



## MINUTES

### **City Council Regular Meeting**

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6:30 PM – Monday, May 11, 2020

GoToMeetings

#### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

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Mayor Logan called the meeting of the Othello City Council to order at 6:30 and led a silent invocation and the Pledge of Allegiance.

#### **ROLL CALL**

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Councilmembers Present:

John Lallas

Angel Garza

Jonathan Erickson

Genna Dorow

Mark Snyder

Corey Everett

Councilmembers Absent:

Maria Quezada

**Council carried a motion to EXCUSE COUNCILMEMBER. M/S Dorow/Garza**

#### **ADMINISTRATIVE STAFF PRESENT**

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Shawn Logan, Mayor

Tania Morelos, City Clerk

Abner Garza, IT Director

Spencer Williams, Finance Officer

Anne Henning, Community Development Director

Phil Schenck, Police Chief

Shawn O'Brien, City Engineer

Terry Clements, Public Works Director

Randy Gomez, Parks and Recreation Coordinator

Kelly Konkright, City Attorney

#### **CITIZEN INPUT**

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There was none.

## **APPROVAL OF AGENDA**

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**Council carried a motion to APPROVE THE AGENDA. M/S Snyder/Erickson**

## **CONSENT OF AGENDA**

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- A. Approval of Payroll and Related Expenses
- B. Approval of City Council Minutes for May 4, 2020

**Council carried a motion to APPROVE THE CONSENT AGENDA. M/S Dorow/Everett**

## **CURRENT BUSINESS**

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### **LIONS PARK BASKETBALL ZONE**

Randy Gomez, Parks and Recreation Coordinator explains the City is applying for three grants for Lions Park. \$350,000 Youth Athletic Facilities Grant, \$369,000 Washington Wildlife and Recreation Program Local Parks Grant, \$369,000 Land and Water Conservation Fund Grant. The City match for these grants is \$167,000 the three RCO grant awards will total \$1,088,000 if successful. The \$167,000 would come out of the restroom reserve fund.

**Council carried a motion to APPROVE RESOLUTION 2020-07, APPLICANT RESOLUTION/AUTHORIZATION RELATED TO APPLYING FOR THREE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE GRANTS. M/S Garza/Dorow**

### **ACCEPT GRANT FROM COMMERCE TO ADOPT A HOUSING ACTION PLAN**

Anne Henning, Community Development Director makes a recommendation to Council to accept the Grant, there would be no local match.

**Council carried a motion to APPROVE THE CONTRACT WITH THE DEPARTMENT OF COMMERCE ACCEPTING A \$25,000 GRANT TO CREATE A HOUSING ACTION PLAN. M/S Lallas/Erickson**

### **REPORT ON PLAN TO REOPEN OTHELLO**

Phil Schenck, Police Chief gives Council a briefing on the plan put together by twenty community members a couple weeks ago. There have been some tune ups and changes to the plan to improve it and the response from Dr. Brezny, County Health Officer was positive. However, he would not be able to approve of it unless it is in the same guidelines as the Phase 4 steps by the Governor.

The County Commissioner's variance request was denied by the Governor. The Governor's metric to approve moving past phases sooner would be that there could not be any positive cases for three weeks. Council believes this is an "unreasonable" metric as COVID is not "going away".

Much discussion ensued about possible alternative plans going forward to reopen Othello. Kelly Konkright, City Attorney answers questions to Council about what it would mean to move forward with a lawsuit.

**QUESTION FROM LAST MEETING ON GOVERNOR'S ORDER**

Mayor Logan reports to Council he spoke with the City's Risk Pool and he learned Cities have a duty to cooperate with the Governor's Orders. The City could litigate or disobey orders but then the City would operate outside public authority. Being in violation of the Governor's order is a risk to the Council and City residence. The City could end up becoming liable for not cooperating and it does not have reserves to pay out for a litigation of this type. The City's insurance would not cover a litigation for intentional acts as not obeying.

Kelly Konkright, City Attorney explains to Council more legal ramifications of going against the Governor's orders and other strategies.

Council gives a consensus for the City attorney to explore legal options and work with and build a consensus with other cities for a litigation against the Governor's order.

**UNFINISHED BUSINESS**

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There was none.

**NEW BUSINESS**

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Federal CARES act is providing \$250,000 to Cities and Counties who are making essential purchases due to COVID-19.

**COUNCIL WILL ALSO RECEIVE THE FOLLOWING**

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**DEPARTMENT HEAD REPORTS**

All department heads give a report to Council on how their departments have adjusted since the Governor's order on COVID-19. The City is still operating full time as usual and providing services to the community while City Hall lobby doors have been closed.

**ADJOURNMENT**

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With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:16 p.m.

By: \_\_\_\_\_  
SHAWN R. LOGAN, Mayor

ATTEST:

By: \_\_\_\_\_  
TANIA D. MORELOS, City Clerk