

COUNCIL AGENDA

Monday, October 5, 2020



In-person attendance at public meetings is currently prohibited per the Washington Governor's Proclamation No. 20-28.9. 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 20-28.9, 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 Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or via email to: leaderb@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 City Clerk by 5 p.m. on the meeting date. Comments can either be mailed to Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or sent via email to: leaderb@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. the day of the meeting. Register for the meeting at: https://us02web.zoom.us/webinar/register/WN_mfdqCLxuT32bNlbFR8kYEw. 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: 1) under Item 7 for non-agenda items. or 2) any listed 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, October 5, 2020
7:00 PM - Regular Meeting**

1. Call to Order and Roll Call

2. Proclamations

- 2.A Public Natural Gas and Power Week 7
[Public Natural Gas & Power Week Proclamation 2020](#)

3. Awards and Recognitions

4. Approval of Agenda

5. Consent Agenda

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

- 5.A Approve Minutes of the September 21, 2020 Regular City Council Meeting 8
[9-21-20 Council Minutes](#)

- 5.B Acknowledge Minutes of the Environmental Commission - June 17 and August 19, 2020 13
[6-17-20 Environmental Commission Minutes](#)
[8-19-20 Environmental Commission Minutes](#)

- 5.C Acknowledge Minutes of the Landmarks and Design Commission - August 4 and 18, 2020 17
[8-4-20 Landmarks & Design Commission Minutes](#)
[8-18-20 Landmarks & Design Commission Minutes](#)

- 5.D Acknowledge Minutes of the Public Transit Advisory Committee - August 18, 2020 27
[8-18-20 Public Transit Advisory Committee Minutes](#)

- 5.E Acknowledge Minutes of the Utility Advisory Committee - August 20, 2020 29
[8-20-20 Utility Advisory Committee Minutes](#)

- 5.F [Agreement for Professional Services for the Engineering and Design of the 5th Ave & Railroad](#) 31

Ave Signalization Project
Scope and Contract Railroad and 5th Signal City of Ellensburg September 2020

5.G Approve October 5, 2020 Voucher Listing 10-5-20 Vouchers	49
6. Petitions, Protests, and Communications	
6.A COVID-19 Update	
6.B Board and Commission Applications B and C Agenda Report Chart 10- 5-20 DeMille App Rajendran App	50
7. Citizen Comment on Non-agenda Issues	
8. Business Requiring Public Hearings	
9. Introduction and Adoption of Ordinances and Resolutions	
10. Unfinished Business	
11. New Business	
11.A Notice of Intention to Commence Annexation Proceedings Parcels 258133, 018133, 038133 and 058133 EXHIBIT 1 NOTICE OF INTENT TO ANNEX EXHIBIT 2 LOCATION MAP	56
11.B Notice of Intent to Commence Annexation Proceedings Parcel 10876 located at 1211 Sanders Road EXHIBIT 1 INTENTION TO ANNEX EXHIBIT 2 LOCATION MAP	62
11.C 2021-2022 Preliminary Budget Revenue Estimates Budgetable Preliminary Revenue Estimates 2020 - 2022	66
11.D Report of the Ellensburg City Council Equity, Diversity and Arts Subcommittee Ellensburg City Council Subcommittee Report (10-05-2020)	80
12. Miscellaneous	
12.A Manager's Report 10-5-20 Manager's Report	82
12.B Councilmembers' Reports	

13. Executive Session

14. Adjournment

Next Ord. 4860
Next Res. 2020-24

Public Natural Gas and Power Week

WHEREAS, the City’s natural gas and electric utilities provide our homes and businesses with clean, reliable, efficient, and low-cost services, and as customers and owners of our utilities we have a direct say in utility policies, rates, and services; and

WHEREAS, the City’s natural gas and electric utilities are a valuable city asset that contribute toward making our community a better place in which to live and work through energy efficiency, customer service, environmental stewardship, and economic development; and

WHEREAS, the City’s natural gas and electric utilities are carried out in a transparent, dependable, trustworthy, and businesslike manner;

THEREFORE, BE IT FURTHER RESOLVED that the City Council does hereby proclaim October 4-10, 2020, as “Public Natural Gas and Power Week” and expresses its appreciation for the volunteers serving on the Utility Advisory Committee and all City employees that contribute to the continuing success of the natural gas and electric utilities.

Dated this 5th day of October, 2020.

Mayor

Attest: _____
City Clerk



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Regular Meeting

September 21, 2020

7:00 PM

Held Remotely per Governor Inslee's

Proclamation 20-28.9

1. Call to Order and Roll Call

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

Also Present: City Manager Akers; City Attorney Weiner; City Clerk Leader; Executive Assistant Gigstead; Public Works & Utilities Director Lyyski; City Engineering Manager Mayo; Parks and Recreation Director Case; Assistant City Attorney Reiman; City Fire Marshal Delvo; Human Resources Director Smith; Veronica Gomez-Vilchis; DaJon DeMille and approximately eight members of the public;

2. Proclamations

2.A. Proclamation for Hispanic Heritage Month

The Proclamation for Hispanic Heritage Month was read in Spanish by Veronica Gomez-Vilchis and was then read by Councilmember Goodloe in English.

Councilmember Nancy Lillquist moved to Approve the Mayor's signature on both proclamations. **Motion Approved 7-0.**

3. Awards and Recognitions

4. Approval of Agenda

Councilmember Nancy Goodloe moved to Approve the Agenda as presented. **Motion Approved 7-0.**

5. Consent Agenda

5.A. Approve Minutes of September 8, 2020 Regular Meeting

5.B. Approve Minutes of the August 26, 2020 Special Meeting

5.C. Acknowledge Minutes of the Affordable Housing Commission - August 5, 2020

- 5.D. Acknowledge Minutes of the Lodging Tax Advisory Committee - August 5, 2020
- 5.E. Acknowledge Minutes of the Parks & Recreation Commission - March 22, 2020
- 5.F. Award Bid Call 2020-29 Medium Voltage 15kV Underground Distribution Cable
- 5.G. Bid Award – Bid Call 2020-28 Ridgeview Lane Sewer Main Extension
- 5.H. Approve University Way Banner Request for National Cybersecurity Awareness Month - October 5-11 & 19-25, 2020
- 5.I. Approve University Way Banner Request for CWU Homecoming 2020 - October 12 - 18, 2020
- 5.J. Approve September 21, 2020 Voucher Listing

Councilmember Nancy Lillquist moved to Approve the consent agenda as presented.
Motion Approved 7-0.

6. Petitions, Protests, and Communications

6.A. COVID-19 Update

Councilmember Lamb gave an update on local data and active cases over the past two weeks.

6.B. Board and Commission Applications

Applicant DaJon DeMille was present to introduce himself and spoke on his interest in serving on the Planning Commission or Parks and Recreation Commission.

Mayor Tabb explained there was another application received for the Planning Commission and they would introduce that applicant at the next Council meeting.

7. Citizen Comment on Non-agenda Issues

Theresa Plue, 140 Woodhouse Loop, commented regarding comments made by Stacy Hammond at a previous Council meeting and also commented regarding Hispanic Heritage Month.

Stacy Hammond, 308 N Sampson St., commented regarding allowance of public comment at virtual council meetings and alleged police corruption.

8. Business Requiring Public Hearings

9. Introduction and Adoption of Ordinances and Resolutions

9.A. Ordinance 4857 (second reading) Amending Fire Code Appendix D Access Road Requirements and Flammable/Combustible Liquid Storage
City Attorney, Terry Weiner, presented information in the staff report and the request to change the requirements in the code to match the International Fire Code.

Councilmember Mary Morgan moved to Approve second reading and adoption of Ordinance 4857. **Motion Approved 7-0.**

9.B. Ordinance 4858 (second reading) – Concurrence with WSDOT Road Access Classification on portions of SR 97
City Engineering Manager, Derek Mayo, presented information in the staff report concerning classifications for road access of portions of SR 97.

Stacy Hammond, 308 N Sampson St., commented regarding the Fire Code.

Councilmember Mary Morgan moved to Approve second reading and adoption of Ordinance 4858. **Motion Approved 7-0.**

9.C. Ordinance 4859 (second reading) –Traffic Code Revisions
City Engineering Manager, Derek Mayo, presented information in the staff report.

Councilmember Mary Morgan moved to Approve second reading and adoption of Ordinance 4859. **Motion Approved 7-0.**

10. Unfinished Business

11. New Business

11.A. Naming of Downtown Park
Parks and Recreation Director, Brad Case, presented information in the staff report explaining the process for selection of a new park name and the recommendation from the Parks and Recreation Commission.

Councilmember Goodloe inquired about the urgency of naming of the park. She commented regarding having the commission revisit the naming and Councilmembers Engel and Miller agreed.

Stacy Hammond, 308 N Sampson St., commented regarding the process for the survey.

Keith McGowan, 10 Larson Rd, commented regarding the Council discarding the opinion of those that initially participated.

Theresa Plue, 140 Woodhouse Loop, commented regarding the need to have more music in the downtown and options for reaching more of the public.

Councilmember Lillquist asked Director Case how the survey was advertised.

Stacy Hammond, 308 N Sampson St., commented regarding the process done in February.

Theresa Plue, 140 Woodhouse Loop, stated that she agreed with Councilmember Lillquist that it should move forward.

Stacy Hammond, 308 N. Sampson St., commented again regarding providing the community another opportunity to participate in the survey.

Theresa Plue, 140 Woodhouse Loop, commented regarding the ability for everyone in the community to provide input.

City Manager Akers explained staff had enough information from Council for the next steps and will go back to the Parks and Recreation Commission for direction.

Councilmember Nancy Lillquist moved to Approve naming the downtown park Ellensburg Blues Park. **Motion Failed 2-5.**

12. Miscellaneous

12.A. Manager's Report

City Manager Akers reviewed the information in the Manager's Report. Councilmember Miller, Councilmember Goodloe and Mayor Tabb will serve on the Council Funded Grant Program sub-committee. The proposed date for the joint meeting between Council and CWU would be November 18, 2020.

He stated an Executive Session would be needed.

12.B. Councilmembers' Reports

- Councilmember Lamb attended Arts Commission and Library Board meetings and participated in the Inclusion, Diversity and Equity sub-committee;
- Councilmember Lillquist reported the Developmental Disabilities Committee is searching for another member; she attended the Environmental Commission meeting and mentioned a suggestion for planting fruit trees downtown. She spoke about the Checkerboard Partnership meeting and presented a letter of support for the Cle Elum Community Forest grant;

Councilmember Nancy Lillquist moved to Approve the Mayor's signature on the letter of support for the Cle Elum Ridge Community Forest Program Grant Application. **Motion Approved 7-0.**

- Councilmember Engel attended her regular assigned meetings and the Inclusion, Diversity and Equity sub-committee. There will be a recommendation presented at the October 5, 2020 Council meeting;
- Councilmember Lamb commented regarding the discussion by the Inclusion, Diversity and Equity sub-committee and review of the Boards and Commissions policies and inclusion of diversity in each board/commission;
- Councilmember Miller spoke regarding conversations of the Inclusion, Diversity and Equity sub-committee; attended the Landmarks and Design and Kittitas County Conference of Governments meetings, AWC Equity webinar, and the Urban & Community Forestry Council meeting;
- Councilmember Morgan reported on the KITTCOM board hiring a new Director;
- Councilmember Goodloe attended the Utility Advisory Committee, Law & Justice Council, and Inclusion, Diversity and Equity sub-committee meetings; reported there are approximately six more listening sessions;
- Mayor Tabb attended the Public Transportation Advisory Committee meeting and a School District meeting concerning transportation issues

13. Executive Session

Council recessed to executive session at 8:43 p.m. per RCW 42.30.140, to consider collective bargaining sessions with employee organizations, and RCW 42.30-110(1)(c) to consider the minimum price at which real estate will be offered for sale or lease. The executive session was expected to last approximately 20 minutes and Council was not expected to reconvene.

14. Adjournment

Motion to adjourn at 9:11 pm (adjournment delayed due to technical difficulties rejoining the regular meeting on Zoom).

Mayor

ATTEST: _____
City Clerk

ELLENSBURG ENVIRONMENTAL COMMISSION

**June 17, 2020 Regular Meeting
(5:15 p.m. to 6:05 p.m.)
Remote Meeting via Zoom**

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; Stacey Henderson, Senior Planner; and Laura Wilson, Planner (Recording Secretary)

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

AGENDA

There was consensus to approve the agenda.

MINUTES

Commissioner MacPhaiden moved to approve the February 19, 2020 regular meeting minutes. Commissioner Jacobs seconded the motion. There was no discussion and the motion passed with all in favor.

CITIZEN COMMENT

There were no citizen comments.

NEW BUSINESS

P19-145 Ellensburg Flats 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 Flats SEPA checklist to the commission. She briefly explained the 75 lot subdivision, noting the project would be developed in two phases. She explained there would be a 10 acre, undeveloped lot labeled as Tract A. This area had an established wetland and associated buffer. The applicants obtained a critical area report which addressed the wetland. Mrs. Henderson noted staff anticipated issuing a mitigated determination of non-significance (MDNS). She noted the mitigation measures include getting the ordinary highwater mark surveyed and marked on site to ensure the wetland areas aren't disturbed during development and ensuring the applicant addresses the letters received from Department of Ecology and Public Works. The applicants would like to start Phase 1 as soon as possible and Phase 2 would be developed in a couple of years. Laura Wilson, Planner, explained the applicant requested a block length departure when the project was submitted. The applicant withdrew their departure request and submitted an alternative design that eliminated a cul-de-sac which increased the walkability and connectivity of the development. Chairperson Wollman asked if the applicant was proposing stubbed streets that go into the wetland area and if the wetland would change in the future. Mrs. Henderson explained the various iterations of the project with the final proposal designating Tract A with no development. Any future development would require with the Army Corps of Engineers and Department of Ecology input as well as all new SEPA and land use applications and permits. Chairperson Wollman clarified that Tract A was not designated open space and could possibly be developed in the future. Mrs. Henderson confirmed this. Commissioner Sledge asked how the developer came up with the number of 2.7 residents of each house. Mrs. Henderson said the Environmental Commission could ask for clarification, but noted, in her experience, 2.7 residents is a common number used for single family development. Commissioner Busby supported the idea of designating Tract A as open space.

Motion

Commissioner Busby moved that the Environmental Commission encourage the developers consider making Tract A an undeveloped open space to preserve the wetlands. Commissioner Steinkoenig seconded the motion. The motion passed with all in favor.

Motion

Commissioner MacPhaiden moved the Environmental Commission recommend that, where possible, the developer incorporate native trees, plants and xeriscaping in the entire development. Commissioner Busby seconded the motion. The motion passed with all in favor.

Motion

Commissioner Sledge moved the Environmental Commission recommend the developer make the sole source of power be electric rather than including natural gas. Commissioner Busby seconded the motion. Commissioner Steinkoenig asked if that would include solar and other alternative means of providing electricity. Commissioner Sledge stated it did and her primary focus was to remove the use of natural gas due to its polluting potential. Busby clarified that the development would still have all city services available and gas usage would be up to the individual homeowner. Commissioner MacPhaiden agreed that the development would have gas access. Commissioner Sledge withdrew her motion. Commissioner Busby approved the withdrawal.

Motion

Commissioner Busby moved the Environmental Commission encourage the developer make the all the houses solar ready. Commissioner Sledge seconded the motion. There was discussion clarifying what solar ready meant. The motion passed with all in favor.

Council Member Lillquist rejoined the meeting.

BICYCLE ADVISORY

Council Member Lillquist told the commission that Council adopted the Six Year Transportation plan which included a number of bicycle and walking improvement projects. Council has not adopted the Active Transportation Plan though. That plan will be presented at the next Council meeting.

STAFF UPDATE/DISCUSSION ITEMS

Laura Wilson updated the commission on Mid Columbia Fisheries 2020 Water Quality Grant agreement. Mid Columbia Fisheries had several events and programs that involved students and student volunteers. After grade school and college students were sent home due to Covid 19, Mid Columbia Fisheries had to reallocate funds to cover the additional staff time. The staff was needed to complete the tasks that would have been completed by the volunteers. Ms. Wilson requested an updated budget and project narrative from MCF. The new 2020 Water Quality Grant Agreement would reflect those changes.

The meeting adjourned at 6:05 p.m.

Respectfully Submitted by
Laura Wilson
Recording Secretary (Drafted 6/18/20)

ELLENSBURG ENVIRONMENTAL COMMISSION

**August 19, 2020 Regular Meeting
(5:15 p.m. to 5:50 p.m.)
Remote Meeting via Zoom**

Members Present: Kristine Steinkoenig, Andrea Sledge, Christina Wollman, James Rivard, Laura Busby, and PJ MacPhaiden

Members Absent: Emily Jacobs, (excused), Annie Schlanger (excused)

Also present: Paula McMinn, Citizen; Jamey Ayling, Planning Manager; and Laura Wilson, Planner (Recording Secretary)

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

AGENDA

Commissioner MacPhaiden moved to approve the agenda. Commissioner Steinkoenig seconded the motion. The motion passed with all in favor.

MINUTES

There were no minutes to review for approval.

CITIZEN COMMENT

Paula McMinn, Ellensburg resident, presented her concerns regarding 'coal rolling'. She explained that coal rolling happened when diesel engines are modified to increase the amount of fuel entering the engine and results in a dark cloud of exhaust is emitted from the vehicle. It was against EPA regulations to tamper with the emission, but it is not enforced. She noted that while she has attended the Black Lives Matter protests on 5th and Main Street as well as the environmental rallies on the corner of Sprague and University Way, the protest groups have been coal rolled. She explained some of her concerns regarding coal rolling were the toxicity to people, the decreased visibility when the exhaust is emitted, and the EPA violation. She said that after an incident of being coal rolled three times, she was sleeping 18 out of 24 hours a day for a period of approximately 10 days after the incident. She believed she also had some heart palpitations because of the incident. Ms. McMinn asked the Environmental Commission if it would be possible to make coal rolling illegal in the City of Ellensburg.

The commission asked Ms. McMinn if she had been to the Police Department regarding these incidents. She stated she said she had been and was told by some officers they were not able to do anything about the incidents. The Environmental Commission discussed her request and felt her request was a question for the city attorney. There was consensus among the commission that they had to look at it from an environmental perspective rather than an individual incident or act of attack or aggression.

The Environmental Commission requested staff to get input from the City Attorney and find out if there were any local or state laws regarding coal rolling. They also requested staff ask the City Attorney if the Environmental Commission could make any recommendations to City Council that would be helpful from an environmental health and safety standpoint. Lastly, the commission wanted staff to find out if the issue fell under law enforcement jurisdiction.

NEW BUSINESS

P20-060 Dolarway Fish Passage Bridge SEPA

Jamey Ayling, Planning Manager, presented the Dolarway Fish Passage SEPA submitted by City of Ellensburg Public Works Stormwater Division. He provided a brief history of the property and project. The project involves installing a setback levee on the eastern part of the property and extending the walking path. Three flood channels will be installed which will run through the property at varying depth. The area will be replanted with native grass and some pine and deciduous trees will be planted along Enterprise Way. A 35 foot fish passage box culvert will be installed on Dolarway Road. Mr. Ayling noted some potential future projects to control flooding. He also included that Department of Fish and Wildlife and Department of Ecology were in support of the project. The Washington State Department of Archeology and Historic Preservation requested additional cultural surveys be performed in the area.

Motion

Commissioner MacPhaiden moved the Environmental Commission accept the plan as presented. Commissioner Rivard seconded the motion. The motion passed with all in favor.

STAFF UPDATE/DISCUSSION ITEMS

The meeting adjourned at 5:50 p.m.

Respectfully Submitted by
Laura Wilson
Recording Secretary (Drafted 8/20/20)



**COMMUNITY DEVELOPMENT DEPARTMENT
501 N. Anderson St., Ellensburg WA 98926**

MINUTES OF THE LANDMARKS & DESIGN COMMISSION REGULAR MEETING

Date and Time: Tuesday, August 4, 2020, 5:45 p.m.
Place of Meeting: Remote Meeting via Zoom
Present: Members: Chairwoman Mollie Edson, Dorothy Stanley, Megan West, Marty Blackson, Marc Brown, Amy McCoy
Absent:
Others Present: Stacey Henderson, Senior Planner - Historic Preservation; Kirsten Sackett, Community Development Director; Brad Case, Parks & Recreation Director; David Miller, City Council liaison; and one member of the public

Note: These are **Summary** Minutes *not* Verbatim Minutes

1. Call to order and roll call of members

Meeting called to order by Chairwoman Edson at 5:45 pm.

All in favor, motion passed.

2. Approval of the agenda

Commissioner West made a motion to approve the agenda as presented. Stanley seconded. All in favor, motion passed.

All in favor, motion passed.

3. Approval of the minutes of the Meeting of June 16, 2020.

Commissioner Stanley referred to a typo from June minutes which stated she was present, when she was actually absent. Brown made a motion to approve the minutes of June 16, 2020 with Stanley's amendments. Commissioner Stanley seconded.

All in favor, motion passed.

4. New Business

a. Public Hearing for Consideration of an owner-initiated request to list the historic Munson-Pott house on the Historic Ellensburg Landmarks Register

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. In response, Edson noted that she is friends with the applicant, but that she does not feel that it will impact her ability to act partial and non-biased in this matter. No other issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the staff report and shared her screen to display the application exhibits. She stated that this application was submitted by Darren Reid to

individually list the house located at 1001 C Street. He would like to have the home designated in order to protect its ongoing status, and also to be eligible for Special Valuation.

Henderson stated that the structure must be at least 50 years old and meet at least one of the eligibility criteria from the code. It has to be associated with significant local events; closely linked with a person of importance to the city, state or nation; embody a certain architectural type, period or style; is outstanding work of a designer, builder or architect, or is an easily identifiable visual feature because of prominent special location and which contributes to the distinctive identity of the neighborhood.

She said that the house only has to qualify for one of the above criteria, but that this application qualifies for two. Criteria #2 states that it must be linked with a person of importance in the City. She explained that the house was built in 1909 for Professor Munson (and his wife), who served as a professor of biology at Washington State Normal School from 1899 to 1928. He died in 1928, and Munson Hall was built and named in his honor in 1932. After his wife died in 1944 much of the proceeds from their estate were donated to set up a scholarship fund.

The nomination form also meets criteria #3 in that it “embodies the distinctive visual characteristics of an architectural type, period, style, or method of construction.” Henderson stated that the house is an excellent example of the neo-classical style. She displayed pictures of the home, and described the various contributing features.

Henderson stated that staff finds the application to meet the nomination criteria. The applicant has worked closely with the City over the years to first move the house to a new location, receive approval for the addition, and to make the many renovations needed to preserve the home in good condition. She stated that staff is recommending that the request to add the Ellensburg Landmarks Register be approved with no conditions.

Applicant Darren Reid, 1001 N C Street, Ellensburg, said that they want the house to be preserved under its historic standing. They will also be applying for Special Valuation which will be coming in the near future.

There were no members of the public that spoke on this item. Staff did not have anything to add, and neither did the applicant.

Chairwoman Edson asked if the Commissioners had any questions. There were no questions and it was opened up for deliberation. There was no discussion.

Commissioner McCoy read the Findings of Fact as outlined within the Staff report and made a motion to approve the Certificate of Appropriateness (COA) with no conditions as recommended by Staff.

Commissioner Stanley seconded. No discussion.

All in favor, motion passed.

b. Rotary Pavilion Master Planning

Parks & Rec Director Brad Case spoke to the Commission. He said the planning process for developing a downtown park is still under way. He said it is a work in progress and that Council has not yet adopted any plans.

He said that the City finalized the purchase of the Rotary Pavilion property in September 2019. In 2018 a landscape architect was hired to help through the planning process for the eventual park. The planning included a stakeholder event with city staff and commission members. They

also held a second event with individuals or groups that might be interested in hosting events at the park, as well as business owners. They also held an open event at the park on a Thursday evening, with participation from 75 community members. They also had an online survey that provided opportunity for the community to provide feedback. He said that to date, the reaction to the park is overwhelmingly positive, with a lot of excitement from the community. The next step will be to take the master plan to the Council for approval.

Case then shared a powerpoint with more information about the property. He said that the Rotary pavilion property, about ½ acre in size, and they are looking into options that would also allow for events to spill into streets - on Pearl and on 4th. His presentation included examples of how other cities use outdoor space. The first photo from Roslyn showed great use of only 7000 sq ft of space that intend for use yearround. Case said that one of the elements that is being considered in the design is a water element. Centennial Park in Redmon Oregon was a good example with a splash pad system flush with the ground, so nothing was projecting. They would also like to incorporate some sort of shade structure or awning. He then displayed examples from Jamison Square, with examples of how the surrounding trees created a welcoming area. Case also displayed potential play structure features that could be incorporated. The Elizabeth Caruthers park in Portland had a great example of rocks and boulders that kids can climb on, but which can also be used for seating during events. He displayed photos of Scottsdale, Arizona which had street lighting strung across the streets. The idea is to incorporate the lighting with the tree canopy. An important element is to incorporate safety features, which is partly achieved through lighting. He also shared a photo from a Washougal, WA park which includes bollards that can be moved in or out of the street in order to increase space sizing of the park depending on the event.

Case displayed the two options for the Rotary Pavilion park that are under consideration. Option #1 includes removal of the existing bank building. Option #2 incorporates the existing building. Both plans include areas for grass, water features/splash pad, play features, and a shaded area.

He said that one challenge they are running to is that folks are used to the free parking that is currently available at the site. There are concerns about losing the parking, but many others do understand the benefit of having a green space in the downtown area.

Case said the building is a non-contributing structure in the historic district, so they are still exploring options for what to do with the building. Edson asked about comparisons between the two plans. She said she hasn't been in the building, and she asked if has an adequate bathroom facility. Case said it has one bathroom, but the size of the building is adequate to where it could be remodeled to include more bathrooms with exterior entrances.

McCoy thinks this will be a cool project that will really add to the downtown. She thinks will be very complementary to the revitalization and growth of downtown. Edson loves the idea of using the streets to increase the size of the space. In response to a question, Case said the bank building was built in 1980 after the previous building on site burned down.

Case said that he would pass on the design plans to Henderson so that she could share it with the Commissioners. He encouraged them to reach out to him with any new ideas or concerns that came up.

Edson asked if the demolition would come before the Commission. Henderson said she will confirm this, but she believes that a demolition would come before them because the building is located within the historic downtown district.

5) Old Business

None

6) Citizen Comment

No comment.

7) Staff Update/Discussion Items

None.

8) Commission Representative Updates.

McCoy said that if it is decided to demolish the bank building in the downtown park, she just wanted to comment that the Commission did elect to retain the former banking facility over by the Kabob House. Originally, when they did the mural inventory, the kiosk and mural on the neighboring building went hand in hand – this was a factor in deciding to keep that particular bank building. She said that this kiosk does not have the same kind of tie to the historical downtown that the other one would. Edson acknowledged that may be the case, but wanted to limit discussion on that topic as it might come back before them.

McCoy brought up the New York Café building. She said that there used to be art on one of the sides of the building. There were 3 panels of art on the building that depicted the history of the building. Edson recalled that the owner, Ross Anderson, was open to having them taken down. Stanley recalled that the art was due to come down. The Commission asked staff to look into this situation and report back. McCoy said this is another touchy situation – it was never catalogued as a mural, as it's not a mural. One side is kept the same, where the three others were changed. Edson suggested that the Commission all take a look at the artwork before the next meeting.

Stanley brought up some concerns about some accidents she has witnessed at the stop sign. She feels that the historic neighborhood is being more heavily used with a lot more traffic. It was decided that it would be more appropriate for the neighborhood group to draft a letter to present to the City.

9) Adjournment

Henderson reminded the Commission that there will be a meeting on August 18, with 3 items on the agenda. Commissioner West made a motion to adjourn the meeting. Commissioner Blackson seconded. All in favor, motion passed. Chair Edson adjourned the meeting at 6:40 pm.



**COMMUNITY DEVELOPMENT DEPARTMENT
501 N. Anderson St., Ellensburg WA 98926**

MINUTES OF THE LANDMARKS & DESIGN COMMISSION REGULAR MEETING

Date and Time: Tuesday, August 18, 2020, 5:45 p.m.
Place of Meeting: Remote Meeting via Zoom
Present: Members: Chairwoman Mollie Edson, Dorothy Stanley, Megan West, Marty Blackson, Marc Brown,
Absent: Amy McCoy
Others Present: Stacey Henderson, Senior Planner - Historic Preservation; Kirsten Sackett, Community Development Director; Jamey Ayling, Planning Manager and two members of the public

Note: These are **Summary** Minutes *not* Verbatim Minutes

1. Call to order and roll call of members

Meeting called to order by Chairwoman Edson at 5:45 pm. Stanley made a motion to excuse McCoy's absence. Commissioner Blackson seconded

All in favor, motion passed.

2. Approval of the agenda

Commissioner Stanley made a motion to approve the agenda as presented. Blackson seconded. All in favor, motion passed.

All in favor, motion passed.

3. Approval of the minutes of the Meeting of August 4, 2020.

Commissioner Stanley made a motion to approve the minutes of August 4, 2020 with Stanley's amendments. Commissioner Blackson seconded.

All in favor, motion passed.

4. New Business

- a. Public Hearing for Consideration of a Certificate of Appropriateness (P20-066), submitted by Richard and Merrily Warren, for the exterior repainting of their 1948 Mid-Century Modern house, addressed as 204 E. 9th Ave, Ellensburg, Parcel ID # 473334.**

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. Stanley noted that the Warren's are her neighbors, but she does not feel that it will impact her ability to act in a fair and unbiased manner. No one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the staff report and shared her screen to display the application exhibits. She stated that this application was submitted by Richard and Merrily Warren seeking approval for the exterior repainting of their 1948 Mid-Century Modern house. She noted that the painting had already been completed, but the new owners were previously unaware of the requirements in the historic district and they are trying to achieve compliance.

The applicant provided some before and after photos that Stacey displayed on the screen. The house has vertical board and batten siding, and some of the boards have come loose. Before the purchase the color was a faded brown, they used Sherwin Williams Colors "Anchors Away" for the main house, "Nuance" for the trim and "Eastlake Gold" for the door.

This is a good example of mid-century modern architecture, with typical characteristics of this time period. The applicants are trying to maintain, enhance and protect this historic house.

Henderson said that Staff finds that painting the house in these colors did not detract from the overall historic character of the dwelling, nor create a false historical appearance. As such, Staff finds that the project meets the two following criteria of the code, ECC 15.530.020(B)(a) and (b).

Applicant Merrily Warren said she did not have anything to add. She wanted to know if they would have to make application for the roof since it is not visible from the street. Henderson said she would check on it and get back to the applicant.

There were no members of the public that spoke on this item. Staff did not have anything to add, and neither did the applicant.

Chairwoman Edson asked if the Commissioners had any questions. There were no questions and Edson closed the public hearing.

Commissioner Black made a motion to approve the Certificate of Appropriateness (COA) application for the exterior painting and include a condition to approve replacement of the roof because it is not visible from the right-of-way. Stanley seconded. Commissioner West read the Findings of Fact as outlined within the Staff report.

There was no discussion.

All in favor, motion passed.

b. Public Hearing for Consideration of a Certificate of Appropriateness (P20-057), submitted by Ames House LLC, for the proposed exterior improvements to the historic Ames House (1885), located at 109 E. 6th Ave, Ellensburg, Parcel ID # 756933.

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. Chairwoman Edson stated that she has been inside the house, Stanley noted that she has also been in the house and that Mr. Reid is her neighbor. Both Commissioners stated that this would not impact their ability to act in a fair and impartial matter. No other issues were raised, and no one in the audience objected to the participation of any of the Commissioners.

Senior Planner Henderson presented the staff report and shared her screen to display the application exhibits. She stated that this application is a request to make several exterior modifications. She displayed the one historic photo she could find. She said it is a contributing structure to the downtown historic district.

The proposed changes will support the new function, while better protecting the exterior of the home. The applicant wishes to complete multiple improvement projects on the exterior of the Ames House including: 1) remove an existing exterior staircase 2) replace two exterior doors with windows, and 3) replace three exterior windows with doors.

The materials and design will be compatible with the exterior of the home. The replacement materials will be in kind and will be painted in matching colors. The home is an excellent example of the Queen Anne style. All window and door replacements will be kept to the same header width, the siding will be replaced with in kind materials in areas that will need to be patched.

Henderson said that Staff has found that the proposed improvement projects on this contributing historic building will not detract from the overall historic character of the neighborhood, nor will it create a false historical appearance on the building itself. As such, Staff finds that the project meets the two following criteria of the code, ECC 15.530.020(B)(a) and (b).

Further, staff recommends that the Certificate of Appropriateness (COA) be granted by the LDC to remove the existing staircase, and replace the doors with windows, and windows with doors, in the proposed locations, with two conditions.

Applicant Darren Reid, 1001 N "C" Street explained that both of the windows are broken, so they need to be replaced anyway, but they will be replaced with doors instead.

There were no members of the public that spoke on this item. Staff did not have anything to add, and neither did the applicant.

Chairwoman Edson asked if the Commissioners had any questions. There were no questions. Edson closed the public hearing.

Commissioner Blackson read the Findings of Fact as outlined within the Staff report. Commissioner West made a motion to approve the Certificate of Appropriateness (COA) to remove the existing staircase, and replace the doors with windows, and windows with doors, in the proposed locations, with two conditions as recommended by Staff:

1. The new doors and windows are to be installed within existing openings as close as possible, in order to minimally disturb the historic fabric.
2. The existing staircase is to be removed using the gentlest means possible, as to not alter or damage the surrounding historic fabric of the building.

Commissioner Stanley seconded the motion.

Commissioners felt it was very smart and in the interest of safety to replace a door with a window where they will remove the staircase.

All in favor, motion passed

c. Public Hearing for Consideration of Special Valuation (P20-046), submitted by Darren and Jenny Reid, for the Munson-Potts House (ca. 1909), located at 1001 N. C St. Ellensburg, WA.

Chairwoman Edson opened the public hearing and explained the procedures of the hearing. Edson and Stanley both noted they are neighbors to the applicants, and both felt they could

make an impartial decision. No one objected to the participation of any of the Commissioners.

Senior Planner Henderson stated that this application was submitted by Darren Reid, requesting consideration of Special Valuation for the rehabilitation work they did on the Munson Potts house during 2018 to 2020. She reminded the Commission that this home had previously been relocated from 706 N. Anderson Street to 1001 N. "C" Street. The job of the Commission is to determine if the rehabilitation, the proposed changes and the expenditures qualify for Special Valuation.

She explained what Special Valuation is, citing the RCW and ECC. The cost of rehabilitation can be removed from the total assessed value of the home, which essentially reduces the taxes on the home. This is a means of helping owners of historic homes to maintain the historic integrity of the home. Henderson shared the Code from ECC 15.280.110, which also refers to the RCW and WAC, and what qualifies for the special valuation.

The main thing the Commissioners need to look at is RCW 84.26.030 which outlines the four criteria for being eligible. Henderson stated that the application does meet criteria #1 which requires that it be a historic property, as well as #2. It also meets #4 as the request came in within 24 months. The Commission needs to analyze Criteria #3 which requires that the structure is rehabilitated.

Moving on to the staff analysis, Henderson said that the Commission needs to decide if the cost of the rehab has been at least 25% of the valuation of the property, exclusive of the assessed value of the land. She said this was tricky because the structure was moved from one property to another, each of which had their own assessed values. So what she did was looking at the assessed value of the house before they made any modifications to the home and then subtracting the land value assessed after the home was moved.

Henderson displayed many of the photos provided by the applicant, with before and after photos, that would allow the Commission to determine if the historic character is still there. She showed that a lot of the moldings were kept on the interior, the staircase, and railings. On the exterior columns, the porch and dormers were all restored.

The applicant also supplied a budget and a narrative that broke down the various costs. Some of the costs that were associated with the actual move of the house were not included in the valuation. Henderson explained that for a special valuation you can't consider costs for new construction, only the costs associated with the historic structure. The budget included the cost of the addition of a garage. Henderson explained that this amount was deducted this amount from the budget, by determining the percentage of the addition (41%) in comparison to the cost of the entire structure, so she removed that percentage from the budget. After doing so, this left a rehab cost of \$201,701.96. The calculated value of the house was \$198,850. As such the cost of rehabilitation has exceeded "at least 25% of the assessed value of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation", as the applicant spent 102% of the value.

Criteria #4 is regarding an agreement to monitor the project for a 10-year period, to ensure it maintains qualification for the standard. Henderson reviewed all the requirements of the agreement as outlined in the RCW.

Henderson stated that Staff has reviewed the code and has found the application to meet all four criteria, and as such is recommending approval of the Special Valuation.

She then noted that the applicant had provided some additional exhibits just today, included a notarized budget and two additional “before” photos. Edson requested that these items be entered into the record as Exhibits B5 and B6.

Applicant Darren Reid, 1001 N. “C” Street, said he has a question for staff. He asked if the valuation goes up in the future, if you are removing 41% for new construction from old construction, will the percentage make a difference or matter. He said that the actual percentage should be a 23% reduction. He said that staff considered only the size of the garage, but he explained that the garage is a slab and sheet rock, with no bathroom, kitchen, etc., and feels that the percentage would actually come out to be less than 41%. He wanted to know if the percentage was actually different, if it would make a difference in the assessment over time. Henderson said she was going off the historic perimeter of the house. Reid said that he had already backed out some of the excluded costs, plus he hasn’t accounted for the cost of labor as he and his father had done all of the labor over 2 years.

The Commissioners discussed the idea of recalculating the value of the rehabilitation. Brown agreed that the cost of the addition would be substantially cheaper than that of the original structure rehabilitation.

Chairman Edson opened up the item for discussion among commissioners noting there was no public in attendance for this item. Edson asked the applicant if he felt like he would benefit from the commission continuing the hearing in order to clarify the percentages of qualifying expenditures. Chairman Edson wasn’t sure of the affect but asked for an explanation. Henderson summarized the building construction that occurred. She then described the garage addition and the square footage that it takes up versus the cost of construction of utility space, versus habitable space. She provided a new figure based on the 23% calculation. The applicant agreed that the square footage construction cost for the garage was fairly inexpensive, as it is basically open space that is largely unfinished. The applicant also mentioned that he provided a lot of owner labor which wasn’t captured in the budget. He stated other jurisdictions also allow hours for labor by the property owner, in lieu of a contractor, be included as costs towards the rehabilitation. Director Sackett mentioned that we could get an answer to determine if owner labor can be considered in the calculations.

Planning Manager Ayling noted that the residential building code values garages at a lesser square footage cost than habitable space.

Commissioner Blackson made a motion to continue the hearing on this item until the next LDC meeting to ensure that all of the costs were included.

Commissioner Stanely seconded.

All in favor, motion passed.

5) Old Business

None

6) Citizen Comment

No comment.

7) Staff Update/Discussion Items

a. New York Café

Henderson noted that the Commissioners had previously asked about the artwork that had been removed from the New York Café building. She had read the old staff reports, and she also visited with the owner Ross Anderson. She found the 2017 approved COA, which included several items, but she hasn't seen anything yet about putting artwork back on the wall.

Stanley said the artwork went up during her first term of being on the commission. The planner that supervised them left before the project was finished. Director Sackett asked if it was Dan Valoff, Commissioner Stanley thought that was correct. Henderson will continue to research the artwork issue.

Henderson wanted to know exactly what the Commission was asking be done in relation to this artwork. Edson said the Alley Cat artists did the work. The Commission would just like to know what happened to the artwork. Edson said that Ross had actually contacted the artist Rachel Ray Mack when he first bought the building. Edson remembered this was the item that sparked the controversy over murals, and wasn't sure if it was during an arts commission meeting. Chairman Edson mentioned she would get the artists contact information to staff to find out more.

Henderson said that there are a couple more COA's coming before the Commission for September 15 meeting.

Director Sackett introduced Jamey Ayling to the commission and explained his attendance at the meeting was to prepare to cover for Henderson while she is on maternity leave. Between Ayling and Sackett they will cover the upcoming meetings.

8) Commission Representative Updates.

There were no updates from the Commissioners.

9) Adjournment

Commissioner Stanley made a motion to adjourn the meeting. Blackson second. All in favor, motion passed. Chair Edson adjourned meeting at 7:05 pm.



PUBLIC TRANSIT ADVISORY COMMITTEE MEETING MINUTES

CITY OF ELLENSBURG
Date & Time of Meeting
Place of Meeting

Minutes of PTAC Meeting
August 18, 2020 3:30 PM
Held remotely per Proclamation 20-28.7

1. Call to Order and Roll Call

Roll Call Present: Bruce Tabb, Jack Frost, Bob Mersinger, Edgar Espino, Joshua Hackney. Members absent: Greg Steger and Jason Berthon-Koch.

Also Present: Betsy Dunbar - COE, Margaret Reich - COE, Paula Hctor - HopeSource

2. Approval of Agenda

Motion and second (Jack F / Bob M) to approve the Agenda of the August 18, 2020 PTAC Meeting. **Motion Affirmed.**

3. Approval of Minutes

Motion and second (Bob M / Jack F) to approve the minutes of the July 21, 2020 PTAC Meeting. **Motion Affirmed.**

4. Follow Up Items

Transit Manager Betsy Dunbar reached out to the Kittitas Public Health Dept. for guidance regarding Cabulance services during the current COVID-19 breakout at skilled/assisted living facilities. Dr. Larson recommended continuing Cabulance services with adhering to the CDC guidelines for both drivers and passengers.

Betsy Dunbar also reached out to 211 and was able to email them information on all Central Transit services.

All suggested updates to the Transit Development Plan were completed.

5. Ridership and Year to Date Stats

- July 2020 Central Transit ridership was presented.
- Year to date Central Transit ridership was presented.
- July 2020 Fixed Route ridership per route per stop was presented.
- Follow up items
 - KCC miscounts for off boarding's.
 - Track Fixed Route Ridership this fall – Alder through Brooklane.
 - Confirm where Greyhound is picking up passengers.
 - Inquire about hospital afterhours/ER access to Cabulance services.

6. Transit Updates

- The Transit Budget is currently being finalized.



PUBLIC TRANSIT ADVISORY COMMITTEE MEETING MINUTES

- The bus turnouts and shelters are almost completed. Pictures were shared.
- Currently there are 3 surveys being completed.
 - KCC on Facebook
 - Routes 15 & 16 Business owners and Connecting services.
- We will be reviewing all stops to ensure the times are in line with having a reliable service.
- Tentative Launch of updated times and stops is January 1, 2021.

7. Marketing Updates

- More social media posts are happening.
- Technology
 - Trillium is getting us a break down of services and costs.
 - A review about Trillium and what they offer was shared.

8. Next PTAC Meeting

The next regular PTAC meeting will be held on Tuesday, September 15, 2020.

Motion to adjourn and second (Jack F. / Bob M.) **Motion Affirmed.**

Meeting ended at 4:35 PM.



CITY OF ELLENSBURG

Minutes of Utility Advisory Committee

Date of Meeting

August 20, 2020

Time of Meeting

3:30 PM

Place of Meeting

Zoom Conference

1. CALL TO ORDER

Meeting was called to order at 3:30 pm.

2. ROLL CALL

Members present: Nancy Lillquist, Nancy Goodloe, Ed Barry, and Gary Gleason. Jim Goeben and Bob Johnson were absent due to no Telecom items.

Also Present: Kim Caulkins, Operations Analyst; Buddy Stanavich, Power & Gas Manager; Julie Coppock, Rate Analyst; Darren Larsen, Assistant Utilities Director; Jon Morrow, Stormwater Manager; Drew Houck, IT Systems Administrator; Derek Mayo, Engineering Services Manager; Rod Paul, Assistant Public Works Director.

3. APPROVAL OF MINUTES

3.A. Approve minutes - June 18, 2020 Regular meeting minutes

Ed Barry moved to approve the minutes. **Motion approved.**

4. APPROVAL OF CONSENT AGENDA

Consent items have been distributed to committee members 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 committee member or at the request of a member of the public with concurrence of a committee member.

No items

5. CORRESPONDENCE AND CITIZEN COMMENTS ON NON-AGENDA ITEMS

Time is set aside each meeting to allow citizens to address the Utility Advisory Committee on city utility issues that are not on the agenda. Please limit remarks to three minutes. The Committee will not take action when the issue is first raised, but may place the issue on a future agenda. Citizen comment on items on the agenda is also welcome. Please let the chair know you wish to speak and then wait to be recognized.

No items

6. TELECOMMUNICATIONS UTILITY DISCUSSION ITEMS

No items

7. ELECTRIC, NATURAL GAS, WATER, WASTEWATER, STORMWATER UTILITY DISCUSSION ITEMS

7.A. Approve Electric Utility Equipment Replacement Purchases

Ed Barry moved the Committee make a favorable recommendation to City Council to approve the purchase of a Boom truck with Hybrid JEMS Electric Boom System and the Digger Derrick truck. **Motion approved.**

7.B. Authorization to utilize the Interlocal Agreement with Ellensburg School District to extend a water main.

Nancy Goodloe moved the Committee make a favorable recommendation to City Council, to authorize staff to utilize the Inter-local agreement with the Ellensburg School District to use the Districts contractor to complete a water main extension adjacent to the new elementary school under construction. **Motion approved.**

7.C. Northwest Requirements Utilities

Ed Barry moved the Committee make a favorable recommendation to authorize the Public Works and Utility Director sign the agreement to join Northwest Requirements Utilities. **Motion Approved.**

8. INFORMATION ONLY ITEMS

8.A. Past due accounts

Staff presented and explained the past due utility accounts charts.

8.B. CETA Updates

Staff added this category to the agenda for future CETA updates.

8.C. Public Works & Utilities Issues and Updates

Rod Paul gave an update for the sewer and water departments. Jon Morrow gave an update for storm water. Darren Larsen updated the committee on electric, gas and other business.

9. NEXT MEETING

9.A. September 17th, 2020 at 3:30 pm

10. ADJOURNMENT

With no further discussion, the meeting adjourned at 4:26 pm.

Kim Caulkins
Recording Secretary
Drafted: 8/21/2020
Approved: 9/17/2020



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 5, 2020

Item Title/Agenda Subject: Agreement for Professional Services for the Engineering and Design of the 5th Ave & Railroad Ave Signalization Project

Submitted by: Hunter Slyfield Public Works & Utilities

Recommended Action or Motion: Staff recommends Council authorize the City Manager to execute the 'Cost Plus Fixed Fee' contract with T-O Engineers in the amount of \$45,500 and authorize necessary budget adjustments.

Background/Summary:

Staff has performed a consultant selection for the engineering/design of the 5th Ave and Railroad Ave Signalization project. Staff is requesting Council authorize the City Manager to execute the 'Agreement for Professional Services' with T-O Engineers for these services.

The City of Ellensburg was successful in securing grant funding for the 5th Ave and Railroad Ave Signalization project, through the Distressed County Sales and Use Tax (DCSUT) Infrastructure Improvement Program. The estimate for the entire project is \$460,000. The DCSUT grant will reimburse approximately 50% of eligible project costs with a maximum of \$224,617. The remaining costs will be a required City match. The anticipated project timeline shows design being completed in early 2021 with construction anticipated for summer 2021.

The project will install a traffic signal at the intersection of 5th Avenue and Railroad Avenue. Both Railroad Avenue and 5th Avenue are minor arterial streets that are both on the established City truck route, and both streets have significant truck volumes. In addition, immediately west of this intersection is 350 acres of contiguous park and open space land. The current configuration is a two-way (east-west) stop sign controlled intersection, which routinely has significant traffic delays in the evening peak hour and when there are events at Rotary Park. The above land uses create a unique transportation challenge at the intersection that affect freight

mobility, hamper future industrial development, and limit regional activities and events at Rotary Park, which can be resolved with the proposed improvements. This project is listed in the City of Ellensburg Six Year Transportation Improvement Plan (STIP) and is outlined in the City of Ellensburg Comprehensive Plan.

Previous Council Action: N/A

Analysis:

Staff selected the most qualified consultant by utilizing the City's 2020 consultant roster for traffic signal engineering and street improvement projects. The consultants' Statements of Qualifications were rated and T-O Engineers was selected with the highest rating from the scoring criteria.

Staff then negotiated a 'Cost Plus Fixed Fee' contract in the amount of \$45,500 to perform the work. The contract includes a topographic survey, geotechnical investigation and reporting, civil design, traffic signal design, traffic signal timing, BNSF Railroad coordination, landscaping, stakeholder coordination, and bidding assistance associated with the project.

Financial Impact:

The DCSUT grant will reimburse up to \$22,218 of eligible preliminary engineering costs. The remaining \$23,282 will be paid with Traffic Impact Fees. This was not budgeted in the 2019/2020 biennial budget and will require a supplemental budget adjustment to fund the City match portion of the contract with Traffic Impact Fees.

Attachments:

[Scope and Contract Railroad and 5th Signal City of Ellensburg September 2020](#)

**AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN THE CITY OF ELLENSBURG
AND
T-O Engineers, Inc.**

RELATING TO: 5th AVENUE & RAILROAD AVENUE SIGNAL DESIGN PROJECT

THIS COST PLUS FIXED FEE AGREEMENT is made and entered into this **21st day of September, 2020** ("Effective Date"), by and between THE CITY OF ELLENSBURG, a Washington municipal corporation (hereinafter called the "CITY") and **T-O ENGINEERS**, a Corporation authorized to do business in the state of Washington (hereinafter called the "CONSULTANT").

1. RECITALS.

1.1. The CITY desires to obtain professional services for work related to **the 5th Avenue and Railroad Avenue Signal Design** project.

1.2. The CITY has solicited for such professional services as required by law, including RCW Chapter 39.80 if applicable.

1.3. CONSULTANT represents that it is available and able to provide qualified personnel and facilities necessary for the work and services contemplated herein, and can accomplish the work and services within the required time period and in accordance with CITY's specifications, WSDOT Standard Specifications (as applicable), and professional standards.

1.4. CONSULTANT agrees to perform the work and services specified herein in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the above representations and the terms, conditions, covenants, and agreements set forth below, the parties hereto agree as follows:

2. SCOPE OF WORK.

2.1. The scope of professional services to be performed and the results to be achieved by the CONSULTANT shall be as detailed in the attached Exhibit A and shall include all services and material necessary to accomplish the work ("Services").

2.2. The CITY may review the CONSULTANT'S work product, and if it is not satisfactory, the CONSULTANT shall make such changes as may be required by the CITY. Such changes shall not constitute "Extra Work" as related in Section 13 of this Agreement.

2.3. The CONSULTANT agrees that all services performed under this Agreement shall be in accordance with the standards of the profession and in compliance with applicable federal, state and local laws.

2.4. The Scope of Work may be amended upon written approval of both parties.

3. TIME OF PERFORMANCE. The CONSULTANT may begin work upon the Effective Date of this Agreement by both parties, or the CITY's issuance of a Notice to Proceed, whichever is applicable, and the duration of the Agreement shall extend through March 31, 2021. The work shall be completed in accordance with the schedule set forth in the attached Exhibit A.

4. PAYMENT. The CITY shall pay the CONSULTANT as set forth in this section of the Agreement. Such payment shall be full compensation for work performed, services rendered, and all labor, materials, supplies, equipment and incidentals necessary to complete the work.

4.1. Payment shall be on the basis of the CONSULTANT'S standard billing rates multiplied by the actual hours worked, cost for actual labor, overhead and profit plus CONSULTANT'S direct non-salary reimbursable costs for cost plus fixed fee agreements or based on percentage of completed work for lump sum agreements, as set forth in the attached Exhibit B.

4.2. The CONSULTANT shall submit invoices to the CITY on a monthly basis. Invoices shall detail the work, hours, employee name, and hourly rate; shall itemize with receipts and invoices the non-salary direct costs; shall indicate the specific task or activity in the Scope of Work to which the costs are related; and shall indicate the cumulative total for each task.

4.3. The CITY shall review the invoices and make payment for the portion of the project or tasks that have been completed less the amounts previously paid.

4.4. The CONSULTANT invoices are due and payable within 30 days of receipt. In the event of a disputed billing, only the disputed portion will be withheld from payment.

4.5. Final payment for the balance due to the CONSULTANT will be made after the completion of the work and acceptance by the CITY.

4.6. Payment for "Extra Work" performed under Section 13 of this Agreement shall be as agreed to by the parties in writing.

4.7. The CITY may desire to establish a Management Reserve Fund to provide the Agreement Administrator with the flexibility to authorize additional funds to the Agreement for allowable unforeseen costs, or reimbursing the CONSULTANT for allowable unforeseen costs, or reimbursing the CONSULTANT for additional work beyond that already defined in this Agreement. Such authorization(s) shall be in writing and shall

not exceed the lesser of \$15,000 or 10% of the Maximum Compensation as shown in Section 5 of this Agreement. The amount included for the Management Reserve Fund is **\$4,500**. This fund may not be replenished. Any changes requiring additional costs in excess of the Management Reserve Fund shall be made in accordance with Section 13 – Extra Work.

5. MAXIMUM COMPENSATION.

5.1. The CONSULTANT's total compensation and reimbursement under this Agreement, including labor, direct non-salary reimbursable costs and outside services, shall not exceed the maximum sum of \$45,500. This amount is the maximum amount to be paid under this Agreement and shall not be exceeded without prior written authorization from CITY in the form of a negotiated and executed amendment of this Agreement.

5.2. The budget for each task is as set forth in the attached Exhibit B Budgets for task(s) may be modified upon mutual agreement between the two parties, but in any event, the total payment to CONSULTANT shall not exceed the maximum amount per Section 5.1 above.

6. RELATIONSHIP OF PARTIES.

6.1. The relationship created by this Agreement is that of owner-independent contractor. Neither the CONSULTANT nor CONSULTANT's employees are employees of the CITY and are not entitled to the benefits provided by the CITY to its employees. The CONSULTANT, as an independent contractor, has the authority to control and direct the performance of the details of the services to be provided. No employee, agent, representative or subconsultant of CONSULTANT shall be or shall be deemed to be the employee, agent representative or subconsultant of the CITY. The CONSULTANT shall assume full responsibility for all wages, along with any Federal, State, and local taxes or contributions imposed or required, including, but not limited to, unemployment insurance, Social Security, and income tax, payable as a result of work performed under this Agreement.

6.2. Employees of the CONSULTANT, while engaged in the performance of any work or services under this Agreement, shall be considered employees of the CONSULTANT only and not of the CITY, and claims that may arise under the Workman's Compensation Act on behalf of said employees while so engaged, and any and all claims made by a third party as a consequence of any negligent act or omission on the part of the CONSULTANT'S employees while so engaged, on any of the work or services provided to be rendered herein, shall be the sole obligation and responsibility of the CONSULTANT. On or before the Effective Date, CONSULTANT shall file, maintain and/or open all necessary records with the Internal Revenue Service and the State of Washington, and as may be required by RCW 51.08.195, to establish CONSULTANT's status as an independent contractor.

7. OWNERSHIP OF DOCUMENTS. Upon completion of the work and payment of CONSULTANT'S fee, all documents, exhibits, photographic negatives, or other presentations of the work shall become the property of the CITY for use without restriction and without representation as to suitability for reuse by any other party unless specifically verified or adapted by the CONSULTANT. However, any alteration of the documents, by the CITY or by others acting through or on behalf of the CITY, will be at the CITY's sole risk.

8. RECORDS. As a public agency, the CITY is subject to the Public Records Act, Chapter 42.56 RCW (the "Act"). To the extent that CONSULTANT keeps records that are deemed public records and are needed for the CITY to respond to a request under the Act, as determined by the CITY, CONSULTANT agrees to make them promptly available to the CITY. Pursuant to Chapter 40.14 RCW, CONSULTANT shall retain records associated with this Agreement in accordance with the applicable retention schedule. CONSULTANT also agrees to indemnify and hold the CITY harmless from any claims or losses caused by CONSULTANT'S failure to make records available to the CITY as provided in this Agreement.

9. NONDISCRIMINATION. The CONSULTANT shall conduct its business in a manner, which assures fair, equal and non-discriminatory treatment of all persons, in particular:

9.1. The CONSULTANT shall maintain open hiring and employment practices and will welcome applications for employment in all positions, from qualified individuals who are members of minorities protected by federal equal opportunity/affirmative action requirements; and,

9.2. The CONSULTANT shall comply with all requirements of applicable federal, state or local laws or regulations issued pursuant thereto, relating to the establishment of non-discriminatory requirements in hiring and employment practices and assuring the service of all persons without discrimination as to any person's race, creed, color, religion, national origin, status as a military veteran, marital status, gender, sexual orientation, disability or other legally protected classification.

10. SUBCONTRACTING.

10.1. The CONSULTANT has disclosed the the sublets who will support this project, identified by attached Exhibit A. The Consultant shall not sublet or assign additional works covered by this Agreement without the written consent of the CITY.

10.2. In all solicitation either by competitive bidding or negotiation made by the CONSULTANT for work to be performed pursuant to a subcontractor, including procurement of materials and equipment, each potential subconsultant or supplier shall be notified by the CONSULTANT of CONSULTANT's obligations under this Agreement, including the nondiscrimination requirements.

10.3. In performing this Agreement, the CONSULTANT shall not subcontract with or employ any CITY employee without the CITY's written consent.

11. SUPERVISION, INSPECTION AND PERFORMANCE.

11.1. Even though CONSULTANT is an independent contractor with the authority to control and direct the performance and details of the Services, the Services must meet the approval of CITY and shall be subject to CITY's general right of inspection and supervision to secure the satisfactory completion of this Agreement.

11.2. CONSULTANT represents that it has or will obtain all personnel necessary to perform the Services and that such personnel shall be qualified, experienced, and licensed as may be necessary or required by applicable laws and regulations to perform the Services. All Services shall be performed by CONSULTANT, its employees, or by subconsultants whose selection has been authorized by CITY; provided that CITY's authorization shall not relieve CONSULTANT or its subconsultants from any duties or obligations under this Agreement, or at law, to perform the Services in a satisfactory and competent manner. CONSULTANT shall ensure that all contractual duties, requirements and obligations that CONSULTANT owes to CITY shall also be owed to CITY by CONSULTANT's subconsultants retained to perform the Services.

11.3. CONSULTANT shall be responsible for the professional quality, technical adequacy, accuracy, timely completion, and coordination of the Services and all plans, designs, drawings, specifications, reports, and other work performed pursuant to this Agreement. CONSULTANT shall perform the Services in accordance with the standard of care of its profession in the same or similar localities at the time services are performed. CONSULTANT shall be responsible for the professional standards, performance, and actions of all persons and firms performing the Services under this Agreement. CONSULTANT shall, without additional compensation, correct any specific breach of a contractual obligation in the Services and revise any errors or omissions in any plans, designs, drawings, specifications, reports, and other products prepared under this Agreement.

12. CHANGES IN WORK. Other than changes directed by the CITY as set forth in Section 1 above, either party may request changes in the scope of work. Such changes shall not become part of this Agreement unless and until mutually agreed upon and incorporated herein by written amendments to this Agreement executed by both parties.

13. EXTRA WORK. The CITY may desire to have the CONSULTANT perform work or render services in connection with this project, in addition to the Scope of Work set forth in Exhibit A and minor revisions to satisfactorily completed work. Such work shall be considered as "Extra Work" and shall be addressed in a written supplement to this Agreement. The CITY shall not be responsible for paying for such extra work unless and until the written supplement is executed by both parties.

14. TERMINATION.

14.1. The CITY may terminate this Agreement in whole or in part whenever the CITY determines, in its sole discretion that such termination is in the best interests of the CITY, upon not less than ten (10) days' written notice to the CONSULTANT. Written notice will be by certified mail sent to the consultant's designated representative at the address provided by the CONSULTANT.

14.2. The CITY may terminate this Agreement, in whole or in part and at any time, in writing if CONSULTANT substantially fails to fulfill any or all of its material obligations through no fault of CITY. If CITY terminates all or part of this Agreement for default, CITY shall determine the amount of Services satisfactorily performed to the date of termination and the amount owing to CONSULTANT using the criteria set forth below; provided that (a) no amount shall be allowed for anticipated profit on unperformed Services or other work, and (b) any payment due to CONSULTANT at the time of termination may be adjusted to the extent of any additional costs CITY incurs or will incur because of CONSULTANT's default. In such event, CITY shall consider the actual costs incurred by CONSULTANT in performing the Services to the date of termination, the amount of Services originally required which was satisfactorily completed to the date of termination, whether the Services or deliverables were in a form or of a type which is usable and suitable to CITY at the date of termination, the cost to CITY of either completing the Services itself or employing another firm to complete the Services in addition to the inconvenience and time which may be required to do so, and other factors which affect the value to CITY of the Services performed to the date of termination. Under no circumstances shall payments made under this provision exceed the Schedule of Charges. This provision shall not preclude CITY from filing claims and/or commencing litigation to secure compensation for damages incurred beyond that covered by withheld payments.

14.3. In the event this Agreement is terminated prior to the completion of the work, a final payment shall be made to the CONSULTANT, which, when added to any payments previously made, shall compensate the CONSULTANT for the portion of work completed. Whenever the Agreement is terminated in accordance with this Section 14, the CONSULTANT shall be entitled to payment for actual work performed up to the termination date. Upon such termination, whether for convenience or default, an equitable adjustment in the contract price will be made by the CITY for partially completed items of work, but such adjustment shall not include provision for loss of anticipated profit on deleted or uncompleted work. Termination under this Section 14 shall not constitute a breach of the Agreement by the CITY.

15. INDEMNIFICATION/HOLD HARMLESS.

15.1. The indemnification and defense obligations specified in this Section 15 ("Indemnity Obligations") have been mutually negotiated and shall survive the expiration, abandonment, or termination of this Agreement. The Indemnity Obligations shall extend to claims that are not reduced to a suit and to any claims that may be compromised prior

to the culmination of any litigation or the institution of any litigation. Inspection, acceptance or payment by CITY of or for any Services performed by CONSULTANT shall not be grounds for avoidance of any Indemnity Obligations.

15.1.1. Professional errors and omissions. For any losses that arise from any error, omission, negligence or other malpractice in the exercise of CONSULTANT's professional judgment in the performance of architectural, landscape architectural, engineering, or land surveying services such that RCW 4.24.115 would apply, CONSULTANT shall defend, indemnify, and hold the CITY harmless from all such losses to the extent caused, or alleged to be caused, by any violation of law, including state, federal or municipal law or ordinance, or negligent act, omission, breach of contract, or willful or intentional misconduct of CONSULTANT. The obligation of indemnity under this subparagraph does not, however, extend to losses caused by the negligence (whether sole, concurrent or contributory) of the CITY.

15.1.2. Construction claims. In the event that this Agreement is relative to the construction, alteration, repair, addition to, subtraction from, improvement to, or maintenance of any building, highway, road, excavation, or other structure, project, development, or improvement attached to real estate (specifically including moving or demolition in connection therewith) and therefore subject to RCW 4.24.115, CONSULTANT shall defend, indemnify and hold harmless the CITY from all losses to the extent caused, or alleged to be caused, by any violation of law, including state, federal or municipal law or ordinance, or any negligent act or omission of CONSULTANT. The obligation of indemnity under this Subparagraph does not, however, extend to losses caused by the negligence (whether sole, concurrent or contributory) of the CITY.

15.2. In any and all claims against the CITY by any employee of CONSULTANT, the indemnification obligations set forth above shall not be limited in any way by any limitation on the amount or type of damages or compensation benefits payable by or for CONSULTANT under the applicable worker's or workmen's compensation, benefit, or disability laws (including but not limited to, the Industrial Insurance laws, Title 51 of the Revised Code of Washington). CONSULTANT expressly waives any immunity CONSULTANT might have under such laws, and, by entering into this Agreement, acknowledges that this waiver has been mutually negotiated.

16. INSURANCE.

16.1. The CONSULTANT shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the CONSULTANT, its agents, representatives, employees or subcontractors.

16.2. Minimum Scope of Insurance. CONSULTANT shall obtain insurance of the types described below:

16.2.1. Automobile Liability insurance covering all owned, non-owned, hired

and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contract liability coverage; and,

16.2.2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, and personal injury and advertising injury. The CITY shall be named or added as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the CITY; and,

16.2.3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington; and

16.2.4. Professional Liability insurance appropriate to the CONSULTANT's profession.

16.3. Minimum Amounts of Insurance. CONSULTANT shall maintain the following insurance limits:

16.3.1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

16.3.2. Commercial General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence, \$5,000,000 general aggregate.

16.3.3. Professional Liability insurance shall be written with limits no less than \$2,000,000 per claim and \$5,000,000 policy aggregate limit.

16.4. Other Insurance Provisions. The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

16.4.1. The CONSULTANT's insurance coverage shall be primary insurance with respect to the CITY. Any insurance, self-insurance, or insurance pool coverage maintained by the CITY shall be excess of the CONSULTANT's insurance and shall not contribute with it.

16.4.2. The CONSULTANT's insurance shall be endorsed to state that coverage shall not be cancelled, suspended or materially changed by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the CITY.

16.4.3. Any payment of deductible or self-insured retention shall be the sole responsibility of the CONSULTANT.

16.4.4. The CONSULTANT'S insurance shall contain a clause stating that

coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insurer's liability.

16.5. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

16.6. Verification of Coverage. CONSULTANT shall furnish the CITY with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the CONSULTANT before commencement of the work.

16.7. Cancellation. CONSULTANT will provide notice to the CITY of any cancellation of coverage by no later than three (3) days after CONSULTANT is notified by its insurer that coverage will or has been canceled, whichever occurs earliest.

17. APPLICABLE LAW/VENUE. This Agreement shall be construed and interpreted in accordance with the laws of the State of Washington, and in the event of dispute the venue of any litigation brought hereunder shall be Kittitas County.

18. NOTICE. All communications regarding this Agreement shall be sent to the parties at the addresses listed below, or at such other address as given pursuant to this Section, and shall be effective on the next business day if sent by registered or certified mail or deposited with an overnight delivery service.

City of Ellensburg
Department of Public Works and Utilities
Attention: Derek Mayo, P.E.
501 N. Anderson
Ellensburg, WA 98926

T-O Engineers, Inc.
Attention: J.R. Norvell, P.E.
121 W. Pacific Avenue, Suite 200
Spokane, Washington 99201

19. ENTIRE AGREEMENT. The written terms and provisions of this Agreement, together with all referenced Exhibits, supersede all prior verbal statements of any officer or other representative of CITY, and such statements shall not be effective or be construed as entering into or forming a part of, or altering in any manner whatsoever, this Agreement. The entire agreement between the parties with respect to the subject matter hereunder is contained in this Agreement and the referenced Exhibits.

20. PRIORITY OF DOCUMENTS. In the event that the language and provisions of this Agreement are contrary to or conflict with any language or provisions set forth in any exhibit to this Agreement, the language and provisions of this Agreement shall control, and the contrary or conflicting language or provisions of the exhibit(s) shall be disregarded and shall be considered void.

21. MODIFICATION. No waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of CITY and CONSULTANT.

22. ASSIGNMENT. Any assignment of this Agreement by CONSULTANT without the prior written consent of CITY shall be void.

23. WAIVER. A waiver of any breach by either party shall not constitute a waiver of any subsequent breach.

24. THIRD-PARTY BENEFICIARIES. There are no third-party beneficiaries to this Agreement.

25. EXHIBITS AND SIGNATURES. This Agreement, including its exhibits, constitutes the entire Agreement, supersedes all prior written or oral understandings, and may only be changed by a written amendment executed by both parties. The following exhibits are hereby made a part of this Agreement:

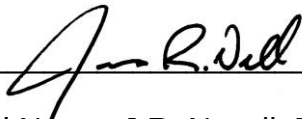
Exhibit A – Scope of Work and Schedule for Work

Exhibit B – Consultant Labor Costs, Non-salary Reimbursable Costs, and Budget for Each Task

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

CONSULTANT:

By: _____



Printed Name: J.R. Novell, P.E.

Title: Regional Manager

Tax ID #: 82-0391201

THE CITY OF ELLENSBURG:

By: _____

Printed
Name: _____

Title: _____

ATTEST:

Clerk

Approved as to Form:

City Attorney



T·O ENGINEERS

Exhibit A

September 11, 2020

Derek Mayo, P.E.
City Engineering Services Manager
501 N Anderson Street
Ellensburg, Washington 98926
mayod@ci.ellensburg.wa.us

**RE: 5th Avenue and Railroad Avenue Survey, Geotechnical, Traffic Signal Design, and PS&E,
T-O Engineering Team, Scope of Work and Budget Proposal**

Dear Mr. Mayo,

Thank you for this opportunity to provide a consulting scope-of-work, budget, and schedule proposal for T-O Engineers, Reich Engineer, and All-West to support Ellensburg with signal design services for the 5th Avenue and Railroad Avenue intersection situated towards the west side of the City. This is currently four-leg intersection with an eastbound and westbound stop signs, free movement for northbound and southbound vehicles, north and south aligned bicycle lanes, and marked pedestrian crossings on all legs of the intersection. A unique aspect of the project is the alignment of BNSF Rail aligned parallel to and about east 300-feet east of Railroad Avenue.

The project would convert this into a signalized intersection. Per coordination with your office, the signal would be designed with the following attributes:

- ◆ Northbound and southbound protected-permitted phasing.
- ◆ Eastbound and Westbound permitted phasing.
- ◆ Preemption will be installed for emergency vehicles.
- ◆ Pedestrian-actuation for and maintaining all crosswalks.
- ◆ Detection will be provided for bicycle lanes.
- ◆ Radar/video detection will be used for vehicle and bicycle lanes.
- ◆ An interconnect would be provided with BNF Railroad.
- ◆ The project would include intersection restriping, as necessary.

Intersection survey, base mapping, a signal operations study, signal design engineering, a striping and signing plan, a geotechnical exploration report, and the development of plans, specifications, and bid-estimates (PS&E) are requested by City Engineers for this project, including bid support. Our scope of work includes coordination support with utilities, power, and BSNF rail. Given our team will be in the process of coordination with outside parties, the City has finally requested the T-O team work with BNSF to help investigate improvement options for the Canyon Road/Umptanum Road signal, as to help identify safety adaptations for this intersection in relation to rail. The safety options to be vetted are summarized by reports provided by City staff entitled *Review of Interconnected Highway-Rail Grade Crossings (CTC, 2015)* and *Canyon Road/Umptanum Road BNSF Railway Crossing (DN Traffic, 2015)*.

Exclusions include construction/civil design, environmental permitting, ROW certification, erosion plans, and coordination with the funding agency, as these will be addressed by the City. Any designs resulting from BNSF coordination would be addressed by change-order for the Canyon/Umptanum signal.

T-O Engineers would provide oversight, perform survey, provide striping/geometric design, support signal design, lead coordination efforts, and lead the PS&E process. Reich Engineering is an exclusive strategic partner of our firm and will support the team with signal designs. All-West would perform the geotechnical investigation and analyses.

Contracting would occur with T-O as prime with sub-consulting agreements provided by T-O to our team. We will NOT mark up invoices; rather, our subs are always treated as an extension of our staff.

SCOPE OF SERVICES

The following sections outline the scope elements, or tasks, expected for this project. The scope of work was developed based on the project understanding identified above, and as based on coordination with the City Engineering Services Manager.

Task 1. Project Kickoff, Survey, Background Research, and Base Map

A kickoff meeting will be performed with the City to confirm scope of the project and schedule, confirm materials and plan/specification requirements, and to discuss unique project elements. From this point on, we will coordinate with the City monthly by email to report project status, coordinate direction, discuss potential issues, and assure the project is continually directed in the best interests of the City.

As the detection would be promoted with radar, extensive pavement survey will not be needed for the placement of loops. With that said, we anticipate the need to develop a geometric plan for the intersection, need to address approaches far enough to establish detection zones, and corner obstructions are an emphasis of our typical civil survey.

Our scope of work anticipates the need to provide supplemental survey to support signal design. We anticipate a day in the field to confirm curb and gutter-lines, existing striping, in-road utility access, and adjacent landings within about 15-feet of curb (includes elements such as sidewalk, street signs, power and light, vaults, surface utilities, etc.) as extending about 300-feet in all directions of the intersection. We survey the entire interior radius of each intersection to the center point of about 25-feet from back of curb.

An existing project base map will be developed upon which signal and geometric/striping and signing designs would be performed. The base map would be created for extents noted above, with a coordinate system and stationing established to preferred City specifications. The base map will locate utilities, fiber, and power per coordination with the City and purveyors. We can set plans our plans in AutoCAD or MicroStation, per direction of the City.

In addition, we will work with City engineers to assemble information relevant to project development (as available) including, but not necessarily limited to, the collection of:

- ◆ Existing utility and purveyor information and contacts.
- ◆ BNSF Contact information.
- ◆ Current Excel bid quantity sheets and bid price histories.
- ◆ Current City design practice as it pertains to signals.
- ◆ Confirm AutoCAD or MicroStation standards (line weights, symbols, etc.) common to City plans.
- ◆ Available geotechnical data from USGS or City.

Deliverables: A topographic survey and base maps on 22x34 plans, as submitted in electronic format and a Portable Document Format (PDF).

Task 2. Geotechnical Investigation

Utilities will be located prior to geotechnical exploration. Subsurface exploration will be performed for single points where the foundation of signal poles are to be in each intersection corner. Pole and mast-arm layouts will be assumed, so WSDOT standard specifications can be reviewed to determine typical foundation depths. The subsurface drilling will be performed for a depth of the proposed foundation plus approximately five feet to identify the thickness of solids, location of rocks or other obstruction, groundwater conditions, and to assess local conditions. Soil capacities will be assessed via laboratory testing. The testing and rock located analyses will inform whether foundation size and depth can correlate with WSDOT standard specifications, or if alternate foundation design would be required (or if foundations should be relocated) in all intersection corners.

Deliverables: A geotechnical investigation report submitted in PDF format.

Task 3. Operations Study, Design, Specifications, and Cost Estimate

The project would initiate with a study to help establish the optimal operating condition of the signal, as based on a review of existing and forecast traffic volumes provided by City Engineers. The study would address phasing and timing plans for the AM peak hour, noon/midday peak, PM peak hour, and an off-hours/weekend plan. The provision of a technical memorandum outlining conclusions would be provided to the City for concurrency, and to affirm signal designs.

The project includes plans and specifications regarding designs for:

- ◆ Traffic signal assembly including signal heads, luminaires, poles, mast arms, signal heads, radar detection, pull/controller boxes, conduits, preemptive devices, circuits, power connection, and interconnect, etc.
- ◆ Pedestrian crossing devices (countdown signals, pushbuttons, etc.).
- ◆ Railroad intertie and bicycle detection emphases.
- ◆ Roadway geometrics/stripping and signage.
- ◆ Potential relocation of utility equipment, as needed (power, utility boxes, vaults, etc.).

Project deliverables include the submittal of a design plans and specifications provided for 60 percent, 90 percent, and 100-percent final designs. The 60 percent design establish the signal, geometric/stripping, and signing designs. Extensive comments are anticipated at this stage of the project. The 90 percent submittal would address City comments to the 60% submittal and provide draft specifications and a bid estimate. The 90% review comments will be addressed, resulting in development of final 100 percent designs, specifications, and estimates. Final submittals will be stamped by a professional engineer licensed in Washington. Plan sheets would include:

- ◆ Project identification/description sheet (cover),
- ◆ Legend and Abbreviations,
- ◆ Survey Control and Alignment Plan,
- ◆ Existing conditions base-map,
- ◆ Demolition/removal plan,
- ◆ Traffic Signal Detail Plan,
- ◆ Signal Wiring Plan,
- ◆ Signing and stripping plan,
- ◆ Signal/Project Specifications Plan.
- ◆ An Interconnect sheet/Details.

Standard WSDOT Specifications would be developed in coordination with the City for the signal system. Our scope assumes any traffic control plans would be developed by the contractor per specifications provided with the PS&E submittal. This (lack of a traffic control plan) is typical on signal design projects (where no reconstruct occurs). However, a traffic control plan can be provided if desired by the City.

Deliverables: Plans would be provided electronically on 11x17 and 22x34 printable document files (.pdf) during the 60, 90, and 100-percent submittals. Final plans would be stamped electronically as 11x17 and 22x 34 documents for distribution by City staff. Draft specifications will be submitted in an electronic Word (.docx) format and a copy of the engineering estimate will be provided in an Excel at the 90-percent submittal. After comments are addressed, specification and the bid estimate will be provided in pdf format for distribution by City staff.

Task 4. Bid Preparation and Support

Our scope anticipates T-O Engineers would help assemble the bid package. Bidding would follow processes set per City of Ellensburg specification, unless the City desires process follow the WSDOT LAG Manual. Our staff would be available to address bid questions directed to us via email or phone by City staff, unless the City desires T-O staff be the project contact. T-O Engineering construction management and construction survey/staking can be provided as a separately scope services, as needed. However, we have assumed for this scope that these services would be provided by City staff.

Deliverables: Assemble bid package and be available to bid questions within one working day.

Task 5. Project Management, Meetings, and Administration

This task simply acknowledges budget for the project manager and support staff to coordinate and administer the project including actions such as email, phone calls, meetings, invoice coordination, schedule and budget supervision, reporting, etc. We anticipate meeting with City staff two additional times outside of the kickoff meeting. Meetings are assumed as conference calls given COVID-19. Meetings in person may be subject to time and materials billings. A specific emphasis for coordination includes time for coordination with BNSF Railroad for the Railroad Avenue/5th Avenue and Canyon Road/Umptanum Road projects. This is called out specifically, versus other purveyor coordination, as coordination with Rail typically requires some lee and response time.

Task 6. Quality Control

A supervising engineer with our firm will provide principal quality control for this project, as it pertains to traffic studies, project designs, and bid support.

BUDGET AND SCHEDULE

We propose this as a time and materials (T&M) project with a consultant budget of **\$45,500** estimated for services rendered, which includes the support of our sub-consultants. A breakdown of our consultant budget has been attached. Tasks or services not desired (by the City) can be reduced from the scope with budget adjusted accordingly (i.e. not invoiced), per the attached schedule. Additional services not identified could be subject to a scope and budget change order, as subject to approval by the City Engineers office. T-O Engineers reserves the right to determine what services might not addressed by our scope statement.

The City desires this project to bid in February of 2021. Given this direction, we have recommended the schedule for this project occurs as follows:

- ◆ September 22, 2020 - Contract Development Complete, Kick-Off Meeting
- ◆ October 16, 2020 - Submittal of Survey and Base Map and Signal Operations Study

- ◆ November 20, 2020 - Submittal of 60% Plans
- ◆ December 18, 2020 - Submittal of 90% Plans, Draft Specs, and Estimate
- ◆ January 6, 2020 - Submittal of 100% Plans, Draft Specs, and Estimate
- ◆ January 20, 2021 - Submittal of Draft Bid Package to City
- ◆ January 29, 2021 - Submittal of Final Bid Package to City
- ◆ February 1, 2021 - Advertise Project
- ◆ February 26, 2021 - Open Bids and Award Project
- ◆ March 1 to August 27, 2021 Construction Contract and Construction Window

SUMMARY

We anticipate survey, base maps, a signal operations study, signal design engineering, a striping and signing plan, a geotechnical exploration report, and the development of plans, specifications, and bid-estimates (PS&E) for the 5th Avenue and Railroad Avenue intersection will be complete and ready for bid in February with construction possible within the summer of 2021, as desired by City officials. The scope of work includes coordination with utilities and BNSF. Exclusions include, construction/civil design, environmental permitting, ROW certification, an erosion plan, and coordination with the funding agency. The tasks outlined by this letter would have a budget potential of \$45,500, as provided on a time and materials basis, and this includes support by Reich Engineering and All West Geoengineering. The intent is to work for a February 2021 bid schedule so work can be completed in the summer of next year. Additional services could be subject to a scope and budget amendment.

Thank you for this opportunity. We are eager to work with the City of Ellensburg on this project. Please contact our office if you have questions, or wish to modify the scope assumptions of this letter to better suite the needs of the City.

Sincerely,

William (Bill) White
Regional Transportation Lead, T-O Engineers
bwhite@to-engineers.com
509.742-0696

Railroad Ave/5th AvenueTraffic Signal Design (09/11/20 Estimate)											
Task 1 - Project Kickoff, Survey, Background, and Base Map											
- Background Data Collection and Meeting											
- Intersection Survey	14		4				4			6	
- Purveyor and BNSF Coordination	2		4				1			0.5	
- Base Mapping	2		20				1			0.5	
Task Hours	18		30				6			9	0
Task Fee	\$2,430		\$3,000				\$750			\$1,440	\$0
Task 1 - Total Budget											\$400
Task 2 - Geotechnical Investigation											
- Subsurface Exploration										2	
- Geotechnical Analysis										2	
Task Hours	0		0				0			4	0
Task Fee	\$0		\$0				\$0			\$640	\$0
Task 2 - Total Budget											\$6,800
Task 3 - Designs, Specifications, and Cost Estimate											
- Signal Study and 60-Percent Designs			28				24			8	
- 90-Percent Designs			8				8			6	
- 100-Percent Designs			4				4			2	
- Specifications and Bid Estimate			4				12			4	
Task Hours	0		44				48			20	0
Task Fee	\$0		\$4,400				\$6,000			\$3,300	\$0
Task 3 - Total Budget											\$0
Task 4 - Bid Preparation & Support											
- Bid Preparation			16				8			4	
- Bid Support			2				4			8	
- Advertise/Award			8							3	
Task Hours	0		26				12			15	0
Task Fee	\$0		\$2,600				\$1,500			\$2,400	\$0
Task 4 & 5 - Total Budget											\$0
Task 4 & 5 - Project Manage., Meetings, Admin, and Quality Control											
- Project Management and Admin							15			15	
- Two Additional Project Meetings										8	
- Quality Control											8
Task Hours	0		0				0			23	8
Task Fee	\$0		\$0				\$0			\$3,680	\$1,280
Task 4 & 5 - Total Budget											\$200
TOTAL PROJECT BUDGET											\$45,500

VOUCHER APPROVAL

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


AUDITING OFFICER

9/20/2020
DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **5TH DAY OF OCTOBER 2020**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Claims Fund				Total Amounts
Check #'s	150201	TO	150360	\$ 643,526.25
EFT #'s	4411	TO	4436	\$ 637,470.95

Payroll Fund				Total Amounts
Check #'s	95210	TO	95213	\$ 7,960.70
Direct Deposits	57674	TO	57884	\$ 376,679.99

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 5, 2020

Item Title/Agenda Subject: Board and Commission Applications

Submitted by: Laurie Gigstead City Manager Department

Recommended Action or Motion: Conduct introduction of Sathy Rajendran and consider appointments.

Background/Summary: Two people have recently applied to serve on the Planning Commission. As directed by Council, applications are presented to Council for consideration. The attached chart shows current vacancies and applicants. Copies of the applications for appointment are attached to the agenda report.

Previous Council Action: DeJon DeMille was introduced at the September 21, 2020 Council meeting.

Analysis: There is currently one vacancy on the Planning Commission. There is also one vacancy on the applicants' second choices of Parks and Recreation Commission and Utility Advisory Committee.

Financial Impact: None.

Attachments:

[B and C Agenda Report Chart 10-5-20](#)

[DeMille App](#)

[Rajendran App](#)

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Monday, August 31, 2020 2:07 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

Application for Appointment

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

Boards & Commissions	Planning Commission
Name of Applicant:	DaJon DeMille
Address	1608 East Spokane Ave
Mailing Address (If Different)	<i>Field not completed.</i>
City	Ellensburg
State	WA
Zip	98916
Email Address	dajon.demille@gmail.com
Phone Number	509-808-1487
Length of Residence in Ellensburg	3 years
Do you live within the city limits?	Yes
If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age?	<i>Field not completed.</i>
Occupation Status and Background:	Instructor at CWU
Organization Affiliations:	none
Why are you seeking appointment?	To make this city better for the citizens.

Will you be able to attend
meetings regularly if
appointed?

Yes

If your first choice, as listed above, is not available, which other boards or
commissions would you be interested in serving on?

Boards & Commissions

Planning Commission

Boards & Commissions

Parks and Recreation Commission

Email not displaying correctly? [View it in your browser.](#)

Laurie Gigstead

From: noreply@civicplus.com
Sent: Thursday, September 17, 2020 3:56 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

Application for Appointment

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

Boards & Commissions	Planning Commission
Name of Applicant:	Sathy Rajendran
Address	402 E 24th Ave
Mailing Address (If Different)	<i>Field not completed.</i>
City	Ellensburg
State	Washington
Zip	98926
Email Address	rajendrants@cwu.edu
Phone Number	5037075661
Length of Residence in Ellensburg	9 years
Do you live within the city limits?	Yes
If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age?	<i>Field not completed.</i>
Occupation Status and Background:	I am a Professor and the Program Director for the Safety and Health Management (SHM) program at Central Washington University (CWU). I am also the Chair of the Engineering Technologies, Safety, and Construction Department and the Coordinator of the Risk, Insurance, and Safety Management Programs. Lead one of the most discipline-diverse department at CWU. I am originally from India, came to USA in 2002. I

have six years of professional construction safety experience and over 12 years of construction safety and health research experience. I have managed workplace environmental, health, and safety programs for construction projects and his experience includes a wide variety of buildings, with complex mechanical systems, including hospitals, a biopharmaceutical facility, high-rise condominiums and office buildings, airport projects, parking garages, and a hotel. I hold a Ph.D. and M.S. in Civil Engineering (Construction Engineering Management focus) from Oregon State University and a B.E. in Civil Engineering from Anna University in India. I became a US citizen in 2018.

Organization Affiliations:	Central Washington University
Why are you seeking appointment?	I recently participated in a forum with the city council. I heard about the opportunity to engage and be involved with my community.
Will you be able to attend meetings regularly if appointed?	Yes
If your first choice, as listed above, is not available, which other boards or commissions would you be interested in serving on?	
Boards & Commissions	Utility Advisory Commission
Boards & Commissions	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 5, 2020

Item Title/Agenda Subject: Notice of Intention to Commence Annexation Proceedings –
Parcels 258133, 018133, 038133 and 058133

Submitted by: Jamey Ayling Community Development

Recommended Action or Motion: After considering the notice of intent to commence annexation proceeding, staff recommends that City Council:

1. Set annexation area.
2. Upon setting annexation area, direct simultaneous adoption of zoning as provided for in this agenda report.
3. Determine whether the City shall require the assumption of all or of any portion of existing city or town indebtedness by the area to be annexed.

Background/Summary:

A notice of intent to commence annexation (EXHIBIT 1) was received by the Community Development Department from Ray Weisbeck, property owner, to consider annexation of parcels 258133, 018133, 038133 and 058133, located on Cascade Street for a total of 1.19 acres. The notice of intent consists of signatures from all owners of the property. This is a notice of intent for four parcels with three separate property owners, therefore the three signatures account for 100% of the total assessed property value.

A map of the parcels proposed to be annexed is attached to this report (EXHIBIT 2). Per Chapter 35A.14 RCW, City Council is to determine the following at this initial meeting:

1. Whether the City will accept, reject, or geographically modify the proposed annexation. Acceptance does not constitute approval, but rather affirms the process of consideration will continue. Once a geographic boundary has been set at this meeting, it cannot be expanded to include additional area.
2. Whether the City shall require the simultaneous adoption of the zoning designations for the parcels proposed to be

annexed.

3. Whether the City shall require the assumption of all, or part of, existing City indebtedness by the area, if annexed.

If Council agrees to move forward with the intent to annex, the requestor then files a petition for annexation with City Council. The petition is reviewed by City staff, and must be sent to the Kittitas County Assessor within three days of receipt of the petition. The Assessor must then certify the petition within a reasonable amount of time.

After receipt of the Assessor's certification of the petition to annex, Council may then schedule a public hearing to formally consider and act upon the proposed annexation. A decision to approve the annexation is implemented by ordinance, which may be given first reading at the conclusion of the public hearing.

Previous Council Action: None

Analysis:

According to RCW 35A.14.010, unincorporated areas proposed to be annexed into a city must be deemed contiguous. All four parcels are surrounded by city limits creating an island, thus annexation of all four parcels is deemed to be contiguous to the City limits.

The Growth Management Act calls for logical growth patterns. Annexation of areas in the City's urban growth area is one tool that will extend the City's land use regulations, assuring orderly growth through subdivision regulations, design standards, and other relevant regulations in the City's Land Development Code.

City Utilities

The City must be able to provide municipal services to annexed areas. Two of the proposed parcels to be annexed are currently served by City utilities and have outside utility agreements. Once the property is annexed, further development will necessitate connection to City utilities. City utilities are currently available in Cascade Street and would be

available to serve the parcels should the annexation request be approved.

Zoning Classification

The properties create an island of unincorporated property bordered on all sides by city limits. The incorporated parcels that share borders with the proposed annexation area to the south are zoned Residential-Suburban (R-S). The unincorporated parcels that border the proposed annexation area to the east and west are zoned Industrial Light and Public Reserve. If Council moves forward with the annexation, staff recommends Residential Suburban (R-S) zoning for the parcels proposed to be annexed. The parcels proposed to be annexed are designated as Blended Residential Neighborhood in the Comprehensive Plan.

Financial Impact: No financial impact at this time.

Attachments:

EXHIBIT 1 NOTICE OF INTENT TO ANNEX
EXHIBIT 2 LOCATION MAP

P20-083



Notice of Intention to Annex

PF-04
FORM

Community Development Department

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

NOTICE OF INTENTION TO COMMENCE ANNEXATION TO THE CITY OF ELLENSBURG, WASHINGTON

RECEIVED

AUG 12 2020

COMMUNITY DEVELOPMENT

TO: THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON

The undersigned, representing the ownership of more than ten percent of the acreage of the real property for which annexation is sought, as more particularly described below, hereby gives notice to the City Council of the City of Ellensburg, Washington, of their intent to commence annexation proceedings.

The City Council of the City of Ellensburg is hereby requested to set a date not later than 60 days after the date this NOTICE OF INTENTION is filed with the Community Development Department for a meeting with the initiating party to determine whether the city will accept, reject, or geographically modify the proposed annexation, whether it will require the simultaneous adoption of a proposed zoning regulation, and whether it will require the assumption of all or any portion of existing city indebtedness by the area sought to be annexed.

Information regarding real property for which annexation is sought:

711 + 709-705 N Cascade ST Ellensburg Wa
(Street address of property) (City, State, Zip Code)

258133, 018133, 038133, 058133
(Parcel Number) (Acreage)

(Legal)

Respectfully submitted:

Ray S Weisbeck Ray S Weisbeck
(Signature of Initiator of Annexation) (Printed Name of Initiator of Annexation)

907 W 5 Ave Ellensburg Wa 98926
(Petitioner's Address) (City, State, Zip Code)

509-929-2115 8-11-2020
(Phone number) (Date Signed)

509-925-1651

** List this same information for all signers representing the ownership of at least 10% of the most recent assessed valuation of the real property for which annexation is sought. Attach additional sheets, as necessary.

** Provide a location map identifying the area you are requesting to be annexed.

Donna Weisbeck
(Signature of Petitioner)

Donna Weisbeck
(Printed Name of Petitioner)

(Petitioner's Address)

(City, State, Zip Code)

(Phone number)

(Date Signed)

Curtis Weisbeck
(Signature of Petitioner)

Curtis Weisbeck
(Printed Name of Petitioner)

205 N Cascade ST
(Petitioner's Address)

(City, State, Zip Code)

929-1588
(Phone number)

(Date Signed)

(Signature of Petitioner)

(Printed Name of Petitioner)

(Petitioner's Address)

(City, State, Zip Code)

(Phone number)

(Date Signed)

(Signature of Petitioner)

(Printed Name of Petitioner)

(Petitioner's Address)

(City, State, Zip Code)

(Phone number)

(Date Signed)

(Signature of Petitioner)

(Printed Name of Petitioner)

(Petitioner's Address)

(City, State, Zip Code)

(Phone number)

(Date Signed)



8/12/2020, 9:11:21 AM

Urban Growth Area City Parcels

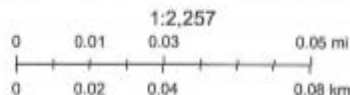
City Limits

Major Arterial

County Parcels

Road

Parcel Labels



© OpenStreetMap (and) contributors, CC-BY-SA



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 5, 2020

Item Title/Agenda Subject: Notice of Intent to Commence Annexation Proceedings – Parcel 10876 located at 1211 Sanders Road

Submitted by: Jamey Ayling Community Development

Recommended Action or Motion: After considering the notice of intent to commence annexation proceeding, staff recommends that City Council:

1. Set annexation area as shown on the attached map.
2. Direct simultaneous adoption of zoning as provided for in this agenda report.
3. Determine whether the City shall require the assumption of all or of any portion of existing city or town indebtedness by the area to be annexed.

Background/Summary: A notice of intent to commence annexation (EXHIBIT 1) was received by the Community Development Department to consider annexation of parcel 10876, located at 1211 Sanders Road. The notice of intent consists of signatures from the owners of the property. This is a notice of intent for one parcel with one property owner, therefore the owner's signature is 100% of the total assessed property value.

A map of the parcel proposed to be annexed is attached to this report (EXHIBIT 2). Per Chapter 35A.14 RCW, City Council is to determine the following at this initial meeting:

1. Whether the City will accept, reject, or geographically modify the proposed annexation. Acceptance does not constitute approval, but rather affirms the process of consideration will continue. Once a geographic boundary has been set at this meeting, it cannot be expanded to include additional area.
2. Whether the City shall require the simultaneous adoption of the proposed zoning for the parcel proposed to be annexed.
3. Whether the City shall require the assumption of all, or part of, existing City indebtedness by the area, if

annexed.

If Council agrees to move forward with the intent to annex, the requestor then files a petition for annexation with City Council. The petition is reviewed by City staff, and must be sent to the County Auditor within three days of receipt of the petition. The Auditor must then certify the petition within a reasonable amount of time.

After receipt of the Auditor's certification of the petition to annex, Council may then schedule a public hearing to formally consider and act upon the proposed annexation. A decision to approve the annexation is implemented by ordinance, which may be given first reading at the conclusion of the public hearing.

Previous Council Action: None

Analysis: The proposed parcel to be annexed is not currently served by City utilities nor does the property have a Utility Extension Agreement. Once the property is annexed, further development will necessitate connection to City utilities. The parcel is bordered by City limits on the south side. Annexation of this parcel would be a logical extension of the City.

Staff recommends Residential Suburban (R-S) zoning for the parcel proposed to be annexed. This parcel is designated as Industrial Residential in the Comprehensive Plan. This parcel is located in the Airport Overlay Zone 6 and is adjacent to R-S zoning to the south of the parcel. The R-S zone is consistent with the Comprehensive Plan designation and Airport Overlay Zone 6 which restricts the density to a maximum of three dwelling units per acre and has a minimum lot size of 7,000 square feet.

Financial Impact: No financial impact at this time.

Attachments:

EXHIBIT 1 INTENTION TO ANNEX
EXHIBIT 2 LOCATION MAP



Notice of Intention to Annex

PF-04
FORM

P20-088

Community Development Department

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

NOTICE OF INTENTION TO COMMENCE ANNEXATION TO THE CITY OF ELLENSBURG, WASHINGTON

RECEIVED

AUG 31 2020

COMMUNITY DEVELOPMENT

TO: THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON

The undersigned, representing the ownership of more than ten percent of the acreage of the real property for which annexation is sought, as more particularly described below, hereby gives notice to the City Council of the City of Ellensburg, Washington, of their intent to commence annexation proceedings.

The City Council of the City of Ellensburg is hereby requested to set a date not later than 60 days after the date this NOTICE OF INTENTION is filed with the Community Development Department for a meeting with the initiating party to determine whether the city will accept, reject, or geographically modify the proposed annexation, whether it will require the simultaneous adoption of a proposed zoning regulation, and whether it will require the assumption of all or any portion of existing city indebtedness by the area sought to be annexed.

Information regarding real property for which annexation is sought:

1215 Sanders Road Ellensburg Washington 98926
(Street address of property) (City, State, Zip Code)

10876
(Parcel Number) (Acreage)

ACRES 2.00, FRENCH SHORT PLAT 94-65 S 1/2 OF LOT B-1 LESS THE 2.00
(Legal) N.1

Respectfully submitted:

Monika Persson
(Signature of Initiator of Annexation)

MONIKA R. PERSSON
(Printed Name of Initiator of Annexation)

5835 Marsh Landing Drive Winter Haven Florida 33881
(Petitioner's Address) (City, State, Zip Code)

(863) 624 2177 (863) 624 2044
(Phone number)

August 25, 2020
(Date Signed)

EXHIBIT 2: Proposed Annexation Area – parcel 10876





CITY COUNCIL AGENDA REPORT

City Council Meeting Date: October 5, 2020

Item Title/Agenda Subject: 2021-2022 Preliminary Budget Revenue Estimates

Submitted by: Keith Bassett Finance Department

Recommended Action or Motion: Receive the preliminary revenue estimates. No formal action required.

Background/Summary: As part of the 2021-2022 biennial budget development process, the City Council must receive current information regarding revenue estimates for the current year, and estimates of available revenue for the subsequent biennium. In light of the impacts to City revenues from COVID-19, revenue estimates are simultaneously more important and more difficult to produce than in a typical year. Across all City funds, revenues are estimated to be collected 7.64% less than the current budget. The preliminary forecast for 2021 includes significant grant and bond funding for capital projects, increasing revenues 13.79% greater than the total revenues in the adopted 2020 budget. The preliminary forecast for 2022 does not anticipate as much grant and bond funded construction and operations, with revenues estimated to be 5.55% less than the total revenues in the adopted 2020 budget.

Previous Council Action: None.

Analysis: Preliminary 2021-2022 Revenue Estimates for all city funds are attached. The charts illustrate the estimated available resources by revenue type for each fund for which the city adopts expenditure authority. Also included are charts illustrating the estimated tax revenue, and Table A which contains the detailed figures.

Taxes

Property Tax forecasts include a 1% increase in each year, and reflects a 1% decrease in collections for 2020 due to the ongoing recession. Sales and Use Taxes, including general retail sales and use tax, taxes for criminal justice, housing,

transit, and lodging tax, are forecast to be 15.6% less than budgeted in 2020, 10.2% less than 2020 budget in 2021, and 9.8% less than the 2020 budget in 2022. Business & Occupation Taxes, primarily utility taxes, are forecast to be 6.6% more than budgeted in 2020. These taxes are forecast to remain close to 2020 adopted budget amounts in 2021 and 2022, with revenues estimated at 0.7% less and 0.4% more than the adopted 2020 budget amounts, respectively. The Other Taxes group is comprised of Admission Tax and Real Estate Excise Tax. Admission Tax is currently forecast to remain suppressed through 2022, and Real Estate Excise Tax is forecast 30% below budget in 2020, and recover to 2020 budgeted levels in 2021 and 2022.

Charges for Services

Revenue estimates presume no new changes to utility rates, and no increases to existing fees.

Bonds

These preliminary revenue estimates presume a combined \$11.92 million in utility revenue bond financed capital projects in 2021 and 2022, funding construction of the Reecer Creek flood control project, Bull Road utility loop project, and necessary investments in wellhouse infrastructure, water distribution system, and wastewater collection system.

Grants

These preliminary revenue estimates presume a combined \$11.70 million in federal, state, and local grants in 2021 and 2022, primarily funding flood control, transportation, and recreation projects. These estimates do not include all potential grant funding opportunities.

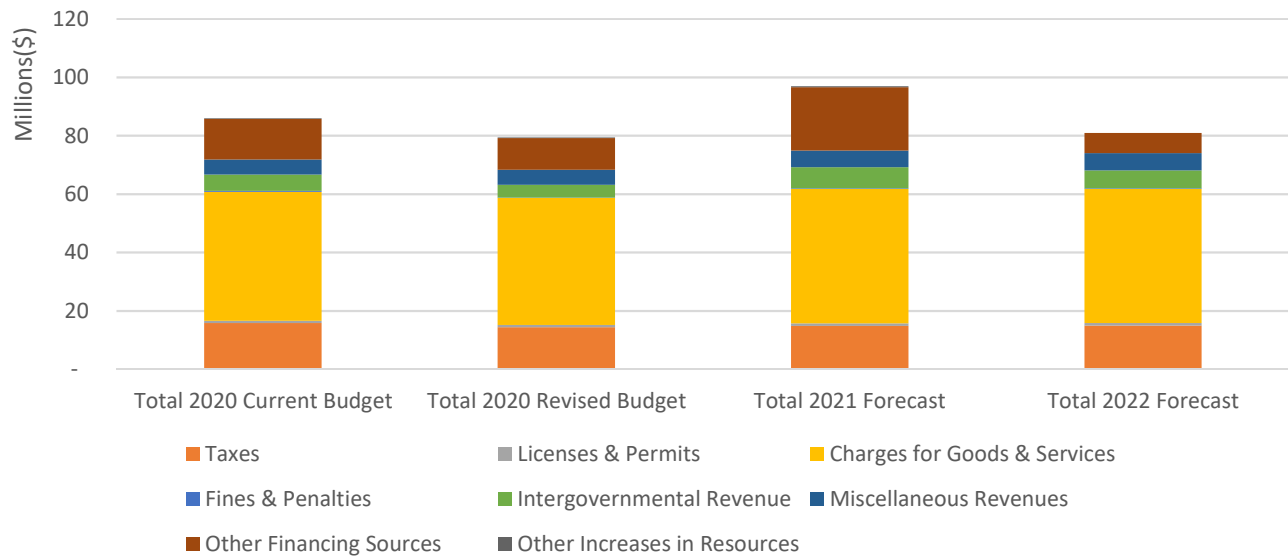
Financial Impact: None.

Attachments:

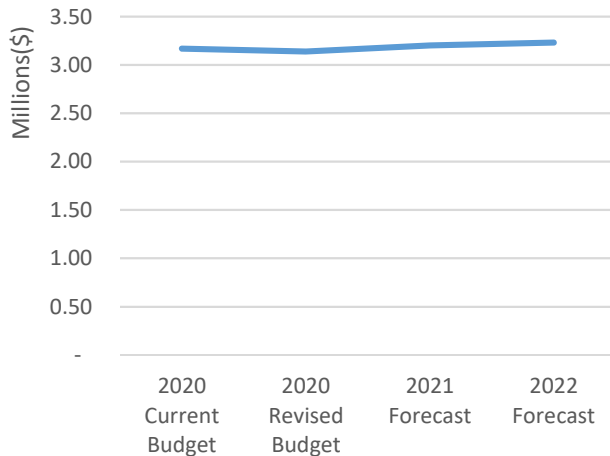
[Budgetable Preliminary Revenue Estimates 2020 - 2022](#)

City of Ellensburg 2021-2022 Budget Development Available Resources

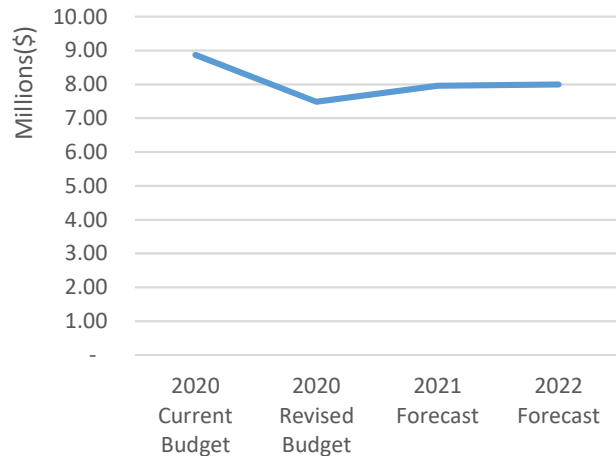
Total Revenue (not including Beginning Cash & Investments)



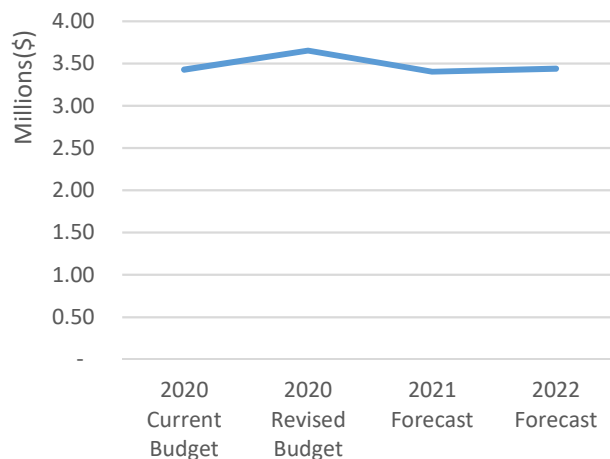
Property Taxes



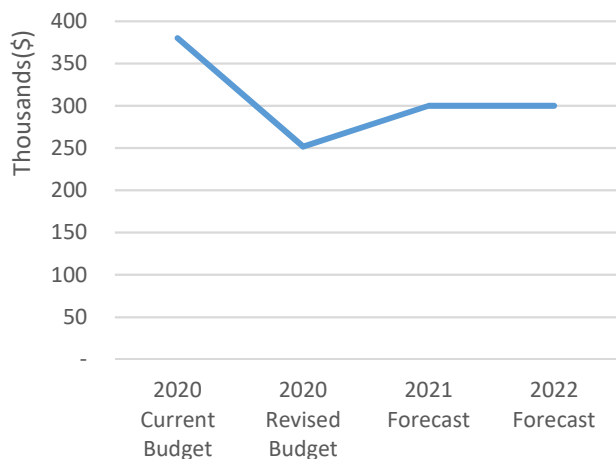
Sales & Use Taxes



Business & Occupation Taxes

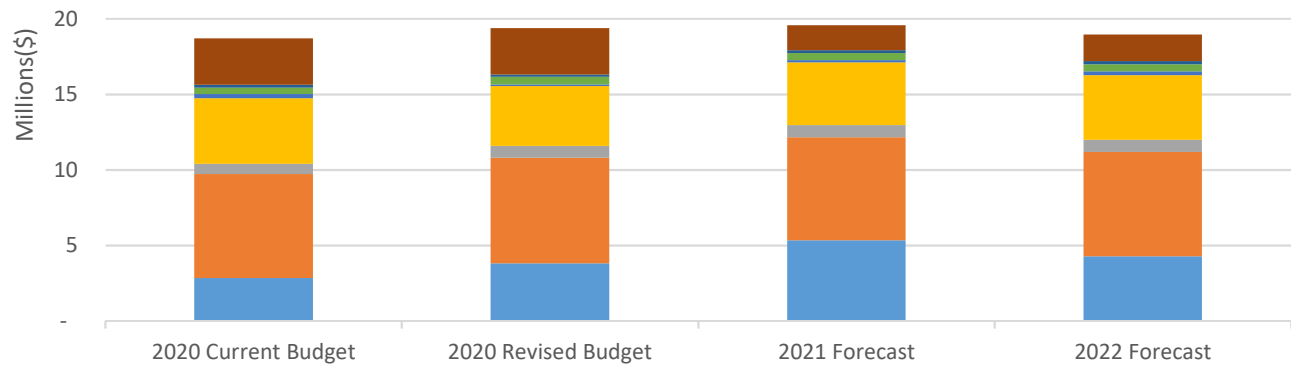


Other Taxes

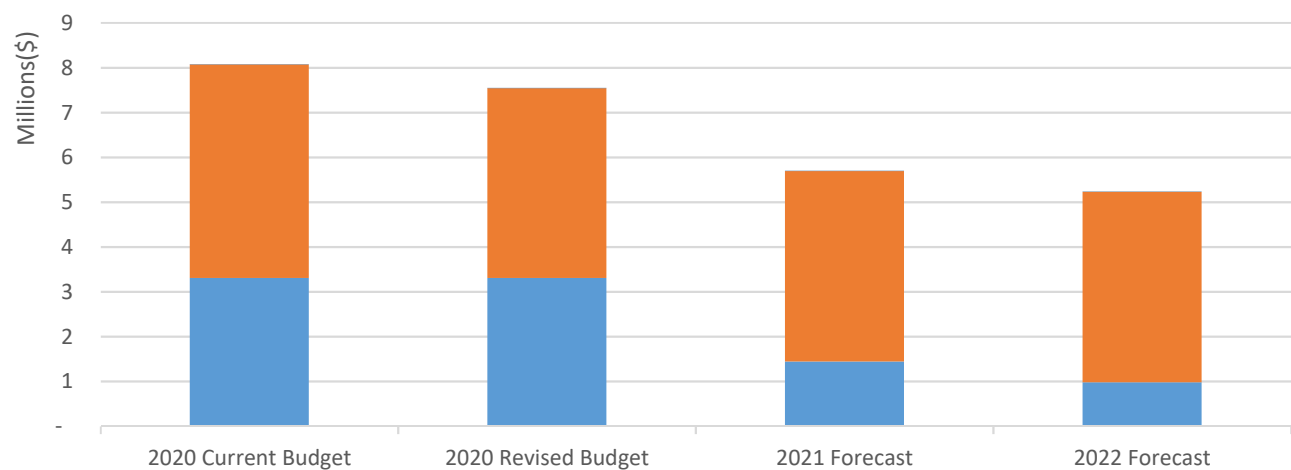


2021-2022 Budget Development Available Resources by Fund

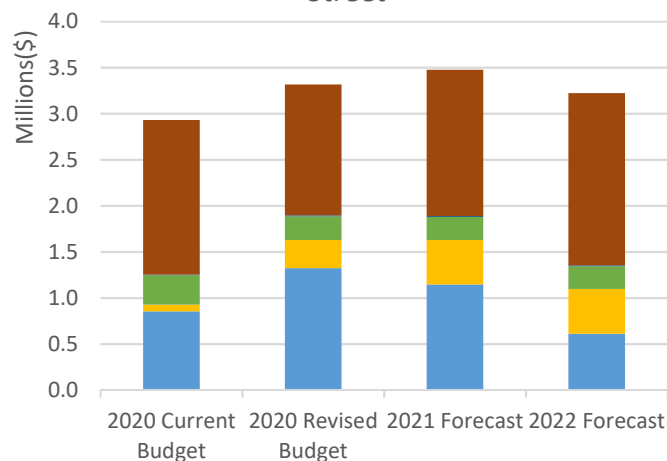
General Fund



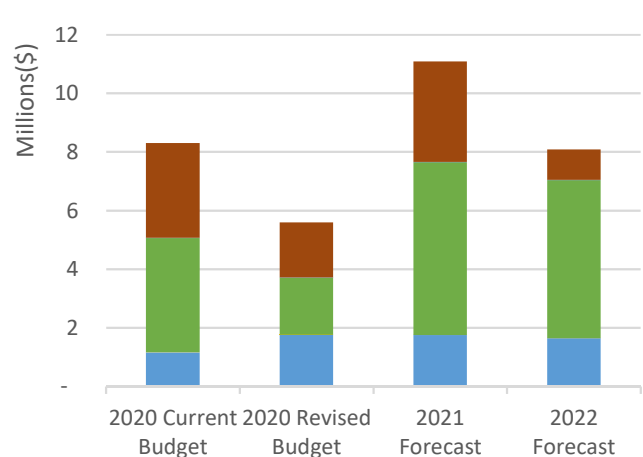
Sales Tax



Street



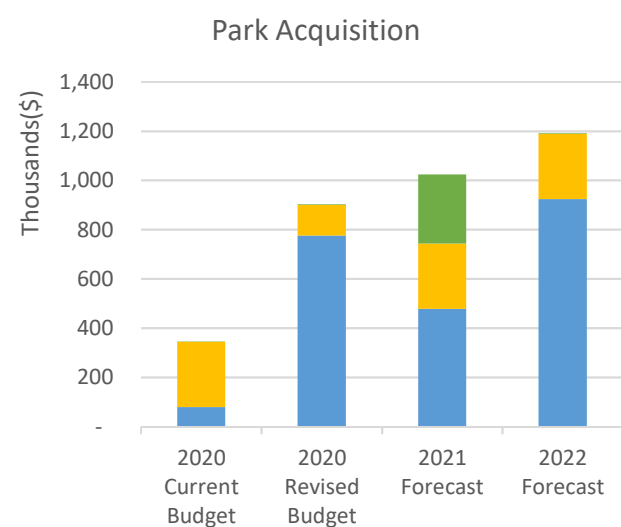
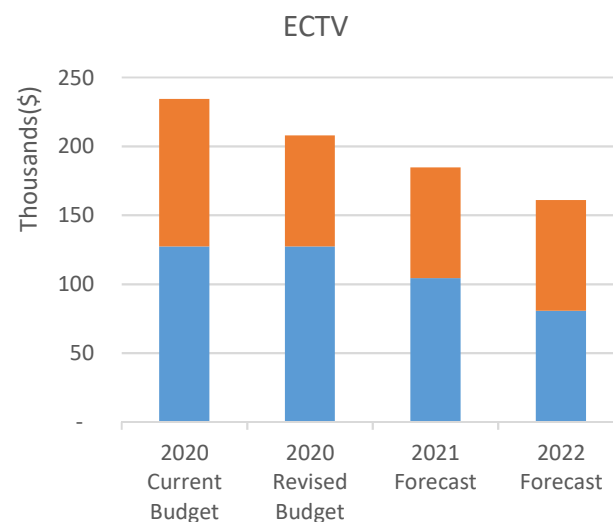
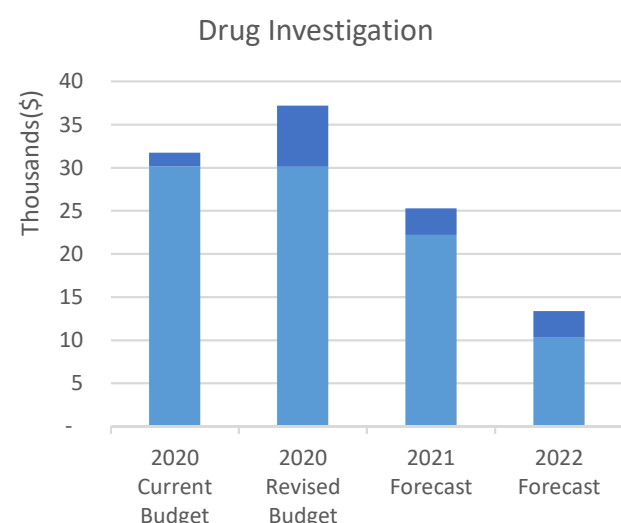
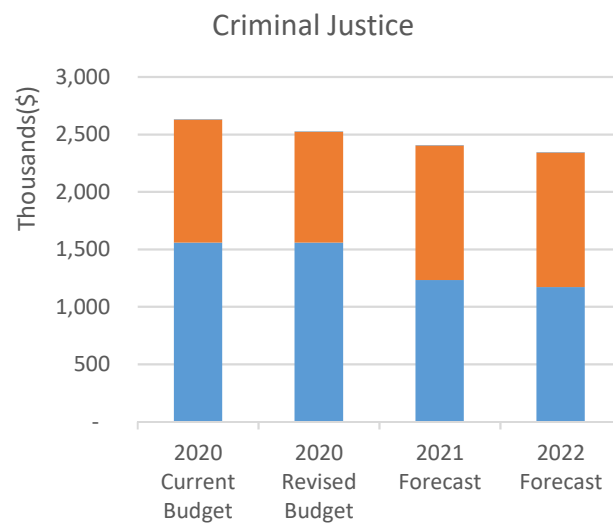
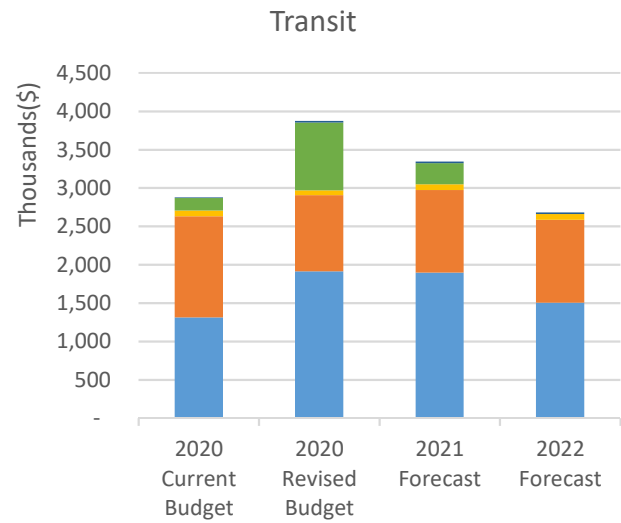
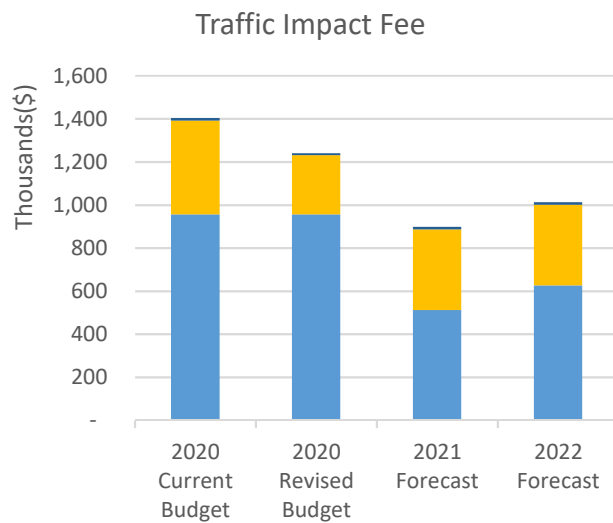
Arterial Street



Legend

- Beg. Cash & Investments
- Taxes
- Licenses & Permits
- Charges for Goods & Services
- Fines & Penalties
- Intergovernmental Revenue
- Miscellaneous Revenues
- Other Financing Sources
- Other Increases in Resources

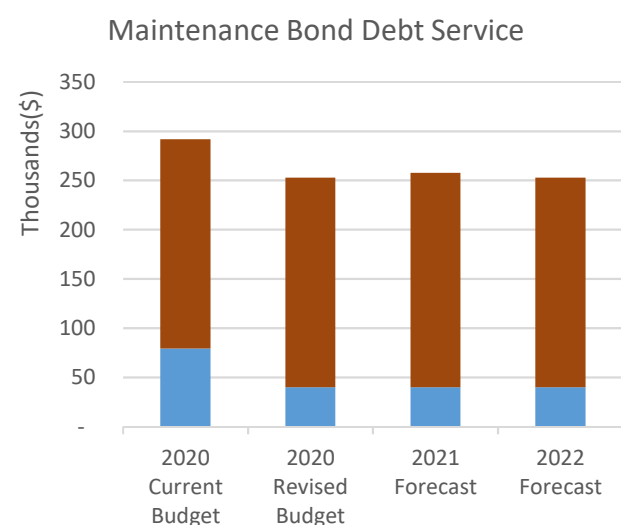
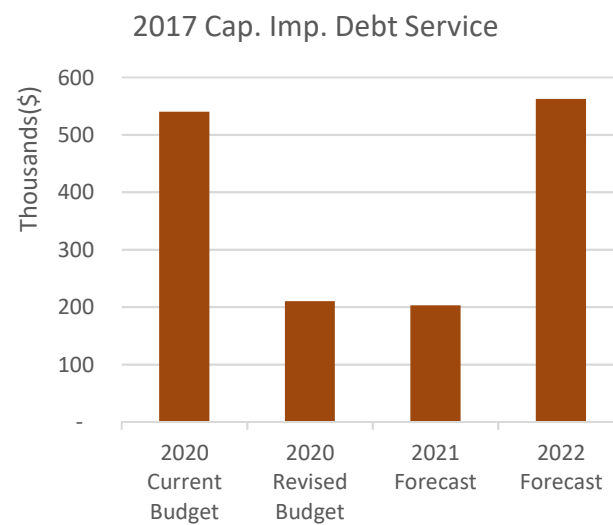
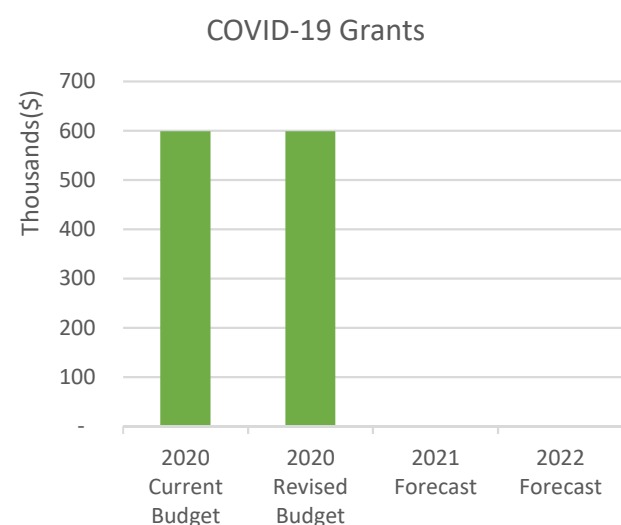
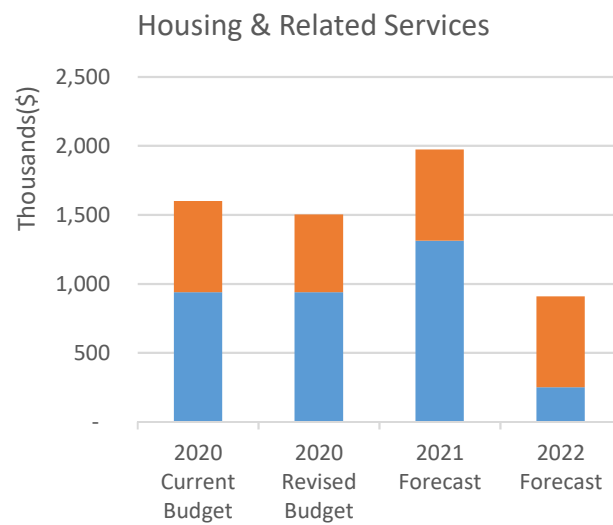
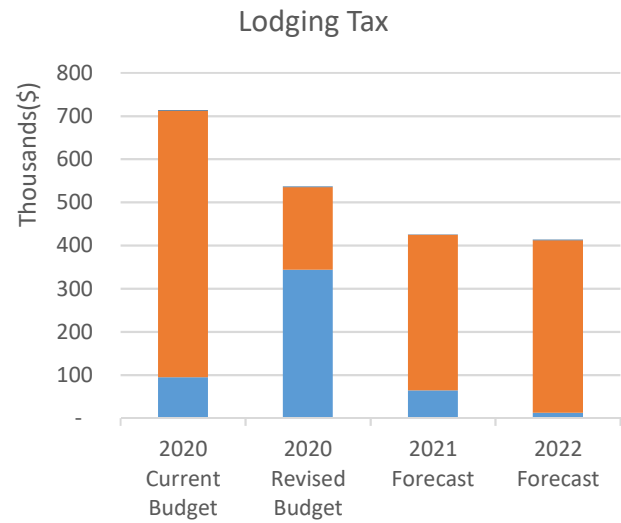
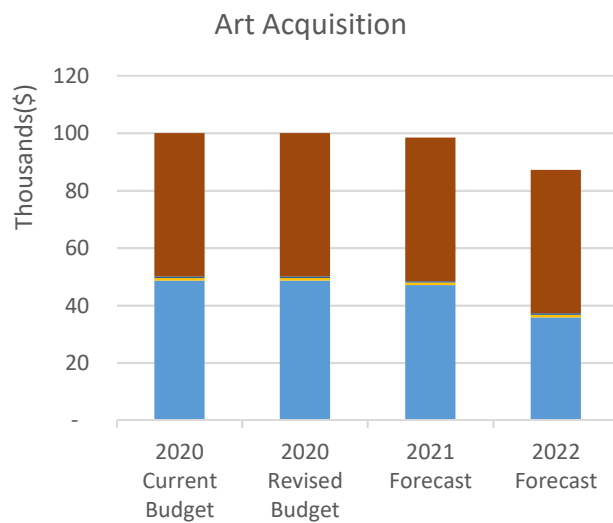
2021-2022 Budget Development Available Resources by Fund, Continued



Legend

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|--------------------------------|---------------------------|--------------------------------|
| ■ Beg. Cash & Investments | ■ Taxes | ■ Licenses & Permits |
| ■ Charges for Goods & Services | ■ Fines & Penalties | ■ Intergovernmental Revenue |
| ■ Miscellaneous Revenues | ■ Other Financing Sources | ■ Other Increases in Resources |

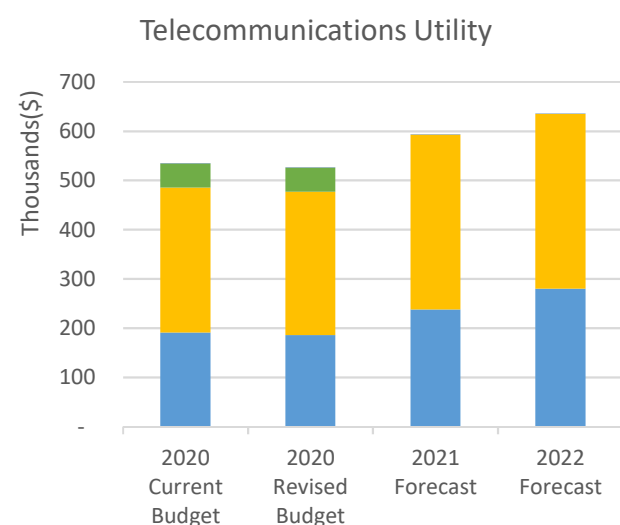
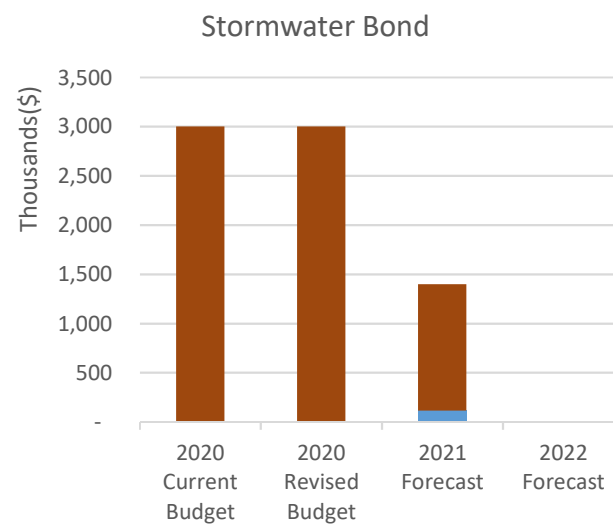
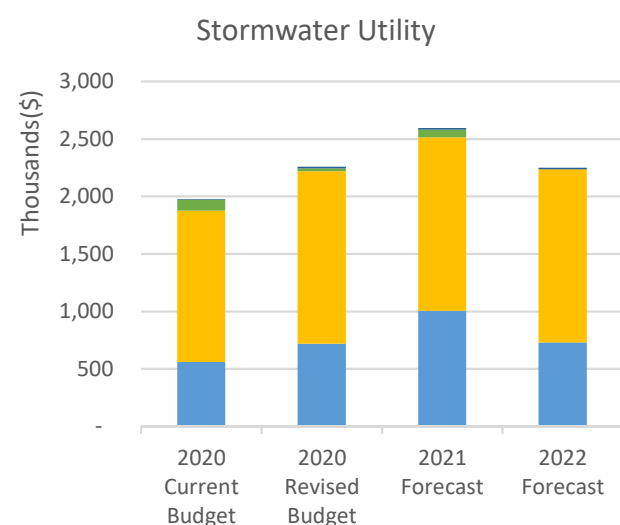
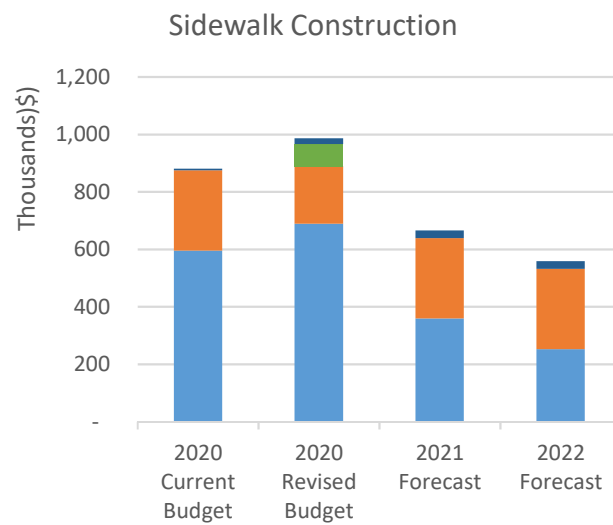
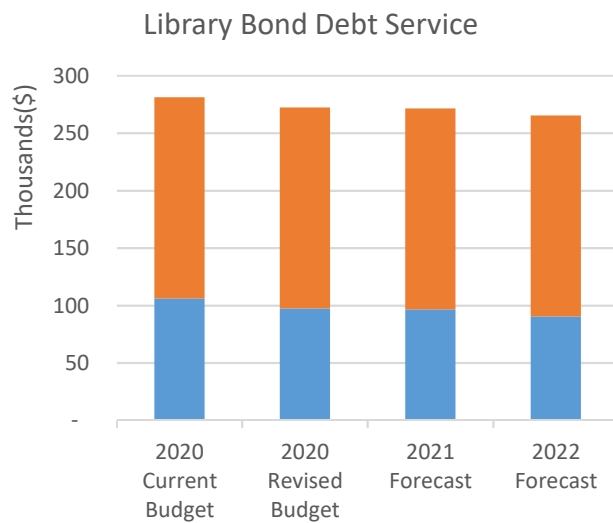
2021-2022 Budget Development Available Resources by Fund, Continued



Legend

- Beg. Cash & Investments
- Taxes
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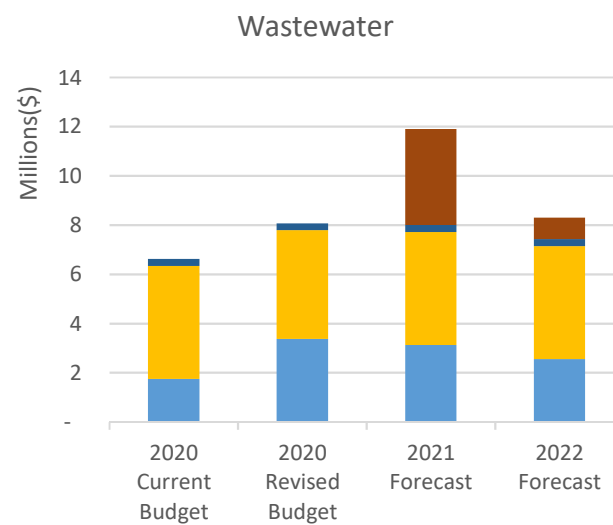
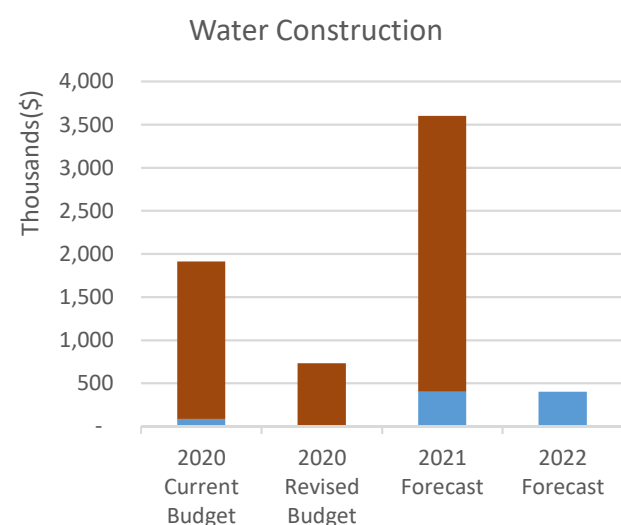
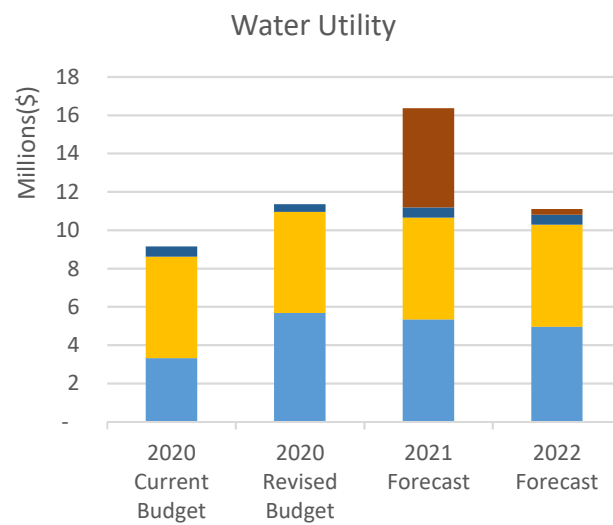
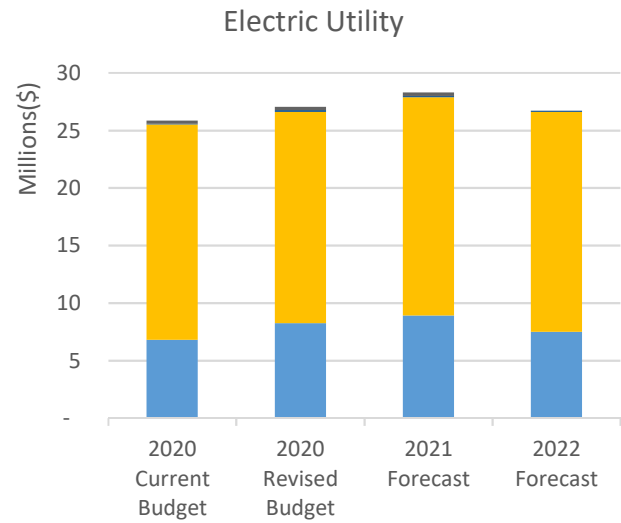
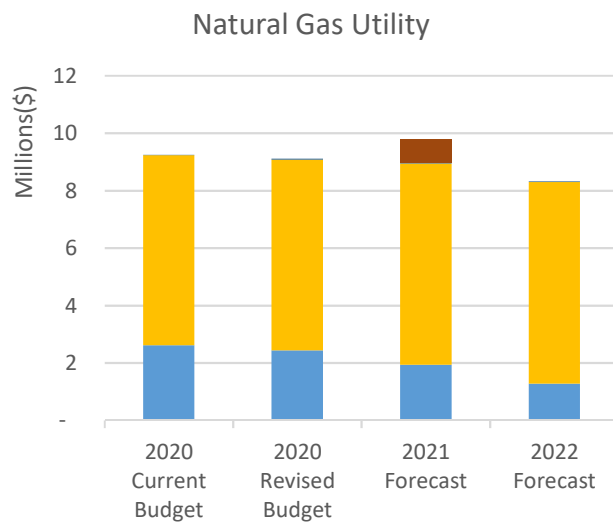
2021-2022 Budget Development Available Resources by Fund, Continued



Legend

- Beg. Cash & Investments
- Taxes
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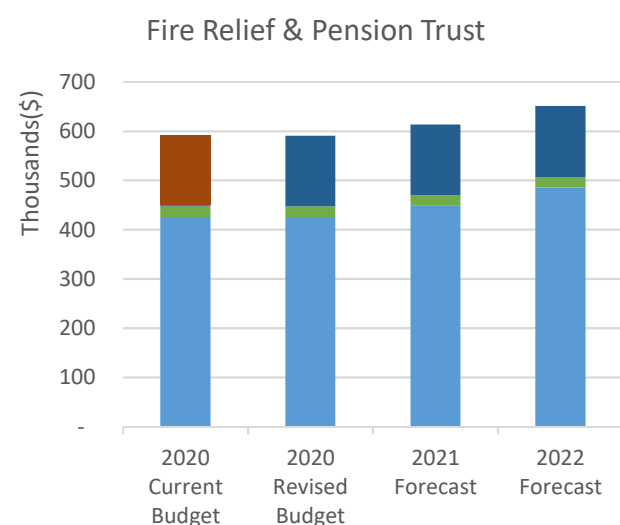
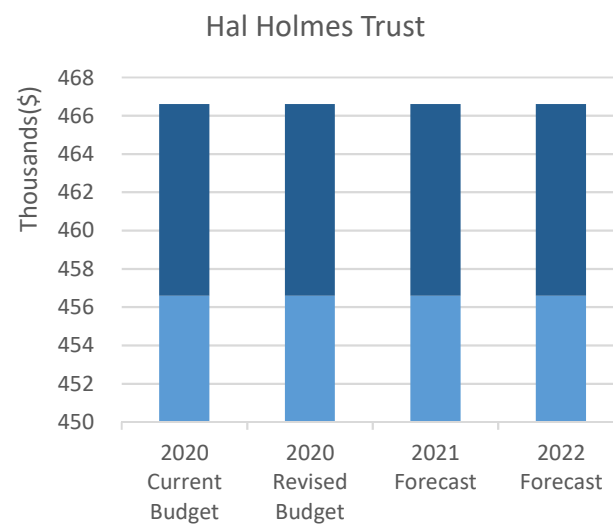
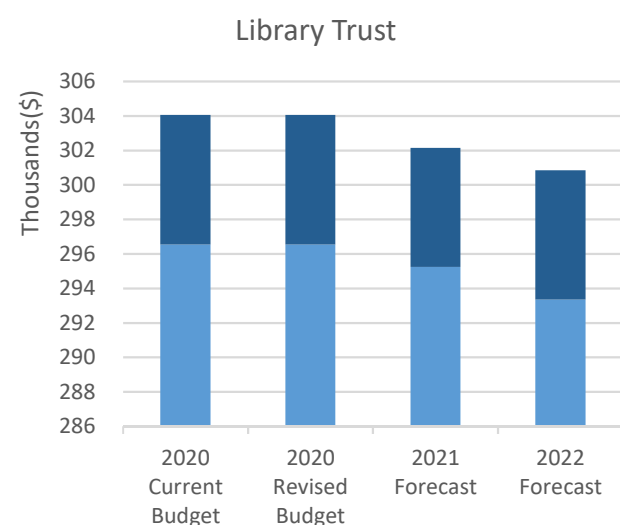
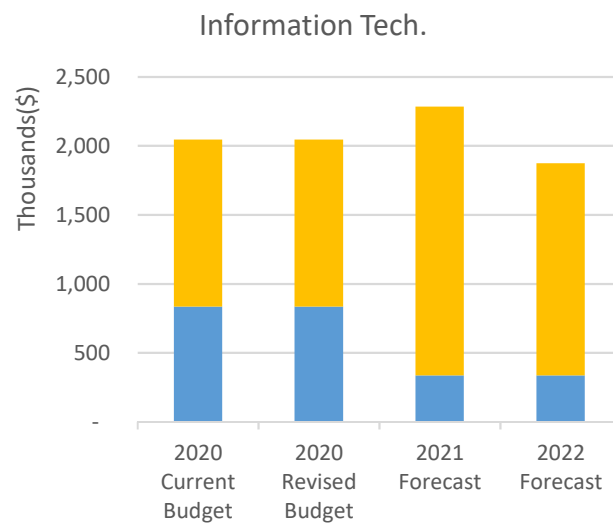
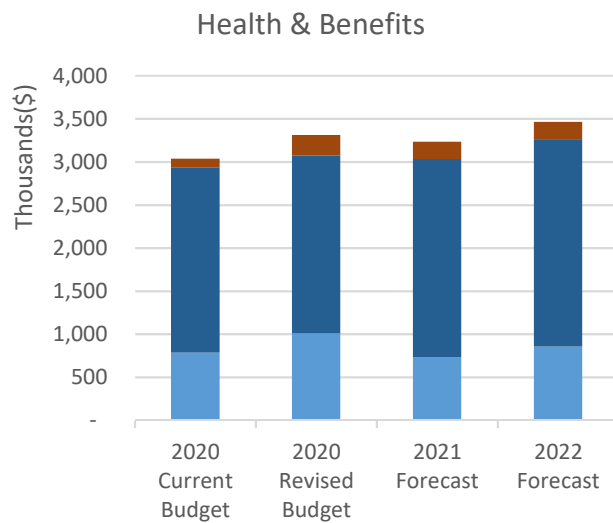
2021-2022 Budget Development Available Resources by Fund, Continued



Legend

- Beg. Cash & Investments
- Taxes
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2021-2022 Budget Development Available Resources by Fund, Continued



Legend

- Beg. Cash & Investments
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	Beg. Cash & Investments	Taxes	Licenses & Permits	Charges for Goods & Services	Fines & Penalties	Intergov. Revenue	Misc. Revenues	Other Financing Sources	Other Increases in Resources	Total
General Fund										
2020 Current Budget	\$ 2,834,355	\$ 6,874,036	\$ 691,283	\$ 4,331,826	\$ 278,400	\$ 427,975	\$ 199,789	\$ 3,073,317		\$ 18,710,981
2020 Revised Budget	3,798,491	7,010,627	765,125	3,965,313	117,198	506,614	145,202	3,073,317		19,381,886
2021 Forecast	5,321,633	6,831,524	797,983	4,164,171	152,900	461,487	192,125	1,645,677		19,567,500
2022 Forecast	4,280,003	6,899,242	797,483	4,294,853	256,400	461,487	200,874	1,775,677		18,966,019
Street										
2020 Current Budget	854,751			71,400		318,926	9,500	1,676,538		2,931,115
2020 Revised Budget	1,324,278			302,638		257,131	11,750	1,420,300	-	3,316,097
2021 Forecast	1,146,675			483,463		249,453	9,600	1,587,512	-	3,476,703
2022 Forecast	610,909			484,463		249,040	9,600	1,868,067	-	3,222,079
Arterial Street										
2020 Current Budget	1,149,145		4,250			3,902,114	7,500	3,241,438		8,304,447
2020 Revised Budget	1,757,735		5,350	50		1,937,860	10,500	1,875,198	-	5,586,693
2021 Forecast	1,748,042		5,050	-		5,891,349	7,500	3,429,640	-	11,081,581
2022 Forecast	1,637,581		5,250	-		5,389,365	7,500	1,047,000	-	8,086,696
Traffic Impact Fee										
2020 Current Budget	956,579			435,118			11,500			1,403,198
2020 Revised Budget	956,579			275,118			8,000		-	1,239,698
2021 Forecast	511,500			375,118			11,500		-	898,118
2022 Forecast	625,718			375,118			11,500		-	1,012,336
Transit										
2020 Current Budget	1,310,485	1,318,821		75,000		164,822	7,200			2,876,328
2020 Revised Budget	1,911,881	995,626		62,500		884,516	20,278		-	3,874,801
2021 Forecast	1,894,726	1,079,267		75,000		275,263	19,200		-	3,343,456
2022 Forecast	1,504,594	1,079,267		75,000		-	20,200		-	2,679,061
Criminal Justice										
2020 Current Budget	1,557,893	1,069,718					400			2,628,011
2020 Revised Budget	1,557,893	963,794					400		-	2,522,086
2021 Forecast	1,232,748	1,169,718					400		-	2,402,866
2022 Forecast	1,169,949	1,169,718					400		-	2,340,067
Drug Investigation										
2020 Current Budget	30,132				1,600					31,732
2020 Revised Budget	30,099				7,076		-			37,175
2021 Forecast	22,175				3,100		-			25,275
2022 Forecast	10,275				3,100		-			13,375
Sales Tax										
2020 Current Budget	3,307,722	4,760,474					5,000			8,073,196
2020 Revised Budget	3,307,722	4,233,749					5,000		-	7,546,471
2021 Forecast	1,442,154	4,249,895					5,000		-	5,697,049
2022 Forecast	981,976	4,249,895					5,000		-	5,236,871

Table 1 - Resources by Fund and Type, Continued

	Beg. Cash & Investments	Taxes	Licenses & Permits	Charges for Goods & Services	Fines & Penalties	Intergov. Revenue	Misc. Revenues	Other Financing Sources	Other Increases in Resources	Total
ECTV										
2020 Current Budget	127,326	107,045								234,371
2020 Revised Budget	127,326	80,420		-			-		-	207,746
2021 Forecast	104,273	80,420		-			-		-	184,693
2022 Forecast	80,522	80,420		-			-		-	160,941
Park Acquisition										
2020 Current Budget	79,138			265,000		1,711				345,849
2020 Revised Budget	775,991			125,000		1,711	-		-	902,702
2021 Forecast	477,702			265,000		281,711	-		-	1,024,413
2022 Forecast	924,413			265,000		1,711	-		-	1,191,124
Art Acquisition										
2020 Current Budget	48,657			900			500	50,000		100,057
2020 Revised Budget	48,657			900			500	50,000		100,057
2021 Forecast	47,040			900			500	50,000		98,440
2022 Forecast	35,847			900			500	50,000		87,247
Lodging Tax										
2020 Current Budget	94,656	618,000					1,000			713,656
2020 Revised Budget	344,014	191,206					1,000		-	536,220
2021 Forecast	64,220	360,000					1,000		-	425,220
2022 Forecast	12,220	400,000					1,000		-	413,220
Housing & Related Services										
2020 Current Budget	939,353	659,410								1,598,763
2020 Revised Budget	939,353	563,709					-		-	1,503,062
2021 Forecast	1,313,062	659,410					-		-	1,972,472
2022 Forecast	249,972	659,410					-		-	909,382
COVID-19 Grants										
2020 Current Budget	-					598,800				598,800
2020 Revised Budget	-					598,800				598,800
2021 Forecast	-					-				-
2022 Forecast	-					-				-
2017 Cap. Imp. Debt Service										
2020 Current Budget	-							540,000		540,000
2020 Revised Budget	-							210,000		210,000
2021 Forecast	-							203,184		203,184
2022 Forecast	-							562,327		562,327
Maintenance Bond Debt Service										
2020 Current Budget	79,104							212,700		291,804
2020 Revised Budget	39,972							212,700		252,672
2021 Forecast	39,772							217,700		257,472
2022 Forecast	39,772							212,800		252,572

Table 1 - Resources by Fund and Type, Continued

	Beg. Cash & Investments	Taxes	Licenses & Permits	Charges for Goods & Services	Fines & Penalties	Intergov. Revenue	Misc. Revenues	Other Financing Sources	Other Increases in Resources	Total
Library Bond Debt Service										
2020 Current Budget	106,164	175,000								281,164
2020 Revised Budget	97,323	175,000							-	272,323
2021 Forecast	96,423	175,000							-	271,423
2022 Forecast	90,323	175,000							-	265,323
2017 Cap. Imp. Construction										
2020 Current Budget	2,356,092									2,356,092
2020 Revised Budget	2,723,263						-	-		2,723,263
2021 Forecast	0						-	-		0
2022 Forecast	0						-	-		0
Sidewalk Construction										
2020 Current Budget	595,094	280,000					5,000			880,094
2020 Revised Budget	689,169	200,000				77,278	20,000		-	986,447
2021 Forecast	359,280	280,000				-	26,000		-	665,280
2022 Forecast	252,280	280,000				-	26,000		-	558,280
Stormwater Utility										
2020 Current Budget	560,668			1,315,790		95,000	5,000			1,976,458
2020 Revised Budget	719,111			1,498,790		25,798	14,208		-	2,257,907
2021 Forecast	1,004,402			1,507,790		69,202	13,000		-	2,594,395
2022 Forecast	728,084			1,507,790		-	13,000		-	2,248,874
Stormwater Bond										
2020 Current Budget	-							3,000,000		3,000,000
2020 Revised Budget	-							3,000,000		3,000,000
2021 Forecast	116,388							1,283,612		1,400,000
2022 Forecast	-							-		-
Telecommunications Utility										
2020 Current Budget	190,535			294,556		48,909	687			534,686
2020 Revised Budget	185,816			291,148		48,909	687			526,560
2021 Forecast	237,329			355,214		-	687			593,229
2022 Forecast	279,737			355,214		-	687			635,638
Natural Gas Utility										
2020 Current Budget	2,617,844			6,617,229			3,500			9,238,573
2020 Revised Budget	2,437,432			6,635,157			37,000	-	-	9,109,589
2021 Forecast	1,936,934			7,008,727			24,000	800,000	-	9,769,661
2022 Forecast	1,276,229			7,024,904			24,000	-	-	8,325,133
Electric Utility										
2020 Current Budget	6,786,437			18,733,625			64,770		275,000	25,859,833
2020 Revised Budget	8,241,071			18,369,010			155,149	-	275,100	27,040,330
2021 Forecast	8,908,056			18,972,457			113,647	-	309,657	28,303,818
2022 Forecast	7,494,468			19,110,171			116,597	-	-	26,721,236

Table 1 - Resources by Fund and Type, Continued

	Beg. Cash & Investments	Taxes	Licenses & Permits	Charges for Goods & Services	Fines & Penalties	Intergov. Revenue	Misc. Revenues	Other Financing Sources	Other Increases in Resources	Total
Water Utility										
2020 Current Budget	3,323,977		700	5,285,257			538,546			9,148,480
2020 Revised Budget	5,679,091		300	5,277,906		-	401,196		-	11,358,493
2021 Forecast	5,337,330		400	5,318,759		-	528,153	5,178,000	-	16,362,642
2022 Forecast	4,961,151		400	5,318,952		-	528,153	300,000	-	11,108,656
Water Construction										
2020 Current Budget	83,628							1,829,259		1,912,887
2020 Revised Budget	-							729,988		729,988
2021 Forecast	400,000							3,200,000		3,600,000
2022 Forecast	400,000							-		400,000
Wastewater										
2020 Current Budget	1,750,701			4,586,378			281,039			6,618,118
2020 Revised Budget	3,367,524			4,421,878			276,139		-	8,065,541
2021 Forecast	3,130,696			4,585,378			281,039	3,899,987	-	11,897,100
2022 Forecast	2,556,507			4,585,378			281,039	871,987	-	8,294,910
Shop/ Warehouse										
2020 Current Budget	5,685,383			314,420			1,870,164	5,500		7,875,467
2020 Revised Budget	7,265,651			314,420			1,872,746	5,100	-	9,457,917
2021 Forecast	7,748,130			314,420			2,058,470	5,500	-	10,126,520
2022 Forecast	7,030,522			314,420			2,086,490	5,500	-	9,436,932
Health & Benefits										
2020 Current Budget	786,879						2,151,631	100,000		3,038,510
2020 Revised Budget	1,009,544						2,064,803	236,340	-	3,310,687
2021 Forecast	733,475						2,299,280	200,000	-	3,232,756
2022 Forecast	855,148						2,409,441	200,000	-	3,464,588
Risk Management										
2020 Current Budget	994,272			683,102			3,800			1,681,174
2020 Revised Budget	994,272			683,102			3,800		-	1,681,174
2021 Forecast	1,152,332			683,102			3,800		-	1,839,234
2022 Forecast	1,295,418			683,102			3,800		-	1,982,320
Information Tech.										
2020 Current Budget	835,403			1,210,749						2,046,152
2020 Revised Budget	835,403			1,210,749			-			2,046,152
2021 Forecast	336,620			1,948,438			-			2,285,058
2022 Forecast	335,536			1,539,046			-			1,874,582
Library Trust										
2020 Current Budget	296,546						7,500			304,046
2020 Revised Budget	296,546						7,500			304,046
2021 Forecast	295,246						6,900			302,146
2022 Forecast	293,346						7,500			300,846

Table 1 - Resources by Fund and Type, Continued

	Beg. Cash & Investments	Taxes	Licenses & Permits	Charges for Goods & Services	Fines & Penalties	Intergov. Revenue	Misc. Revenues	Other Financing Sources	Other Increases in Resources	Total
Hal Holmes Trust										
2020 Current Budget	456,599						10,000			466,599
2020 Revised Budget	456,599						10,000			466,599
2021 Forecast	456,599						10,000			466,599
2022 Forecast	456,599						10,000			466,599
Fire Relief & Pension Trust										
2020 Current Budget	425,563					21,088	3,000	141,081		590,732
2020 Revised Budget	425,563					21,088	144,081	-	-	590,732
2021 Forecast	448,381					21,088	144,081	-	-	613,550
2022 Forecast	485,606					21,088	144,081	-	-	650,775
Total 2020 Current Budget	\$ 41,221,082	\$ 15,862,504	\$ 696,233	\$ 44,220,350	\$ 280,000	\$ 5,579,346	\$ 5,187,025	\$ 13,869,833	\$ 275,000	\$ 127,191,373
Total 2020 Revised Budget	\$ 52,343,370	\$ 14,414,130	\$ 770,775	\$ 43,433,679	\$ 124,274	\$ 4,359,705	\$ 5,209,938	\$ 10,812,943	\$ 275,100	\$ 131,743,914
Total 2021 Forecast	\$ 48,063,345	\$ 14,885,234	\$ 803,433	\$ 46,057,938	\$ 156,000	\$ 7,249,553	\$ 5,755,882	\$ 21,700,812	\$ 309,657	\$ 144,981,853
Total 2022 Forecast	\$ 40,954,704	\$ 14,992,952	\$ 803,133	\$ 45,934,311	\$ 259,500	\$ 6,122,691	\$ 5,907,361	\$ 6,893,358	\$ -	\$ 121,868,012

Ellensburg City Council
Equity, Diversity and Arts Subcommittee
Stacey Engel, Tristen Lamb, David Miller

At its August 27, 2020 meeting, the Ellensburg City Council formed a subcommittee to explore options for public art projects as an alternative to the original plan to paint a “Black Lives Matter” mural on a city street.

The consensus of the council is to express a strong message of support within the community in response to the issues highlighted by the current national discussion involving the broad issue of racial inequities.

The subcommittee met (virtually) five times to study options available for City Council consideration.

The current subcommittee recommendation for council consideration is two-fold:

- 1) Approve a “Call for Art” for a visual arts project that can be completed before the end of 2020. The subcommittee believes that it is important for the council make a strong statement now, as the first tangible act within a broader, ongoing effort to recognize and support the value of equity and diversity in our community.
 - a. The proposed project scope is two-dimensional painting on exterior windows on a city-owned structure. [Insert photo example of this type of art from another community]
 - b. The recommended location for the art installation is the City of Ellensburg Visitor Center building (SE corner exterior windows), located at the intersection of 4th and Pearl.



- c. The recommended theme for the paintings will be “Racial Equity.” Submittals will be required to adhere to this theme and convey the City’s message of commitment to inclusion, diversity and equity in our community through this artwork.
 - d. The proposed project budget is \$2,500 to be paid by the City Arts Commission through City-budgeted funds.
 - e. The Arts Commission should manage the “Call for Art,” including the addition of racially diverse community representatives to join the Arts Commission in the process of judging the proposals and recommending a finalist or finalists to the City Council. The City Council will reserve all final design selection authority; final design approval will be based on adherence to the City’s stated theme and aesthetic/artistic value.
 - f. Designs must be original, consistent with the above theme, and suitable for viewing by citizens of all ages. Submissions that do not promote the stated theme, promote a different theme, or express a private message will not be accepted. Designs should not include advertising of any product or service, copyright protected symbols or icons, or language or imagery that is or could be interpreted as inflammatory, discriminatory or stigmatizing.
 - g. Selected artist(s) will be expected to enter a contract with the City specifying the location of the artwork and its subject and requiring completion of the artwork in accordance with the approved design. The City Council will reserve final approval authority with respect to the completed artwork. Completed artwork that is not consistent with the approved design will not be accepted or displayed.
 - h. Preference will be given to Pacific Northwest artists to support the region’s arts community.
- 2) Consider creation of an “Equity and Diversity” themed arts program that will support annual “calls for art” that recognize the value and contributions of historically marginalized people of color as a reflection of our community values. The subcommittee feels that additional direction from the City Council, Arts Commission, and public is needed before a formal recommendation is made.
- Discussion topics include, but are not necessarily limited to:
- a. Annual Budget/Potential Funding Sources
 - b. Program Structure (new or modified existing?)
 - c. Project Theme
 - d. Project Locations/Venues
 - e. Partnership Opportunities



MANAGER'S REPORT

DATE: October 5, 2020
To: Ellensburg City Council
FROM: John Akers, City Manager

A handwritten signature in blue ink, likely belonging to John Akers, the City Manager.

1. Waste Management Fall Clean Up Days.

The Waste Management contract with the City of Ellensburg provides for a fall and spring waste disposal coupon program. Waste Management and staff have scheduled this fall's event for October 17 through October 24. The coupons are valid for each Waste Management customer (one per subscribing household) to self-haul to the County Transfer Station. Customers are required to show proof of residency. Coupons are currently being mailed out and are available at City Hall. The event is now open to Waste Management customers included in the recent annexation.

2. Public Hearings Set for October 19, 2020.

Staff would like to advise Council that two public hearings have been set for October 19, 2020 to consider the following applications:

- #P19-147, a Type IV Preliminary Plat submitted by Byron Borton, for the Ellensburg Flats Plat addressed as Gail Road, in the City of Ellensburg, Washington, Kittitas County Assessor's Parcel Number 11489.
- #P20-010, a Type V Siting of Essential Public Facility for the Transfer Station Project, submitted by Kittitas County Solid Waste. Kittitas County proposes to move the existing Ellensburg Transfer Station located at 1001 Industrial Way, to parcel 611033 located along highway 97 in northwest Ellensburg.

3. Request to Set Public Hearings.

As part of the 2021/2022 biennial budget process staff requests the following public hearings be set:

- November 2, 2020 – 2021 Proposed Revenue Sources including 2021 Property Tax Levy
- November 2, 2020 – Preliminary Budget Hearing
- November 16, 2020 – Final Budget Hearing

4. Request to Set Special Meeting.

Staff requests Council set a Special Meeting for Wednesday, November 18, 2020 from 3:00-4:30 p.m. for a joint meeting with the CWU Executive Board.