

**City of Connell, Washington**  
**EMERGENCY COUNCIL MEETING**

104 E. Adams St.  
CITY COUNCIL PRELIMINARY AGENDA  
March 20, 2020 7:00 PM

**A Emergency Council Meeting has been called by Mayor Lee Barrow for the following:**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. CORRESPONDENCE/PRESENTATIONS/APPOINTMENTS
5. CONSENT CALENDAR

All matter listed within the Consent Calendar have been distributed to each member of the Connell City Council for reading and study, are considered to be routine, and will enacted by one motion of the Council with no separate discussion. If separated discussion is desired, that item may be removed from the Consent Calendar and placed on the Regular Agenda by request.

- a) Minutes of the Regular Council Meeting March 2, 2020
- b) Check Register 3/02/2020 for \$210.00
- c) Check Register 3/16/2020 for \$146,753.87
- d) Check Register 3/18/2020 for \$8,628.96
- e) Payroll Register 2/29/20 – 3/05/20 for \$101,501.53
- f) Payroll Register 3/15/20 – 3/20/20 for \$64,021.53

6. APPROVAL OF AGENDA

ORDER OF BUSINESS

7. Discussion on City Actions taken relating to the Coronavirus (COVID-19) State of Emergency
  - a. Proclamation – Declaration of Emergency
  - b. RESOLUTION NO. 2020-03 – Proclaiming Declaration of Emergency – COVID-19
  - c. H.R. 6201 – Families First Corona Virus Response Act

8. ADJOURNMENT

*The public is welcome and encouraged to attend this meeting. The City of Connell wishes to provide reasonable access to all public meetings for individuals with disabilities. Please contact the City Clerk at least three business days prior to the meeting for accommodations to be arranged.*



**THE MISSION OF THE CITY OF CONNELL IS:**

*To partner with the community, enriching the quality of life and delivering a range of services in a fiscally sustainable manner.*

*Engaging the public and embracing diversity, we maintain a focus on the future, remaining flexible and responsive, to foster a small-town character that supports growth.*

MEETING OF THE CITY OF CONNELL, WASHINGTON  
CONNELL, FRANKLIN COUNTY, WASHINGTON  
March 2, 2020

The Regular meeting of the Connell City Council was called to order by Mayor Barrow at 6:00 pm in the City Hall and was opened with the Pledge of Allegiance.

ROLL CALL

**PRESENT:** Mayor Lee Barrow and Councilmember's: John White, Katrina Kunkel, Shelly Harper, Pat Barrera and Mayor Pro Tem Joe Escalera.

**STAFF:** City Administrator Maria Peña, City Clerk Marissa Ortiz, City Treasurer Genesis Bernal, Public Works Director Hallie Tuck, Fire Chief Ken Woffenden, Police Chief Chris Turner and City Attorney Dan Hultgrenn.

CORRESPONDENCE

Mayor Lee Barrow read a Proclamations aloud:  
Declared March 9<sup>th</sup>, 2020 as "Census Awareness Week" in the City of Connell and urged all residents to join in this special observance.

CONSENT CALENDAR

**Motion:** Councilmember Barrera moved to approve the consent calendar as amended:

- a) Minutes of the Regular Council Meeting February 18, 2020  
(pg. 2; corrections under Hotel/Motel Allocations - #3, #4, #5, & #6)
- b) Accounts payable 3/2/2020 for \$70,417.40
- c) Payroll Register 2/15/2020-2/20/2020 for \$63,168.67

Councilmember White seconded motion. Motion carried unanimously.

APPROVAL OF AGENDA

**Motion:** Councilmember Kunkel moved to approve the agenda as presented. Councilmember White seconded motion. Motion carried unanimously.

ORDER OF BUSINESS

**KYLE SULLIVAN – PRESENTATION ON HB 1406 HOUSING FUNDS**

Kyle Sullivan a representative from Benton and Franklin Counties Department of Human Services presented an overview of House Bill 1406 as well as available options and a recommended path forward. The recommendations were to either not enact any legislation for HB 1406 and allow the funding to be allocated directly to the County. Or draft an Interlocal Agreement with Benton & Franklin Counties for the existing Steering Committee to include administration of 1406 funds. The Steering Committee would be responsible for reviewing applications, making funding recommendations, and ensuring that funds were distributed in a manner that provided long term geographic equity. The city would need to appoint staff or a councilmember to represent the City of Connell. He explained the information provided was intended to assist the city in evaluating options and timelines and not intended as legal advice.

MEETING OF THE CITY OF CONNELL  
Regular Meeting – March 2, 2020

Council's consensus was to bring this item back for further discussion and conclusion, no formal motion was required.

CENSUS PRESENTATION

Skylar Galvez, Census Education Coordinator 2020, along with City Administrator Maria Peña presented Council with an overview of the 2020 Census. They explained the importance of the results of the 2020 Census and how it would help determine how hundreds of billions of dollars in federal funding flow into communities year to year for the next decade. The funding would shape many different aspects of every community such as congressional representation, housing, school lunches, plans for highways, hospitals, support for firefighters, and other critical programs and services. Also noted was in 2015 there was 132 programs that used Census Bureau data to distribute over \$675 billion funds. The Census results would also affect our community every day.

2019 FINAL BUDGET PRESENTATION

City Treasurer Genesis Bernal presented the 2019 Year End Financial Report. She detailed the budgeted revenues and expenditures for each fund as well as actuals for the year.

MEETING ADJOURNED

There being no further business before the City Council of Connell Mayor Barrow adjourned the meeting at 7:22 pm.

ATTEST: \_\_\_\_\_  
Marissa Ortiz, City Clerk

\_\_\_\_\_  
Lee Barrow, Mayor

# CHECK REGISTER

City Of Connell  
MCAG #: 0286

03/02/2020 To: 03/02/2020

Time: 10:10:03 Date: 03/02/2020  
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
706	03/02/2020	Claims	7	39966	U.S. Post Office	210.00	March 2020 Utility Billing Postage
		401 Water Fund				105.00	
		402 Sewer Fund				105.00	
						<u>210.00</u>	Claims: 210.00

WE, the members of the City Council of the City of Connell, Washington, DO HEREBY certify that the merchandise or services listed above have been received and that the above listed vouchers and the related checks have been reviewed and approved for payment by the City of Connell Council. DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

ATTEST:

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Finance Director



# CHECK REGISTER

City Of Connell  
MCAG #: 0286

03/16/2020 To: 03/16/2020

Time: 10:44:37 Date: 03/16/2020  
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
902	03/16/2020	Claims	7	EFT	Merchant Services Bank of America/EFT	614.11	February CC Processing Fees
903	03/16/2020	Claims	7	EFT	St.of Washington Dept Of Revenue-EFT	8,152.06	February 2020 Excise Tax Report
904	03/16/2020	Claims	7	EFT	Xpress Solutions Inc Xpress Bill Pay/EFT	266.34	February 2020 CC Fees
905	03/16/2020	Claims	7	40005	AHBL, Inc	2,638.72	General Planning Land Use Planning Services; Comp Plan Update; Coyote Flats Review
906	03/16/2020	Claims	7	40006	Action Medical, Inc.	181.67	City Hall First Aid Supplies
907	03/16/2020	Claims	7	40007	Adams County Treasurer	7.50	City Of Connell Property Tax. 1 Property, Parcel #,2532310110001. Full Year 2020.
908	03/16/2020	Claims	7	40008	AmeriFuel, LLC	4,183.94	Fuel Consumed; PD Fuel; City Fuel
909	03/16/2020	Claims	7	40009	Anderson Perry & Assoc.	38,000.00	68-256 5th Ave./Franklin St Water Line; 68-257 Country Estates Sewer Improvements
910	03/16/2020	Claims	7	40010	Avista Corporation Avista Utilities	2,774.24	Avista Gas Bills-1/23/20-2/25/20
911	03/16/2020	Claims	7	40011	Basin Disposal Inc.	216.84	Sanitation Bills
912	03/16/2020	Claims	7	40012	Benton Franklin District Health	544.00	Water/WW Labs
913	03/16/2020	Claims	7	40013	Benton-Franklin Council of Governments	2,636.00	2020 Membership Dues
914	03/16/2020	Claims	7	40014	City Of Connell	18,767.74	February 2020 City Utility Tax, Utility Bills And Fire Suppression
915	03/16/2020	Claims	7	40015	City of Richland, WA	224.17	Dispatch Services
916	03/16/2020	Claims	7	40016	Michael McDaniel Columbia Basin Biomedical	1,731.20	AED Maintenance & Supplies
917	03/16/2020	Claims	7	40017	Columbia Grain & Feed Inc	362.63	Weed Eater String/Oil
918	03/16/2020	Claims	7	40018	Connell Grange Supply Co.	2,002.72	Fire Department Supplys; Flate Tire Repair #122; Misc Parts/Fuel
919	03/16/2020	Claims	7	40019	Attn: Accounts Receivable Consolidated Technology Services/	17.45	PD Monthly VPN
920	03/16/2020	Claims	7	40020	Core & Main	754.99	Valve-Farm Reservoir
921	03/16/2020	Claims	7	40021	Coyote Ridge Corrections	1,491.25	Inmate Labor
922	03/16/2020	Claims	7	40022	Currey Cattle LLC	600.00	Currey Cattle LLC Bulk Water Deposit Refund From 11/12/2019 (collected). Paid Water Usage 03/06/2020. Ed Approved Refund.
923	03/16/2020	Claims	7	40023	Dept Of Ecology - Permit	1,656.72	WWTP Permit
924	03/16/2020	Claims	7	40024	Dept Of Licensing-Firearm	18.00	CPL
925	03/16/2020	Claims	7	40025	Rockwalla IT LLC Devfuzion	1,760.85	Monthly Backup, Support And 365
926	03/16/2020	Claims	7	40026	Fastenal	68.92	Misc. Fasteners
927	03/16/2020	Claims	7	40027	Franklin Co Corrections	2,941.49	Inmate Housing & Medical
928	03/16/2020	Claims	7	40028	Franklin Co Pud	22,076.11	Electric Bills 1/30/20-2/28/2020
929	03/16/2020	Claims	7	40029	Franklin County Graphic LLC	362.70	Notice For Bids - 5th Ave./ Franklin Street Waterline, Fulton St/Chelan Ave Waterline
930	03/16/2020	Claims	7	40030	Franklin County Planning	80.00	Plan Review And Building Inspections.
931	03/16/2020	Claims	7	40031	Franklin County Treasurer	2,587.65	March 2020 Prosecutor's Office And District Court Charges

# CHECK REGISTER

City Of Connell  
MCAG #: 0286

03/16/2020 To: 03/16/2020

Time: 10:44:37 Date: 03/16/2020

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
932	03/16/2020	Claims	7	40032	Treasurer Franklin County	3,155.69	Criminal Victim Assesments For The Month Of February 2020; 2020 City Of Connell Property Tax Payment. Full Year.
933	03/16/2020	Claims	7	40033	Jiffy Car Wash, Inc.	19.69	Car Wash
934	03/16/2020	Claims	7	40034	Lep-Re-Kon Mart #4	59.48	Store Charge- City Of Connell, PW
935	03/16/2020	Claims	7	40035	Jason McGary	225.00	First Aid CPR & AED Training
936	03/16/2020	Claims	7	40036	Nutrien Ag Solutions, Inc.	865.60	Pesticide
937	03/16/2020	Claims	7	40037	The Pape Group Inc Pape Machinery Inc	5,461.46	Parts/Rental
938	03/16/2020	Claims	7	40038	Kimberly Phanthavong	216.35	Clothing Allowance-Kim
939	03/16/2020	Claims	7	40039	Pro Cut Concrete Cutting & Breaking INC.	895.36	Cut Door Opencings- Heritage Park
940	03/16/2020	Claims	7	40040	Pump Tech, Inc.	1,601.36	Lift Station Maintenance LS 4 & 7
941	03/16/2020	Claims	7	40041	Kory J Robertson	92.30	2020 Boot Reimbursement
942	03/16/2020	Claims	7	40042	Tyson Steele	87.67	Clothing Allowance-Tyson
943	03/16/2020	Claims	7	40043	Kimberly Tanner	400.00	Cancelled Event Due To COVID-19- Refund For C.C Event March 28th
944	03/16/2020	Claims	7	40044	USABlueBook	210.67	CI2 Testing Kits
945	03/16/2020	Claims	7	40045	Utilities Underground	12.90	Utility Locates
946	03/16/2020	Claims	7	40046	Vermeer Rocky Mountain Inc.	786.84	Chipper Knives
947	03/16/2020	Claims	7	40047	WA St Treasurer Office	2,273.63	St Of WA Remittance For The Month Of February 2020
948	03/16/2020	Claims	7	40048	WA State Department of Natural Resources	9,296.96	Portable Radios
949	03/16/2020	Claims	7	40049	Washington State Dep. of Transportation	2,425.85	De-Icer Salt
950	03/16/2020	Claims	7	40050	Budget and Fiscal Service Washington State Patrol	26.50	CPL Backgrounds
951	03/16/2020	Claims	7	40051	White Security Systems, INC.	282.40	Fire Monitoring
952	03/16/2020	Claims	7	40052	Xerox Corporation	638.15	Xerox Usage For The Month Of February 2020
						42,176.68	
						8,203.58	
						50,578.69	
						43,402.22	
						2,392.70	
						146,753.87	
						146,753.87	Claims: 146,753.87

# CHECK REGISTER

City Of Connell  
MCAG #: 0286

02/29/2020 To: 03/05/2020

Time: 15:03:12 Date: 03/04/2020  
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
756	02/29/2020	Payroll	7	EFT		26.91	
757	02/29/2020	Payroll	7	EFT		1,154.68	
758	02/29/2020	Payroll	7	EFT		2,227.85	
759	02/29/2020	Payroll	7	EFT		1,313.34	
760	02/29/2020	Payroll	7	EFT		1,906.06	
761	02/29/2020	Payroll	7	EFT		1,542.34	
762	02/29/2020	Payroll	7	EFT		53.84	
763	02/29/2020	Payroll	7	EFT		1,807.17	
764	02/29/2020	Payroll	7	EFT		148.06	
765	02/29/2020	Payroll	7	EFT		53.84	
767	02/29/2020	Payroll	7	EFT		53.84	
768	02/29/2020	Payroll	7	EFT		53.84	
769	02/29/2020	Payroll	7	EFT		2,235.46	
770	02/29/2020	Payroll	7	EFT		2,164.49	
771	02/29/2020	Payroll	7	EFT		53.84	
772	02/29/2020	Payroll	7	EFT		26.91	
773	02/29/2020	Payroll	7	EFT		1,691.47	
774	02/29/2020	Payroll	7	EFT		1,541.30	
775	02/29/2020	Payroll	7	EFT		1,944.40	
776	02/29/2020	Payroll	7	EFT		53.84	
777	02/29/2020	Payroll	7	EFT		148.06	
778	02/29/2020	Payroll	7	EFT		26.91	
779	02/29/2020	Payroll	7	EFT		1,874.49	
780	02/29/2020	Payroll	7	EFT		2,505.83	
781	02/29/2020	Payroll	7	EFT		1,531.26	
782	02/29/2020	Payroll	7	EFT		1,447.33	
783	02/29/2020	Payroll	7	EFT		2,046.06	
784	02/29/2020	Payroll	7	EFT		2,117.47	
785	02/29/2020	Payroll	7	EFT		53.84	
786	02/29/2020	Payroll	7	EFT		1,189.30	
787	02/29/2020	Payroll	7	EFT		26.91	
788	02/29/2020	Payroll	7	EFT		26.91	
789	02/29/2020	Payroll	7	EFT		107.69	
790	02/29/2020	Payroll	7	EFT		53.84	
792	02/29/2020	Payroll	7	EFT		26.91	
793	02/29/2020	Payroll	7	EFT		1,714.68	
794	02/29/2020	Payroll	7	EFT		2,681.87	
795	02/29/2020	Payroll	7	EFT		2,350.97	
797	03/05/2020	Payroll	7	EFT	Community First Bank	14,089.05	941 Deposit for Pay Cycle(s) 02/29/2020 - 02/29/2020
798	03/05/2020	Payroll	7	EFT	Department Of Retirement	10,367.23	Pay Cycle(s) 02/29/2020 To 02/29/2020 - PERS 2; Pay Cycle(s) 02/29/2020 To 02/29/2020 - LEOFF 2; Pay Cycle(s) 02/29/2020 To 02/29/2020 - Deferred Comp; Pay Cycle(s) 02/29/2020 To 02/29/2020 - PERS 3
799	03/05/2020	Payroll	7	EFT	MT457-306685	125.00	Pay Cycle(s) 02/29/2020 To 02/29/2020 - ICMA-457
766	02/29/2020	Payroll	7	39996		1,305.47	
791	02/29/2020	Payroll	7	39997		148.06	
800	03/05/2020	Payroll	7	39998	WSECU	500.00	Pay Cycle(s) 02/29/2020 To 02/29/2020 - WSECU
801	03/05/2020	Payroll	7	39999	AFLAC	320.85	Pay Cycle(s) 02/15/2020 To 02/29/2020 - AFLAC Addtl (AT); Pay Cycle(s) 02/15/2020 To 02/29/2020 - AFLAC Pre-Tax

# CHECK REGISTER

City Of Connell  
MCAG #: 0286

02/29/2020 To: 03/05/2020

Time: 15:03:12 Date: 03/04/2020  
Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
802	03/05/2020	Payroll	7	40000	AWC Employee Benefits Trst	23,922.22	Pay Cycle(s) 02/15/2020 To 02/29/2020 - AWC; Pay Cycle(s) 02/15/2020 To 02/29/2020 - AWC Dental; Pay Cycle(s) 02/15/2020 To 02/29/2020 - AWC-Life
803	03/05/2020	Payroll	7	40001	Wesley Graham American Legal Services	21.72	Pay Cycle(s) 02/15/2020 To 02/29/2020 - ALS
804	03/05/2020	Payroll	7	40002	Colonial Life	217.92	Pay Cycle(s) 02/15/2020 To 02/29/2020 - Colonial Life Pretax; Pay Cycle(s) 02/15/2020 To 02/29/2020 - Colonial Life-aftertax
805	03/05/2020	Payroll	7	40003	NW Admin. Transfer Acct.	10,105.20	Pay Cycle(s) 02/15/2020 To 02/29/2020 - NW Administrator
806	03/05/2020	Payroll	7	40004	Teamsters Local Union # 839	395.00	Pay Cycle(s) 02/15/2020 To 02/29/2020 - Union # 839
						67,194.46	001 General Fund
						6,715.91	101 Street
						12,588.30	401 Water Fund
						15,002.86	402 Sewer Fund
						101,501.53	Payroll: 101,501.53

WE, the members of the City Council of the City of Connell, Washington, DO HEREBY certify that the merchandise or services listed above have been received and that the above listed vouchers and the related checks have been reviewed and approved for payment by the City of Connell Council. DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

ATTEST:

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Finance Director

# CHECK REGISTER

City Of Connell  
MCAG #: 0286

03/15/2020 To: 03/20/2020

Time: 13:39:34 Date: 03/18/2020  
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
981	03/15/2020	Payroll	7	EFT		1,155.27	
982	03/15/2020	Payroll	7	EFT		1,893.11	
983	03/15/2020	Payroll	7	EFT		1,321.94	
985	03/15/2020	Payroll	7	EFT		549.86	
986	03/15/2020	Payroll	7	EFT		1,904.65	
987	03/15/2020	Payroll	7	EFT		1,405.66	
988	03/15/2020	Payroll	7	EFT		1,807.41	
991	03/15/2020	Payroll	7	EFT		1,839.78	
992	03/15/2020	Payroll	7	EFT		2,031.05	
993	03/15/2020	Payroll	7	EFT		160.94	
994	03/15/2020	Payroll	7	EFT		1,691.84	
995	03/15/2020	Payroll	7	EFT		1,480.24	
996	03/15/2020	Payroll	7	EFT		1,847.74	
997	03/15/2020	Payroll	7	EFT		160.94	
998	03/15/2020	Payroll	7	EFT		1,874.59	
999	03/15/2020	Payroll	7	EFT		2,503.39	
1000	03/15/2020	Payroll	7	EFT		1,500.57	
1001	03/15/2020	Payroll	7	EFT		1,446.82	
1002	03/15/2020	Payroll	7	EFT		1,866.28	
1003	03/15/2020	Payroll	7	EFT		1,765.88	
1004	03/15/2020	Payroll	7	EFT		1,251.34	
1005	03/15/2020	Payroll	7	EFT		1,709.24	
1006	03/15/2020	Payroll	7	EFT		2,679.64	
1007	03/15/2020	Payroll	7	EFT		160.94	
1008	03/15/2020	Payroll	7	EFT		2,349.13	
1009	03/20/2020	Payroll	7	EFT	Community First Bank	13,352.87	941 Deposit for Pay Cycle(s) 03/15/2020 - 03/15/2020
1010	03/20/2020	Payroll	7	EFT	Department Of Retirement	10,026.10	Pay Cycle(s) 03/15/2020 To 03/15/2020 - PERS 2; Pay Cycle(s) 03/15/2020 To 03/15/2020 - LEOFF 2; Pay Cycle(s) 03/15/2020 To 03/15/2020 - Deferred Comp; Pay Cycle(s) 03/15/2020 To 03/15/2020 - PERS 3
1011	03/20/2020	Payroll	7	EFT	MT457-306685	125.00	Pay Cycle(s) 03/15/2020 To 03/15/2020 - ICMA-457
984	03/15/2020	Payroll	7	40054		160.94	
989	03/15/2020	Payroll	7	40055		160.94	
990	03/15/2020	Payroll	7	40056		1,337.43	
1012	03/20/2020	Payroll	7	40057	WSECU	500.00	Pay Cycle(s) 03/15/2020 To 03/15/2020 - WSECU

001 General Fund	41,619.53
101 Street	4,402.82
401 Water Fund	8,723.77
402 Sewer Fund	9,275.41

**64,021.53 Payroll: 64,021.53**

# CHECK REGISTER

City Of Connell  
MCAG #: 0286

03/15/2020 To: 03/20/2020

Time: 13:39:34 Date: 03/18/2020  
Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
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WE, the members of the City Council of the City of Connell, Washington, DO HEREBY certify that the merchandise or services listed above have been received and that the above listed vouchers and the related checks have been reviewed and approved for payment by the City of Connell Council. DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

ATTEST:

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Finance Director



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**MEMORANDUM**

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**DATE: MARCH 20, 2020**  
**TO: MAYOR AND COUNCILMEMBERS**  
**FROM: MARIA PEÑA, CITY ADMINISTRATOR**  
**RE: STATE OF EMERGENCY**

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On February 29, 2020, Governor Inslee signed a Proclamation declaring a State of Emergency for all counties in Washington State due to the number of confirmed cases of the coronavirus (COVID-19). On March 18<sup>th</sup> the Franklin County Commissioners also declared a state of emergency for Franklin County.

Attached is a Proclamation from the Mayor declaring an emergency for the City of Connell, also attached is a Resolution for Council's adoption.

In approving the Resolution, the Mayor is empowered to take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 to protect the public health and safety of the City's residents during this state of emergency.

**Recommendation:**

Council move to adopt Resolution No. 2020-03 Declaring an Emergency due to the Coronavirus.

March 10<sup>th</sup> I received information from Sean at Franklin County Emergency Management in regards to a possible exposure of the Coronavirus at their Community Center. The following day I was contacted by a representative from the Governor's office informing me of a webinar being held by Department of Health regarding the outbreak. Then on March 13<sup>th</sup> the Governor announced

statewide closures of all schools. Things have been happening rather quickly and I apologize for not reaching out to you sooner.

The Mayor and I have been working closely with Sean at Emergency Management and are participating in bi-weekly meetings with the Department of Health, School Districts, Cities and Counties, and Hospital Districts.

Department heads have also started holding briefings to work on emergency plans. As of Monday March 23, City facilities will be closed to the public. Staff will still be working from their assigned locations and will be answering the phone and setting up in-person meetings if needed. Equipment necessary for telecommuting has been acquired and a telecommuting plan is being drafted. We are now set up to provide online meetings through GoToMeeting. This is being made available to municipalities for free for three months due to the outbreak. The old CBHA clinic is being turned into an emergency center for staff that may want to be isolated if they believe that they have been infected and are not wanting to infect their family. We are expanding wifi services to allow for guest log in so that kids who don't have access to internet can access the city's guest internet to do homework.

Just yesterday we learned that the Senate passed the Families First Coronavirus Response Act on March 18, 2020. The provisions will go into effect on April 2, 2020 and will remain in effect until December 31, 2020. This is an economic stimulus plan aimed at addressing the impact of the COVID-19 outbreak on Americans and introduces paid sick leave and an expanded family and medical leave act to the nation's employers. This is new and some questions exist, however, we will continue to work with MRSC, AWC, BIAS, and our City Attorney to address the questions we may have.

**Paid Sick Leave- "The Emergency Paid Sick Leave Act"**

Full-time eligible employees are allowed up to 80 hours (2 weeks) of paid leave at their regular rate of pay if they are sick or subject to quarantine.

If an employee is absent to care for a family member or child, sick pay is based on 2/3 of the regular rate of pay.

**Expansion of Family Medical Leave- "The "Emergency Family and Medical Leave Expansion Act"**

Employees may take up to 12 weeks of job-protected leave for certain qualifying reasons beyond what is currently permitted under the Family Medical Leave Act (FMLA), including the need to stay home to care for a child due to a “public health emergency” that would include the closure of schools or daycare facilities.

The expanded protected leave is not related to whether an employee or a family member is required to isolate or quarantine.

I do believe that we are stronger together. This has not been an easy week and I want to thank each of my staff for their commitment and dedication. Each one of them has been working together to help keep our community safe and operating.



City of Connell

EASTERN  
WASHINGTON'S  
HARVESTLAND

## *Proclamation*

### *“Declaration of Emergency”*

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

**WHEREAS**, the United States Centers for Disease Control and Prevention (CDC); identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high”, and has advised that the person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

**WHEREAS**, on March 18, 2020, the Franklin County Commissioners declared a state of emergency in Franklin County thus enabling Franklin County to take extraordinary measures to address the threat of the novel coronavirus (COVID-19) to the public health and safety, and

**WHEREAS**, as a result the Proclamations and Orders issued by the Governor and the Franklin County Commissioners, and to provide for the best opportunity for the City of Connell to address immediate responses to the threat of COVID-19 in the City of Connell and reduce the opportunities for exposure to the disease, and

**WHEREAS**, in the event of community transition within the City of Connell proactive measures are being taken to protect employees and the public, including the purchase of additional emergency supplies, potential sanitation of city facilities, support of impacted employees, and potential reduction in service; and

**NOW, THEREFORE, I THE MAYOR OF THE CITY OF CONNELL,  
WASHINGTON DO HEREBY DECLARE:**

1. **Emergency Declaration.** A civil emergency exists within the City of Connell, Washington as a result of the spread of COVID-19 in Franklin County. The outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout Washington State can significantly impact the life and health of those living and working in Connell, as well as continuity of operations and government at the City, and is a public emergency that affects life, health, property, or the public peace.

2. **Emergency Powers.** The Mayor or his designee(s) are hereby authorized to utilize all emergency powers and authority set forth in RCW 38.52.070 including obligations without limitation, the right to enter into contract, employ temporary workers and incur obligations without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) and to take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents during this state of civil emergency.
3. **State and Federal Assistance.** The Mayor or his designee(s) are hereby authorized to request all available state and federal assistance necessary to respond to this emergency.
4. **Additional actions:**
  - May cancel City Council meetings as is necessary while this Declaration of Emergency is in effect.
  - Authorizes the payment of all Accounts Payable and Payroll in the interim until the same can be ratified at a following Council Meeting.
  - Closure of all City buildings, to include City Hall, Community Center, Fire Department, Police Department, Public Works and Pioneer Park Pavilion to the public and occupancy use limits in compliance as imposed by local, state and federal regulations.
  - Authorizes the suspension of penalties and postponement of disconnections of water service to utility customers while this Declaration of Emergency is in effect.

Dated this \_\_\_\_ day of March 2020.

CITY OF CONNELL

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Lee Barrow, Mayor City of Connell

**City of Connell Washington**  
**RESOLUTION NO. 2020-03**

**A RESOLUTION PROCLAIMING A DECLARATION OF  
EMERGENCY IN THE CITY OF CONNELL, WASHINGTON  
DUE TO THE  
CORONA VIRUS DISEASE 2019 ("COVID-19")**

**WHEREAS**, the Governor of the State of Washington issued a Proclamation declaring a state of emergency due to the number of confirmed cases of the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19") in the State of Washington and the serious nature of the effects of COVID-19 on the population, and

**WHEREAS**, the United States Centers for Disease Control and Prevention (CDC); identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high", and has advised that the person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

**WHEREAS**, on March 18, 2020, the Franklin County Commissioners declared a state of emergency in Franklin County thus enabling Franklin County to take extraordinary measures to address the threat of the novel coronavirus (COVID-19) to the public health and safety, and

**WHEREAS**, as a result the Proclamations and Orders issued by the Governor and the Franklin County Commissioners, and to provide for the best opportunity for the City of Connell to address immediate responses to the threat of COVID-19 in the City of Connell and reduce the opportunities for exposure to the disease, and

**WHEREAS**, in the event of community transition within the City of Connell proactive measures are being taken to protect employees and the public, including the purchase of additional emergency supplies, potential sanitation of city facilities, support of impacted employees, and potential reduction in service; and

**NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF CONNELL,  
WASHINGTON DO RESOLVE AS FOLLOWS:**

The City Council of the City of Connell issues a Declaration of Emergency on March 20, 2020, attached hereto and incorporated herein, and takes the following action:

1. **Emergency Declaration.** A civil emergency exists within the City of Connell, Washington as a result of the spread of COVID-19 in Franklin County. The outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout Washington State can significantly impact the life and health of those living and working in Connell, as well as continuity of operations and government at the City, and is a public emergency that affects life, health, property, or the public peace.

2. **Emergency Powers.** The Mayor or his designee(s) are hereby authorized to utilize all emergency powers and authority set forth in RCW 38.52.070 including obligations without limitation, the right to enter into contract, employ temporary workers and incur obligations without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) and to take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents during this state of civil emergency.
3. **State and Federal Assistance.** The Mayor or his designee(s) are hereby authorized to request all available state and federal assistance necessary to respond to this emergency.
4. **Additional actions:**
  - May cancel City Council meetings as is necessary while this Declaration of Emergency is in effect.
  - Authorizes the payment of all Accounts Payable and Payroll in the interim until the same can be ratified at a following Council Meeting.
  - Closure of all City buildings, to include City Hall, Community Center, Fire Department, Police Department, Public Works and Pioneer Park Pavilion to the public and occupancy use limits in compliance as imposed by local, state and federal regulations.
  - Authorizes the suspension of penalties and postponement of disconnections of water service to utility customers while this Declaration of Emergency is in effect.
5. The attached Declaration of Emergency shall be in effect upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Connell and **APPROVED** by the Mayor this \_\_\_\_\_ day of March 2020.

ATTEST:

\_\_\_\_\_  
Lee Barrow, Mayor

\_\_\_\_\_  
Marissa Ortiz, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Dan F. Hultgrenn, City Attorney

INTRODUCED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

# Families First Coronavirus Response Act Impact on Employee Benefits

March 2020

The Families First Coronavirus Response Act (the “Act”) was passed by Congress and has been signed by the President. The Act requires most health plans, including employer sponsored plans, to cover costs related to COVID-19 testing. In addition, it includes significant provisions that apply to private employers with fewer than 500 employees and public employers of any size. The Act requires these employers to provide up to 80 hours of paid sick leave for certain employees who are affected by the COVID-19 virus. It also expands FMLA protections, providing new partial paid leave to their employees who cannot work because they must stay home to care for children during school and daycare closures. Employers required to comply with the expanded leave and benefits will be eligible for a tax credit to help cover costs related to these requirements.

## COVID-19 Diagnostic Testing – Coverage with No Cost-Sharing

### **The Short Story**

Most group health plans (both fully-insured and self-funded), government-sponsored coverage, and individual health plans must cover costs associated with COVID-19 diagnostic testing with no cost-sharing.

### **The Details**

The regulations indicate that such testing must be available without “*any cost sharing (including deductibles, copayments, and coinsurance) requirements or prior authorization or other medical management requirements.*” This includes related costs when an individual visits a medical provider’s office, urgent care, or emergency care, or uses telemedicine for the diagnostic testing. However, any actual treatment following a positive diagnosis is not required to be covered and therefore will vary from plan to plan.

Prior to passage of the Act, there were a handful of states that mandated coverage for testing, and in some cases for treatment as well. Those mandates remain in effect, but now most health plans across the country are required to at least provide coverage for diagnostic testing at no cost to individuals. Unless agencies issue guidance indicating otherwise, it appears these requirements do not apply to excepted benefits, short-term health plans, retiree-only plans, or healthcare sharing ministries.

Keep in mind that under IRS guidance provided recently in Notice 2020-15, the coverage of COVID-19 related to testing or treatment prior to meeting an HDHP’s plan deductible will not interfere with an individual’s eligibility to contribute to a health savings account (HSA).

Although the Act does not include any specific employee benefit plan notification requirements, employers may wonder whether this change constitutes a material change to the content of the Summary of Benefits and Coverage (SBC) requiring a notice of modification. Obviously, employers and carriers cannot meet the 60-day advance notice requirement. Irrespective of any

notification requirements, employers are encouraged to communicate to plan participants that this coverage is available without cost-sharing.

Effective Date: Not later than 15 days after the date of enactment and continuing until the Secretary of the Department of Health and Human Services (HHS) determines that the public health emergency has expired.

## **Expansion of FMLA – The “Emergency Family and Medical Leave Expansion Act”**

### **The Short Story**

Private employers with fewer than 500 employees and public employers of any size, must allow employees to take up to 12 weeks of job-protected leave for certain qualifying reasons beyond what is currently permitted under the Family Medical Leave Act (FMLA), including the need to stay home to care for a child due to a “public health emergency” that would include the closure of schools or daycare facilities. Affected employers are eligible for a refundable payroll tax credit to cover the costs of the extended paid leave and related employer health insurance costs.

### **The Details**

#### **Employers Subject to the Rule**

These requirements apply to private employers with fewer than 500 employees and public employers of any size. Further guidance is needed clarifying exactly how the number of employees is counted; but for now we assume the same rules that apply under FMLA apply for this purpose. An employer of an employee who is a healthcare provider or an emergency responder is not required to provide this expanded protected leave to such employee.

Typically, the FMLA does not apply to private employers with fewer than 50 employees (although it does apply to all public entities such as schools and government entities regardless of size). However, these special FMLA protections will generally apply even to small private employers with fewer than 50 employees. The Act allows the Secretary of Labor to provide an exemption for small employers (those not normally subject to FMLA, if the expansion of protected leave “*would jeopardize the viability of the business as a going concern.*” That being said, in the absence of such agency guidance providing that exemption, all public employers and private employers with fewer than 500 employees, including those with fewer than 50 employees, must assume they should provide protected leave (including pay and ongoing group health plan coverage) for certain employees through the end of 2020.

#### **Employees Eligible for FMLA Protected Leave**

Protected leave must be provided to an employee if:

- The employee has been employed for at least 30 calendar days (rather than the 12 months and 1,250 hours typically required under FMLA); and
- If “*the employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school [meaning a primary or secondary school only] or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.*” For this purpose, a “public health emergency” is defined as “*an emergency with respect to COVID-19 declared by a Federal, State, or local authority.*”

The expanded protected leave is not related to whether an employee or a family member is required to isolate or quarantine, or is actually infected with COVID-19. This expanded protected leave, including the pay requirements set forth below, are available only to employees who are unable to work because they need to care for a child who is home from school or daycare due to such facilities being shut down during this current public health emergency.

For employees who qualify, the first 10 days of leave may be unpaid, although employees could substitute any accrued vacation, personal, or sick leave (including sick leave as provided under the Act). The remainder of the protected leave (up to 12 weeks) must be paid at no less than 2/3 of the employee's regular rate of pay based on the number of hours the employee is normally scheduled to work, but no more than \$200 per day, or \$10,000 in the aggregate. This is different from standard FMLA-protected leave for other qualifying reasons, which does not require the employer to provide paid leave.

Note that employees not eligible for the expanded leave protections might also qualify for FMLA-protected leave when a COVID-19-related illness qualifies as a "serious health condition" under existing FMLA rules.

#### Health Insurance Requirements During an FMLA Leave

Unchanged is the requirement to continue offering group health plan benefits under the same terms as if the employee was actively at work, including the same employer and employee contributions for as long as the employee is eligible for FMLA-protected leave. Those employees who are covered under group health plans prior to requesting leave and who meet the requirements to qualify for this expanded protected leave would therefore also have the opportunity to continue group health plan benefits at the same cost for the duration of their protected leave. Non-group health plan benefits would not have to be available to such employees during leave.

Employers must generally reinstate employees after their FMLA leave period ends, but there is an exception for small employers (those with fewer than 25 employees) required to offer this extended leave who are experiencing significant economic hardship.

Effective Date: Not later than 15 days after the date of enactment through the end of 2020.

#### Paid Sick Leave – The "Emergency Paid Sick Leave Act"

##### **The Short Story**

Private employers with fewer than 500 employees and public employers of any size must provide paid sick leave for all full-time and part-time employees for a number of COVID-19-related reasons. Affected employers are eligible for a refundable payroll tax credit to cover the costs of the paid leave and related employer health insurance costs.

## **The Details**

### **Paid Leave Requirements**

Private employers with fewer than 500 employees and public employers of any size must provide paid sick leave for all full-time and part-time employees who meet one of the following qualifying reasons:

- The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
- The employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19.
- The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- The employee is caring for an individual who: (i) is subject to a federal, state, or local quarantine or isolation order related to COVID-19; or (ii) has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19.
- The employee is caring for a son or daughter where the school or place of care of the son or daughter has been closed, or the childcare provider of such son or daughter is unavailable, due to COVID-19 precautions.
- The employee is experiencing any other substantially similar condition specified by the Secretary of HHS in consultation with the Secretary of the Treasury and the Secretary of Labor.

Employees are eligible regardless of how long they have been employed by an employer, and an employer may not require an employee to use other paid leave provided by the employer before using the new emergency paid sick leave.

Employees who qualify for this paid sick leave should be paid as follows:

- Full-time employees – 80 hours (2 weeks).
- Part-time employees – Equal to the number of hours generally worked in a 2-week period.

If the employee is sick or subject to quarantine, sick pay is calculated based on the employee's regular rate of pay or, if higher, the applicable minimum wage, up to \$511 per day and \$5,110 in the aggregate. If the employee is absent to care for a family member or child, sick pay is based on 2/3 of the regular rate of pay up to \$200 per day and \$2,000 in the aggregate.

An employer of an employee who is a healthcare provider or an emergency responder is not required to provide the paid sick leave to such employee.

Effective Date: Not later than 15 days after the date of enactment through the end of 2020.

### **Notice Requirement**

A model notice will be provided by the Department of Labor within 7 days; it will describe the various provisions of the Act. Employers are required to post this notice on its premises (or where notices are customarily posted).

## **Employer Tax Credits**

Tax credits will be provided to employers subject to these expanded FMLA and paid sick leave requirements to offset the cost. The employer refundable tax credits may be applied against the employer portion of Social Security taxes equal to the “qualifying” paid leave wages, and the amount of related employer’s contributions toward group health costs. The IRS is expected to release guidance on the calculation method and process for employers to collect the credit.

## **Summary**

This issue brief focuses on employee benefit–related issues. However, in addition to addressing the items described above, the Act also provides for food assistance focusing on children of families who are not able to get food through their school during this public health emergency, some additional unemployment insurance assistance, and increased Medicaid funding, among other things.

Private employers with 500 or more employees are not impacted by the requirements in this Act, other than for an employer sponsored plan to cover costs associated with COVID-19 diagnostic testing with no cost-sharing. The employer tax credits in the Act are designed to help employers with the costs associated with the expanded requirements contained in the Act, so these credits are not available to larger employers.

These requirements will be implemented through sub-regulatory guidance such as agency FAQs, memos, and announcements. We expect to receive additional guidance from the agencies within the next 15 days.

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