

Section 3. The City Manager may undertake contracting authority subject to the terms and conditions and provisions of this resolution.

Section 4. Notwithstanding the authorizations set forth in Section 1 of this resolution, the City Manager shall endeavor to secure the most competitive price available for goods and services, subject to the terms, conditions, and provisions of this resolution.

Section 5. The emergency authority granted under this resolution shall expire 90 days from the date of the adoption of this resolution unless specifically authorized by the City Council.

ADOPTED by the City Council of the city of Chehalis, Washington, and **APPROVED** by its Mayor, at a regularly scheduled meeting on the _____ day of _____, 2020.

Mayor

Attest:

City Clerk

Approved as to form and content:

City Attorney

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Trent Lougheed, Public Works Director

DATE: June 8, 2020

SUBJECT: Ordinance No. 1007-B, First and Final Reading - Providing for and Establishing Charges, Rates, and Fees for Installations and Connections to the Water System and the Providing of Water Services

ISSUE

City Council consideration is requested regarding the addition of language to the current ordinance relating to water rate charges, specifically regarding water connection fees.

DISCUSSION

The City received a letter (attached) from the Army Corps of Engineers to request a reduction in the Capital Facilities Charge (CFC) for temporary water and sewer service connections for remediation of the Hamilton/Labree Roads Groundwater Contamination Superfund Site located on North Hamilton Road. The connections are expected for approximately one-year.

The Chehalis Municipal Code (CMC) 13.16.030 allows for a reduction in CFCs for connections to sanitary sewer from temporary remediation projects by a factor of 0.025; however, the CMC does not specifically grant that same reduction in CFCs for connection to the public water system for temporary remediation projects.

The following inquiry was sent by the City attorney to MRSC:

The City of Chehalis has a code provision that allows for a reduced temporary connection fee to sewer under special circumstances, such as ground water remediation projects. This is Chehalis Municipal Code 13.16.030. There is no such provision with regard to water connections in the code – just for sewer, and I am unsure why this option was not included in both. There has been a request by the Army Corps of Engineers to also have a reduced temporary connection fee for water during a superfund site cleanup. This raises a couple of questions: 1) Is there any prohibition or limitation for the City to adopt a similar reduced temporary connection fee for water as well? I am not finding limitations in my research, but I don't want to miss something important.

MRSC provided the following response:

RCW 35.92.025 allows for connection charges, but doesn't include any procedural requirement like a public hearing. You should be careful that the temporary charge reflects an equitable share of

the cost of the system based on historical costs and not on future costs. This was the specific holding in Boe v. Seattle, 66 Wn.2d 152 (1965).

Also, as with all rate structures, you must treat all similar customers equally. So, make sure your criteria for the reduced temporary connection fee are clear and can be applied consistently to all qualifying customers.

In addition to new language to address temporary water connection fees, the proposed ordinance also included:

- Deletion of previously included incremental rates increases for 2012 – 2014
- Change of the title of Finance Manager to Finance Director
- Renumbering of sections.

FISCAL IMPACT

Peak water usage would occur for approximately six (6) months between November, 2020 and May, 2021 (typically a period of lower system demands). Rates during peak usage will be relatively constant 24 hours per day, seven days per week. It should be noted that the project schedule is still fluid, particularly considering COVID-19 and its implications. Connection to Chehalis utilities may be significantly delayed, perhaps up to 1-year, if it is determined that project enabling work expected during 2020 cannot be realized.

Expected water and sanitary sewer usage rates are as shown, below.

Anticipated Utility Usage

July – November 2020

- Water -occasional use –low rate, low volume
- Sewer -occasional use –period of up to 20 days of dewatering discharge at up to 15 gpm

November 2020 – May 2021

- Water –continuous use estimated at 14.5 gpm (20,880 GPD)
- Sewer –Continuous use estimated at 16.8 gpm (24,192 GPD)

Considering the temporary nature of this project and the public interest it serves, the Army Corps of Engineers is requesting that the City apply the same reduction factor of 0.025 to the currently projected CFC of \$144,141.60 for the temporary connection to the water system, reducing that charge to \$3,603.54.

RECOMMENDATION

It is recommended that the City Council pass Ordinance No. 1007-B on first and final reading since this is a time-sensitive request by the Army Corps of Engineers to allow cleanup of the site. Resolution No. 6-2017, which establishes an order of procedure for City Council meetings, requires two readings of ordinances that have a financial impact. Staff is therefore requesting that the City Council suspend the rules requiring two readings of the ordinance.

SUGGESTED MOTIONS

- 1) I move that the City Council suspend the rules requiring two readings of an ordinance.
- 2) I move that the City Council pass Ordinance No. 1007-B on first and final reading.



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, SEATTLE DISTRICT
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

REPLY TO
ATTENTION OF

Environmental Management, CENWS-PMM

MEMORANDUM FOR: Mr. Trent Lougheed
Director, City of Chehalis, Public Works Department
2007 NE Kresky Avenue
Chehalis, WA 98532

SUBJECT: Temporary Water and Sewer Service Application EN-20-005
Hamilton/Labree Roads Groundwater Contamination Superfund Site
Chehalis, Washington

DATE: 20 May 2020

Mr. Lougheed,

We are writing this letter to request a reduction in the Capital Facilities Charge (CFC) for the temporary water service connection necessary for our remediation of the Hamilton/Labree Roads Groundwater Contamination Superfund Site located on North Hamilton Road. URS Group, Inc. submitted Application EN-20-005 in furtherance of US Army Corps of Engineers (USACE) contract to perform environmental remediation at the Hamilton Labree Roads Superfund Site located just to the south of the City of Chehalis. USACE is administering this contract in support of the US Environmental Protection Agency's (USEPA's) cleanup program at this site.

Expected water and sanitary sewer usage rates are as shown, below. Connections are expected for approximately 1-year with peak usage occurring for approximately 6 months between November and May 2021. Rates during peak usage will be relatively constant 24 hours per day, seven days per week. It should be noted that our project schedule is still fluid, particularly considering COVID-19 and its implications. Connection to Chehalis utilities may be significantly delayed, perhaps up to 1-year, if it is determined that project enabling work expected during 2020 cannot be realized.

Anticipated Utility Usage

July –November 2020

- Water -occasional use –low rate, low volume
- Sewer -occasional use –period of up to 20 days of dewatering discharge at up to 15 gpm

November –May 2021

- Water –continuous use estimated at 14.5 gpm (20,880 GPD)
- Sewer –Continuous use estimated at 16.8 gpm (24,192 GPD)

May -June 2021

- Water -occasional use –low rate, low volume
- Sewer -occasional use –low rate, low volume

The Chehalis Municipal Code (CMC) 13.16.030 allows for a reduction in CFCs for connections to sanitary sewer from temporary remediation projects by a factor of 0.025, and that reduction has been applied to our invoice. However, the CMC does not specifically grant that same reduction in CFCs for connection to the public water system for temporary remediation projects. Considering the temporary nature of this project and the public interest it serves, we request that the Public Works Department apply the same reduction factor of 0.025 to the currently projected CFC of \$144,141.60 for our temporary connection to the water system, reducing that charge to \$3,603.54.

We understand that other usage charges will not be discounted, and note additionally that the operational period for the remediation system occurs during the traditionally non-peak period for the water system and should therefore be met without burden to the existing infrastructure.

The parties responsible for this contamination have not been identified, and therefore this remediation project is being paid for with taxpayer dollars through the USEPA and the State of Washington. USACE's contract with URS is cost reimbursable, and therefore any reduction in the proposed CFC would benefit the taxpayer directly, as opposed to accruing to the URS contract, and would have the effect of 'freeing-up' both federal and state dollars for other uses on this or other public requirements.

Thank you for considering this request. If you have questions or would like additional information on this project please contact me at 206-764-3448, karl.j.kunas@usace.army.mil.

Sincerely,

KUNAS.KARL.J.123014

4377

Karl J. Kunas, P.E., PMP
Project Manager

cc:

USEPA Region 10 (L. Meyer)

URS Group, Inc. (M. Krause)

ORDINANCE NO. 1007-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON, PROVIDING FOR AND ESTABLISHING CHARGES, RATES, AND FEES FOR INSTALLATIONS AND CONNECTIONS TO THE WATER SYSTEM OF THE CITY OF CHEHALIS, AND THE PROVIDING OF WATER SERVICES; REPEALING ORDINANCE NO. 865-B, PASSED THE 14th DAY OF FEBRUARY, 2011; REPEALING ORDINANCE NO. 900-B, PASSED THE 22nd DAY OF OCTOBER, 2012, CODIFIED IN THE CHEHALIS MUNICIPAL CODE AS CHAPTER 13.12; AND ESTABLISHING THE EFFECTIVE DATE HEREOF.

THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DO ORDAIN AS FOLLOWS:

13.12.010 Definitions.

The following words or phrases shall have the meanings set forth for the purposes of this ordinance:

“Connection” means any physical connection to the city water system by any water service or any private water system, or any pipeline extension.

“Cost” means the cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

“Customer” means any person, firm, or corporation obtaining or using water service from the water system of the city.

“Equivalent residential unit (ERU)” means or refers to a unit of water capacity determined by the city to be equivalent to the capacity (or average capacity) typically used by, or allocated to, a single-family residential dwelling unit. For the purposes of this ordinance an ERU of water capacity shall be equal to 300 gallons per day of water use as determined through the standard water billing process.

“Income” means gross income as defined in Section 61(a) of the Internal Revenue Code of 1954, as now in effect or hereafter amended, plus any and all Social Security retirement and/or disability payments, Veterans Administration retirement and/or disability payments, Railroad Retirement Board pension and/or disability payments, and payment received from any other public or private pension, retirement, profit sharing and disability plans, unemployment compensation, and income from any other source.

“Low-income senior citizen customer” means a person who is 62 years of age or older and whose total income, including that of his or her spouse or co-tenant, does not exceed the sum of the existing State of Washington Department of Community, Trade and Economic Development low household income figure for community development block grant (CDBG) projects.

“Totally disabled customer” means any person who has been classified as totally disabled by the Social Security Administration and whose total income does not exceed the amount provided for low-income senior citizen customers.

13.12.020 Costs of installation.

A. The costs of installation to the city water system shall be as follows:

<u>Service Size</u>	<u>Meter Size</u>	<u>Cost</u>
¾"	5/8" x ¾"	\$ 700.00
1"	1"	1,000.00
1- 1½"	1- 1½"	1,500.00
2"	2"	2,000.00

B. These costs shall include meters where open cutting or conventional boring methods and direct burial of the service lines are not permitted. Where special conditions exist or special approvals and permit fees are required, all costs and fees associated with such restrictions, and any special conditions, shall be added to the above installation costs.

C. Where it is necessary to open cut paved roadway or to cross under a sidewalk and/or improved area between the curb and the property line to install the service, the customer shall also be charged the costs necessary to restore the disturbed roadway, sidewalk, or improved area to its original condition or better condition. Such costs for restoration shall include time and materials plus overhead charges.

D. For water service larger than two inches, the costs of the installation will be based on the actual cost for materials, labor, and equipment, plus overhead charges. The customer requesting a service larger than two inches shall pay a deposit in an amount of the public works director's estimate of the cost for construction work and the work shall thereafter be billed on the basis of actual cost difference from the estimated cost, including overhead.

13.12.030 Customer deposit.

A. A deposit in the sum of \$200.00 shall be paid by each residential water customer for accounts to serve premises that are occupied or used by the property owner and billed to the property owner. A deposit of \$200.00 shall be paid by each commercial water customer and each residential water customer for accounts to serve premises that are to be occupied by residential customers other than the owner of said premises at the time of application for a service connection or a service account. The deposit shall be retained by the finance director in a separate account designated "customer deposit account." The deposit paid by each customer shall be refunded to the person paying the deposit at the time their account is closed out, provided there shall be deducted from the deposit any amount due the city for water, sewer or storm drain service rates and charges, including delinquency charges.

B. Any deposit not refunded to the customer or applied on the water, sewer or storm drain account of such customer when the account is closed out shall be held by the finance director for a period of one year after the account is closed out. If demand is not made upon the finance manager for refund of the deposit by the customer paying the same within the period of one year after the account is closed out, the amount of the deposit remaining shall be deemed to be unclaimed property and shall pass to the State of Washington Department of

Revenue, in accordance with the mandates of the Uniform Unclaimed Property Act of 1983, as it now exists or is hereafter amended.

13.12.040 Water service connection fees.

A. A water connection fee shall be imposed for connections to the water system of the city, which water connection fee shall be paid for each ERU at the current rate of \$2,071.00 per ERU. Rates are subject to change upon approval of City Council.

B. The number of ERUs used to determine the charges for water connection fees shall be based on actual water usage, if such usage history is available. If no water usage history or information is available, the number of ERUs used to determine the charges for water connection fees shall be based on the estimated usage, as determined by the public works director.

C. In the cases where estimates of water usage are used to determine the number of ERUs and charges for water connection fees, water usage may be reviewed after the connection is in use for the period of one year. If, after an evaluation has been made, the actual determined number of ERUs is greater than the estimated number of ERUs, an additional charge for water connection shall be required and levied against the owner or person responsible for the connection. If any such additional charges are not paid, the water service shall be subject to disconnection. If, after an evaluation has been made, the actual determined number of ERUs is less than the estimated number of ERUs, a reimbursement equal to the difference in charges for the estimated number of ERUs and charges for the actual number of ERUs shall be made to the owner or person responsible for the connection.

13.12.050 Standby fire protection service capital facilities charges.

Capital facilities charges for connections to the city water system for the purpose of providing standby fire protection service shall be as follows:

<u>Service Size</u>	<u>Connection Fee</u>
2"	\$ 1,610
3"	3,210
4"	5,020
6"	10,040
8"	16,060
10"	23,090
12"	45,170

13.12.060 Service call charges.

A. Service calls, as defined by city ordinance, involving extraordinary and unusual time demands shall be charged to the customer requesting the service call at the cost of labor of each employee involved, including travel time, for service calls made during the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday, except holidays. The minimum charge for such service call shall be \$25.00.

B. Service calls made on Saturdays, Sundays, holidays, or during the hours of 4:00 p.m. to 8:00 a.m., Monday through Friday, shall be charged to the customer requesting the service call at the cost of labor of each employee involved, including travel time. The minimum charge for such service call shall be \$75.00.

13.12.070 Cost for testing meters.

A. Any person requesting a test of any water meter as provided by city ordinance, shall, at the time of request, deposit with the public works director the amount to be charged for such test as follows:

<u>Meter Size</u>	<u>Deposit</u>
5/8" x 3/4"	\$ 40.00
1"	50.00
1 - 1/2"	80.00
2"	100.00
3"	150.00
4"	200.00
6"	300.00
8"	400.00

B. Meters two inches and smaller in size shall be tested at the public works department. Meters larger than two inches shall be tested in the field. After the deposit has been made and the test has been scheduled, the customer shall be notified of the date and time that the meter test is scheduled to take place. The customer shall have the option of being present when such test is made. In the event the test discloses an error of more than three percent of water consumed in favor of the city, the deposit and any service charges shall be refunded to the customer, the meter shall be corrected or an accurate meter shall be installed, and the customer's account shall be credited with the amount charged for the excess consumption on the three previous readings. When the test discloses an error of three percent or less, the amount deposited shall be retained by the city to cover the costs of such test.

13.12.080 Rate of use of fire protection facilities for other purposes.

A. Whenever water is used from fire protection facilities or equipment for other purposes or fire protection water is misused, such usage shall be charged to the user at the rate of \$2.50 per 100 cubic feet.

B. Prior approval must be obtained before any person shall use water from fire protection facilities for other than their intended purpose. Any such person not obtaining prior approval shall be fined a penalty of \$100.00, in addition to the usage charge listed above.

13.12.090 Charge for fire protection.

The monthly charge for fire protection service shall be as follows:

Water Meter Service Size	Inside City Limits	Outside City Limits
2"	\$ 6.58	\$ 7.23
3"	12.72	14.00
4"	35.29	38.83
6"	105.03	115.54
8"	207.59	228.36
10"	330.67	363.74
12"	474.26	521.69

13.12.100 Delinquency charge.

A delinquency charge equal to 10 percent of the total water service charge shall be added to each unpaid bill.

13.12.110 Water rates inside of the city limits.

The water rates to be charged for water usage for customers inside the city limits shall be as follows:

A. Residential Fixed Rate:

Size of Water Meter Service	Rate
5/8" x 3/4"	\$ 17.92
1"	25.71
1½" and 2"	54.19

B. Commercial Fixed Rate:

Size of Water Meter Service	Rate
5/8" x 3/4"	\$ 20.08
1"	28.76
1½" and 2"	60.58
3" and 4"	158.93
6"	303.55
8"	477.09

C. Consumption:

Amount Per Unit of 100 Cubic Feet
\$2.66

13.12.120 Water rates outside of the city limits.

The water rates to be charged for water usage for customers outside the city limits shall be as follows:

A. Residential Fixed Rate:

Size of Water Meter Service	Rate
5/8" x 3/4"	\$ 19.71
1"	28.28
1½" and 2"	59.67

B. Commercial Fixed Rate:

Size of Water Meter Service	Rate
5/8" x 3/4"	\$ 22.09
1"	31.64
1½" and 2"	66.63
3" and 4"	174.81
6"	333.90
8"	524.80

C. Consumption:

Amount Per Unit of 100 Cubic Feet
\$2.92

13.12.130 Rates for low-income senior citizen customers and low-income totally disabled customers.

A. The fixed rates for low-income senior citizen residential customers and low-income totally disabled customers shall be one-half (50 percent) of the residential fixed rates that would otherwise apply. All consumption shall be charged as provided in the rate schedule for residential customers inside and outside the city limits, whichever is applicable, as set forth in this chapter.

B. All low-income senior citizen residential customers and low-income totally disabled residential customers applying for low-income senior citizen customer or totally disabled residential customer rates herein provided shall furnish a claim for exemption in such affidavit form as shall be prescribed by the city manager. Such form shall be furnished on or before the thirtieth day of June of each year or within 30 days from the date of account opening or unexpected sudden change of income status. The city will consider applications furnished outside of this period.

C. Those customers applying for the totally disabled customer rate must furnish proof of such disability from the Social Security Administration.

13.12.140 Overhead charge.

An overhead charge of 25 percent of the total costs for labor, materials, and equipment for work and services performed or installation of service water lines or other facilities by the city shall be added to the costs charged to the customer. Such overhead charge shall be to accommodate administration, supervision, and accounting costs.

13.12.150 Water surcharge fees (latecomer fees).

A. The public works director may, at his discretion, establish and adopt water surcharge fees that, after their establishment, shall be imposed upon water customers connecting to specifically designated water utility extension(s) and/or water system improvements in defined areas.

B. Such surcharge fees shall be based on criteria established within the standard latecomer agreement form created by the development review committee.

C. In order for a water surcharge fee to be established, in addition to or separately from a request to the city council approving and authorizing the installation and/or construction of a water utility extension(s) or water system improvements, the developer, property owner, or other entity that installed and/or constructed such water utility extension(s) or water system improvements, or proposes to install and/or construct water utility extension(s) or water system improvements shall submit to the public works director a specific request (a latecomer agreement form created by the development review committee) to establish a water surcharge fee.

D. The public works director may require additional information from the developer, property owner, or other entity requesting the establishment of such water surcharge fee. The director may also deny the request to establish the water surcharge fee, or establish a different amount of water surcharge fee, other than the fee calculated in the standard latecomer agreement form. If a water surcharge fee is approved, the director may impose other conditions, limitations, and/or duration for said water surcharge fee.

E. The purpose of establishing such water surcharge fees is to reimburse developers, property owners, or other entities, that installed and/or constructed water utility extension(s) or water system improvements, for a portion of their costs for the installation and/or construction of water utility extension(s) or water system improvements, for which subsequent, non-participating future customers benefit. The city shall collect established surcharges, from such non-participating future customers, at the time water capacity charges are paid, and then reimburse the surcharge(s) to the developer, property owner or other entity that installed and/or constructed such water utility extension(s) or water system improvements, for which such surcharge(s) was established.

F. Such water surcharge fees shall be in addition to any other charges that may be applicable.

13.12.160 Temporary water connection fee.

Temporary connections to the city's water system may be allowed under certain circumstances (such as ground water remediation sites) and must be approved by the public works director. They may be permitted for a period of up to five years. Water service capacity fees will be charged at the rate of 0.025 of the standard ERU connection fee in place at the time of payment, per year of water usage, payable prior to each year of use. This fee will not be prorated in increments of less than one year and is nonrefundable. Monthly water charges will be assessed as already established.

13.12.170 Annual review.

The revenue generated as a result of this ordinance shall be reviewed annually and compared to expectations and sufficiency, with a report to the city council.

13.12.180 Repeal.

Ordinance No. 865-B, passed the 14th day of February, 2011, and Ordinance No. 900-B, passed the 22nd day of October, 2012, codified in the Chehalis Municipal Code as Chapter 13.12, shall be, and the same hereby are, repealed.

13.12.190 Effective date.

The effective date of this ordinance shall be the ____ day of _____, 2020.

PASSED by the city council of the city of Chehalis, Washington, and **APPROVED** by its mayor, at a regularly scheduled open public meeting thereof this ____ day of _____, 2020.

Mayor

Attest:

City Clerk

Approved as to form and content:

City Attorney