

COUNCIL AGENDA

Monday, June 1, 2020



In-person attendance at public meetings is currently prohibited per the Washington Governor's Proclamation No. 20-28.2 through May 31, 2020. Ellensburg City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at ectv2.com.

In addition, members of the public who wish to listen to the meeting over conference call may do so by calling: 1-253-215-8782 and entering Webinar ID: 828 2475 2514 and the "#" sign when prompted. When prompted for the Participant ID, enter the "#" sign again (there is no Participant ID for this meeting).

Please Note: Public comment is not accepted during this meeting.

**CITY OF ELLENSBURG
COUNCIL AGENDA
Monday, June 1, 2020
7:00 PM - Regular Meeting**

Pledge of Allegiance

1. Call to Order and Roll Call

2. Proclamations

3. Awards and Recognitions

4. Approval of Agenda

5. Consent Agenda

Items listed below have been distributed to Councilmembers in advance for study and will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Councilmember or at the request of a member of the public with concurrence of a Councilmember. Requests to remove items should be made under Item 4 Approval of Agenda.

5.A Approve June 1, 2020 Voucher Listing 4
[6-1-20 Vouchers](#)

6. Petitions, Protests, and Communications

6.A [Board and Commission Appointments](#) 5
[B and C Agenda Report Chart 06-01-20 EBDA Email](#)
[Andreas Bohman Application](#)

6.B COVID-19 Update

7. Citizen Comment on Non-agenda Issues

8. Business Requiring Public Hearings

9. Introduction and Adoption of Ordinances and Resolutions

9.A [Ordinance 4851 Second Reading for Title 4 Title 4 Public Works Revisions](#)
[\(Section 4.14.020 and 4.14.120\).](#) 10
[4851 - Title 4 Public Works Amendments](#)

9.B Ordinance No.4853 Amendments to Ellensburg City Code Sections 1.33.240 and
2.16.4700 - City Arts Acquisition Fund. 16
[Cover Page](#)
[Arts Commission Amendments.06-01-2020](#)

10. Unfinished Business

11. New Business

12. Miscellaneous

12.A Manager's Report

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[6-1-20 MANAGERS REPORT](#)

[City Management Emergency Order 2020-02](#)

12.B Councilmember Reports

13. Executive Session

14. Adjournment

VOUCHER APPROVAL

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED, OR THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF ELLENSBURG, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.


AUDITING OFFICER

5/26/2020
DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **1ST DAY OF JUNE 2020**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Claims Fund				Total Amounts
Check #'s	148758	TO	148892	\$ 1,005,196.10
EFT #'s	4213	TO	4234	\$ 798,393.31

Payroll Fund				Total Amounts
Check #'s	95158	TO	95162	\$ 9,419.87
Direct Deposits	56076	TO	56266	\$ 364,911.40

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 1, 2020

Item Title/Agenda Subject: Board and Commission Appointments

Submitted by: Laurie Gigstead City Manager Department

Recommended Action or Motion: Consider confirming appointment of Andreas Bohman to the Ellensburg Business Development Authority Board.

Background/Summary: Two people have applied to serve on the Ellensburg Business Development Authority Board. The EBDA considered the applications and have made the recommendation to appoint Andreas Bohman to the Ellensburg Business Development Authority Board (see the attached email from the EBDA Board).

Previous Council Action:
N/A

Analysis: As directed by Council, applications are presented to Council for consideration. The attached chart shows all current vacancies and the applicant information. A copy of the application for appointment is attached to the agenda report.

Financial Impact: N/A

Attachments:

[B and C Agenda Report Chart 06-01-20](#)

[EBDA Email](#)

[Andreas Bohman Application](#)

Boards and Commissions	Affordable Housing Commission	Arts Commission	Building Appeals Board	Civil Service Commission	Ellensburg Business Development Authority Board	Environmental Commission	Landmarks and Design Commission	Library Board	Lodging Tax Advisory Committee	Parks and Recreation Commission	Planning Commission	Public Transit Advisory Committee	Senior Citizens Advisory Commission	Utility Advisory Committee
MEMBERS	7	7	5	3	9	7	7	7	5	7	7	7	7	7
Residency Requirements	Y	N	N	Y	N	Y	Y	Y	N	Y	Y	N	N	Y
Current Members within City Limits	6	2	0	3	1	6	5	5	3	6	6	7	4	5
Current Members Outside City Limits	1	5	3	0	6	1	1	2	1	0	1	0	3	0
Current Members Outside but in UGA	0	0	0	0	0	0	0	0	0	0	0	0	0	1
VACANCIES	0	0	2	0	2	0	1	0	1	1	0	0	0	1
APPLICANTS														
Andreas Bohman					1 st									

Laurie Gigstead

From: Beth Leader
Sent: Tuesday, May 26, 2020 11:19 AM
To: Laurie Gigstead
Subject: EBDA membership

At the May 20th meeting, the EBDA Board voted in favor of appointing applicant Andreas Bohman to the Board. The other applicant, Renee Fyall, was reviewed at the March meeting, and withdrew her application.

Please let me know if you need any other information.
Thank you,
Beth

Beth Leader
City Clerk | City of Ellensburg
501 N. Anderson Street | Ellensburg, WA 98926
Office: 509-925-8614 | Fax: 509-962--7130
Website: www.ci.ellensburg.wa.us

Confidentiality Notice: This e-mail may contain confidential and privileged information. If you have received this message by mistake, please notify me immediately by replying to this message or telephoning me, and do not review, disclose, copy or distribute.

Advisory: Please be advised the City of Ellensburg is required to comply with the Public Records Act, Chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. Therefore, the information you submit to the City via email, including personal information, may ultimately be subject to disclosure as a public record.

Laurie Gigstead

From: noreply@civicplus.com
Sent: Tuesday, March 17, 2020 11:48 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

Application for Appointment

Application for Appointment
For volunteering to serve on a Board or Commission

Boards & Commissions	Ellensburg Business Development Authority
Name of Applicant:	Andreas Bohman
Address	1008 E Craig Avenue
Mailing Address (If Different)	<i>Field not completed.</i>
City	Ellensburg
State	WA
Zip	98926
Email Address	abohman@gmail.com
Phone Number	9079788125
Length of Residence in Ellensburg	7 years
Do you live within the city limits?	Yes
If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age?	No
Occupation Status and Background:	I am currently the Vice President of Operations for Central Washington University. As such, I am overall responsible for maintaining all facilities, technology, public safety, project management, environmental sustainability, and big data for the university. In the past, I have held the position as Chief Information Officer (CIO) and Chief Information Security Officer

(CISO) for the university. I have extensive background in technology, security, and operations. I am also a member of the State of Washington National Guard and have served over 20 years in the military. I have held positions as a Special Forces Detachment Commander, Military Intelligence Officer, and Cyber Operations Officer.

Organization Affiliations:	Information Systems Audit and Control Association (ISACA) International Information System Security Certification Consortium (ISC2) Special Forces Association (SFA) Military Intelligence Corps Association Youth Services of Kittitas County (Mentor)
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Why are you seeking appointment?	I am very interested in adding more value to my local community. Having lived here for seven years, I would like to be more active in furthering economic development in Ellensburg. I believe my background, experience, and network will add long-term value to the Ellensburg Business Development Authority (EBDA). I have been following some of the accomplishments already achieved by the EBDA and I am excited to be a member of a team who will help realize the future of our community.
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Will you be able to attend meetings regularly if appointed?	Yes
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If your first choice, as listed above, is not available, which other boards or commissions would you be interested in serving on?

Boards & Commissions	Environmental Commission
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Boards & Commissions	Planning Commission
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Email not displaying correctly? [View it in your browser.](#)



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 1, 2020

Item Title/Agenda Subject: Ordinance 4851 Second Reading for Title 4 Title 4 Public Works Revisions (Section 4.14.020 and 4.14.120).

Submitted by: Derek Mayo Public Works & Utilities

Recommended Action or Motion: Consider second reading and adoption of Ordinance 4851 revising Title 4 (Sections 4.14.020 and 4.14.120) of the ECC.

Background/Summary: Attached for Council's consideration is Ordinance 4851 which reflects various revisions to Section 4.14.020 and 4.14.120 of the Ellensburg City Code. Council is being requested to consider second reading of the ordinance. The proposed changes include: Revised the reference for the General Specification, Section 4.14.020, to the Public Works Development Standards Revised Section 4.14.120 to allow for up to 50% City Participation on sidewalk repairs/replacements for Commercial and Industrial properties Added the recently adopted ADA Transition Plan as a consideration when prioritizing City's sidewalk repairs

Previous Council Action: First reading of Ordinance 4851 was held at the March 16th Council meeting. The Public Works and Development Standards were adopted by Ordinance in 2006, and have been periodically updated since then. Second reading of the Ordinance was originally scheduled for the April 6th, 2020 meeting, but was removed from the agenda due to the effort to minimize non-time sensitive items before Council during the shelter at home order. With construction opening up, staff would like to now take second reading to Council, as the proposed Ordinance may promote additional sidewalk repairs to be completed.

Analysis: The proposed revisions to Section 4.12.120 of the ECC will allow for City participation on sidewalk repairs for commercial and industrial properties, dependent on available budget and approval by the Public Works and Utilities Director. Staff hopes this will lead to an increase in sidewalk repairs and that necessary repairs will be completed in a more timely fashion.

Financial Impact:

No financial impact at this time. Projects will be completed within the existing annual sidewalk repair replacement budgeted amounts.

Attachments:

[4851 - Title 4 Public Works Amendments](#)

ORDINANCE NO. 4851

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO TITLE 4 “PUBLIC WORKS” AND AMENDING SECTIONS 4.14.020 AND 4.14.120 OF THE ELLENSBURG CITY CODE.

WHEREAS, the proposed change to section 4.14.120 (C) would allow for the City of Ellensburg (“City”) to participate in sidewalk repairs for commercial and industrial properties, as budget allows;

WHEREAS, with the completion and acceptance of the City’s Americans With Disabilities (“ADA”) Transition plan update, ECC 4.14.120(G) was revised to include the accepted plan as a criteria for the Public Works and Utilities Director to prioritize repairs;

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington, do hereby ordain as follows:

Section 1. Section 4.14.020 of the Ellensburg City Code, as last amended by Section 3 of Ordinance 3066, is hereby amended to read as follows:

4.14.020 General specifications.

All sidewalks, curbs and gutters hereafter constructed in the city of Ellensburg shall be constructed or reconstructed in accordance with ~~Division 8 of the Standard Specifications provided for in ECC 4.04.020~~ the Public Works Development Standards, as outlined in Chapter 4.04 ECC, except as modified herein. [Ord. 3066 § 3, 1975; Ord. 2920 § 3, 1972; Ord. 2844, 1970.]

Section 2. Section 4.14.120 of the Ellensburg City Code, as last amended by Section 4 of Ordinance 4804, is hereby amended to read as follows:

4.14.120 Maintenance of sidewalks and driveways.

A. Hazardous Sidewalks. It is unlawful for any person, persons, firm or corporation to keep or retain a public sidewalk or driveway area fronting his property which is in a state of disrepair and dangerous for use by the public.

B. Method of Repair. Repairs shall consist of removing complete slabs, sections or squares of sidewalk which are broken, spalled, raised and/or otherwise damaged, and replacing them with new cement, concrete or concrete paving stones. Removal of only portions of damaged sidewalk slabs, sections or squares shall not be permitted.

C. Cost Sharing. City participation in cost sharing for sidewalk repairs is dependent on available budget and approval of the Public Works and Utilities Director. When sidewalks are ordered to be repaired or replaced or when property owners at their own initiative request repairs,

the city shall participate with the property owner in the expense of repair or replacement as follows:

Area	City Participation	Property Owner Participation
Residential Property	100%	0%
Public Reserve Zone	0%	100%
Commercial and Industrial Property	0 <u>50</u> %	100 <u>50</u> % ⁴
Paver Stone District	100% ¹	0% ¹
	25% ²	75% ²
	0% ³	100% ³

¹Applies to areas with existing concrete paving stones or fired clay pavers which are repaired.

²Applies to areas with existing concrete sidewalks which, because of their condition, are extensively reconstructed with concrete paving stones.

³Applies to areas with existing concrete sidewalks which, because of their condition, are extensively reconstructed with concrete.

⁴~~Commercial/industrial property owners wishing to complete repairs may petition the public works and utilities director to participate in the city's annual repair contract at their own expense in order to access the project unit bid prices and secure removal of damaged sidewalk by city forces and roadway patching at no additional cost.~~

D. The property owner shall not be required to repair or replace those slabs, sections or squares damaged by the city in the course of installation of utilities, plantings or signs.

E. For purposes of subsection (C) of this section, the references to zones are those zones contained in the city of Ellensburg's zoning ordinance, except for the paver stone district, which refers to properties fronting the following specific streets:

Street	From	To
Pearl	Second	Sixth
Pine	Second	Sixth
Main	Second	Sixth
Ruby	Second	Sixth
Third	Depot	Ruby
Fourth	Water	Ruby
Fifth	Water	Ruby
Sixth	Water	Ruby

F. Sidewalk repairs within the paver stone district as defined in this section shall be made with concrete paving stones wherever concrete paving stones or clay paver bricks exist. In areas of existing concrete sidewalk, the director of public works and utilities shall first review the work and then report to the city council on the recommended method of repairs. Whenever possible, concrete paving stones should be used. The city council, after review, shall determine the method and extent of repairs to be undertaken.

G. The director of public works and utilities shall prioritize the repairs to ensure that the most needed repairs are accomplished first. The director of public works and utilities shall take into consideration the following when prioritizing the city's repairs:

1. The volume of pedestrian traffic;~~and~~
2. The usage of the sidewalk by senior citizens;~~;~~ and
3. Recommendations/guidance from the City's most current ADA Transition Plan.

H. Repair work in excess of budgeted funds may, at the option of the property owner, be completed at the property owner's sole expense or the property owner may elect to have the work carried over until the next year, at which time it will again be prioritized against all available funds and projects. The property owner's responsibility for the repair of sidewalks shall not in any way be diminished by reason of said sidewalk not attaining priority under the city's prioritization.

I. To qualify for city participation, the work shall be under the control and supervision of the director of public works and utilities. The director of public works and utilities shall work with the property owner to ensure that the best product is achieved at the most economical price. [Ord. 4804 § 4, 2018; Ord. 4605 § 1, 2011; Ord. 3618 § 1, 1988.]

Section 3. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 4. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 1st day of June, 2020.

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4851 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4851 was published as required by law.

BETH LEADER



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 1, 2020

Item Title/Agenda Subject: Ordinance No.4853 Amendments to Ellensburg City Code Sections 1.33.240 and 2.16.4700 - City Arts Acquisition Fund.

Submitted by: Josephine Camarillo Library

Recommended Action or Motion:

1. Motion for first reading of the proposed ordinance amending the Ellensburg City Code to provide economic support for the arts, businesses and individuals up to \$60,000, to be funded from the City's Art Acquisition Fund during the City's declared state of emergency.
2. Move, pursuant to Council Rules of Procedure 9.7, to waive Rule 9.3(b), which would otherwise prohibit passage of an ordinance on the same day on which it is introduced (which requires an affirmative vote of five (5) Councilmembers).
3. Proceed with second reading and adoption of the proposed ordinance 4853.
4. Authorize a budget adjustment as requested by staff in the Fiscal Impact section of the report.

Background/Summary: The Ellensburg Arts Commission held a special meeting on April 20, 2020, and voted to recommend that the City Council provide economic support for the arts, businesses and individuals up to \$60,000, to be funded from the City's Art Acquisition Fund.

The Ellensburg City Code limits spending from the Arts Acquisition Fund to art event promotion, art advocacy in Ellensburg and the wider community, and purchase of public art, but does not currently allow for support of businesses and organizations that primarily serve the Ellensburg arts community. On March 9, 2020, the Ellensburg City Council declared a public health emergency in Ellensburg arising from the COVID-19 outbreak.

Previous Council Action: City Council has granted the Arts Commission funding through the regular city budget process. Annual funding dedicated to the arts commission is the greater of either 10 percent of the previous calendar year construction sales tax proceeds or \$25,000, not to exceed \$50,000.

Analysis: The Arts Acquisition fund can support the immediate needs of the Ellensburg Creative Sector who have been economically impacted by the COVID-19 quarantine. If approved, this fund would support individuals and small businesses with under five employees. Businesses and organizations may apply for funds for the purpose of paying creatives for their expenses i.e. art shipping and receiving, lost income from cancellation of services to the organization, or cancelled performances that cannot be rescheduled.

These funds will be made available in the form of unrestricted grants intended to relieve the economic burden of:

- Lost earnings;
- Lost income from event, performance, or conference cancellations;
- Medical expenses;
- Rent and mortgage payments, food, utilities, and other living expenses.

Each awarded grant will be for a maximum amount of \$1,500.00 from a total available pool of \$60,000.00.

Financial Impact: A portion of the \$60,000 designated for this program in the Art Acquisition Fund would be funded through savings to other budgeted programs in the fund, primarily due to COVID-19 related cancellations. An additional \$13,485 expenditure authority is required to accommodate this support to art-related businesses and organizations in the 2020 budget.

ORDINANCE NO. 4853

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 1.33 “ARTS COMMISSION,” AMENDING SECTION 1.33.240 OF THE ELLENSBURG CITY CODE, AND RELATING TO CHAPTER 2.16 “FUNDS,” AMENDING SECTION 2.16.4700 OF THE ELLENSBURG CITY CODE.

WHEREAS, Governor Inslee issued Proclamation 20-05 on February 29, 2020, which declared a State of Emergency for all counties throughout Washington state as a result of the coronavirus 2019 (COVID-19) pandemic outbreak; and

WHEREAS, Governor Inslee issued Proclamation 20-25, “Stay Home, Stay Healthy, on March 23, 2020, which was amended on April 2, 2020, and again on May 4, 2020 (Proclamation 20-25.3) to prohibit all people in Washington State from leaving their homes or participating in social, spiritual and recreational gatherings of any kind regardless of the number of participants, and all non-essential businesses in Washington State from conducting business, within the limitations therein, through May 31, 2020; and

WHEREAS, on March 9, 2020, the Ellensburg City Council declared a public health emergency in Ellensburg arising from the COVID-19 outbreak; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, the Ellensburg City Council recognizes the COVID-19 outbreak due has caused the temporary closure of businesses, limitations on travel and gatherings, and resulting economic distress to all sectors of the national, state and local economy, including businesses and organizations dedicated to art advocacy and education; and

WHEREAS, those businesses and organizations dedicated to creating, supporting and providing education about the graphic and performing arts in Ellensburg provides advantages and improves the quality of life of Ellensburg’s citizens; and

WHEREAS, the Ellensburg Arts Commission held a special meeting on April 20, 2020, and voted to recommend that the City Council provide economic support for the arts, businesses and individuals up to \$60,000, to be funded from the City’s Art Acquisition Fund; and

WHEREAS, section 1.33.240(B) of the Ellensburg City Code limits spending from the Arts Acquisition Fund to art event promotion, art advocacy in Ellensburg and the wider community, and purchase of public art, but does not currently allow for support of businesses and organizations that primarily serve the Ellensburg arts community;

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington do hereby ordain as follows:

Section 1. Section 1.33.240 of the Ellensburg City Code, as last amended by Section 3 or Ordinance 4710, is hereby amended as follows:

1.33.240 Budget.

A. The commission shall receive funding through the regular City budget process. Annual funding dedicated to the Arts Commission shall be the greater of either 10 percent of the previous calendar year construction sales tax proceeds or \$25,000 not to exceed \$50,000.

B. Funding to the commission shall be used for:

1. a Art event promotion, art advocacy in Ellensburg and the wider community, and purchase of public art. The commission may also accumulate funds from year to year that would exceed the funding allocation in a single budget year. ~~Such accumulated funds may only be used for the purchase of public art.~~ The commission shall forward communications to the city council indicating the nature of the request and cost of acquisition, which shall be subject to review and approval by the city council; and

2. To provide financial support to businesses and organizations dedicated to the promotion and advocacy of graphic and performing arts in the city, up to a limit of \$60,000 total, through December 31, 2020.

C. Annually in June, the commission shall provide the City Council with a spending plan for the following year designating the amount of funding dedicated to each activity or purchase proposed for the year. Expenditures for event promotion and art advocacy shall be reviewed and approved by the City Manager or his or her designee.

Section 2. Section 2.16.4700 of the Ellensburg City Code, as last amended by Section 4 of Ordinance 4710, is hereby amended to read as follows:

2.16.4700 Established.

There is hereby established for the city a fund to be known as the “Art Acquisition Fund” for the purpose of accumulating funds for the purchase of public art or such other purpose as provided in ECC 1.33.240(B), as amended by Section 1 of Ordinance 4853.

Section 3. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 4. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication, and shall expire and sunset December 31, 2020 unless extended by a subsequent ordinance of the City Council.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 1st day of June, 2020.

MAYOR

ATTEST:

CITY CLERK

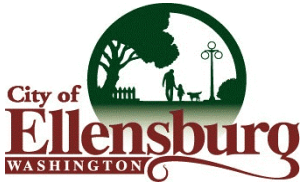
Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4853 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4853 was published as required by law.

Beth Leader



MANAGER'S REPORT

DATE: June 1, 2020
TO: Ellensburg City Council
FROM: John Akers, City Manager

1. Request to Set Public Hearing – Six Year Transportation Improvement Plan Update.

The City is required by law to annually update its Six-Year Transportation Improvement Plan and file a copy with the Washington State Department of Transportation. The plan, which requires a public hearing by the Council, must be adopted by resolution. Staff requests that Council set a public hearing on June 15, 2020, to consider the plan for 2021-2026.

2. Emergency Order No. 2020-02.

Under the authority of the Emergency Declaration adopted by the City Council, I authorized several actions related to collection of utility charges, late fees, and delinquent accounts. In order to formalize these directives Emergency Order 2020-02 has been prepared to formalize the directives, provide staff guidance in the handling of delinquent utility accounts, and establish effective dates for the order. The attached Emergency order is for information only. No Council action is required.

3. CARES Act Funding Contract.

The Department of Commerce Grant Contract for CARES Act funding has been executed by the City and returned to the Department of Commerce for signatures and approval to begin requesting reimbursement. The grant, in the amount of \$598,800 is a reimbursable grant with no local match requirement. Expenditures under the grant will be authorized by the City Council and budget amendments to credit in the funds and debit the expenditures will be requested at the time of processing grant reimbursements.



Office of the City Manager

501 North Anderson Street; Ellensburg, WA 98926

Ph: (509) 962-7221 Fax: (509) 962-7143

City Management Emergency Order

No. 2020-02

WHEREAS, A state of emergency exists in Washington State due to the current COVID-19 outbreak, and as declared by the Ellensburg City Council in Resolution 2020-05; and

WHEREAS, Washington State Governor Inslee issued Proclamation 20-23.3, which prohibits, through May 31, 2020, all energy, telecommunications, and water providers in Washington State from: (1) disconnecting any residential customers from energy, telecommunications, or water service due to nonpayment, except at the request of the customer; (2) refusing to reconnect any residential customer who has been disconnected due to nonpayment; and (3) charging fees for late payment or reconnection of energy, telecommunications, or water service.

WHEREAS, the City owns and operates fee-based electricity, natural gas, sewer, stormwater, telecommunication and water utilities; and

WHEREAS, many citizens and businesses are struggling to pay their utility bills due to reduced revenues and loss of jobs as a result of effects from COVID-19; and

WHEREAS, City Council Resolution 2020-05 grants the City Manager authority to take action to reduce impacts on the Ellensburg community, and the City Manager, pursuant to this authority, ordered the City Finance Department to temporarily suspend utility account disconnections for non-payment of utility bills; and

WHEREAS, the City of Ellensburg desires to provide more specific guidance for utility billing relief to ratepayers affected by COVID-19;

NOW, THEREFORE, I order the Finance Director and/or their designee to amend enforcement of Chapter 2.12 of the Ellensburg City Code entitled "Collection of Accounts - Utilities" as follows for the duration of this Emergency Order:

1. Utility disconnects. Staff shall not disconnect utility service for account delinquency.
2. Penalties. Staff shall not assess penalties or finance (interest) fees for delinquent utility accounts.
3. Disconnect Fees. No involuntary disconnects will be made for non-payment of utility bills.
4. Charges for reconnection. Staff shall waive all reconnection charges as a result disconnection due to non-payment of bills prior to the effective date of this order.

5. Payment of past due accounts.
- a. Staff shall provide a repayment option for economically distressed utility account holders. Those account holders who certify to the City that their household or business is economically distressed and require a repayment option shall enter into a repayment schedule which will begin sixty (60) days following rescission of this order. The repayment plan shall be for equal payments of past due utility billings added to new monthly utility cost. The repayment plan will be allowed for a maximum six months.
 - b. Following sixty (60) days after rescission of this order, any account holder that has not entered into a repayment agreement as provided in subsection (a) above will be subject to the normal charges and collection processes for overdue accounts as authorized in Chapter 2.12 of the Ellensburg City Code.
 - c. Any utility account still in arrears after the repayment plan period has expired will be subject to penalties, charges and collection as provided in Chapter 2.12 of the Ellensburg City Code.
6. Effective Date. This order is hereby effective from March 20, 2020 until Governor Inslee's Proclamation 20-23.3 (and any extension thereof) is rescinded. Sections 5 of this Order shall survive rescission of this Order.

Dated this 22nd day of May, 2020.

By: _____
John Akers, City Manager