

RESOLUTION NO. 1442

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN PORT OF COLUMBIA AND THE CITY OF DAYTON INCREASING THE CONTRACT AMOUNT TO \$115,200 IN WASHINGTON STATE DEPARTMENT OF COMMERCE CORONAVIRUS RELIEF FUNDING GRANT FOR DISBURSEMENT AND USE TOWARDS ASSISTING SMALL BUSINESSES WITHIN DAYTON, WA, IMPACTED BY COVID-19 PUBLIC HEALTH EMERGENCY INTERRUPTIONS

WHEREAS, the Port and the City are municipal entities operating, respectively, under the arrangements of Title 53 Revised Code of Washington (RCW) and Title 35A RCW and as such are authorized to enter into interlocal agreements as set forth in Chapter 39.34 RCW; and

WHEREAS, the Washington State Department of Commerce had allocated \$76,800 in Coronavirus Relief Fund (hereinafter "CRF") funds to the City for use towards costs incurred with respect to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the Council Finance Committee (hereinafter "Committee") met June 24, 2020 to review the Commerce's CRF Funding Guidelines; and

WHEREAS, the Committee recommended that the City Council authorize the Mayor to execute an Interagency Agreement between Commerce and the City for CRF to be used as economic support in the form of grants to small businesses to reimburse the costs of business interruption caused by required closures; and

WHEREAS, on July 8, 2020, the Dayton City Council authorized Resolution No. 1422, authorizing said Interagency Agreement for CRF Funding; and

WHEREAS, on July 30, 2020, the City Council authorized and interlocal agreement to pass CRF funds onto the Port of Columbia (hereinafter "Port") to distribute as grants to small businesses for expenses associated with the provision of economic support in connection with the COVID-19 public health emergency; and

WHEREAS, the relationship has provided financial relief to small businesses affected by the COVID-19 public health emergency interruptions; and

WHEREAS, WHEREAS, on September 15, 2020, the City received notification from Commerce that the Coronavirus Relief Fund award increased to \$115,200; and

WHEREAS, the City desires to amend the interlocal agreement to increase the distribution amount to \$115,800.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON,
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The Mayor is hereby authorized to execute on behalf of the City of Dayton Amendment No. 1 to the Interlocal Agreement between the City and Port authorized July 30, 2020, increasing the contract amount to \$115,200 in Washington State Department of Commerce Coronavirus Relief Funding Grant for disbursement and use towards assisting small businesses within Dayton, WA, impacted by COVID-19 public health emergency interruptions as provided in the form attached hereto as Attachment "A".

SECTION 2. The Mayor, or designee, is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.


SECTION 3. All other terms of the Interlocal Agreement between the City and Port authorized July 30, 2020 shall remain in full force and effect except as amended by this resolution.

SECTION 4. This resolution shall take effect and be in full force upon passage and signatures hereon.

ADOPTED by the City Council of the City of Dayton, Washington on this 14TH day of OCTOBER, 2020.

CITY OF DAYTON

City of Dayton


Zac Weatherford, Mayor

Attested/Authenticated by:


Trina Cole, City Administrator

Approved as to form:


Quinn Plant, City Attorney

AMENDMENT NO. 1
TO THE INTERLOCAL AGREEMENT
BETWEEN
CITY OF DAYTON AND PORT OF COLUMBIA
FOR THE PASS THROUGH AND USE OF WASHINGTON STATE DEPARTMENT OF
COMMERCE CORONAVIRUS RELIEF FUNDS

THIS AMENDMENT No. 1 ("Amendment") is made and entered into as of the date set forth below between the City of Dayton , a Municipal Corporation of the State of Washington ("City"), and the Port of Columbia , a Political Subdivision of the State of Washington ("Port") (collectively "the Parties ").

RECITALS

WHEREAS, the Parties entered into an interlocal agreement dated July 9, 2020 ("the Agreement"), under which the Port agreed to provide certain services associated with the distribution of Washington State Department of Commerce Coronavirus Relief Funds for Local Governments .

WHEREAS, Section 1(e) of the Agreement provided that the total Coronavirus Relief Funds (hereinafter "CRF") to be distributed shall not exceed \$76,800;

WHEREAS, Section 2(a) of the Agreement provided that the City shall remit to the Port reimbursable CRF Grant funds within thirty (30) days of being invoiced by the Port up to, but not to exceed a total of \$76,800.

WHEREAS, on September 15, 2020, the City received notification from the Washington State Department of Commerce that the City's CRF award had increased to \$115,200.

WHEREAS, the Parties would like to allow the increase in CRF award to be recognized within the Agreement.

The Parties therefore desire to amend the Section 1(e) and Section 2(a) of the Agreement to recognize the increase in the City's CRF award amount.

NOW , THEREFORE, in consideration of the mutual benefits herein contained , the Parties hereby agree as follows:

1. Section 1(e) of the Agreement which **currently reads as follows:**

e. Total CRF grant funds to be distributed shall not exceed \$76,800.

is hereby amended to read as follows:

e. Total CRF grant funds to be distributed shall not exceed \$115,200.

2. Section 2(a) of the Agreement which **currently reads as follows:**

- a. Remit to the Port reimbursable CRF grant funds within thirty (30) days of being invoiced by the Port up to, but not to exceed a total of \$76,800

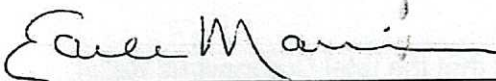
is hereby amended to read as follows:

- a. Remit to the Port reimbursable CRF grant funds within thirty (30) days of being invoiced by the Port up to, but not to exceed a total of \$115,200.

3. All other terms of the Agreement shall remain in full force and effect except as amended by this Amendment. If a conflict arises between the terms of this Amendment and the Agreement, the terms of this Amendment shall control.

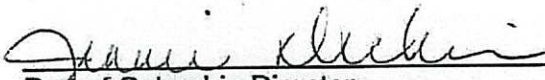
Dated this 14th day of October, 2020

Port of Columbia



Chairman of the Board

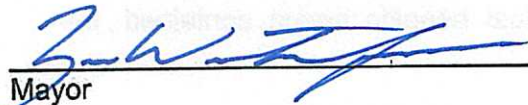
Attest:



Port of Columbia Director

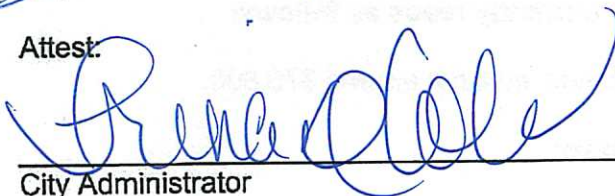
Approved as to form:

Attorney
City of Dayton



Mayor

Attest:



City Administrator

Approved as to form:


Attorney 
Port of Columbia

**INTERLOCAL AGREEMENT
FOR THE PASS THROUGH AND USE OF
WASHINGTON STATE DEPARTMENT OF COMMERCE
CORONAVIRUS RELIEF FUNDS
Between
CITY OF DAYTON
and
PORT OF COLUMBIA**

This agreement made and entered into, by and between the CITY OF DAYTON, Washington, a Municipal Corporation of the State of Washington, hereinafter referred to as "City", and the Port of Columbia, a Political Subdivision of the State of Washington, hereinafter referred to as "Port".

WHEREAS, the Port and the City are municipal entities operating, respectively, under the arrangements of Title 53 Revised Code of Washington (RCW) and Title 35A RCW and as such are authorized to enter into interlocal agreements as set forth in Chapter 39.34 RCW; and,

WHEREAS, the Washington State Department of Commerce has allocated \$76,800 in Coronavirus Relief Fund (hereinafter "CRF") funds to the City for use towards costs incurred with respect to the Coronavirus Disease 2019 (COVID-19; and,

WHEREAS, the City desires to pass CRF funds onto the Port to distribute as grants to small businesses for expenses associated with the provision of economic support in connection with the COVID-19 public health emergency; and

WHEREAS, the Port has processes in place to distribute the CRF funds in conjunction with the Washington State Department of Commerce's Program Guidelines; and,

WHEREAS, the accomplishment of this project will provide financial relief to small businesses affected by the COVID-19 public health emergency interruptions.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:

1. The Port shall have approval authority for the following items:
 - a. Program design in accordance with [Washington State Department of Commerce Coronavirus Relief Funds for Local Governments Program Guidelines](#).
 - b. Receive and review small business requests for reimbursable CRF grants.
 - i. Small businesses must be located within the corporate limits of the city of Dayton .
 - ii. Small business's reimbursable expenses must be associated with the provision of economic support in connection with the COVID-19 public health emergency as provided under Washington State Department of Commerce Coronavirus Relief Funds for Local Governments Program Guidelines, Section 5.1, Eligible Costs - Expenses associated with the provision of economic support.
 - c. Upon approval of grant requests, submit a monthly invoice to the City for reimbursable CRF grant funds including:

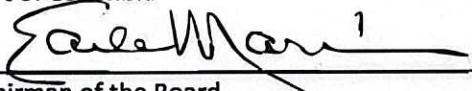
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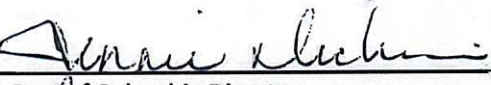
ILA - CRF Funds: City/Port

- i. A brief description of the use of funds;
 - ii. Total amount being requested; and,
 - iii. If applicable, any known or intended outcome, results, or community impacts.
- d. Once requested funds are received from the City, distribute CRF funds to requesting small business.
- e. Total CRF grant funds to be distributed shall not exceed \$76,800.
2. The City shall:
 - a. Remit to the Port reimbursable CRF grant funds within thirty (30) days of being invoiced by the Port up to, but not to exceed a total of \$76,800.
3. Pursuant to RCW 39.34.040, this agreement shall be filed with the Columbia County Auditor or listed on the public websites of the City and Port, if any.

Dated this 9th day of July, 2020

Port of Columbia


Chairman of the Board

Attest: 
Port of Columbia Director

Approved as to Form:

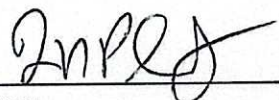
Attorney

Dated this 30 day of July, 2020


Mayor, City of Dayton

Attest: 
City Administrator

Approved as to Form:


Attorney