COUNCIL AGENDA

Monday, July 20, 2020

City of Ellensburg WASHINGTON

In-person attendance at public meetings is currently prohibited per the Washington Governor's Proclamation No. 20-28.7 through August 1, 2020. Ellensburg City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at ectv2.com.

GUIDELINES FOR PUBLIC PARTICIPATION – ONLINE CITY COUNCIL MEETING

As a result of the threat posed by COVID-19, City is following the mandates from state and county public health officials to take all efforts to prevent the spread of this virus. In compliance with the Governor's Emergency Proclamation 20-28.6 (extended by Proclamation 20-28.7), and in the interest of the safety and welfare of the public, the community, and our employees and to limit the spread of the virus, ***this City Council meeting will not be open to in-person attendance.*** Council will be attending this meeting remotely via video conference. All City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at www.ectv2.com. You may also attend by phone, only, and listen to the meeting by following the registration instructions under "Remote testimony during the meeting," below. Once you register, you will be sent a meeting invite with a phone number for the meeting.

Council will be accepting remote testimony under Citizen Comment on Non-Agenda Items (Item No. 7) as well as for all other topics under the Regular Agenda. Testimony will be accepted in the following manner:

- **Written comments submitted in advance of meeting**
  Submit written comments by mail to Dustin Davison, Deputy City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or via email to: davisond@ci.ellensburg.wa.us. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.

- **Comments for public hearings**
  Written comments must be received by the Deputy City Clerk by 5 p.m. on the meeting date. Comments can either be mailed to Dustin Davison, Deputy City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or sent via email to: davisond@ci.ellensburg.wa.us. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.

- **Remote comments or attendance during the meeting**
  Advance registration is required to testify. Anyone wishing to speak on items under the Agenda must register prior to 7 p.m. on July 20. Register for the meeting at: https://us02web.zoom.us/webinar/register/WN_I5S3XiNVRtu94bT-iLpaow. Once registered, you will receive an email with the meeting link and phone number (for those who wish to call into the meeting).

PROCEDURE FOR PARTICIPATION DURING MEETING

1. Join the meeting early, as you may need to download the app in advance to participate. Once you've joined the meeting, your camera and microphone will be muted until you are recognized by the Mayor to speak.
2. Please note that there may be several items on the City Council Agenda that will precede the agenda item you wish to address.
3. The Mayor will identify the agenda item and ask if anyone wishes to speak on the matter.
4. Any interested person may provide comments on agenda items. If you wish to speak, you must:
   a) Raise your "virtual hand" in the corner of the computer screen or press *9 on your phone. Raising your hand signals the moderator that you wish to speak.
   b) Wait to be called upon by the Mayor using your name, e-mail, or phone number used to log in to the teleconference.
5. Please state your name, address, and whether you are representing only yourself or others.
6. Each speaker's comments are to be limited to 3 MINUTES.
7. Speakers are cautioned not to make comments of a personal, impertinent or derogatory nature.
8. Speakers may not identify themselves as candidates for elective public office or make any

statements which assist or discuss the campaign of a candidate for elective office, or discuss or campaign for or against a ballot proposition (unless the ballot proposition is being considered as part of the City Council agenda item).

Please note: City Council Rules provide that no action will be taken by the Council at the meeting at which a subject is first introduced during the citizen comment period (Item 7 on the Agenda). You may wish to concisely state your concern and request placement of your matter on a future agenda.

CONSENT AGENDA

Members of the audience may request items be removed from the consent agenda by asking for recognition and making the request during Agenda Approval. Items will not be removed from the consent agenda unless your request is confirmed by a councilmember.

AGENDA ITEMS

If you wish to have an item placed on a Council agenda, a written request should be delivered to the City Manager's Office prior to noon on the Monday preceding the Council meeting. Assistance will be provided in preparing a request if you wish to contact the City Clerk at 925-8614.

AMERICANS WITH DISABILITIES ACT

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. Please furnish the ADA Coordinator with your request in sufficient time for the City to provide a reasonable accommodation. A Request for Accommodation form may be obtained on the first floor of City Hall or by calling the City of Ellensburg ADA Coordinator at 962-7222.

CITY OF ELLENSBURG
COUNCIL AGENDA
Monday,July 20, 2020
7:00 PM - Regular Meeting

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.

14. Adjournment

Next Ord 4857
Next Res 2020-18

CITY OF ELLENSBURG	**Minutes of City Council, Regular Meeting**
Date of Meeting	**July 6, 2020**
Time of Meeting	**7:00 PM**
Place of Meeting	**Held remotely per Governor Inslee's Proclamation 20-28.4**
	Ellensburg, WA 98926

1. Call to Order and Roll Call

Roll Call Present: Stacey Engel, Nancy Goodloe, Tristen Lamb, Nancy Lillquist, David Miller, Mary Morgan, Bruce Tabb

Also Present: City Manager Akers; City Attorney/Assistant City Manager Weiner; City Clerk Leader; Executive Assistant Gigstead; Public Works & Utilities Director Lyyski; Engineering Services Manager Mayo; IT/Telecomm Manager Faubion; Community Development Director Sackett and approximately three members of the audience.

2. Proclamations

2.A. Scout Me In Day - July 29, 2020
Mayor Tabb read the Proclamation for "Scout Me In Day - July 29, 2020"

Councilmember Mary Morgan moved to Approve the Mayor sign the Proclamation. **Motion Approved 7-0.**

3. Awards and Recognitions

4. Approval of Agenda

Councilmember Mary Morgan moved to Approve the Agenda as presented. **Motion Approved 7-0.**

5. Consent Agenda

5.A. Approve Minutes - June 15, 2020 Regular Meeting

5.B. Acknowledge Minutes of Affordable Housing Commission - March 4, 2020

5.C. Acknowledge Minutes of Utility Advisory Committee - February 20, 2020

5.D. Traffic Impact Fee – Annual Report

5. E. Project Acceptance - Bid Call 2020-01 Award Bid - Manufacture, Supply and Delivery of Aggregate for Bituminous Surface Treatment (BST)

5.F. 2019 City of Ellensburg Annual Financial Statement Report

5.G. Bid Award - Bid Call 2020-16 North Campus Signalization Project

5.H. Proposed amendment to a 2020 Historic Preservation Grant awarded to 420 N Pearl, LLC, as recommended by the Landmarks and Design Commission on February 19, 2020.

5.I. Request for extension for a 2019 Historic Preservation Grant awarded to the Kittitas County Historical Museum, to install plaques and historic interpretation in the Ellensburg Downtown and First Railroad Districts.

5.J. Interlocal Cooperation Agreement for Contact Tracing Services

5.K. Approve July 6, 2020 Voucher Listing

Councilmember Mary Morgan moved to Approve Consent Agenda as presented. **Motion Approved 7-0.**

6. <u>Petitions, Protests, and Communications</u>

6.A. Board and Commission Appointments
Monica Miller was present to introduce herself and explain her interest in serving on the Lodging Tax Committee.

Councilmember David Miller moved to Approve confirmation of Mayor's recommendation to appoint Monica Miller to the Lodging Tax Advisory Committee. **Motion Approved 7-0.**

6.B. COVID-19 Update
Dr. Mark Larson was present to give an update and spoke regarding current positive cases in Kittitas County, which have been quickly increasing. He reported on case and contact investigations and how that work is progressing.

7. <u>Citizen Comment on Non-agenda Issues</u>

8. <u>Business Requiring Public Hearings</u>

9. <u>Introduction and Adoption of Ordinances and Resolutions</u>

9.A. Ordinance No. 4854 (second reading) - Traffic Code Revisions
Derek Mayo, Engineering Services Manager, presented information in the staff report concerning the recommended Traffic Code Revisions

Councilmember Nancy Goodloe moved to Approve to conduct second reading and adoption of Ordinance 4854. **Motion Approved 7-0.**

9.B. Ordinance (first reading) to correct definition of "low-income disabled citizen" in City's utility code.

Ryan Lyyski, Public Works & Utilities Director, presented information in the staff report proposing corrections to the definition for "low-income disabled citizen"

Councilmember Nancy Lillquist moved to Approve conducting first reading of Ordinance 4855 correcting the definition of "low-income disabled citizen". **Motion Approved 7-0.**

9.C. Ordinance (first reading) to increase the membership of the Lodging Tax Advisory Committee
Terry Weiner, City Attorney/Assistant City Manager, presented information in the staff report, and the request to increase the membership of the Lodging Tax Advisory Committee from five to seven members

Councilmember Mary Morgan moved to Approve conducting first reading of Ordinance 4856 to increase the membership of the Lodging Tax Advisory Committee. **Motion Approved 7-0.**

9.D. Resolution to Approve Multifamily Housing Limited Property Tax Exemption Agreement with Patricia Place, LLC for Patricia Place Center
Kirsten Sackett, Community Development Director, presented information in the staff report and background of the request by Patricia Place, LLC

Councilmember Mary Morgan moved to Approve Resolution 2020-16 for the Multifamily Housing Property Tax Exemption for the Development known as Patricia Place Center and authorize the City Manager to sign the Agreement. **Motion Approved 7-0.**

10. Unfinished Business

10.A. CARES Act small business and rent assistance funding level and process
John Akers, City Manager, presented information in the staff report concerning the money the City will receive from the CARES Act and how the funding will be distributed.

Councilmember Nancy Lillquist moved to Authorize the fund distribution to the City for out of pocket expenses, small business support grants and rent assistance programs at the levels recommended by the Subcommittee and authorize the necessary budget adjustments to facilitate the programs for the CARES Act dollars. **Motion Approved 7-0.**

10.B. Bureau of Reclamation – Schaake Property Habitat Improvement Project; and Wastewater Treatment Facility (WWTF)/Bureau of Reclamation Land Exchange

Ryan Lyyski, Public Works and Utilities Director, presented information in the staff report and reviewed a map showing the land effected with the exchange.

Councilmember Mary Morgan moved to Authorize the Public Works and Utilities Director to sign Amendment No. 1 to the Memorandum of Understanding (MOU) with the Bureau of Reclamation. **Motion Approved 7-0.**

Councilmember Mary Morgan moved to Authorize the Public Works and Utilities Director to sign the Land Exchange Agreement with Reclamation. **Motion Approved 7-0.**

Councilmember Mary Morgan moved to Authorize the Public Works and Utilities Director to sign the Confirmation Deed. **Motion Approved 7-0.**

10.C. City Equity Initiative and Community Messaging- Council Update
Mayor Tabb reviewed the information discussed by the ad-hoc committee and explained the proposed plan for obtaining information and recommendations from community groups. Councilmember Engel reviewed her discussions with community groups and the option of art in the community representing the movement and provided options for the Council to consider, which included painting "Black Lives Matter" on one of three locations which included: in front of the Police Department, outside of the County Courthouse and 5th Avenue between Safeway and City Hall. Council consensus was that 5th Avenue would be the best option, and the location would also have the option of surveillance from City Hall. Councilmember Lillquist asked about the availability of Arts Commission funds being used for the project.

Councilmember David Miller moved to Approve Council authorize the painting of "Black Lives Matter" on East 5th Avenue north of Safeway, within the budget parameters as outlined by the Public Works Department. **Motion Approved 7-0.**

11. New Business

11.A. Joint Application with Kittitas County for Department of Commerce Shelter Program Grant
Terry Weiner, City Attorney, reviewed the information in the staff report and opportunity with HopeSource to purchase an apartment unit and house, which will provide 10 new shelter beds to the community. Susan Grindle was present to answer questions by Council.

Councilmember Stacey Engel moved to Approve submission of a joint application with Kittitas County for Washington Department of Commerce Shelter Program Grant. **Motion Approved 7-0.**

Councilmember Stacey Engel moved to Approve a budget adjustment required for expenditure authority of grant funds as requested in the report. **Motion Approved 7-0.**

11.B. Authorize Budget Amendments for the Ellensburg Police Department Renovation & Additions Construction Project - Bid Call 2019-01
John Akers, City Manager, reviewed the information in the staff report and the necessary budget adjustments needed to complete the project for the Police Department remodel.

Councilmember Nancy Goodloe moved to Approve the necessary budget adjustments for completion of the Police Department Renovation Project as identified in the staff report. **Motion Approved 7-0.**

12. Miscellaneous

12.A. Manager's Report

The City Manager reviewed the information in the Manager's Report and explained a public hearing would need to be set for July 20, 2020 for the surplus property which was originally scheduled for July 6th.

Councilmember Nancy Lillquist moved to Approve setting a public hearing for July 20th for the surplus property owned by the City Water Department. **Motion Approved 7-0.**

12.B. Councilmembers' Reports

- Councilmember Miller attended the County Homeless and Affordable Housing meeting;
- Councilmember Lillquist attended the Utility Advisory Committee, Environmental Commission, Checkerboard Partnership, Economic Recovery Grant Sub-committee and Equity Committee;
- Councilmember Goodloe attended Affordable Housing, Law and Justice Committee and Utility Advisory Committee; reported Community Fund donations are still being disbursed, attended the Equity Ad-hoc meeting and participated in the CWU president search committee meeting;
- Councilmember Lamb participated in the Arts Commission art selection committee;
- Councilmember Engel attended the EBDA meeting, Planning Commission, she is working with Ellensburg School District on a joint meeting date and involved with Black Lives Matter movement;
- Mayor Tabb discussed the proposed joint meeting with the School District possibly on the 24th or 26th of August;

13. Executive Session

14. Adjournment

Motion to adjourn at 9:07 pm

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Mayor

ATTEST: ____________________________
City Clerk

ELLENSBURG BUSINESS DEVELOPMENT AUTHORITY
dba CenterFuse
BOARD OF DIRECTORS MEETING MINUTES

SPECIAL MEETING
Wednesday, May 20, 2020 – 4:00 pm
Virtual Meeting

In attendance: Jared Vallejo, Linda Schactler, Garrett Poshusta, Grant Clark, James Jankowski, John Perrie, City Councilmember Stacey Engel; board applicant, Andreas Bohman and City staff Beth Leader and Kirsten Sackett.v Jake Mayson with CWHBA

Excused absence: None

1. Chair Vallejo called the meeting to order at 4:00 pm

2. Agenda approved as presented. John Perrie moved, Grant Clark seconded. Motion approved with all in favor.

3. Approval of Minutes. John Perrie moved to approve the minutes of the January 8, January 24, and April 15 meetings. Garrett Poshusta seconded. Motion approved with all in favor.

4. Board Business

    a) **Review Potential Member Applications**

    Mr. Bohman introduced himself and reviewed his experience. He answered questions from board members.

    James Jankowski moved to appoint Andreas Bohman as the seventh member of the EBDA. Garrett Poshusta seconded. Motion approved with all in favor.

    b) **Discussion of Discount Rent for Tenants and Past Due Accounts**

    James reviewed information discussed at the sub-committee meeting regarding deferral of tenant rent. John Perrie recommended Jared and Linda speak with the tenants about the opportunities to defer rent. Jared and Linda agreed to speak with tenants.

    c) **Outline of Current Open Projects and Next Steps**

    Jared gave an update on the status of the website, which is almost complete.

    Incubator space – members asked if appraisal has been done. Beth will check.

Members discussed setting a deadline for the appraisal to be completed.

Linda Schactler moved the board request the City Council have a formal appraisal performed of the Incubator facility, to be scheduled no later than August 1, 2020. Garrett seconded. Motion approved with all in favor

RFP – one submittal has been received and will be forwarded to the other members.

d) **Subcommittee Work Plans**

No new information was noted. There was discussion about assistance with scheduling the sub-committee meetings. There was discussion about the Broadband project and how to move forward.

e) **Approval of Vouchers**

Grant Clark moved to approve the vouchers as presented. Linda Schactler seconded. Motion approved with all in favor.

Beth briefly reviewed information with the board concerning: EBDA tax return, Assessment Audit costs and payment of leasehold taxes.

Adjournment: Meeting adjourned 5:20 pm

Drafted: 5/20/2020
Approved: 6/17/2020

CENTERFUSE
Ellensburg Business Development

ELLENSBURG ENVIRONMENTAL COMMISSION

February 19, 2020 Regular Meeting
(5:15 p.m. to 6:05 p.m.)
Council Conference Room – 501 North Anderson Street

Members Present:	Andrea Sledge, Christina Wollman, Emily Jacobs, and PJ MacPhaiden
Members Absent:	James Rivard (excused), Laura Busby (excused), Annie Schlanger (excused)
Also present:	Nancy Lillquist, Council Liaison; Kirsten Sackett, Community Develoment Director; Stacey Henderson, Senior Planner; Jamey Ayling, Planning Manager; and Laura Wilson, Associate Planner (Recording Secretary)

Chairperson Wollman called the meeting to order at 5:15 p.m.

AGENDA
Community Development Director Sackett requested to discuss Staff Update/Discussion Items 7a after item 7b. Commissioner MacPhaiden moved to approve the agenda as amended. Commissioner Jacobs seconded the motion. The motion passed with all in favor.

MINUTES
Commissioner MacPhaiden moved to approve the January 15, 2020 regular meeting minutes. Commissioner Sledge seconded the motion. There was no discussion and the motion passed with all in favor.

Director Sackett introduced Stacey Henderson, Senior Planner, and Jamey Ayling, Planning Manager. Mrs. Sackett wanted to ensure that all the changes to the Landscape Code Purpose Statements had been made. She said to inform Mr. Ayling of any changes they wanted made and they would be incorporated into the code.

CITIZEN COMMENT
There were no citizen comments.

NEW BUSINESS

P19-137 ESD #401 New School SEPA
Council Liaison Lillquist stated for the record that she was recusing herself from this discussion and left the meeting.

Stacey Henderson, Senior Planner – Historic Preservation presented the Ellensburg School District Elementary School SEPA checklist to the commission. She briefly reviewed the previous SEPA and noted that it was withdrawn. She explained the current SEPA was in the first comment period. The second comment period would begin after the school responds to the comments from the first comment period. Mrs. Henderson explained the proposal, location, and plans for access. She also explained the applicants were proposing moving the wetland and extending Cora Street across the Cascade to Palouse Trail. She stated the project would involve the creation of wetland, wetland enhancement, and wetland buffer enhancement. A joint aquatic resource permit application (JARPA) was submitted with the Army Corps of Engineers. The critical area report had the wetland mitigation plan partially planned. The exact reconstruction location and plan would be provided in more detail with the JARPA. She noted the school district would need to work with Department of Ecology and the Army Corps of Engineers. Mrs. Henderson spoke with staff at Department of Ecology and noted they had not begun reviewing the JARPA. The mitigation plan would need to be determined before any work proceeds. The school proposed adding striped and signed crossing across the Cascade to Palouse Trail. Mrs. Henderson stated the State Parks Department's concern was regarding safety. The school district would need to apply for a permit from the State Parks Department for permission to cross the trail. She anticipated details of the project would be figured out as a result of submitted comments. She briefly shared comments from Department of Fish and Wildlife, Department of Ecology, and several citizen comments.

Commissioner Wollman reviewed the minutes from the July 17, 2019 Environmental Commission meeting when the previous SEPA was presented. She noted the differences between applications that included the wetland mitigation was addressed in the current SEPA. She commented that the Cora Street extension was a requirement of Public Works Department. Mrs. Henderson said a preliminary threshold determination would be issued and comments could be submitted on that determination. Commissioner Jacobs noted there were several recommendations made on the previous SEPA which were not addressed on the current SEPA. Commissioner Wollman reviewed the motions from July 17, 2019 meeting.

Motion
Commissioner Sledge motioned that the Environmental Commission recommends that a school vegetable garden be included as part of a science program and that an additional Central Transit stop be added close to the school. Commissioner MacPhaiden seconded the motion. Commissioner Wollman called for discussion. Commissioner Jacobs recommended the motion be amended and remove the vegetable garden because it pertained to curriculum and was not in their purview. There was a brief discussion on the location of central transits stops. Commissioner MacPhaiden seconded the amended motion that the Environmental Commission recommend an additional Central Transit bus stop be added closer to the new school. The motion passed with all in favor.

Motion
Commissioner Jacobs moved the Environmental Commission would like to resubmit original motions from the July 17, 2019 meeting. Commissioner MacPhaiden seconded the motion. Commissioner Wollman called for discussion. She recommended the motion be amended because original motion to ask for additional wetland information had been addressed in the current SEPA checklist and the motion regarding student input on the building construction site layout was not in their purview. Commissioner MacPhaiden seconded the amended motion that the Environmental Commission recommend the following motions from the July 17, 2019 Environmental Commission meeting:

1. The Environmental Commission recommend the applicant attempt a strategy to achieve net zero energy and implement alternative energy sources.
2. The Environmental Commission recommend the applicant consider water conservation measures including the use of gray water and that water conservation measures also be reflected in the landscaping and use of xeriscaping where possible.
3. The Environmental Commission recommend the building material and methods of construction have a low environmental impact while meeting the requirements of durability.

The motion passed with all in favor.

Council Member Lillquist rejoined the meeting.

BICYCLE ADVISORY
Council Member Lillquist provided an update on the draft Active Transportation Plan. The consultants finished the revision and the draft plan was being reviewed by staff. The Environmental Commission will be given a link to review the draft when it is available. She updated the commission on several grant projects the city was applying for and which active transportation plan projects they would affect. The Environmental Commission did not want to review the plan again before submitting to City Council.

STAFF UPDATE/DISCUSSION ITEMS
Mr. Ayling asked if the commission would like staff to draft the Landscape Code language or if the Commission would like to be directly involved with drafting the language. The commission commented they preferred that staff draft the language and the Commission would provide comments. There was a brief discussion on what prompted the changes to the landscape code.

Mrs. Wilson updated the Commission on the Water Quality Grant approval process. She said that staff involved with other Council Funded grants discussed options to streamline the process and have consistent reporting requirements throughout all of the grants. Some options included changing the due date for the end of year report to October. This would allow the commissions to review any budget changes prior to recommending funding to the same grant recipient for an upcoming grant cycle. Commissioner Jacobs clarified if these changes would also include language on amount of allowed budgetary changes without commission approval. Mrs. Wilson confirmed those requirements could be included in an agreement.

Council Member Lillquist provided an update on recycling discussions between the City of Ellensburg and Kittitas County. Brett Wachsmith, County Commissioner; Patti Johnson, Solid Waste Director; Bruce Tabb, City of Ellensburg Mayor; and Council Member Lillquist met to discuss glass recycling options. She said it would be significantly more expensive for the county to include glass recycling rather than eliminating the program. The county is sending out a Request for Proposal for the hauling and processing of recyclables. Mrs. Johnson looked for available grants to purchase a glass crusher, but none were available. They would wait for the RFP process to determine possible options.

The meeting adjourned at 6:05 p.m.

Respectfully Submitted by
Laura Wilson
Recording Secretary (Drafted 2/20/20)

COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926

MINUTES OF ELLENSBURG CITY PLANNING COMMISSION

Date and Time:	Planning Commission meeting of December 12, 2019 at 5:45 p.m.
Place of Meeting:	City Council Chambers, Ellensburg City Hall
Present:	Gretchen Thatcher, Beverly Heckart, Fred Padjen, Gayl Curtiss, George Bottcher, Ed Harrell
Absent:	
Others Present:	Community Development Director Kirsten Sackett; Senior Planner Angela San Filippo; and City Council liaison Nancy Goodloe; 20 members of the public

1. CALL TO ORDER

Chairwoman Thatcher called the meeting to order at 5:45 pm.

2. APPROVAL OF AGENDA

Commissioner Heckart moved to approve the agenda. Commissioner Curtiss seconded. Motion passed with all in favor.

3. APPROVAL OF MINUTES

Commissioner Heckart moved to approve the minutes of November 14, 2019 as submitted. Commissioner Curtiss seconded. Motion passed with all in favor.

4. PUBLIC HEARING

a. Public hearing to consider Petition for Annexation P19-075 and simultaneous adoption of zoning designations (LEGISLATIVE).

Chairwoman Thatcher introduced the public hearing for the proposed annexation of the Currier Creek area. She explained the procedures of the hearing. Senior Planner San Filippo introduced the proposed annexation. She described background on the annexation. In March 2017 the City and the County reached an agreement in which the County agreed to help fund the roundabout project. In return, the City committed to facilitate annexation of the Currier Creek area. In order to facilitate this annexation, the City began outreach to residents with an information letter in February 2019. A public meeting was held in March. On June 17, 2019 City Council held a meeting to set the boundaries, as depicted in the attached map. Council also determined simultaneous adoption of zoning, and required proportional assumption of existing City indebtedness, which included only the library bond that will be paid off in the next two years.

San Filippo explained that as a Type V legislative decision, an annexation requires a recommendation from the Planning Commission. Council will then hold two public hearings 30 days apart. The GMA calls for logical extensions of City boundaries. The UGA is one tool the city can use to accommodate orderly growth. The proposed boundaries of this annexation will eliminate some of the irregular boundaries of the City limits. Under the RCW, the City is using the direct petition method which requires 60% signatures. Signatures received are currently about 17%. Consistent with the utility extension agreement clause, the Mayor is authorized to sign off on the petition for those properties with a City utility extension agreement.

The petition was submitted to the Assessor's office, to determine sufficiency. The parcels that are not currently served by City utilities will be required to connect in the future. San Filippo depicted the boundaries of the annexation area along with the adjacent zoning of properties currently within the City. She then displayed the Kittitas County zoning designations of the proposed annexation area, followed by a map of the future land use designations shown in the Comprehensive Plan. She stated that any zoning proposed for the properties must be consistent with the Comp Plan. San Filippo then displayed a map depicting the proposed zoning for various portions of the annexation area, as recommended by staff. The Currier Creek subdivision and along Dry Creek Road are proposed as R-S. South Dry Creek Road is recommended for R-L zoning. The properties on both sides of University Way are recommended for C-H zoning, except for the house accessed off Pott Road, which is recommended for R-M zoning. The zones are intended to be compatible with existing and surrounding uses.

San Filippo stated that staff is recommending approval of the annexation area as submitted, along with simultaneous adoption of zoning.

San Filippo said that two public comments were submitted today, which were not included in the agenda packet. The second one was a petition from 8 property owners requesting to be removed from the annexation area. The Staff recommendation is as submitted, but the Planning Commission can consider retracting the boundaries of the annexation area, but they cannot expand the area.

Commissioner Heckart asked if the indebtedness was included in the property taxes. Heckart also said that the properties within the rural areas would be grandfathered in. She then asked if some of the properties could be carved out of the area. San Filippo responded that it could be considered, but the boundaries of the annexation area do need to be contiguous with the existing City limits. Commissioner Curtiss asked questions about why the boundaries were set the way they were. San Filippo said Council was trying to respond to the positive responses to the annexation, and they were then trying to create logical boundaries. Heckart then asked about the area depicted in purple and San Filippo said that it was PUD zoning, but the property was never developed and is now owned by the Yakima Nation. Heckart said that the property around the R-M would remain open, undeveloped land. Padjen asked about the rationale for why R-M was proposed for the one residence. San Filippo explained what the zoning had been previously in the County, and also that it was next to the C-H zoning. Heckart then asked if the City had enough light industrial area. San Filippo said that much of the light industrial area is constrained for one reason or another, so we have been trying to work on that issue by allowing light industrial activity in other commercial areas. Curtiss asked for clarification on the proposed boundaries, and San Filippo further described the area.

Paul McBride, 1407 Dry Creek Road, spoke to the Commission, as one of the property owners that wanted to be removed from the annexation area. To them they felt this meeting was a do over of the June 18 City Council meeting. The neighbors were now better prepared, like the folks on Hannah Road. The neighbors on the east end of Dry Creek Road also signed a petition and they were also removed. They showed up and said they didn't want to be included, but in the end Council decided to keep them in. So, for this Commission meeting the Dry Creek neighbors pulled together a petition to remove 8 properties along Dry Creek Road, starting from City boundary line next to Mt. Stuart. He said these are single family homes on the west side of Dry Creek with small farms. They are concerned about preserving the rural character. They hear talk of being grandfathered in, but that doesn't guarantee them anything when they go to sale. None of them want to be annexed. He referenced San Filippo's statement that when the notices were sent, they only got 17% signature, but then you add the hidden clauses from Dry Creek and you are suddenly at 81%.

Heckart asked McBride if the 8 property owners were contiguous with one another. He responded that they were all neighbors. Besides residences, there is a big undeveloped property owned by the Linder's, and a cemetery.

Fabian Kuchen, 1404 Dry Creek Road, spoke. He also owns some of the I-L (Light Industrial) County zoned property. He said when this all started San Filippo responded to all of his questions with a letter. His property is zoned I-L in the County, and he is concerned that he will lose his I-L zoning. He said his land is fallow and is part of a water bank. He was around when the UGA was put into effect back in 70's, the City asked for an easement to run water from University Way. In exchange for the easement, the property owned by Shane Jump was given I-L zoning, another property was given I-L, and his property was given I-L. He said he never revoked the easement, but now the City is looking at taking away his light industry zoning. He said he has entered into a lease for a project on his property that requires light industrial zoning.

Tammy Sawyer, 909 W. 15th spoke. She said she is at the edge of the proposed boundary, after the curve, right after Mt. Stuart elementary. She said she didn't know about the petition but she would have gladly signed it because she doesn't agree with the annexation. It affects their way of life, it affects her financially, she supports her parents and is single. So many owners along Dry Creek don't want the annexation, so she asked the Commission to please not include this section of property. Heckart asked about how she would be affected financially. She said she didn't want to pay the extra taxes, or take on any city indebtedness, nor did she want the roundabout. She has a little over 6 acres of property, and she doesn't want to come to us every time she wants to cut a tree. To maintain a farm, that would become quite cumbersome. In response to a question from Heckart, Sawyer said she is just trying to keep her fences up, and she can't keep animals until she can keep the fences intact.

Curtiss asked about the indebtedness for the library. San Filippo said that in her example of a home valued at $250,000, the property would be required to pay an extra $28 per year specific to the library bond. She said that is the only City indebtedness, but that the City property taxes would go up. Curtiss asked for the amount, and for a $250,000 home it would go up about $300 per year, with the City taxes an additional $1.18 per $1000 in value. Curtiss asked if the County had a general footprint of the area they wanted annexed, when the deal was struck. The response was that they definitely wanted to include University Way, extending north through the Reecer Creek intersection with University Way, and the Hwy 10 area.

Commissioner Harrell asked if the utility extension agreement was signed by the developer of the Currier Creek Subdivision. San Filippo confirmed that it was signed by the developer at the time of development, in order to get City utilities extended to their properties.

Gabrielle Stryker, 1407 Dry Creek Road, said she has attended all the public meetings opposing annexation of the area. She said she lives in a very rural area, and all the neighbors talked, and they bought their properties because they love the rural setting. Many of them have farm animals, and this annexation would not be easy for them. Those in Currier Creek want to be included and are not fighting it, but it is their section of Dry Creek Road that doesn't want to be included. Hannah Road was excluded from the boundaries, and they don't have the same rural setting. Stryker said that are also water issues in the Dry Creek area, and the neighbors up the street are suing after getting flooded from Black Horse. She knows Currier Creek has serious flooding issues in there. She said with her own property the house is built on a hill with open area below, and she has walked in the open areas, and the water is always deep. She said it is not like you can go in and build beautiful houses in this area, with the wetlands year around. There is no grass, it is all reeds, and has cows on it. She said City Council almost went with the decision to annex either side of University and Currier Creek, without including Dry Creek. They would like to be left out for now.

At the request of Heckart, San Filippo displayed the GIS map depicting the floodplain boundaries in the proposed annexation area.

Heckart asked if the City wanted to annex the area in order to raise enough money to pay the state. San Filippo said that was not the purpose. A big part of the agreement was to get the University Way section into one jurisdiction, so that there are not issues with road maintenance. Currier Creek was included because the entire area is already served by City utilities. Curtiss asked if the homes on the petition were served by City utilities, and San Filippo said that they weren't. None of them had utility extension agreements in place. Heckart asked for clarification about how the roundabout came into play and San Filippo again explained the agreement between the City and County when the roundabout was constructed. Bottcher said that Currier Creek is in the floodplain. San Filippo said that the floodplain maps were updated in the last couple of years. Some of the Currier Creek properties are now in the floodplain, and those homeowners now have to have flood insurance.

John Woods, 1206 West Bender Road spoke. He said he doesn't live in the area to be annexed, but lives right next to it. He is not sure about the flood maps, and was seeking clarity about the impacts of the FEMA maps. Director Sackett stated that if a property is mapped by FEMA as being in the floodplain, that it doesn't matter if that property is in City or County jurisdiction, the floodplain map runs with the land. FEMA is a federal agency that adopts the maps. She also provided some clarification on the separate floodplain mapping efforts simultaneously underway by both FEMA and the County. She also provided clarify on the wetlands mapping.

Curtiss asked a question about the Hannah Road area, and San Filippo explained that the property was previously considered for inclusion in the annexation, as it was contiguous to the broader annexation area. Curtiss asked if there was any difference in form or location from the Hannah Road versus Dry Creek Road areas. San Filippo said it is all about the final boundary that you end up with, to make sure the proposed annexation area is logical, an extension of city limits, and is contiguous to itself. Curtiss asked if the 8 properties with a petition are excluded from the annexation area now, if somebody asks to be excluded later, will it be too late. San Filippo said that it is part of the deliberations by the Planning Commission. If the Commission recommendation is to leave it out, City Council will make the final decision and can still decide to annex the entire boundary already set. Curtiss just wants to know if the decision made today is in line with the same kind of decision made regarding the Hannah Road properties. She doesn't want to deal with the groups arbitrarily.

Bottcher asked San Filippo to re-display the proposed annexation area. He asked about removing the properties that wanted to be removed. He asked if they recommended excluding everything to the right of Reecer Creek Road, if the remaining property would be an acceptable boundary.

Myron Linder, Dry Creek Road, spoke. He said he no longer has a house in the annexation area, but that he does have 80 acres in there. He showed the boundaries. He said they tried to annex it years ago, and when the recession hit, they took the property out of the annexation. They have been waiting patiently to put it back in annexation. They would like to see it developed. He said that the Winegar's property is adjacent to his and has already been annexed in. They have tried to work with the landowners around the area, to better develop. It would be handy with right of ways. He also said there is a difference between wetlands and irrigation wetlands. He shut his water off for 5 years, and there was no more water. He understands the rural way of life, but the City also needs to grow, and it needs to grow in a way that works. They have tried to diligently address issues in the area. They would appreciate having it annexed in, and do not want to be excluded.

Mrs. Sawyer, 909 W. 15th Ave, spoke. She said her property has been transferred to her daughter, and she has been there for 72 years. She doesn't want to see it annexed. They have had cattle and horses on the property in the past, not right now because of fencing issues. Everyone she knows next to her is farm, and it has been farm all these years. They grow hay or have cattle. She likes the way she has her living, and she does not want to go into the city because of taxes. She has drain water and trees, and there are too many rules attached to being in the city.

Bottcher had a comment about trees in the City. He said the rules in the City pertain to cutting down trees in the city right of way, but maintained by owners. He said if any tree-cutting activity takes place on private property, the City has nothing to do with it.

Jordon Richter, 1114 Dry Creek Road spoke. He said that Ms. Sawyer was just using the trees as an example. They just don't want to ask for permission every time they do something on their property. There are just more issues and things to deal with when you are in the city limits, related to animals, number of vehicles. He said there are 200 houses in Currier Creek, and what kind of difference would be made by excluding 8 houses.

Curtiss asked if San Filippo could again point to the homes asking to be excluded. She pulled up the annexation boundary map and depicted the 8 properties on the map.

Bottcher asked staff about the role of the Planning Commission. San Filippo responded that they are looking to provide City Council with a recommendation. Curtiss asked if they could include Linder's property while excluding the 8 properties that asked to be excluded. San Filippo said that it would create an island with non-contiguous boundaries.

Chairwoman Thatcher asked if there was anyone else in the audience who wanted to speak. Gordon Pross, 190 Packwood Lane, spoke. He has an issue with one address given to him by the US mail, - 1550 Dry Creek. The property is zoned Light industrial in the County. He has a lease on 8 acres, the issues were represented in the letter, regarding hemp and cannabis. He has a facility in Benton County he is growing on, and he has been in conversations with Kittitas

County about this. He believes the easement on the Kuchen property needs to be honored. It is also an active cattle ranch. He is against the annexation for the property under Fabian Kuchen's ownership. It needs to maintain the light industrial zoning, so business can get done.

Bottcher asked if he wanted to keep it in the county so they can keep a light industrial use. Mr. Pross said that he wanted to make sure it retains its light industrial zoning and not go to the residential zoning presented by city staff.

Tammy Sawyer 909 W. 15th, spoke again, and said she just wants to make sure that even though she didn't sign the petition, she could still be included in the exclusion from the annexation.

Thatcher closed the public hearing and opened it up to deliberation by the commissioners. Bottcher said he would like to send this to City Council without a commission recommendation. Heckart said we have a city planning conundrum. Her original idea was for everything southwest of Dry Creek to be annexed, and everything to the northeast to remain in the County. But they have now heard some conflicting testimony. From a city planning point of view, they want to keep the parcels together, they can't create a zig zag. What they are hearing is that an entire neighborhood wants to be carved out, but that is not a good city planning solution.

Bottcher said they should send the area southwest of the railroad and remove the agricultural land along Dry Creek. He would like us to remove Dry Creek, because it has issues with water and policing. Heckart said the police already go out that direction and the city police respond better than county sheriff's office. Padjen said from a planning issue, this is prime real estate for more development. We need more housing and more affordable housing. We will never have that if we restrict the size of the city. Dry Creek Road and University are prime areas for development with access to utilities and the freeway. This is the time to bring them in.

Discussion ensued on the proposed zoning. Padjen said the idea is to bring them in as R-S, but the zoning could be redefined later. He said the area is in the Urban Growth Area, so it is predetermined that they will be annexed into the City. Bottcher asked if the property would be of any use if they were built on wet areas. Heckart said if you expand the stock of housing, you do have an impact on the affordability of housing in the entire city. Curtiss said she was looking towards excluding the 8 properties until she heard from Mr. Linder. She said this is inevitable, because it has been in the UGA. It is not a matter of if it will be annexed, but a matter of when. Bottcher said that it would be problematic to build houses on water. Heckart said if they were going to build in the city, you have to follow city regulations. Padjen said the areas have septic systems. City sewer systems make more sense in a flood prone area due to sanitary reasons.

Curtiss said there is no easy decision. Heckart said from a city planning perspective the boundaries set by Council do make sense. She thinks they should accept the boundaries proposed to them, and then look at the zoning. Bottcher asked about the compelling reasons to bring the properties into the city, and Heckart reminded him of the agreement between the City and County. Curtiss asked if Mr. Linder could go to the County and ask for approval to develop his property with City utilities, just like Currier Creek. The City and County have different development standards. Harrel said he agrees that it is a matter of timing rather than if. He thinks it will be annexed within the next ten years, regardless of what they do today. He would rather see it developed under city standards than the piecemeal standards that the County has. He can sympathize with the property owners. It is in the county, but it is surrounded by the City. He thinks it makes more sense to go with the annexation as it is laid out now. Thatcher asked how allowing this to be developed would create more affordable housing. He responded that it is simply about increasing the housing stock. We can't continually concentrate everything within our existing boundaries. Thatcher is sympathetic to the homeowners and would like for it to remain as it is, as long as it can. Padjen said the properties can remain as they are. Heckart said that was true unless they went to sell. Bottcher said if they continued a use, the use could remain. It is when you discontinue the use for a long period of time that is when it is no longer grandfathered.

Heckart moved that the Planning Commission recommend to City Council that the area to be annexed be the same boundary as that submitted by the Community Development Department for their consideration tonight. Harrell seconded. Bottcher asked for her reasons for supporting it. Heckart said the area will be annexed within the next 10 years and it would be very desirable that the property be developed now under City requirements, and not under County requirements. We don't want them developed under County rules which created bigger problems at a later day. Let's seize the day. Thatcher asked if the City requirements were better than the County's, and there was agreement that they were. Bottcher asked for Harrell's reasons. He said he would rather the City had control over what happens there, than leave it to the County. The infrastructure requirements from a health and safety point of view are better. Curtiss said to the property owners that they understand their concerns. She feels the City is more in touch with their needs than the County is. She sympathizes with the homewoners, but will vote for the annexation despite what she feels personally. Heckart also said it is a hard decision, and they have to fulfill their responsibility to the future of the city. Bottcher said he is going to vote no, and that City Council can make the final decision.

Thatcher called for the vote. Those in favor included Harrell, Padjen, Heckart and Curtiss. Those against included Bottcher and Thatcher. Motion passed 5-2.

Thatcher re-opened the public hearing. She said her understanding was that this was the chance to change the boundaries at this meeting, and that once it comes out of this commission, the boundaries can't be changed. San Filippo responded that this was just a recommendation and that Council could still choose to change the boundaries. City Council still has to hold two public hearings. Bottcher said that anyone interested in sharing their opinion should take it back to Council.

Thatcher closed the public hearing.

Heckart talked through some proposed zoning for the various portions of the annexation area. Thatcher re-opened the public hearing. San Filippo explained that the proposed zoning is consistent with the comprehensive plan land use designations. Agriculture uses along Dry Creek Road are only allowed in the R-S zone, so that would also be consistent with some of the existing uses. The Comp Plan designations were included in the packet as Exhibit 4. She also pointed out that when you are zoning to a higher density, it should be similar to adjacent types of uses and services, and should be close to other high-density development.

Gordon Pross, 190 Packwood Lane, American Cannabis Company LLC, spoke again about Kuchen's property. The zoning allowed City water to be on his property. There is a record of this, and it will be located prior to the Council meeting. He once again stated that Kuchen's property should be considered for light industrial.

Thatcher closed the public hearing.

Heckart asked if the Commissioners agreed with the recommendation sent up by staff. Padjen said that for the neighbors who are unhappy, the best zone to assign is R-S and allow them to continue their existing uses. Heckart said the way to make the market more flexible is to not have so much R-S zoning.

Thatcher reopened the public hearing. She wanted to know if they could make the Linder property R-M. San Filippo said that R-M should take into consideration the surrounding uses and existing uses and services. With the changes the Planning Commission is trying to make specific to zoning and the land use charts, once adopted the R-S and R-L zones will be able to provide duplexes and a few other uses.

Thatcher closed the public hearing.

Heckart made a motion to accept the Community Development recommendations for zoning. Padjen seconded. All in favor, with an abstention from Heckart. Motion passed.

5. **NEW BUSINESS**
   None.

6. **OLD BUSINESS**
   None.

7. **CITIZEN COMMENT**
   None.

8. **STAFF UPDATE/DISCUSSION ITEM**
   None.

9. **SCHEDULE NEXT MEETING**

   The next meeting was set for Thursday, January 9, 2020.

10. **ADJOURNMENT**

   Chairwoman Thatcher adjourned the meeting at 8:10 pm.

COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926

MINUTES OF ELLENSBURG CITY PLANNING COMMISSION

Date and Time:	Planning Commission *Special* meeting of May 7, 2020 at 5:45 p.m.
Place of Meeting:	City Council Chambers, Ellensburg City Hall
Present:	Beverly Heckart, Fred Padjen, Gayl Curtiss, George Bottcher, Ed Harrell, Geraldine O'Mahony
Absent:	Gretchen Thatcher (excused absence)
Others Present:	Community Development Director Kirsten Sackett; Planning Manager Jamey Ayling, Senior Planner Shannon Johnson; City Attorney Terry Weiner, City Engineer Derek Mayo, Public Works & Utilities Director Ryan Lyyski, IT & Telecom Manager Ben Faubion, IT System Administrator Drew Houck, Steven Clark, Project Manager, & Design Team Members, Jinger Haberer, ESD Superintendent, Several Members of the public via Virtual Attendance – See Official Recording

1. CALL TO ORDER

Acting Chair Padjen called the meeting to order at 5:47 pm.

2. APPROVAL OF AGENDA

Commissioner Heckart moved to approve the agenda. Commissioner Curtiss seconded. Motion passed with all in favor.

3. APPROVAL OF MINUTES

Previous minutes were not included per the Governor's OMPA restrictions in place.

4. PUBLIC HEARING

a. Open Record Public Hearing (QUASI-JUDICIAL) to consider a Conditional Use Permit Request (P19-133) submitted by the Ellensburg School District #401 in order to construct a new Elementary School at 2100 N. Cora Street (parcel # 11711), in the Residential Suburban (R-S) zone on property owned by the District

Acting Chair Padjen introduced the public hearing and explained the procedures of the quasi-judicial hearing and asked the appearance of fairness questions. No issues were raised, and there were no objections to the participation of the commissioners.

Senior Planner Johnson presented the staff report included in the agenda packet. She stated that the Ellensburg School District has submitted a conditional use permit application in order to construct an approximately 55,000 sf, 500-student new elementary school on a 15.29-acre site located at 2100 N. Cora Street. She referred to exhibits in the staff report for renderings and additional clarity.

Johnson said that the property is currently zoned Residential Suburban (R-S). Citing Ellensburg City Code (ECC) Table 15.310.040, she said that schools may be permitted within the R-S zone through the granting of a conditional use permit when approved by the Planning Commission at a public hearing, in accordance with the procedures set forth in ECC 15.250.040.

A SEPA Mitigated Determination of Non-Significance (MDNS) was issued for the project on March 20, 2020 along with a Critical Area Determination of Approval with conditions, issued on the same day.

Johnson said that the Ellensburg School District (ESD) purchased the Cora Street property on June 28, 2018, after receiving bond approval for its capital improvement program in the November 6, 2018 general election. The bond addressed several projects to be completed within district priorities, one of which was to construct this new elementary school.

The school district held a public meeting on September 18, 2019 concerning the placement of the school. After hearing public concerns, and considering various alternatives, the district submitted a boundary line adjustment application to the City on October 31, 2019. This boundary line adjustment was finalized and recorded on February 11, 2020, resulting in the new lot proposed for the location of the new school.

Johnson stated that the subject property is north of the Palouse to Cascades trail, and south of the Helena Street right-of-way. Primary access to the school will be via Cora Street which will be constructed to extend to the north and bisect the property along the existing street right-of-way across the property. The Cora Street extension will stop at the boundary line, approximately 112 feet south of the center line of the Helena Street right-of-way.

Johnson further explained that the subject property is currently unoccupied, fallow pasture land. Aerial photos indicate that the property has been vacant since at least 1956 and has not been utilized as operational farm land other than livestock grazing.

Johnson referred to the site plan included in the packet as Exhibit 3c, noting that in addition to the school building itself, the applicant is proposing to include playfields, playgrounds of hard and soft surfaces, fire/emergency access, bus lanes, student drop off lanes, and parking typical to a school facility, at 70 parking spaces.

Johnson then explained the process for obtaining feedback on the proposed conditional use process. She said that the applicant previously participated in a required pre-application meeting in which City Departments conducted an initial review to outline all necessary code requirements. When the departments were again contacted to review the conditional use permit, some city departments referred back to the original comments from the SEPA application review and/or pre-application meeting, while others submitted additional comment letters for the conditional use permit review. Johnson said all of the department review comment letters were attached as Exhibits 7a. thru 7h. The applicant has been informed by both the Public Works and Planning Departments that any future proposals will require additional conditional use review and will likely trigger additional requirements.

Johnson shared the City's compliance with the noticing requirements, including mailing notice to property owners within 300 feet, publishing in the Daily Record, and having the applicant post a land use action sign on the property, all within the specified time frames.

Johnson said that at the time of the report only one public comment had been received, which was included in the packet as Exhibit 8. Two more comments were received after the packets went out, and Johnson asked that Chair Padjen admit them into the record as Exhibits 8a and 8b. Johnson shared her screen to show the additional comments, and read them into the record.

Johnson outlined the procedural requirement for a conditional use permit application. She stated that it is Type III permit and must be considered in a quasi-judicial open record public hearing before the Planning Commission which has been designated as the final decision-maker. She referred to ECC 15.250.040 which outlines authority of the Commission, including the ability to prescribe appropriate conditions and safeguards, in conformity with the zoning code, and to prescribe a time limit within which any conditional use shall commence or be complete, or both.

Johnson then referred to ECC 15.250.040(C) which states that the city may approve, or approve with conditions, a conditional use permit only if the applicant demonstrates that the project complies with the 13 decision criteria. She said that the staff report included the applicant's narrative followed by a Staff analysis addressing whether this project complies with these criteria.

After reading through the staff analysis, Johnson stated that Staff found the conditional permit application to be in keeping with the decision criteria of ECC 15.250.040(C), and that as such, Staff is recommending approval of the conditional use permit. She said that staff is not recommending any additional conditions beyond those already required through the various permitting and review processes. Staff would further recommend that the Commission review the application materials and staff report, and weigh any evidence presented at the public hearing to determine what, if any, conditions should be applied.

Johnson concluded that if the Planning Commission should choose to follow the recommendation of Staff and approve the conditional use permit, Staff would also advise the Commission that they adopt Findings of Fact and Conclusions of Law applicable to this project, as found on page 11 of the packet.

Vice-Chair Padjen asked if the applicant had a presentation at this time. Steven Clark of Integrus Architecture introduced himself and said that he would introduce other members of the project team at various times throughout his PowerPoint presentation. He shared his screen to show several elevations of the new school building including landscaping, parking areas, and the overall project site area. At this time Mr. Clark introduced the Ellensburg School District Superintendent, Jinger Haberer, to present project background information.

Superintendent Haberer stated her name and information for the record and thanked the commission and the community for the opportunity to move this project forward. She stated that she and the district are very excited about the opportunities this new school will provide for the students. She gave special thanks to the community for voting to pass the bond for this project and she explained all of the elements which were included in the bond. She provided background information on the public participation process in which the district involved students and community members as a part of the design team to identify key values including many open spaces for outdoor education.

Jennifer Hackett, Ellensburg School District Board member spoke regarding her history on the board since the beginning stages of the project. She explained the diligence that was taken to be very transparent throughout the public participation process. Ms. Hackett provided a synopsis of the driving needs of the project such as having a whole school worth of children being housed in portables, and the selection of the property site located north of Mt. Stuart School where growth has been occurring.

Steven Clark continued with his PowerPoint presentation and gave an overview of the boundary line adjusted parcel site. He explained that although the entire parcel is approximately 15.88 acres, the school will only occupy 50%, and the rest will be left in open spaces and critical areas. He spoke about the existing easement crossing the Palouse to Cascades Trail which was appropriated to accommodate sewer extension and the future extension of Cora Street as required by the Comprehensive Plan.

Clark shared his screen and guided the group by identifying wetland areas, building material renderings, separated parking and drop-off circulation, landscaping buffers, and the Cora Street extension turn-around. He explained some of the challenges with the site specific to the wetlands, and the prevailing winds. He stated that all of these factors, along with the public participation-identified need for outdoor learning resulted in this simple, clean, hardworking school made of durable, appropriate materials which complements the existing agriculture and residential nature and provides outdoor learning oriented within a secure, controlled outside courtyard space.

Clark introduced team member Jim Shannon, Wetland Scientist for Hart Crowser Inc. Mr. Shannon stated he has been conducting wetland science consultations for 20 years. He explained the wetland delineation process, including an on-site meeting with Lori White from the Department of Ecology. He explained the identified wetlands and the mitigation requirements on both sides of the road, including enhancements which will be monitored for at least 5 years, and created on the title of the property to ensure perpetuity.

Clark pointed out that as a part of this process, the team worked with the State Parks & Recreation Department for the portion of Cora Street which will cross the Palouse to Cascades Trail. He then introduced his next team member Eric Fitzpatrick, Civil Engineer with HBL. Fitzpatrick informed that they are not proposing changes to the irrigation drainage, and that they are not planning on changing the existing irrigation patterns.

Clark moved on to introduce Matt McDonald, Civil Engineer. Mr. McDonald stated that currently there is a 2-way stop on 15th Avenue at Cora Street, and they plan to mitigate with an all-way stop control at the intersection to improve the level of service. Staggered start times for the schools will also be implemented.

Clark concluded the end of the design team's presentation. Director Sackett asked that Acting Chair Padjen enter the PowerPoint presentation into the record at this time. Padjen stated for the record that the presentation was being entered into the record as Exhibit 14.

Chair Padjen opened the floor to testimony from the public and provided instructions for how to participate in the virtual meeting.

Joanne Duncan introduced herself and gave her email address for the record. She stated that she is the principal at Lincoln Elementary School and is very grateful to the community and excited because the new building will solve the current overcrowding of students.

Stefanie Wickstrom, 1701 N. Iowa Street introduced herself and wanted to second what Ms. Duncan said. She stated that she is very impressed with the design, and expressed that as a resident of the nearby neighborhood, she finds living next to a school to be quite pleasant, and often quiet. She prefers that another school be built rather than a housing development and she enjoys being able to use the school grounds herself. She concluded that she encourages the Planning Commission to approve the project as the school will be a much needed enhancement to the neighborhood.

Dan Patton, 1702 Hobert Ave. introduced himself as the Principal of Mt. Stuart School. He stated that he has been the principal of 6 schools and had never seen anything close to the outdoor learning area, essentially the students' very own forest at Mt. Stuart school which was created over 40 years ago by the teachers and students as a science lab. He stated that by building the new school within close proximity, this amazing outdoor learning area can now easily be accessed by two schools.

Padjen asked if Staff had anything to add at this time. Staff did not. He then asked if the applicants had anything further to add at this time. Hearing no, he asked if the commissioners had questions of staff or the applicant.

Commissioner Heckart stated that she had three questions. Padjen advised that questions be asked one at a time. Heckart asked if Cora Street will not extend to Helena Avenue, will the only access to the school be from Cora Street. Staff and the Applicant's team provided clarification that yes Cora Street will provide the only access. Her second question was regarding the life expectancy of the building materials. Steven Clark answered that with proper maintenance the materials could last in excess of 100 years; however, the various materials have individual warrantied lifetimes of 15-40 years. He explained roofing materials for instance have a warranty of 15 years. Heckart asked what happens to the existing Mt. Stuart School buildings. Clark answered that the existing school building will be demolished, however, the existing gymnasium will remain.

Commissioner O'Mahony asked what the rationale was for not extending Cora Street to Helena Avenue. City Engineer Derek Mayo gave background information on the project review process which included Fire Department emergency access review. Steven Clark expanded on the review process and explained the challenges with the encroaching residences along Helena Avenue and the expenses associated with crossing the canal which ultimately led the district to pursue adjusting the boundaries of the parcel.

Commissioner Curtiss voiced concerns about the safety of the Cora Street cul de sac not being accessed by Helena Avenue, and asked sked questions about Cora Street crossing the Palouse to Cascades Trail. Staff provided information about the SEPA review and referred this question to the applicant's Traffic Engineer. Steven Clark explained that the crossing will be similar to the existing trail crossing near 15th Avenue and Water Street. Curtiss asked if Commissioner Heckart shared her concerns. Heckart answered yes and reminded Curtiss there will be an opportunity for commission discussion later.

Commissioner Bottcher discussed the 13 decision criteria required and referred to #7 on page 6 of the packet. He asked questions regarding the Traffic Impact Analysis report, the Non-motorized transportation plan, and Safe Routes to School. Chair Padjen interjected and asked Matt McDonald further questions about the proposed width of the road and if that width would allow room for a bicycle lane. Erick Fitzpatrick answered that the half street minimum standards and TIA report did not require a bike lane on Cora Street.

Commissioner Bottcher asked questions regarding flood events. Johnson shared her screen to show that the property is not located within the FEMA-delineated floodplain.

Chair Padjen closed the Public Hearing portion of the meeting at 7:58 p.m.

The Commission deliberated on the matter and presented various motions that were not acted upon until the following was presented:

<u>Motion:</u>
Commissioner Heckart moved that the Planning Commission accept the recommendations of the Community Development Department to approve the Conditional Use Permit as submitted with conditions to follow. Chair Padjen seconded the motion.

All in favor, motion passed.

Commissioner Heckart proposed several options to include conditions to ensure implementation of safe routes for both motorized and non-motorized transportation. Discussion ensued. Director Sackett advised the commissioners on how this could best be accomplished which promoted the following motion:

Motion:
Commissioner Bottcher moved that the Planning Commission approve the Conditional Use Permit to build a new Elementary School at 2100 N. Cora Street (parcel #11711), in the Residential Suburban (R-S) zone on property owned by the district, as submitted by the Ellensburg School District #401 and finds that the following Findings of Fact and Conclusions of Law are applicable to this project:
Findings of Fact

1. Application 19-133 for a Conditional Use Permit was submitted by Ellensburg School No. 401 on November 20, 2019.

2. The Applicant is an agent for the owner of this property, addressed as 2100 N. Cora Street (Parcel ID# 11711), located in the R-S zoning district, and can pursue this action.

3. Notice of Public Hearing was made known to the general public as required by ECC 15.230.020.

4. Per ECC Sections 15.210.050 and 15.250.040, the Planning Commission has jurisdiction to review this project.

5. A public hearing on P19-133 has been held on May 7, 2020.

6. It is in the interest of the City of Ellensburg to utilize vacant and underutilized infill lots with safe and compatible uses. This proposal, if approved would not negatively alter the character of the neighborhood.

Conclusions of Law

1. As proposed, the conditional use permit application has been reviewed and found to be consistent with the decision criteria listed in ECC 15.250.040(C).

2. As proposed, the conditional use permit should not have a significant adverse impact on public welfare and safety.

Commissioner Padjen seconded the motion. Motion passed with all in favor.

Motion:
Commissioner Bottcher moved that in addition to the approval of the conditional use permit application, the Planning Commission finds that additional findings of fact are pertinent and therefore would add the following conditions:

1) Ellensburg School District #401 shall work with the City of Ellensburg to develop and implement a Safe Routes to School program that specifically addresses safe access routes to the new elementary school site(s), and which shall be presented to the City for inclusion in an update of the City's nonmotorized transportation plan.

2) The new elementary school shall include sheltered, covered parking for non-motorized vehicles.

Vice Chair Padjen seconded the motion. Motion passed with all in favor.

5. ADJOURNMENT

Acting Chair Padjen thanked staff, the school district and everyone in attendance and adjourned the meeting at 9:07 pm.

CITY COUNCIL AGENDA REPORT

City Council Meeting Date:	July 20, 2020
Item Title/Agenda Subject:	Resolution 2020-17 - 606 S Pine St - Powell street tree removal request
Submitted by:	Gordon Crane Public Works & Utilities
Recommended Action or Motion:	Adopt Resolution 2020-17, authorizing Jan Powell to remove one street tree
Background/Summary:	Jan Powell is requesting permission to remove a large Red Mulberry tree located behind the sidewalk at 606 S Pine St., due to safety concerns.
Previous Council Action:	None.

Analysis:

Tree Condition:

The leaves and smaller branches of the Red Mulberry are in good condition, however, the tree has poor architecture. It has four co-dominant stems at ground level, which are slowly growing apart from each other, leaving a large hollow inside the trunk where the four stems join together. The tree was also topped decades ago. Topped branches are more susceptible to breakage in wind or snow load, since the subsequent re-growth at the topping injury is not well attached.

City Infrastructure damage: none

Tree Maintenance activity by City: none known.

Species suitability to location: The tree is suitable to its location. Red Mulberry are not commonly commercially grown in this area. They are not on the approved street tree list.

Private damage claims processed by the City: None known.

Findings & Analysis: Removal of the tree is appropriate; the poor tree architecture and old topping wounds increase the potential for scaffold branch or entire tree failure.

Financial Impact:

None for the City. The cost will be borne by the applicant.

Attachments:

606 S Pine St - Powell request
606 S Pine St - Powell tree removal graphics
Resolution 2020-17 - 606 S Pine St - Powell street tree removal

Gordon Crane

From: Jan Powell <flickpen@hotmail.com>
Sent: Saturday, June 13, 2020 2:45 PM
To: Gordon Crane
Subject: [Ext] Request for removal of street tree at 606 S Pine

Gordon,

Thank you for your assistance in helping me through the process of tree removal. As you know, I love this tree, but not so much that it's worth the risk of my roof or someone's safety on the street.

I'm requesting permission to have the tree located at the NW corner of my lot at 606 S Pine removed due to 'heart decay,' diagnosed by Russ/Arbor Care and confirmed by yourself earlier this week. The tree is quite large, and hangs over my house as well as the sidewalk and east side of the street. From what you've indicated, with the center-mass decay, what was one big tree has now become 4 tall, unsecured trees, susceptible to major breakage – and damage – and in need of removal for everyone's safety.

Please let me know if you need any further information from me.

Thanks again,

Jan Powell
606 S Pine St
Ellensburg

Attachment 1 - Jan Powell Street Tree removal request

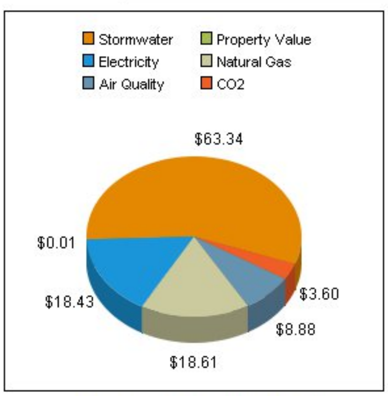
Red Mulberry tree

old topping cut on left; co-dominant branch

National Tree Benefit Calculator

Beta

Overal Benefits | Storm Water | Property Value | Energy | Air Quality | CO2 | About the Model



Breakdown of your tree's benefits
Click on one of the tabs above for more detail

This **45 inch Red mulberry** provides overall benefits of: $113 every year.

While some functional benefits of trees are well documented, others are difficult to quantify (e.g., human social and communal health). Trees' specific geography, climate, and interactions with humans and infrastructure is highly variable and makes precise calculations that much more difficult. Given these complexities, the results presented here should be considered initial approximations—a general accounting of the benefits produced by urban street-side plantings.

Benefits of trees do not account for the costs associated with trees' long-term care and maintenance.

If this tree is cared for and grows to 50 inches, it will provide $113 in annual benefits.

Red mulberry
Morus rubra

RESOLUTION NO. 2020-17

A RESOLUTION authorizing Jan Powell to remove one street tree located at 606 S Pine Street;

WHEREAS, ECC 4.36.380 requires that any person, firm or corporation may apply for the removal of street trees, subject to city council approval, under such conditions and requirements as set forth in the Ellensburg City Code;

WHEREAS, Jan Powell has requested permission to remove one street tree;

WHEREAS, the City Arborist has reviewed the condition of the tree and the proposed replanting of the tree, and recommends the City Council authorize removal of the tree;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ellensburg, Washington, as follows:

Section 1. Jan Powell is authorized to remove one street tree located on 606 S Pine Street. Approval is conditioned upon Jan Powell first receiving a Street Tree Permit and Public Works Permit from the City of Ellensburg Public Works & Utilities Department for removal of the tree at Jan Powell's expense including removal of the stump, and replanting one street tree from the City's Street Tree List in the City right of way in an approved location, within one year.

Section 2. A $400 refundable deposit shall be posted prior to the issuance of the Street Tree Permit to assure replacement of the tree.

Section 3. Removal of the stump shall be done within 30 days of the removal of the tree.

ADOPTED by the City Council of the City of Ellensburg this July 20th, 2020.

____
MAYOR

____
CITY CLERK

CITY COUNCIL AGENDA REPORT

City Council Meeting Date:	July 20, 2020
Item Title/Agenda Subject:	Award Bid Call 2020-09 Distribution Transformer Bid
Submitted by:	Paul Meyer Public Works & Utilities
Recommended Action or Motion:	Award the bid to the lowest responsive and responsible bidder, Anixter, Inc. (GE/Prolec) for Bid Call 2020-09 Distribution Transformer Bid Schedule “A” and “B” in the amount of $139,707.00 with Sales Tax. Authorize the necessary budget amendments.

Background/Summary:

The Energy Services Department annually budgets and publishes a bid for electrical distribution transformers. These transformers are used for capital construction projects and to replenish inventory. Staff recommends City Council award the bid to Anixter Inc. “GE” for Schedule “A” Three Phase Pad-mount Transformers and Schedule “B” Overhead Outdoor Pole-mount Transformers.

Bids have been published, received, and evaluated with consideration taken for both their initial cost and future costs as well. The future costs represent a value placed on the electrical losses, which occur within the core and windings of each unit. Therefore a low loss unit, which consumes less electricity over its expected 30-year life, is usually the best investment. Staff received five bids for the three phase (3Ø) pad-mounted transformers and five bids for the overhead outdoor pole-mounted transformers from three manufacturer’s representatives.

The City specified that all transformers contain less than 1ppm of PCB’s with the appropriate “No PCB” label affixed as prescribed by EPA regulations.

Previous Council Action: None.

Analysis: Anixter Inc. (GE/Prolec) had the lowest responsive bid evaluated for a 30 year life for both Schedule “A” and “B” with a bid of $115,686.06 and $24,020.94 respectively including Sales Tax. Several other bids were deemed non-responsive due their delivery time exceeding the 60 working day requirement.

Financial Impact:

The 2019-2020, Electric Fund budget includes expenditure authority of $52,520 for this contract. The City Light Department is requesting a budget adjustment in the amount of $87,187 to cover the additional costs. The additional costs are primarily customer driven and City will receive reimbursement as transformers are put into service. The 2020 Light Fund has an adequate ending fund balance to cover the additional costs.

Attachments:
2020-09 xfmr bid eval-engr

BIDDER	Manufacturer	Size KVA	QTY	Unit Price	Extended	SubTotal	Evaluated Unit Cost*	Evaluated Cost - Total	Deliv (Wk)	NL LOSS	FL LOSS	NL LOSS COST	FL LOSS COST	UNIT PRICE w/ loss	loss (watt)	COMMENTS
Schedule "A" - Three Phase Padmounts																
Anixter	*GE*	150	7	$6,980	$48,860		$76,748.70		9	354	1333	$1,451	$2,533	$10,964	1687	
		300	2	$8,720	$17,440		$29,041.80		9	615	1726	$2,522	$3,279	$14,521	2341	
		500	4	$10,130	$40,520	$106,820	$76,514.40	$182,305	9	805	2999	$3,301	$5,698	$19,129	3804	
Engineers Estimate		150	7	$6,582	$46,074											
		300	2	$6,937	$13,874											
		500	4	$9,758	$39,032	$98,980										
Schedule "B" - Overhead Outdoor Polemounts																
Gen-Pac	*ERMCO*	37	20	$979	$19,580		$41,356.00		10-12	108	340	$443	$646	$2,068	448	
		25	3	$921	$2,763	$22,343	$4,878.60	$46,235	10-12	77	205	$316	$390	$1,626	282	
Anixter	*GE*	37	20	$980	$19,600		$38,736.00		7	86	318	$353	$604	$1,937	404	
		25	3	$860	$2,580	$22,180	$4,734.60	$43,471	7	57	255	$234	$485	$1,578	312	
Engineers Estimate		37	20	$1,024	$20,480											
		25	3	$798	$2,394	$22,874										

NOTES * - Evaluated Cost includes Unit Price + Loss Cost
No load (NL) & Full Load (FL) Loss in watts

Transformer Purchase Recommendation

BIDDER	Manufacturer		SCH	Type	Purchase Amount		8.3% tax	Total
Anixter	(GE)		A	Three Phase Padmounts	$106,820		$ 8,866.06	$ 115,686.06
Anixter	(GE)		B	Overhead Outdoor Polemounts	$ 22,180		$ 1,840.94	$ 24,020.94
Total								**$ 139,707.00**
Total (engineers estimate) w/ tax								**$ 131,967.88**

RECEIVED

JUL 06 2020

OFFICE OF CITY MANAGER
ELLENSBURG, WA

Gretchen A. Thatcher
803 South Willow Street #602
Ellensburg, WA 98926

June 24, 2020

Bruce Tabb, Mayor
City of Ellensburg
501 N. Anderson
Ellensburg, WA 98926

Dear Mayor Tabb,

Due to medical reasons, I am submitting my resignation from the City of Ellensburg Planning Commission effective immediately. It was my pleasure to serve on the Planning Commission for the last nine years. Thank you for the opportunity to serve the city.

Sincerely,

Gretchen A. Thatcher

Gretchen A. Thatcher
ggthatcher@hotmail.com

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 CONTRACTIUAL 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.

Jennifer Pickle   7/13/2020
AUDITING OFFICER   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 **20th DAY OF JULY 2020.** THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE AB OVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Claims Fund				**Total Amounts**
Check #'s	**149262**	TO	**149436**	$ 252,378.17
EFT #'s	**4290**	TO	**4309**	$ 1,166,444.51

Payroll Fund				**Total Amounts**
Check #'s	**95179**	TO	**95185**	$ 14,292.83
Direct Deposits	**56645**	TO	**25850**	$ 365,075.82

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

ATTEST: _______________
CITY CLERK

CITY COUNCIL AGENDA REPORT

City Council Meeting Date:	July 20, 2020
Item Title/Agenda Subject:	Disposal of Surplus Water Division Property
Submitted by:	Rod Paul Public Works & Utilities
Recommended Action or Motion:	Adopt the resolution declaring surplus to the City of Ellensburg's needs Parcels #554434, #674434 and the residential structure located at 7640 Hwy 10, and authorizing the City Manager to dispose of properties.

Background/Summary:

The City of Ellensburg Water utility acquired the two (2) parcels located east of 1270 Look Road for the purpose of water storage and conveyance of water from the City's Nanuem property. The residential structure located at 7640 Highway 10 is part of the City Wells site, which is owned by the City of Ellensburg Water Utility. Staff has received inquiries about the Look Rd. properties from the abutting land owner, and from an individual interested in relocating the residential structure at 7640 Hwy 10.

Appraisals of the two (2) parcels and the residential structure were performed by Appraisal Group of the Northwest on March 6, 2020. The opinion of value for parcel #554434 is $42,500.00. The opinion of value for parcel #674434 is $11,500.00. The opinion of value for the residential structure is $15,000.00

City staff is requesting authorization from City Council to declare surplus to the City of Ellensburg's needs the real estate consisting of two parcels (parcel #554434 a 2.0 acre parcel, and parcel #674434 a .25 acre parcel) described below in more detail, and a residential structure located at 7640 Highway 10.

The two (2) parcels are located east of 1270 Look Rd and are legally described as:

Parcel #554434:
Part of the Southeast quarter of the Southwest quarter of Section 19, Township 18, Range 19. Beginning at a point 26

feet North of a point 545 feet West of the Southeast corner of the Southwest quarter of said Section; Thence West 300 feet; Thence North 290.4 feet; Thence East 300 feet; Thence South 290.4 feet to the point of beginning; and

Parcel #674434:
Part of the Southwest quarter of the Southwest quarter of the Southeast quarter of Section 19, Township 18, Range 19. Beginning at a point 96.4 feet East of the quarter section corner on the South boundary line of said section; Thence North 26°57’ East 134.0 feet; Thence South 65°03’ East 104.0 feet; Thence South 26°57’ West 84.9 feet to the section line; Thence West on the said section line 116.6 feet to point of beginning.

The residential structure located at 7640 Highway 10 consists of 1,304 square feet of living space, three (3) bedrooms, one (1) bathroom, living room, dining room, and a covered front porch. The residential structure has been unoccupied since July 7, 2016. The structure will be required to be moved off of the premises where it currently resides within 180 calendar days from completion of a sale agreement or the City will demolish the structure.

Previous Council Action: N/A

Analysis: City Staff have determined the parcels listed above, and the residential structure located at 7640 Highway 10, to be surplus to the City’s needs and no longer required for municipal purposes or public benefit. The disposition of the parcels listed above and the residential structure shall be through a process to be administered by the City Manager and consistent with the Ellensburg City Code sections 2.06.080 – Surplus Real Property Resolution and 2.06.100 - Sale Procedure, and will best serve the common public benefit.

A notice of the public hearing for City Council to consider declaring surplus to the City of Ellensburg’s needs Parcels #554434, #674434 and the residential structure located at 7640 Hwy 10, has been published in the city’s official newspaper and mailed to all property owners within 500 feet of subject parcels #554434 and #674434, and the residential structure at 7640 Highway 10 as required per City Code.

The Utility Advisory Committee at their January 16, 2020 meeting recommended City Council declare surplus to the City of Ellensburg's needs the real estate consisting of two parcels (parcel #554434 a 2.0 acre parcel, and parcel #674434 a .25 acre parcel) described below in more detail, and a residential structure located at 7640 Highway 10.

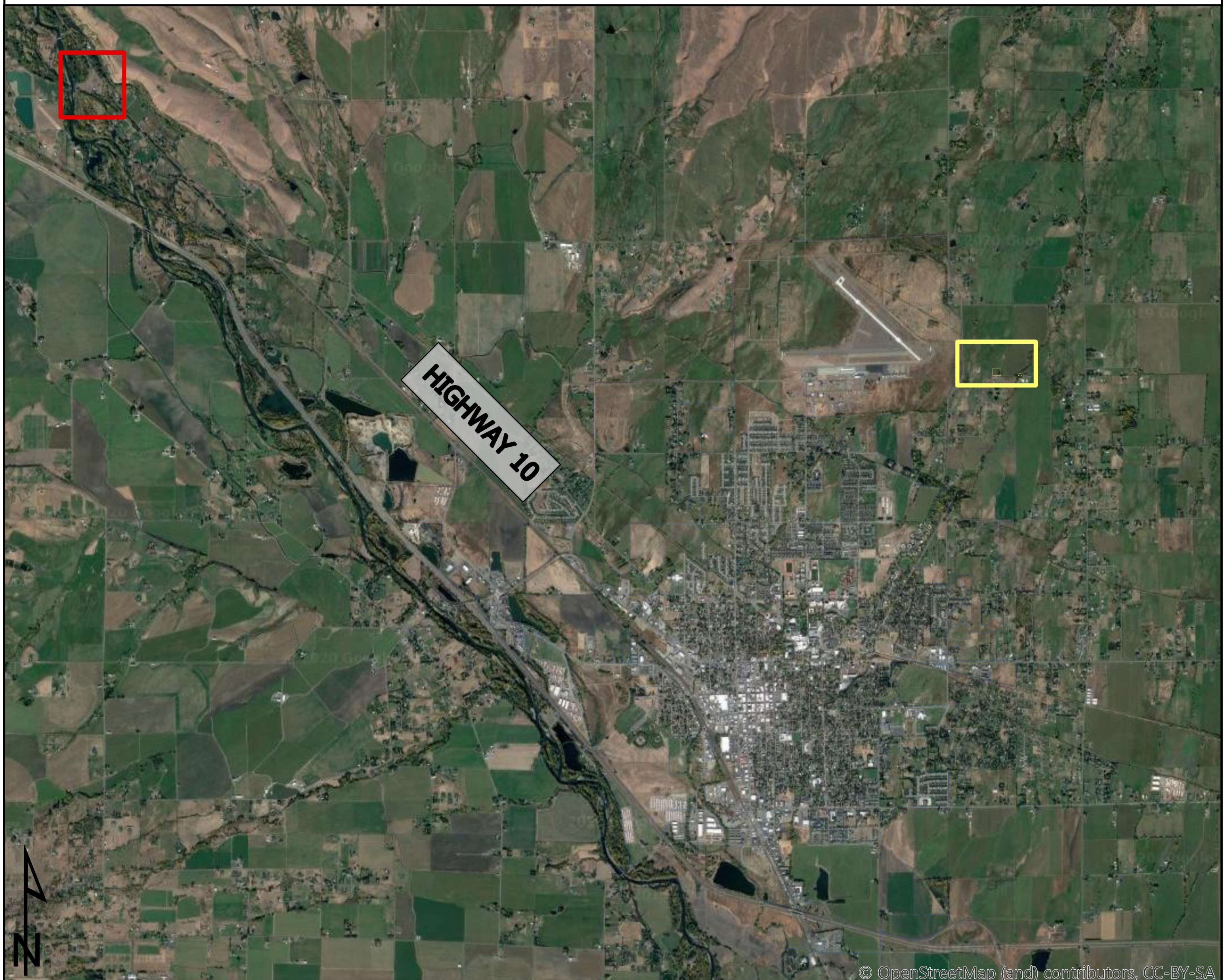
Financial Impact: There will be no negative fiscal impact to the Water Utility. Funds received from the sale of the parcels and residential structure will be deposited into the Water Utility fund.

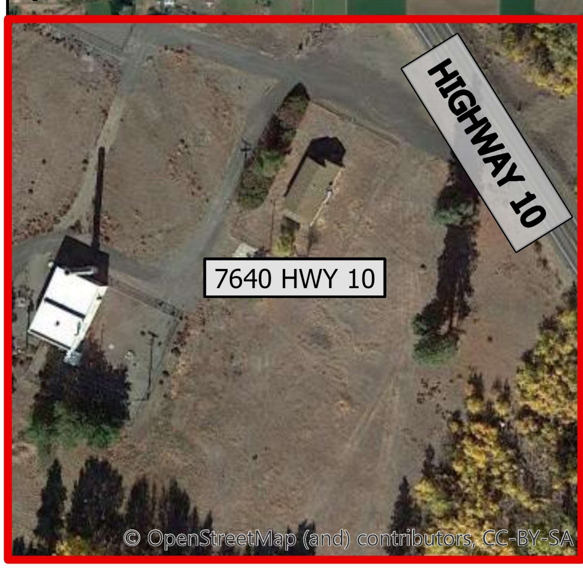
Attachments:
7640 Hwy 10
Water Division Surplus Properties
Resolution to Declare as Surplus Water Utility Property

City of Ellensburg WASHINGTON

PUBLIC WORKS & UTILITIES

Surplus Water Division Property





RESOLUTION NO. 2020-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, declaring as surplus to the City of Ellensburg's needs the real estate consisting of two parcels described below in more detail, and a residential structure located at 7640 Highway 10.

WHEREAS, the City Council conducted a public hearing on July 20, 2020, in accordance with the provisions of Chapter 2.06 ECC and RCW 35.94.040, for the purpose of declaring as surplus to the City's needs the two (2) parcels located east of 1270 Look Road, Kittitas County, Washington, and a residential structure located at 7640 Highway 10, Kittitas County, Washington; and

WHEREAS, the parcels and structure were purchased with funds from the City's water utility; and

WHEREAS, the two (2) parcels are located east of 1270 Look Road and legally described as:

Parcel #554434:

Part of the Southeast quarter of the Southwest quarter of Section 19, Township 18, Range 19. Beginning at a point 26 feet North of a point 545 feet West of the Southeast corner of the Southwest quarter of said Section; Thence West 300 feet; Thence North 290.4 feet; Thence East 300 feet; Thence South 290.4 feet to point of beginning; and

Parcel #674434:

Part of the Southwest quarter of the Southwest quarter of the Southeast quarter of Section 19, Township 18, Range 19. Beginning at a point 96.4 feet East of the quarter section corner on the South boundary line of said section; Thence North 26°57' East 134.0 feet; Thence South 65°03' East 104.0 feet; Thence South 26°57' West 84.9 feet to the section line; Thence West on the said section line 116.6 feet to point of beginning; and

WHEREAS, the residential structure is located at 7640 Highway 10 and consists of the following:

1,304 square feet of living space, three (3) bedrooms, one (1) bathroom, living room, dining room, kitchen, and covered front porch; and

WHEREAS, the residential structure will be required to be moved off of the premises where it currently resides within 180 calendar days from completion of sale agreement or will be demolished and disposed of by the City; and

WHEREAS, the City believes the parcels and structure are marketable, and appraisals of the two (2) parcels and the residential structure were performed by Appraisal Group of the Northwest on March 6, 2020. The opinion of value for parcel #554434 is $42,500.00. The opinion of value for parcel #674434 is $11,500.00. The opinion of value for the residential structure is $15,000.00; and

WHEREAS, public notice of the hearing was mailed to property owners within 500 feet of said property, and was published in accordance with the provisions of ECC 2.06.020; and

WHEREAS, the City Council hereby finds two (2) parcels located east of 1270 Look Rd., and the residential structure located at 7640 Highway 10, to be surplus to the City's needs and no longer required for municipal purposes, and the disposition of each lot shall be through a process to be administered by the City Manager and consistent with ECC Section 2.06.020 and will best serve the common public benefit,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of The City of Ellensburg, Washington, as follows:

Section 1. The real property, Parcel #554434, and Parcel #674434, are hereby declared surplus to the City of Ellensburg's needs and are no longer required for providing municipal services.

Section 2. The means of disposal for Parcel #554434, and Parcel #674434, shall be by methods authorized, in ECC 2.06.020(B) and state law, and as administered by the City Manager.

Section 3. The real property commonly known as the residential structure located at 7640 Highway 10 is hereby declared surplus to the City of Ellensburg's needs and is no longer required for providing municipal utility services.

Section 4. The means of disposal for the residential structure shall be by methods authorized in ECC 2.06.020(B) and state law, and as administered by the City Manager. The Purchase and Sale Agreement shall require the buyer to move the structure off the property within 180 days of purchase.

Section 5. If the residential structure located at 7640 Highway 10 cannot be sold within a reasonable period, city staff is authorized to demolish and dispose of the structure, usable items will be donated to a local nonprofit organization.

ADOPTED by the City Council of the City of Ellensburg this 20th day of July, 2020.

____

Mayor

ATTEST: ______________________________________

City Clerk

CITY COUNCIL AGENDA REPORT

City Council Meeting Date:	July 20, 2020
Item Title/Agenda Subject:	Ordinance 4855 (second reading) to correct definition of "low-income disabled citizen" in City's utility code.
Submitted by:	Ryan Lyyski Public Works & Utilities
Recommended Action or Motion:	Conduct second reading and adoption of Ordinance 4855 correcting the definition of "low-income disabled citizen" in ECC 9.30.020.
Background/Summary:	Staff has recently discovered an inconsistency in the current definition for Low-Income Disabled Citizen in Title 9 of the utilities code. The City Council is being requested to amend definition of Low Income Disabled Citizen.
Previous Council Action:	The definition of Low Income Disabled in ECC 9.30.020 was modified in 2010 (Ordinance 4571) and again in 2013 (Ordinance 4650). This definition was not modified in 2019 as part of the standardization of the utility discount program. Council gave first reading of Ordinance 4855 at their July 6, 2020 meeting.
Analysis:	Staff recommends changing the existing definition of "low-income disabled citizen" in RCW 9.30.020 because it was discovered to have been previously amended in a manner that mistakenly narrowed the previous definition, contrary to the intent at the time. Amendments made in 2010 and 2013 resulted in a four-part test for qualifying under the definition, which included income qualification and multiple requirements to show disability qualification. When staff reviewed the legislative history, it was clear that Council had intended that there only be a two part test: income qualification and disability qualification, and the disability requirement could be met in one of four ways. The proposed ordinance will correct this error and return the definition to its original intent. The Utility Advisory Committee forwarded a favorable recommendation to the City Council, to adopt an ordinance amending the definition at their February 20, 2020 meeting.

Financial Impact: The proposed changes are expected to result in a slight increase in customers who qualify for the rate. Any resulting decrease in revenue will be incorporated in future budgets.

Attachments:

4855 - Title 9 Low-Income Disabled Citizen definition 07-20-20

ORDINANCE NO. 4855

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO TITLE 9 “UTILITIES” AND AMENDING SECTION 9.30.020 OF THE ELLENSBURG CITY CODE.

WHEREAS, staff has recently discovered an inconsistency in the current definition for “Low-income disabled citizen” in Chapter 9.30 of the Ellensburg, “Utility Rates”; and

WHEREAS, Ordinance No 4650 amended the definition of “Low-income disabled citizen” in ECC 9.30.030; and

WHEREAS, the agenda report for Ordinance No 4650 stated the amendments were merely correcting the change in RCW numbering for parking placard qualifications; and

WHEREAS, the intention of Council was to allow applicants who meet the income threshold to qualify by demonstrating one of the four criteria,

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

Section 1. Section 9.30.020 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4844, is hereby amended to read as follows:

9.30.020 Definitions.

“BOD (biochemical oxygen demand)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade, expressed in parts per million by weight.

“Debt service coverage” or “DSC” means the result of a calculation dividing a utility’s margin (profit) for the year by the utility’s annual debt payment.

“Domestic strength wastewater” means wastewater having a BOD of 200 mg/l and suspended solids of 250 mg/l.

“Electric demand” means the maximum KW delivered during a 15-minute period in which the consumption of energy is the greatest during the month.

“Income” means all moneys received by the claimant from any source. It includes, but is not limited to: wages, railroad retirement, Social Security benefits, investment income in the form of dividends from stock, interest on savings accounts and bonds, capital gains, gifts and inheritances, net rental income from real estate, disability payments, retirement pay and annuities. Reimbursement for losses shall not be considered as income.

"Low-income disabled citizen" means a person ~~who: (A) has~~ with a combined household income at or below 125 percent of the federally established poverty level~~; (B)~~ who: (A) provides documentation of disability from the Social Security Administration of the federal government; or ~~(C)~~ (B) qualifies for special parking privileges under RCW 46.19.010(a) through (j); or ~~(D)~~ (C) demonstrates through documentation from a qualified medical professional that he or she has a disability identified in RCW 46.19.010(a) through (j); or ~~(E)~~ (D) qualifies as a blind person as defined in RCW 74.18.020.

"Low-income senior citizen" means a person who is 65 years of age or older with a combined household income at or below 125 percent of the federally established poverty level.

"Nonprofit agencies serving the disadvantaged" means agencies with a 501(c)(3) tax exempt designation from the Internal Revenue Service (IRS), a majority of whose clients/customers: (A) qualify for the low-income senior citizen rate, (B) are persons with disabilities of the types recognized by the city for determining eligibility for the low-income disabled citizen rate, regardless of their actual income level, or (C) are persons from families determined to be low income as defined by the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 USC Section 9902(2).

"Power factor" or "PF" means the ratio of the real power to the apparent power, and is a number between zero and one. "Real power" is the capacity of the circuit for performing work in a particular time. "Apparent power" is the product of the current and voltage of the circuit.

"Purchased gas cost adjustment" means the average cost of gas per Ccf paid by the city (including current city and state taxes per Ccf) the month prior to the billing month. [Ord. 4844 § 1, 2019; Ord. 4650 § 1, 2013; Ord. 4571 § 1, 2010; Ord. 4555 § 1, 2009; Ord. 4503 § 2, 2007.]

Section 2. 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 3. 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 4. 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 _____ day of July, 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. 4855 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4855 was published as required by law.

BETH LEADER

CITY COUNCIL AGENDA REPORT

City Council Meeting Date:	July 20, 2020
Item Title/Agenda Subject:	Ordinance 4856 (second reading) to increase the membership of the Lodging Tax Advisory Committee
Submitted by:	Terry Weiner City Attorney Department
Recommended Action or Motion:	Approve second reading and adoption of Ordinance 4856 increasing the membership of the Lodging Tax Advisory Committee from five to seven members.
Background/Summary:	Chapter 67.28 of the Revised Code of Washington (RCW) authorizes local governments to create a lodging tax advisory committee (LTAC) for the purpose of reviewing and commenting on proposals for tourism promotion and tourism-related facilities, and engage in tourism planning and promotion activities. The City's Lodging Tax Advisory Committee (LTAC) membership is established in ECC 2.28.200(B), and consists of five members. One member is a city councilmember (who chairs the LTAC), two members are from businesses that are required to collect lodging tax, and two members must be persons involved in activities that are funded by the lodging tax revenue. The LTAC met on March 11, 2020 and recommended increasing the number of committee members from five to seven in order to address issues with meeting the quorum requirements for their meetings. Council gave first reading to the ordinance at its July 6, 2020 meeting.
Previous Council Action:	City Council considered the request to increase LTAC membership at its June 15, 2020 meeting and agreed with the recommendation.
Analysis:	RCW 67.18.1817(1) governs the composition of lodging tax advisory committees, and requires that a lodging tax advisory committee consist of <u>at least</u> five members, of whom: (a) At least two members who are representatives of businesses required to collect tax under this chapter; and (b) at least two

members who are persons involved in activities authorized to be funded by revenue received under the chapter. The proposed revisions to ECC 2.28.200(B) will add one member to each of the required "collection" and "receiver" categories.

In addition, the members of each collection and receiver category serve staggered terms. In order to continue this staggered membership, the ordinance incorporates the current expiration date for present members (either December 31, 2020 or December 31, 2021, depending on their original appointment date). New members (the 6th and 7th) shall serve what may be a slightly longer term through December 31, 2022, again depending on when they are appointed.

Financial Impact: None.

Attachments:
Ordinance 4856 - Lodging Tax Membership Increase

ORDINANCE NO. 4856

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 2.28 "ROOM TAX - CONVENTION CENTER FUND" AND AMENDING SECTION 2.28.200 OF THE ELLENSBURG CITY CODE.

WHEREAS, as authorized by chapter 67.28 of the Revised Code of Washington (RCW), the City of Ellensburg established in Chapter 2.28 of the Ellensburg City Code (ECC) a lodging tax advisory committee (LTAC) for the purpose of reviewing and commenting on proposals for tourism promotion and tourism-related facilities, and engage in tourism planning and promotion activities, in Ellensburg; and

WHEREAS, the current membership of the LTAC consist of five (5) members selected as provided in ECC 2.28.200(B); and

WHEREAS, RCW 67.18.1817(1) requires that a lodging tax advisory committee consist of at least five members, of whom: (a) At least two members who are representatives of businesses required to collect tax under this chapter; and (b) at least two members who are persons involved in activities authorized to be funded by revenue received under the chapter; and

WHEREAS, at the March 11, 2020 Special Meeting of the Lodging Tax Advisory Committee the committee approved a motion to propose to the City Council increasing membership from five to seven, consisting of three members representative of businesses required to collect the tax, three members involved in activities authorized to be funded by the revenue received from the tax, and one Councilmember; and

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

Section 1. Section 2.28.200 of the Ellensburg City Code, as last amended by Ordinance 4327, is hereby amended to read as follows:

2.28.200 Lodging tax advisory committee.

A. There is hereby created a lodging tax advisory committee, whose duties shall be to serve the functions prescribed in RCW 67.28.1817, review and comment on proposals for tourism promotion and tourism-related facilities, and engage in tourism planning and promotion activities.

B. The lodging tax advisory committee shall consist of ~~five~~ <u>seven</u> members, appointed by the city council. One member shall be an elected official of the city, who shall serve as chair; ~~two~~ <u>three</u> members shall be representatives of businesses required to collect the tax, one of whom shall be appointed to a ~~one-year~~ term <u>expiring December 31, 2020,</u> ~~and the other to a two-year term~~ <u>the second member being appointed to a term expiring December 31, 2021, and the third</u>

member being appointed to a term expiring December 31, 2022; and ~~two~~ three members shall be persons involved in activities authorized to be funded by revenue received from the tax, one of whom shall be appointed to a ~~one-year~~ term expiring December 31, 2020, ~~and the other to a two-year term~~ the second member being appointed to a term expiring December 31, 2021, and the third member being appointed to a term expiring December 31, 2022. After the expiration of the terms set forth herein, each member being reappointed or newly appointed shall serve a two-year term, or such portion thereof to complete the term of any member who resigns or is removed from the committee. The committee may include, but is not required to include, one nonvoting member who is an elected official of Kittitas County. The city council shall review the membership of the committee annually and make changes as appropriate. Vacancies on the committee shall be filled by the city council.

C. The city council shall submit to the lodging tax advisory committee, for its review and comment, proposals on: (1) the imposition of a tax under Chapter 67.28 RCW; (2) any increase in the rate of such a tax; (3) repeal of an exemption from such a tax; or (4) a change in the use of the revenue received from such a tax. The city council shall submit such a proposal to the committee at least 45 days before taking final action on any such proposal. Comments by the committee should include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-range stability of the special fund created for the lodging tax revenues. The committee shall submit a written recommendation to the city council within 45 days of receiving the proposal from the city council. The report shall be advisory to the city council, and shall not be binding upon the council. Failure of the committee to submit its report to the city council in a timely fashion prior to passage of the proposal shall not prevent the city council from acting on the proposal.

D. The committee is authorized to review applications for lodging tax funding and to make recommendations to the city council regarding which tourism promotion and tourism-related facility project applications the city should fund. However, this grant of authority shall not be construed to require the city council to submit such proposals to the committee for initial review in addition to the review process set forth in subsection (C) of this section. If any expenditures will constitute an amendment to the city's annual budget, the request shall be submitted to the committee prior to final approval by the city council. If the proposed expenditure under review by the committee falls within the limits of the city manager's contracting authority set forth in ECC 2.03.080, and is otherwise consistent with the annual budget, the committee's recommendation may be made to the city manager, who may either authorize the expenditure without further confirmation by the city council or instead forward the committee's recommendation to the council for further action.

E. The committee is authorized to engage in tourism planning and promotion activities. The duties of the committee shall include advising and making recommendations to the city council regarding tourism matters, developing tourism promotion strategies and plans, and identifying potential future uses of lodging tax revenue for tourism promotion and tourism-related facility projects. [Ord. 4327, 2002; Ord. 4234, 2000; Ord. 4111, 1997.]

Section 2. 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 3. 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 4. 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 20th day of July, 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. 4856 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4856 was published as required by law.

____
BETH LEADER

CITY COUNCIL AGENDA REPORT

City Council Meeting Date:	July 20, 2020
Item Title/Agenda Subject:	Adopt Resolution to Reject All Bids - Supply and Delivery of Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt), Bid Call 2020-14
Submitted by:	Rod Paul Public Works & Utilities
Recommended Action or Motion:	1. Adopt the attached Resolution rejecting Bid Call #2020-14, the Supply and Delivery of Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt); and 2. Authorize staff to purchase product from the Washington State Department of Enterprise Services contract #02714 in an amount not to exceed $50,000.00.
Background/Summary:	The City of Ellensburg Street Division utilizes Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt) to maintain a safe travel way on the main, and secondary arterial streets within the Ellensburg City Limits. Bid call #2020-14 was for 300 Tons of Solid Sodium Chloride and an additional 120 Ton of product, if needed, depending on the severity of the 2020/2021 winter season. Bids were solicited for the Supply and Delivery of Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt) based off of specifications obtained from the 2010 Pacific Northwest Snowfighters (PNS) Qualified Product List “Non Corrosion Inhibited Solid Sodium Chloride category 8B”. One bid was received on Thursday June 18, 2020, for the above mentioned purchase. Staff is recommending City Council adopt the attached resolution to reject the bid submitted by Envirotech Services Inc. for an alternate product.
Previous Council Action:	Council previously approved the purchase of Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt), through adoption of the 2019/2020 budget.
Analysis:	Staff developed the bid specifications and the purchase was advertised, with one bid being received. Envirotech Services Inc. submitted an alternate product not meeting the bid

specifications of the 2010 PNS Qualified Product List category 8B. Staff is recommending the bid be rejected per the attached resolution since the alternate project in the bid does not meet the bid specifications, and is not a comparable product.

Financial Impact: Council previously authorized the purchase for the Supply and Delivery of Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt), through the adoption of the 2019/2020 budgets.

Attachments:

Resolution Template - Reject 2020 salt bid

RESOLUTION NO. 20__-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, rejecting all bids for the Supply and Delivery of Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt), Bid No. 2020-14.

WHEREAS, the City of Ellensburg Street Division utilizes Solid Sodium Chloride (Rock Salt) to maintain a safe travel way on the main, and secondary arterial streets within the Ellensburg City Limits; and

WHEREAS, the City solicited sealed public bids for the Supply and Delivery of Non Corrosion Solid Sodium Chloride (Rock Salt), based off of specifications obtained from the 2010 Pacific Northwest Snowfighters (PNS) Qualified Product List "Non Corrosion Inhibited Solid Sodium Chloride category 8B"; and

WHEREAS, on June 18, 2020, One (1), bid was received and opened by the City; and

WHEREAS, the One (1) bid received was for an alternate product that did not meet the required specifications; and

WHEREAS, pursuant to RCW 35.23.352(1), the City Council may, by resolution, reject all bids; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ellensburg, Washington, as follows:

Section 1. All bids received for Bid Call No. 2020-14, the Supply and Delivery of Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt), are hereby rejected and the Public Works and Utilities Director is hereby authorized to purchase Non Corrosion Inhibited Solid Sodium Chloride (Rock Salt), from the Washington State Department of Enterprise Services, contract #02714.

ADOPTED by the City Council of the City Ellensburg this 20th day of July 2020.

____
Mayor

Attest: ____________________________
City Clerk

CITY COUNCIL AGENDA REPORT

City Council Meeting Date: July 20, 2020

Item Title/Agenda Subject: Annual Comprehensive Plan Amendment Docketing

Submitted by: Kirsten Sackett Community Development

Recommended Action or Motion:

Consider each of the three proposed amendments for docketing during the 2020 annual Comprehensive Plan amendment process.

Background/Summary:

Under the requirements of the State Growth Management Act (GMA), the City is allowed to amend its Comprehensive Plan one time each year. Ellensburg City Code (ECC) 15.250.090 specifies the formal Comprehensive Plan update process, which allows for amendments to be proposed by any member of the community, City Council member, City Board or Commission, or City staff. Notice of the 2020 annual Comprehensive Plan amendment process, including timelines and deadlines for submittals, was published in the Daily Record at the beginning of June and was posted simultaneously on the City's webpage. Included in this report are the submittal forms for three proposed amendments.

Previous Council Action: None.

Analysis:

Per ECC 15.250.090(C)(3), Council has set their second meeting in July for the docketing of proposed amendments to the Comprehensive Plan. Ellensburg City Code requires that Council consider all proposed amendments and determine which proposals have sufficient background information and analysis to allow their full consideration and review in the annual process. Council is authorized to docket only those proposed amendments that it deems are ready for review during the annual review process. Council must take formal action on a docketed amendment no later than December 31 or the docketed amendment will be continued over for consideration in next year’s amendment process.

Three proposed amendments to the Comprehensive Plan were submitted for Council consideration and are included as attachments to this agenda report. Two proposals were submitted by the Community Development Department, and one proposal was received from the general public.

Proposal 19-01 was submitted by the Community Development Department to update the 6-year capital improvement plans, which are updated every year as an appendix to the Comprehensive Plan. The plans are still in development and will be updated prior to City Council adoption of any approved Comp Plan amendments.

Proposal 19-02 was submitted by the Community Development Department. The proposal is to add new language to the Comprehensive Plan which focuses on the City’s commitment to diversity, equity and inclusivity. This would be accomplished by adding clarifying language to the value statements found in the Introductory Section of the Comprehensive Plan, and also by adding a new Chapter to the Comprehensive Plan which focuses on the same topic. Goals, objectives and priorities for this new chapter will be developed by the Mayor’s subcommittee on diversity, equity and inclusivity.

Proposal 19-03 submitted by Trenton Gardner is a request similar to the staff-proposed docket #20-02. Mr. Gardner also proposes to develop a chapter for the Comprehensive Plan devoted to equity, diversity and inclusion in our community. He is further proposing that the chapter be developed by a new commission that would include members of the Black, Indigenous, People of Color (BIPOC) community. Additional narrative is included in the attached docket request.

Financial Impact: The costs of administering the annual Comprehensive Plan amendment process are included in the 2020 Community Development budget.

Attachments:
2020 Docketing Proposals

2020 Comprehensive Plan Amendment

Docketing Proposals

Docket Item 20-01: Annual Update to Capital Improvement Plans – Staff proposal

Docket Item 20-02: Diversity & Inclusivity Element – Staff proposal

Docket Item 20-03: Creation of Commission on Diversity, Equity & Inclusion, and development of a new Comp Plan chapter with actionable items – Public proposal

Comprehensive Plan Amendment Proposal

PA-16

Community Development Department
501 N. Anderson, Ellensburg, WA 98926 (509) 962-7239 (Building) (509) 962-7231 (Planning)
permits@ci.ellensburg.wa.us

Application Name: Annual CIP Update **Docket #:** 20-01
OFFICE USE ONLY **OFFICE USE ONLY**

Date Application Received: 6/29/20 **Received by:** Jamey Ayling

Applicant:

Name: Community Development Department Daytime Phone: 509-962-7232
Mailing Address: 501 N. Anderson Street Fax Number: ____________
City/State/Zip: Ellensburg, WA 98926 Signature: Kirsten Sackett
Professional License No: ____________ E-mail: sackettk@ci.ellensburg.wa.us

Agent/Consultant/Attorney: (mandatory if primary contact is different from applicant)

Name: ____________ Daytime Phone: ____________
Mailing Address: ____________ Fax Number: ____________
City/State/Zip: ____________ E-mail: ____________
Signature ____________

Please provide a statement in the space provided below or on an attached sheet as needed for the suggested change(s) to the comprehensive plan with regards to the relevant criteria listed below:

• Detailed statement of the proposal and reason for the amendment including proposed language for amendment;

• Anticipated impacts of the change, including the geographic area affected and issues presented;

• Why existing comprehensive plan should not continue in effect or why existing criteria no longer apply;

• How the change would be compliant with the Growth Management Act;

• How the change would be compliant with the Countywide Planning Policies; and

• How functional plans (e.g. subarea plans, utility plans) and capital improvement programs (e.g. transportation improvement program) support the change.

Annual update to Appendix A, 6-year Capital Improvement Plans.
Each year the 6-year capital improvement plans need to be updated. Supporting information will be developed during the budget process in the fall, prior to the October public hearing with City Council to adopt the comprehensive plan amendments.

Comprehensive Plan Amendment Proposal

PA-16

Community Development Department
501 N. Anderson, Ellensburg, WA 98926 (509) 962-7239 (Building) (509) 962-7231 (Planning)
permits@ci.ellensburg.wa.us

Application Name: Diversity & Inclusivity Element **Docket #:** 20-02

OFFICE USE ONLY **OFFICE USE ONLY**

Date Application Received: 6/29/20 **Received by:** Jamey Ayling

Applicant:

Name: Community Development Department Daytime Phone: 509-962-7232
Mailing Address: 501 N. Anderson Street Fax Number: ____
City/State/Zip: Ellensburg, WA 98926 Signature: Kirsten Sackett
Professional License No: ____ E-mail: sackettk@ci.ellensburg.wa.us

Agent/Consultant/Attorney: (mandatory if primary contact is different from applicant)

Name: ____ Daytime Phone: ____
Mailing Address: ____ Fax Number: ____
City/State/Zip: ____ E-mail: ____
Signature ____

Please provide a statement in the space provided below or on an attached sheet as needed for the suggested change(s) to the comprehensive plan with regards to the relevant criteria listed below:

• Detailed statement of the proposal and reason for the amendment including proposed language for amendment;

• Anticipated impacts of the change, including the geographic area affected and issues presented;

• Why existing comprehensive plan should not continue in effect or why existing criteria no longer apply;

• How the change would be compliant with the Growth Management Act;

• How the change would be compliant with the Countywide Planning Policies; and

• How functional plans (e.g. subarea plans, utility plans) and capital improvement programs (e.g. transportation improvement program) support the change.

See attached page for responses to above criteria.

Supporting Narrative for Docket Proposal #20-02:

- This docketing proposal is to add additional language to the Comprehensive Plan which focuses on the City's commitment to diversity, equity and inclusivity. This will be accomplished by:
  1) Adding additional value statements and/or clarifying language to the Introductory Section of the Comp Plan; and

  2) Adding a new chapter that expands and focuses on the Plan's existing commitment to diversity, equity and inclusivity. The new chapter will provide goals, priorities and actions items developed by the Mayor's subcommittee on inclusion and diversity.

  The new element will focus on goals advocated by the American Planning Association to "include the voices and perspectives of those from historically undervalued and underserved populations to help the [City, County, and State] move forward with strength, resilience, and equity" (planning.org).

- The geographic area covered by the City of Ellensburg Comprehensive Plan encompasses the City limits and associated Urban Growth Area. However, it is anticipated that the intended impacts of these Comp Plan amendments would have impacts on not only City residents, but all those who are visitors to our City.

- This would not be a replacement section, as there currently are no criteria within the Comp Plan specific to diversity and inclusion.

- Regarding compliance with the GMA:

  The proposed addition to the Comp Plan is not a "mandatory" element, as specified by RCW 36.70A.070, that is currently missing, but rather it would be an additional element. It would, however, be compliant with Planning Goal #11 of RCW 36.70A.020:

  > (11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

- The amendment would be compliant with the following Vision Statement of the 2016 draft of the County-wide Planning Policies (emphasis added):

  > VISION STATEMENT: This statement is a general vision of the future of our county, toward which this framework and these policies aim. <u>Kittitas County and the cities will value and protect and enhance the quality of life by protecting the visual and physical environment; fostering economic opportunity, diversity, and security</u>; supporting a wide range of natural resource-based industries; ensuring

access to recreational opportunities; promoting educational excellence; and providing for affordable housing and accessible transportation.

- It is currently unknown if any functional plans or capital improvement programs (CIP) would support the new chapter, but rather the ideal would be that the new chapter inform future functional and CIP's.

Comprehensive Plan Amendment Proposal

PA-16

Community Development Department
501 N. Anderson, Ellensburg, WA 98926 (509) 962-7239 (Building) (509) 962-7231 (Planning)
permits@ci.ellensburg.wa.us

Application Name: Equity & Diversity Commissior **Docket #:** 20-03
OFFICE USE ONLY **OFFICE USE ONLY**

Date Application Received: 6/30/20 **Received by:** Jamey Ayling

Applicant:

Name: Trenton Gardner Daytime Phone: 253-792-9662
Mailing Address: 1107 Brookdale Road E Fax Number: ____________
City/State/Zip: Tacoma, Wa, 98445 Signature: Trenton Gardner
Professional License No: WDL25R6G633B E-mail: Gardner.Trenton@aol.com

Agent/Consultant/Attorney: (mandatory if primary contact is different from applicant)

Name: ____________ Daytime Phone: ____________
Mailing Address: ____________ Fax Number: ____________
City/State/Zip: ____________ E-mail: ____________
Signature ____________

Please provide a statement in the space provided below or on an attached sheet as needed for the suggested change(s) to the comprehensive plan with regards to the relevant criteria listed below:

- Detailed statement of the proposal and reason for the amendment including proposed language for amendment;
- Anticipated impacts of the change, including the geographic area affected and issues presented;
- Why existing comprehensive plan should not continue in effect or why existing criteria no longer apply;
- How the change would be compliant with the Growth Management Act;
- How the change would be compliant with the Countywide Planning Policies; and
- How functional plans (e.g. subarea plans, utility plans) and capital improvement programs (e.g. transportation improvement program) support the change.

1. Detailed statement of the proposal and reason for the amendment including proposed language for amendment

In 2016, as part of the City's efforts to develop a comprehensive plan, an in-depth survey of the Ellensburg community was completed. One value identified by the community is, "We value a diverse, inclusive, and equitable community that is welcoming and supportive to everyone because it enriches our lives and enhances our individual and community well-being" (pg. 7, Ellensburg Comprehensive Plan). However, the plan does not currently include any actionable items to speak to this value.

Ellensburg City Council should rectify this by developing a chapter in the Comprehensive Plan devoted to equity, diversity, and inclusion in our community. Because the lived experiences of Black, Indigenous, People of Color (BIPOC) are critical to such a chapter, it is important the effort is led by these members of our community. BIPOC students at Central Washington University (CWU), as important members of our community, should also be included in the development of an equity, diversity, and inclusion chapter. These students make up a large portion of our community and their experiences are important to include. "The median age in Ellensburg and Kittitas County reflect the large population of college students. During Spring 2017, there were over 9,600 students attending university on-campus in Ellensburg, or about half of the population of Ellensburg, and just a quarter of the population of Kittitas County." (pg. 126, Ellensburg Comprehensive Plan). The development of this chapter, particularly if led by BIPOC community members, will benefit public health, safety and general welfare; will result in long-term benefits to the whole community, not just some; and is consistent with other goals and policies of the comprehensive plan and will maintain concurrency between the land use, transportation and capital facilities elements of the plan.

Proposed language for amendment: Move to form a commission that will develop a new chapter focused on equity, diversity, and inclusion to include in the 2020 update to Ellensburg City Comprehensive Plan.

2. Anticipated impacts of the change, including the geographic area affected and issues presented

The U.S. Census estimated in 2019 Ellensburg's BIPOC community to be about a quarter of the overall population (https://www.census.gov/quickfacts/ellensburgcitywashington). However, there are no actions or plans taking place that provide for the inclusivity of this group. Anticipated impacts of this change would be a more equitable and inclusive community that takes seriously the concerns of all its members.

In thinking about the development of this chapter many outcomes to better provide a more equitable and inclusive community come to mind. For example: the city's Parks and Recreation department could create programming that centers BIPOC kids or an annual BBQ for the whole community to come together and get to know one another. Actions like these will not only benefit the BIPOC residents of the community, they will also benefit businesses and other residents alike. Businesses will have the opportunity to promote themselves, while getting to learn stories and experiences of those that don't look too familiar. This relationship will provide an opportunity for economic growth and will allow BIPOC people to feel more comfortable in entering the actual community and spending money at local businesses rather than corporate locations. Creative ideas like these also highlight the need noted in question 1 that this effort be led by BIPOC community members, including CWU students.

3. Why existing comprehensive plan should not continue in effect or why existing criteria no longer apply

The plan does not currently speak to this need.

4. How the change would be compliant with the Growth Management Act

Developing a chapter on equity, diversity, and inclusion would be compliant with the Growth Management Act in multiple ways. The clearest connection can be seen in planning goal 11, "Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts" (Planning Goals, RCW.36.70A.020). Currently the needs of a segment of our community are not being adequately addressed in the comprehensive plan. The planning goals also encompass transportation, housing, economic development, open space and recreation, environment, and public facilities and services, all of which greatly affect BIPOC members of our community.

5. How the change would be compliant with the Countywide Planning Policies

The vision statement for the Countywide Planning Policies is, "Kittitas County and the cities will value and protect and enhance the quality of life by protecting the visual and physical environment; fostering economic opportunity, diversity, and security; supporting a wide range of natural resource-based industries; ensuring access to recreational opportunities; promoting educational excellence; and providing for affordable housing and accessible transportation." Including a chapter on equity, diversity, and inclusion is in line with this vision and will speak to each of the ways Kittitas County and the cities have committed to valuing, protecting, and enhancing the quality of life for all of our community.

6. How functional plans (e.g. subarea plans, utility plans) and capital improvement programs (e.g. transportation improvement program) support the change.

The development of a chapter on equity, diversity, and inclusion will help identify any changes needed to functional plans within the City of Ellensburg. By ensuring the development of this chapter is led by BIPOC members of our community, including CWU students of color, the City will have a better understanding of their needs and how to address those within its functional plans, if they are not already.

MANAGER'S REPORT

DATE: July 20, 2020

TO: Ellensburg City Council

FROM: John Akers, City Manager

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1. Joint Meeting with Ellensburg School Board.

The Mayor and staff have been in contact with the Ellensburg School District. The date proposed for the joint meeting is Wednesday, August 26, 2020 at 6:00 p.m. The determination of whether the meeting will be held remotely, or in-person will be made at a later date.