
AGENDA
OMAK CITY COUNCIL MEETING
Tuesday, September 3, 2024 – 7:00 PM

A. CALL TO ORDER

B. FLAG SALUTE

C. CITIZEN COMMENTS

D. CORRESPONDENCE AND MAYOR'S REPORT

1. Proclamation – Digital Equity Day

E. CONSENT AGENDA

1. Approval of Minutes from August 19, 2024
2. Approval of 2024 Claims

F. NEW BUSINESS

1. Res. 61-2024 – Aprv. Amendment No. 14 to Engineering Srvc. Agr.
2. Res. 62-2024 – Approve Provisional Accredited Levee Agreement

G. OTHER BUSINESS

1. Council Committee Reports
2. Staff Reports



Action by City Council

Our Council Meetings are conducted in person in addition to Zoom Meetings. Meeting information is located on our website at omakcity.com. If you need support or accommodations, contact the City Clerk in advance by phone at 509-826-1170 or by e-mail clerk@omakcity.com for assistance.

PROCLAMATION

BY CINDY GAGNÉ
MAYOR



DIGITAL EQUITY DAY SEPTEMBER 3, 2024

WHEREAS, access to digital resources and technology is essential for education, employment, and healthcare in our modern society; and

WHEREAS, promoting digital equity ensures that all individuals, regardless of background or socioeconomic status, have access to the tools and skills necessary to thrive in the digital age; and

WHEREAS, the NCW Digital Access and Equity Coalition, in collaboration with NCW Tech Alliance, is dedicated to bridging the digital divide in North Central Wahington through advocacy, education, and community engagement; and

WHEREAS, the City of Omak recognizes the importance of fostering an inclusive and accessible digital environment for all residents;

THEREFORE, I Cindy Gagné, Mayor of the City of Omak, do hereby proclaim September 3, 2024, as Digital Equity Day in Omak. I urge all residents, businesses, educational institutions, and community organizations to join in efforts to promote digital equity and ensure that everyone in our community can fully participate in and benefit from the digital world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Omak to be affixed this 3rd day of September 2024.



Cindy Gagné
MAYOR

MEMORANDUM

To: Cindy Gagné, Mayor
Omak City Council

From: Wayne Beetchenow, Public Works Director

Date: September 3, 2024

Subject: **Resolution No. 61-2024** Approving Amendment No. 14 to the professional services agreement with Gray & Osborne, Inc.

The Attached Resolution: **61-2024, A RESOLUTION OF THE OMAK CITY COUNCIL, APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH GRAY & OSBORNE, INC. FOR WATER SYSTEM IMPROVEMENT DESIGN**, is forwarded for your consideration.

This resolution will amend the contract with G&O to design water system improvements along Jonathan Ave. This project will update the water mains prior to the TIB funded street improvements.

I support this Resolution and recommend its approval.

RESOLUTION NO. 61-2024

**A RESOLUTION OF THE OMAK CITY COUNCIL APPROVING AMENDMENT NO. 14
TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GRAY &
OSBORNE, INC. FOR SEWER SYSTEM IMPROVEMENT DESIGN**

WHEREAS, the City of Omak extended the contract with Gray & Osborne, Inc. to provide On-Call Engineering Services by the approval of Resolution No. 39-2023; and

WHEREAS, it is necessary to secure professional engineer consulting services for the design of the Water System Improvement Project; and

WHEREAS, the scope of work and engineering cost for providing these services is estimated not to exceed a budget of \$50,000 as shown on the attached Schedules Exhibit "A" and "B".

NOW, THEREFORE BE IT RESOLVED by the Omak City Council, that Amendment No. 14 to the Contract for Personal Engineering Services between the City of Omak and Gray & Osborne, Inc., a copy of which is attached hereto as Exhibit "A" and "B" is hereby approved. The mayor is authorized to execute this document on behalf of the city.

PASSED AND APPROVED this _____ day of _____, 2024

SIGNED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael D. Howe, City Attorney

**AMENDMENT NO. 14
TO
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

THIS AMENDMENT, by and between the City of Omak, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) April 3, 2023, for additional services related to the On-Call Engineering Services.

Jonathan Avenue Water System Improvements

See the attached Exhibit A and Exhibit B for the scope and fees. The City requests professional engineering services for design and bid and award services for the Jonathan Avenue Water System Improvements project for a not-to-exceed budget of \$50,000.

IN WITNESS WHEREOF, the parties hereto have executed, or cause to be executed by their duly authorized officials, this AMENDMENT to the Contract for Engineering Services in duplicate on the respective dates indicated below.

GRAY & OSBORNE, INC.

CITY OF OMAK

By: 
(Signature)

By: _____
(Signature)

Name: Michael B. Johnson, P.E., President
GRAY & OSBORNE, INC.

Name: _____
(Print)

Date: 8/23/24

Date: _____

"Equal Opportunity/Affirmative Action Employer"

EXHIBIT A

SCOPE OF SERVICES

CITY OF OMAK JONATHAN AVENUE WATER SYSTEM IMPROVEMENTS

Based on our understanding of the project, this Scope of Work presents the professional engineering services requested by the City of Omak for design engineering and bid and award services for the Jonathan Avenue Water System Improvements project.

It is our understanding that the project consists of the installation of approximately 500 feet of 8-inch water main pipe, hydrants, valves, and appurtenances located within City rights-of-way and easements on Jonathan Avenue from Quince Street west approximately 500 feet. The project also includes the replacement of approximately 200 feet of 2-inch water service pipe and four water meters located within an existing easement running south from Jonathan Avenue approximately 250 feet from the Jonathan Avenue/Quince Street intersection.

The project also includes hot mix asphalt surface restoration at the water main connection locations on Quince Street and end of paved portion of Jonathan Avenue. Hot mix asphalt surface restoration on the remaining portions of Jonathan Avenue within the project area will be paid using Transportation Improvement Board funding recently procured by the City.

We understand that the project is funded through City funds.

More specifically, the work will include:

DESIGN ENGINEERING SERVICES

Task 1 – Project Management

This task will include the following:

- A. Incorporate overall project management as well as in-house quality assurance and quality control (QA/QC) reviews of all documents in order to address relevant issues that may affect the project.

Task 2 – Design Survey

The objective is to establish vertical and horizontal control necessary for the construction of the proposed improvements that includes identifying existing utilities, alignment and other related work. This task will include the following:

- A. Establish vertical and horizontal control for survey and mapping suitable for the development of plans at a horizontal scale of 1"=20'.

- B. Field survey existing sewer, water, and stormwater utilities, obtain invert elevation data at each manhole, catch basin, and storm drain manhole, and field survey marked underground utilities within roadway and alley rights-of-way.
- C. Acquire public records of survey, plat maps, assessor maps, and record drawings as may be available. Identify existing utilities of record and delineate existing rights-of-way, recorded easements, and other related and pertinent site topography.

Task 3 – Preliminary Design

The objective is to develop preliminary design concepts and construction drawings at preliminary design phase (35 percent). Design plans and specifications will be prepared in City-approved format. This task will include the following:

- A. Prepare preliminary plans at a scale of 1"=20'. These Plans will provide a planimetric view of existing sewers and also incorporate City design standards, as applicable.
- B. Incorporate available utility record drawing information, plat map (property line) and rights-of-way information.
- C. Prepare preliminary specifications, to include proposal, contract, and bonding requirements.
- D. Provide preliminary construction cost estimate.
- E. Determine and describe local, state, and federal permits, and licenses required for construction of the proposed improvements. Prepare and submit said permits and approval applications prior to completion of design. The City will pay any permit and approval review fees.
- F. Perform a quality assurance and quality control (QA/QC) review of all documents in order to address those relevant issues that may affect the project.
- G. Review plans, specifications, and cost estimates with the City.

Task 4 – Final Design Contract Documents

The objective is to provide final Contract Documents and cost estimate in City-approved format. This task will include the following:

- A. Prepare final plan designs and project specifications to and including final quantities, order of work, schedule, and cost estimate.

- B. Submit Contract Documents and cost estimate to the City, to include incorporation of all previous City comments.
- C. Conduct an on-site review with the City.
- D. Perform a quality assurance and quality control (QA/QC) review of all documents in order to address those relevant issues that may affect the project.

Task 5 – Bid and Award Services

The objective is to assist the City in bid and award of the project. This task will include the following:

- A. Provide the City with the Call for Bids for advertisement for bids (City will pay all publishing costs) and the Contract Documents and construction cost estimate (in both hard copy and electronic formats).
- B. Provide access to Contract Documents to local plan centers, licensed contractors and material suppliers free-of-charge via Gray & Osborne Bid Document Distribution System website at <http://gobids.grayandosborne.com>.
- C. Answer questions from potential bidders and issue any addenda, as required.
- D. Attend the bid opening, review the bids, check bidder references, prepare the bid summary, and recommend award of the construction contract.

BUDGET

The maximum amount payable to the Engineer for completion of all work associated with this Scope of Work, including contingencies, salaries, overhead, direct non-salary costs and net fee shall be as shown in Exhibit B. This amount shall not be exceeded without prior written authorization of the City.

EXHIBIT B

ENGINEERING SERVICES SCOPE AND ESTIMATED COST

City of Omak - Jonathan Avenue Water System Improvements

Tasks	Principal Hours	Project Manager Hours	Project Engineer Hours	AutoCAD/ GIS Tech./ Eng. Intern Hours	Professional Land Surveyor Hours	Field Survey (2 person) Hours
1 Project Management		8				
QA/QC Reviews	8	8	8	8		
2 Design Survey		4			8	20
3 Preliminary Design		24	40	56		
4 Final Design Contract Documents		16	24	24		
5 Bid and Award Services		8	8			
Hour Estimate:	8	68	80	88	8	20
Fully Burdened Billing Rate Range:*	\$150 to \$235	\$140 to \$235	\$125 to \$175	\$60 to \$165	\$125 to \$190	\$180 to \$295
Estimated Fully Burdened Billing Rate:*	\$210	\$210	\$175	\$140	\$180	\$260
Fully Burdened Labor Cost:	\$1,680	\$14,280	\$14,000	\$12,320	\$1,440	\$5,200

Total Fully Burdened Labor Cost: \$ 48,920

Direct Non-Salary Cost:

 Mileage & Expenses (Mileage @ current IRS rate) \$ 1,000

 Printing \$ 80

TOTAL ESTIMATED COST: \$ 50,000

* Actual labor cost will be based on each employee's actual rate. Estimated rates are for determining total estimated cost only. Fully burdened billing rates include direct salary cost, overhead, and profit.

MEMORANDUM

To: Cindy Gagné, Mayor

From: Todd McDaniel, City Administrator

Date: September 3, 2024

Subject: **Resolution No. 62-2024** Approving Provisional Levee Agreement

The Attached Resolution **62-2024, Approving a Provisional Accredited Levee Agreement**, is forwarded for your consideration.

FEMA is updating the Federal Flood Maps. During this process, the question of whether our Levee system meets Federal requirements. The answer to this question will have a significant impact on how the Flood hazard areas are designated within the city.

This agreement allows the city time to evaluate our levee system, review the updated flood event areas, and determine the appropriate actions to be taken.

I support this resolution and urge its adoption,

RESOLUTION NO. 62-2024

A RESOLUTION OF THE CITY COUNCIL OF OMAK, WASHINGTON, APPROVING A PROVISIONAL ACCREDITED LEVEE AGREEMENT

WHEREAS, The Federal Emergency Management Agency (FEMA) is in the process of performing a flood hazard study and producing an updated Flood Insurance Rate Maps (FIRM) and Flood Insurance Study Report within Okanogan County; and

WHEREAS, for this study to correctly identify flood hazard zones within our City, the City is required to confirm that the Omak Levee system meets the Federal regulatory requirements of 44CFR65.10, and

WHEREAS, as a provision of these upcoming changes, FEMA has prepared an agreement that will allow the city, until November 1, 2026, to confirm the regulatory compliance of the Omak Levee System.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Omak that the Provisional Accredited Levee Agreement, a copy of which is attached hereto as "Exhibit A," is approved. The Mayor is hereby authorized to execute the same for and on behalf of the City, and the City Clerk is authorized to attest her signature.

INTRODUCED AND APPROVED by the City Council of the City of Omak this _____ day of _____, 2024.

APPROVED:

Cindy Gagné, Mayor

ATTEST:

Connie Thomas, City Clerk

APPROVED AS TO FORM:

Michael D. Howe, City Attorney

**PROVISIONALLY ACCREDITED LEVEE AGREEMENT
FOR LEVEE OWNER,
CATEGORY B: USACE PROGRAM LEVEE SYSTEM**

Letter of Agreement and Request for Provisionally Accredited Levee Designation and Agreement to Provide Adequate Compliance with the Code of Federal Regulations, Title 44, Chapter 1, Section 65.10 (44CFR65.10)

Omak Authorized Left Bank and Omak Authorized Right Bank

We, the undersigned, have received the letter from the U.S. Department of Homeland Security’s, Federal Emergency Management Agency (FEMA) dated August 1, 2024, and the enclosed copy of 44CFR65.10, titled “Mapping of Areas Protected by Levee Systems.” We understand that FEMA is in the process of providing an updated flood map, termed a Flood Insurance Rate Map (FIRM) and a Flood Insurance Study (FIS) report, for the City of Omak, the Confederated Tribes of the Colville Reservation, and Okanogan County, Unincorporated Areas and that the impacted area of the levees listed in the table below will be identified as a Provisionally Accredited Levee.

NLD System ID	System Name	Flood Source	From Location	To Location
5505000012	Omak Authorized Left Bank	Okanogan River	US Hwy 97 Bridge over the Okanogan River	Approx. 1.2 miles downstream of US Hwy 97
5505000013	Omak Authorized Right Bank	Okanogan River	Approx. 0.5 miles downstream of US Hwy 97	Emery Drive

To the best of our knowledge, the levee systems known as the Omak Authorized Left Bank and Omak Authorized Right Bank meet the requirements of 44CFR65.10. We hereby submit to FEMA, within 90 days (before November 1, 2024 (91st Day Following Date of the Initial Notification Letter), our agreement to provide FEMA with necessary data and documentation to show that the levee systems known as the Omak Authorized Left Bank and Omak Authorized Right Bank comply with 44CFR65.10.

We understand that the data and documentation will be required before November 1, 2026 (Second Anniversary of 91st Day Following the Initial Notification Letter). The data and documentation will allow FEMA to move forward with the updated FIRM and FIS report for Okanogan County, Washington, and the Confederated Tribes of the Colville Reservation. We fully understand that if complete data and documentation to comply with 44CFR65.10 are not provided within the designated timeframe of 24 months, FEMA will initiate a MAP revision to redesignate the levee impacted area as Special Flood Hazard Area, designated Zone AE, on the FIRM.

Community Chief Executive Officer: _____(signature)

_____ (print)

Date: _____

Other (if applicable): _____(signature)

_____ (print)

Date: _____



FEMA

August 1, 2024

Ms. Cindy Gagné
Mayor
P.O. Box 72
Omak, WA 98841

Re: Initial Notification Letter for Levee Owner: PAL Category B: USACE Program Levee System

Dear Mayor Gagné:

The Federal Emergency Management Agency (FEMA) is in the process of performing a flood hazard study and producing an updated Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Okanogan County, Washington, and the Confederated Tribes of the Colville Reservation. This mapping project is being undertaken as part of the FEMA Risk Mapping, Assessment, and Planning (Risk MAP) program.

This letter is in reference to the levee system(s) described in the table below, shown on the effective FIRM and in the effective FIS report, dated November 1982, for the City of Omak, and dated January of 2003, for Okanogan County, Unincorporated Areas.

NLD System ID	Levee System Name	Flooding Source	From Location	To Location
5505000012	Omak Authorized Left Bank	Okanogan River	US Hwy 97 Bridge over the Okanogan River	Approximately 1.2 miles downstream of US Hwy 97
5505000013	Omak Authorized Right Bank	Okanogan River	Approximately 0.5 miles downstream of US Hwy 97	Emery Drive

As part of the mapping process, FEMA determined that the flood hazard information presented on the effective FIRM and in the effective FIS report is based, in some areas, on a flood hazard reduction provided by the Omak Authorized Left Bank Levee and the Omak Authorized Right Bank Levee. Based on the information available and on National Flood Insurance Program mapping standards at the time that the flood hazard study for the effective FIRM and effective FIS report was performed, FEMA recognized the levee systems as reducing the hazard posed by the base (one percent-annual-chance) flood, also referred to as accredited. The levee impacted area landward of the levee systems was designated Zone X (shaded) on the FIRM.

Mayor Gagné
August 1, 2024
Page 3

the Federal flood insurance coverage requirement does not apply in areas outside the Special Flood Hazard Area. Although the levee systems may reduce the base flood hazard; they do not eliminate the risk of flooding.

If the data and documentation required to comply with 44CFR65.10, including an existing operation and maintenance plan and record of an onsite inspection by a registered professional engineer, are readily available, please submit the data and documentation to this office within 30 days of the date of this letter. Upon receipt, FEMA will perform a completeness check of the data and documentation submitted to determine if the contents meet the criteria of the 44CFR65.10. If the minimum criteria cited in 44CFR65.10 have been met, the levee systems will continue to be mapped as accredited on the FIRM by reducing the flood hazard posed by the base flood.

If there are questions regarding the specific submittal requirements, please contact Dale Meck, at dale.meck@fema.dhs.gov or (202) 285-2671. You are also welcome to contact me directly, at (425) 213-9496.

We look forward to working with the City of Omak, Washington, and other community officials to address this important matter. If there is anything we can do to facilitate the submittal process, please let us know.

Sincerely,

RYAN O IKE

Digitally signed by RYAN O IKE
Date: 2024.08.02 07:42:31
-07'00'

Ryan Ike
Acting Director, Mitigation Division
FEMA Region 10

Enclosures

cc: Tyler Wells, Building Official, City of Omak, Washington
Amanda Richardson, Washington Department of Ecology, National Flood Insurance Program
Coordinator
Charles Ifft, P.E., USACE, Seattle District, Levee Safety Program Manager
Senator Patty Murray's Washington, DC, Office
Senator Maria Cantwell's Washington, DC, Office
Representative Dan Newhouse's, Washington, DC, Office

DM:vl

Colville Tribes and Okanogan County, Washington Draft Floodplains (as of July 16, 2024)

Overview
Initial draft flood hazard mapping for Okanogan County was released in 2020 and for the Colville Tribes in 2021. Since both releases, updates along the Okanogan River, Okanogan Tributary 2, Similkameen River, and city of Brewster revised the initial draft hazard releases.

Proposed areas are grouped by risk, flood zone, and flood frequency as follows:

Area of High Flood Risk

- Zone A | 1% Annual Chance Flood Event
- Zone AE | 1% Annual Chance Flood Event
- Zone AE (Floodway) | 1% Annual Chance Flood Event
- Zone AH | 1% Annual Chance Flood Event

Draft 1-Percent Annual Chance Water Surface Elevation (as of July 16, 2024)

Draft 1-Percent Annual Chance Base Flood Elevation (as of July 16, 2024)

