

CITY COUNCIL AGENDA

December 18, 2023



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To attend the city council meeting virtually register here:

https://us02web.zoom.us/webinar/register/WN_pqqvj2UgT0WdDpKLWBCeKw

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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 by calling the City of Ellensburg ADA Coordinator at (509) 962-7222 or email ADAAccordinator@ellensburgwa.gov.

COUNCIL MEETING

GUIDELINES FOR PUBLIC PARTICIPATION

All City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at www.ectv2.com or on YouTube at [ECTV Ellensburg](https://www.youtube.com/channel/UCv3v3v3v3v3v3v3v3v3v3v3). You may also attend by phone, only, and listen to the meeting by following the registration instructions under “Procedure for Remote Participation During Meeting” below. Once you register, you will be sent a meeting invitation with a phone number for the meeting.

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

SUBMISSION OF WRITTEN COMMENTS

- **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: cityclerk@ellensburgwa.gov. 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: cityclerk@ellensburgwa.gov. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.

PROCEDURE FOR REMOTE PARTICIPATION DURING MEETING

1. **Advance registration is required to provide public comment or hearing testimony via remote meeting attendance.** Anyone wishing to speak on items under the Agenda must register prior to 7 p.m. the day of the meeting. Once registered, you will receive an email with the meeting link and phone number (for those who wish to call into the meeting).
2. **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.
3. Please note that there may be several items on the City Council Agenda that will precede the agenda item you wish to address.
4. **The Mayor will identify the agenda item** and ask if anyone wishes to speak on the matter.
5. Any interested person may provide comments: 1) under Item 7 on non-agenda items, or 2) on any listed agenda items. If you wish to speak, you must:
 - a) **Raise your “virtual hand”** in the corner of Zoom application on 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.
6. **Please state your name, whether you live in the City of Ellensburg, Kittitas County or elsewhere, and whether you are representing only yourself or others.**

PROCEDURE FOR IN-PERSON PARTICIPATION (COUNCIL CHAMBERS)

- ◆ When recognized, approach the microphone provided on the right side of the room.
- ◆ Please state your name, whether you live in the City of Ellensburg, Kittitas County or elsewhere, and whether you are representing only yourself or others.
- ◆ Each speaker's comments are to be limited to 3 MINUTES.
- ◆ Submit any written comments to the City Clerk.
- ◆ Speakers are cautioned not to make comments of a personal, impertinent or derogatory nature.
- ◆ 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).

PUBLIC COMMENT RULES FOR ALL MEETING PARTICIPANTS

1. Each speaker's comments are to be limited to 3 MINUTES.
2. Speakers are cautioned not to engage in conduct that disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting.
3. 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).
4. Speakers may only address the Council on matters which concern the City's business or over which the Council has control.

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). Council may consider an item at a future meeting, thus you may wish to concisely state your concern and request placement of your matter on a future agenda. Staff will follow up with speakers as necessary.

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 (509) 925-8614.

PUBLIC HEARINGS

City Council accepts testimony or comments in person or via remote testimony on a particular subject schedule for Public Hearing. Council will consider all testimony, respond to any questions, and take action after the public hearing is closed. Testimony or comments will be accepted in the following manner:

1. When recognized,
 - If attending in the Council Chambers, approach the microphone provided on the right side of the room.
 - If attending remotely, raise your "virtual hand" in the corner of Zoom application on the computer screen or press *9 on your phone.
2. Please state your name, address, and whether you are representing only yourself or others.
3. Please limit your comments to 5 MINUTES.
4. Submit written comments to the City Clerk.

**CITY OF ELLENSBURG
CITY COUNCIL AGENDA
Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom
Monday, December 18, 2023
7:00 PM - Regular Meeting**

Pledge of Allegiance

- 1. Call to Order and Roll Call**
- 2. Proclamations** (Public Comment Opportunity)
- 3. Awards and Recognitions**
- 4. Approval of Agenda** (No Public Comment)
- 5. Consent Agenda** (No Public Comment)

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 December 4, 2023 Regular Meeting | 6 |
| 5.B | Approve University Way Banner Request for CWU SOURCE Dept - May 7 - 13, 2023 | 11 |
| 5.C | Flood Control Assistance Account Program (FCAAP) Grant Agreement with Department of Ecology | 12 |
| 5.D | Bid Award - Bid Call 2023-12, Unity Park | 37 |
| 5.E | Extension of Interlocal Agreement with Kittitas County for the Phase II Levee Extension and Agreement for Cultural Resource Survey | 41 |
| 5.F | Accept the Resignation of Jordan Ruhle from the Affordable Housing Commission | 64 |
| 5.G | 2024 Payment Agreement with Kittitas County Emergency Medical Services (EMS) and Trauma Care Council | 65 |
| 5.H | Project Acceptance - Ruby Street Skim Patch Bid Call 2023-09 | 69 |
| 5.I | First Amendment to Affordable Housing Agreement with HopeSource for Pathways Project | 70 |

5.J	Approve Agreement for Lease of Mail Processing and Metering Business Solutions with Pitney Bowes Inc.	74
5.K	Approve December 18, 2023 Voucher Listing	78
6.	Petitions, Protests, and Communications	
6.A	KCHN Update by Robin Read	
6.B	Board and Commission Appointments - EBDA (Public Comment Opportunity)	79
7.	Citizen Comment on Non-agenda Issues	
8.	Business Requiring Public Hearings	
9.	Introduction and Adoption of Ordinances and Resolutions	
9.A	Ordinance 4926 (Second Reading) 2023 Comprehensive Plan Amendments (Public Comment Opportunity)	86
9.B	Ordinance 4934 (Second Reading) Amending the 2023-2024 Biennial Budget (Public Comment Opportunity)	148
9.C	Ordinance 4935 (Second Reading) Land Development Code Amendments (Public Comment Opportunity)	163
9.D	Resolution 2023-33 Update of the City Council Rules of Procedure	214
9.E	Resolution 2023-34 Declaring The City of Ellensburg To Be An Inviting, Equitable And Safe Community For All (Public Comment Opportunity)	247
10.	Unfinished Business	
11.	New Business	
12.	Miscellaneous	
12.A	Manager's Report	251
12.B	Councilmembers' Reports	
13.	Executive Session	
14.	Adjournment	



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Regular Meeting

December 4, 2023

7:00 PM

**Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom**

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Miller.

1. Call to Order and Roll Call

Roll Call Present: Sarah Beauchamp, Rich Elliott, Nancy Goodloe, Nancy Lillquist, David Miller, Joshua Thompson

Absent: Adam Winn

Councilmember Elliott moved to approve and excused absence for Councilmember Winn.

Motion Approved 6-0.

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Assistant Finance Director Bassett, Budget Officer Lanphere, Community Development Director Carlson, Planning Manager Johnston, Senior Planner Henderson, HR Director Young, Assistant City Attorney Reiman and approximately 40 members of the public

Others present remotely via Zoom: Five members of the public

- 1.A Oath of Office for Councilmembers Elliott, Beauchamp and Thompson
The City Clerk administered the oath of office to Councilmembers Beauchamp, Elliott and Thompson.

2. Proclamations

3. Awards and Recognitions

4. Approval of Agenda

Councilmember Elliott moved to approve the Agenda as presented. **Motion Approved 6-0.**

5. Consent Agenda

- 5.A Approve Minutes of November 20, 2023
- 5.B Acknowledge Minutes of Boards & Commissions

-
- 5.C Resolution 2023-32, Approving Kittitas County's Street Tree Removal Request at Seventh Avenue and Water Street
 - 5.D Purchase of Street Sweeper for the Street Division
 - 5.E Consulting Agreement to Provide 2023 Electrical System Plan
 - 5.F Updated Clean Energy Implementation Plan (CEIP)
 - 5.G Collective Bargaining Agreement between the City of Ellensburg and Teamsters 760 representing Crews in Public Works & Utilities and Parks & Recreation
 - 5.H Approve December 4, 2023 Voucher Listing

Councilmember Elliott moved to approve the Consent Agenda as presented. **Motion Approved 6-0.**

6. Petitions, Protests, and Communications

- 6.A Board and Commission Appointments (Public Comment Opportunity)
Councilmember Elliott moved to approve reappointment of Courtney Garzone and Kim Funston to the Affordable Housing Commission. **Motion Approved 6-0.**

7. Citizen Comment on Non-agenda Issues

- Jeff Whitman, Ellensburg resident, commented regarding the American Legion
- Angela Lang, Ellensburg resident, commented regarding the American Legion and town hall meetings
- Nicole Paxton, Ellensburg resident and Legion Auxiliary president, commented regarding meetings with City staff
- Terri Marcel, commented regarding Craig's Hill
- Penney Whitman, Ellensburg resident, commented regarding Craig's Hill and the American Legion
- Cheryl Chance, commented regarding Craig's Hill, the American Legion, and snow plowing
- Teresa Plue, County resident, commented regarding City board & commission minutes
- Pat Kelleher, County resident, representing himself, spoke about public comment he submitted concerning Unity Park
- Five members of the public, attending remotely, made comments that were unrelated to Council business and the Mayor had them muted.

8. Business Requiring Public Hearings

- 8.A Public Hearing (Legislative) for Mid-Biennial Review Supplemental Budget Ordinance 4934 (first reading) – Amending the 2023-2024 Biennial Budget (Public Comment Opportunity)
The Mayor opened the public hearing. Keith Bassett, Assistant Finance Director, presented information in the staff report. Council asked questions of

staff.

With no questions or comments from the public and no further questions from Council, the Mayor closed the public hearing.

Councilmember Elliott moved to conduct first reading of the Mid-Biennial Review Supplemental Budget Ordinance 4934. **Motion Approved 6-0**

8.B Public Hearing to Consider Land Development Code Amendments and First Reading of Ordinance 4935 (Public Comment Opportunity)

The Mayor opened the public hearing. Jeremy Johnston, Planning Manager, presented information in the staff report. Stacey Henderson, Senior Planner, presented information concerning the demolition process.

Written comments provided by Steve Willard were distributed to Council and entered into the record as Exhibit F.

Steve Willard, County resident, commented regarding Item 23-05.

Council asked questions of staff regarding proposed amendments. With no further questions or comments from the public and Council, the Mayor closed the public hearing.

Councilmember Elliott moved to conduct first reading of Ordinance 4935.

Councilmember Elliott moved to amend the Ordinance to remove Section 11 from the Ordinance. **Motion Approved 5-1 (Goodloe voted no)**

Vote on main motion, to conduct first reading of Ordinance 4935, as amended. **Motion Approved 6-0.**

9. Introduction and Adoption of Ordinances and Resolutions

9.A Ordinance 4933 (second reading) - Utility Billing Policies and Procedures (Public Comment Opportunity)

Keith Bassett, Assistant Finance Director, presented information in the staff report.

Councilmember Elliott moved to conduct second reading and adoption of Ordinance 4933. **Motion Approved 6-0.**

9.B Resolution 2023-31, Pay Resolution for Fiscal Year 2024 for Non-Represented Employees (Public Comment Opportunity)

Lisa Young, HR Director, presented information in the staff report. A replacement page to the resolution (page 236 in the Agenda) was provided to Council on the dais.

Jennifer Patteson, County resident, requested clarification on the Cost of Living Adjustment.

Councilmember Elliott moved to adopt Resolution 2023-31 as amended and approve the necessary budget adjustments. **Motion Approved 6-0.**

10. Unfinished Business

11. New Business

- 11.A Diversity, Equity and Inclusion Commission Annual Report and 2024 Spending Plan (Public Comment Opportunity)
Nicole Klauss, Public Information Officer, reviewed information in a presentation.

Teresa Plue, Kittitas County resident, commented regarding number of DEI Commission members.

Councilmember Goodloe moved to accept the Diversity, Equity and Inclusion Commission's annual report and approve the 2024 spending plan and budget adjustment as proposed. **Motion Approved 5-1 (Thompson voted no).**

- 11.B Review of Council Assignments (Public Comment Opportunity)
Council consensus was to continue assignments through December, with Councilmember Thompson attending assigned boards previously assigned to former Councilmember Monica Miller and discuss re-assignments in January 2024.

12. Miscellaneous

- 12.A Manager's Report (No Public Comment)
Heidi Behrends Cerniwey, City Manager, presented the report.

Two executive sessions were needed per RCW 42.30.110(1)(i) and would last approximately ten minutes. No action would be taken.

- 12.B Councilmembers' Reports (No Public Comment)

- Councilmember Elliott reported on KITTCOM and stated the Fire Marshal will be retiring at the end of December
- Councilmember Goodloe attended a Kittitas County Homelessness & Affordable Housing Commission meeting, met with the City Manager and City Attorney regarding community nutrition issues
- Councilmember Miller attended the Arts Commission meeting, Veteran's day events, documentary event of "Unseen", League of Women voters event on affordable housing and PTAC meeting
- Councilmember Thompson expressed gratitude to everyone helping him as a new councilmember
- Mayor Lillquist attended a flag & banner stakeholder meeting, UAC meeting, community Thanksgiving dinner, natural gas pipeline emergency training and accountability audit entrance meeting

13. Executive Session

Council recessed to executive session at 9:05 pm to discuss two items concerning potential litigation and litigation per RCW 42.30.110(1)(i). It was anticipated to last ten minutes and no action would be taken.

Council reconvened at 9:15 pm

13.A Per RCW 42.30.110(1)(i), to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency

13.B Per RCW 42.30.110(1)(i), to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency

14. Adjournment

Meeting adjourned at 9:16 pm

Mayor

ATTEST:

City Clerk

Central Washington University

University Way Banner Request Form

Please fill out form and return to Schedule@cwu.edu. The Scheduling Center will submit your form to the City.

Name of Event/Program: _____

Contact Person: _____ Phone Number: _____

Banner Hang Dates (Tuesday-Monday): _____

☐ CWU Scheduling Center has reserved the banner dates.

Phone: 509-963-1321, Email: schedule@cwu.edu

☐ Banner should be double-sided and a **maximum of 30' x 52"** and a **minimum of 24' x 48"** with **3" turnback at the top and bottom of the banner that will allow steel cable to be strung through it. No grommets.**

- We recommend that wind flaps be cut into the banner to prevent wind damage



* Example of a correctly made banner.

Provide an Example of Your Banner in the Box Below (Please fill in writing and logos)

Important Notes:

Banners affiliated with University business have priority. Therefore, banners from non-University groups requesting dates that conflict with a University banner may be rescheduled

If your banner does not meet manufacturing specifications, we will be unable to process your request and the banner will not be hung

The CWU Scheduling Center will not be held responsible for any weather-related damage that occurs to your banner

For more information please contact CWU Student Union Operations & Scheduling Center at 509-963-1321 or 509-963-1641.

City of Ellensburg approved by: _____ Date: _____

Disapproval/Reasons: _____



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Flood Control Assistance Account Program (FCAAP) Grant Agreement with Department of Ecology
Submitted by: Jon Morrow, Stormwater Manager
Department: Public Works & Utilities

Suggested Motion/Action:

Authorize the Public Works and Utilities Director to sign the FCAAP Grant Agreement, and approve the necessary budget adjustments.

Background/Summary:

The County Flood District has agreed to work with the City and model the stormwater system for better flood data. Flood maps generated by the County were created with 2D modeling that cannot acquire data from the first four inches of water on the earth's surface. 2D modeling works well in a rural environment, but falls short in an urban setting with compacted streets, catch basins/underground pipes and outfalls to streams. Modeling the system will pick up the four inches of water and show distribution through the storm system that is not picked up in the 2D model. This grant will allow the City to obtain an in-depth analysis within the Ellensburg Urban Growth Area (UGA) and city limits to support an updated stormwater model for the current floodplain map update process led by Kittitas County, focused on urban flooding caused by Whiskey and Mercer Creeks. When combined with the County's model, the modeling will produce more accurate data to generate flood maps for inside the city limits of Ellensburg.

Previous Council Action:

None

Analysis:

The project will provide the residents of Ellensburg the best available science regarding accurate flood mapping within an urban environment. Ellensburg and the surrounding community are built on an alluvial fan. An alluvial fan can exacerbate flooding conditions through the displacement of water. Modeling flood water in these conditions requires more in-depth work to accurately depict what's taking place on the ground. The Agreement provides that best available science by modeling the city's storm system and then comparing that data with the County's 2D data. In essence it creates a 3D model. 2D modeling works really well in a rural environment. Once flooding hits an urban environment with 100 miles of streets and a storm system, the first 6 inches of water on the surface is not picked up by the 2D model. Combining the great work the County did outside the city limits, with the newly modeled storm system, will give the residences the best available science to have accurate flood maps.

Financial Impact:

The total project cost is anticipated to be \$400,000, of which 75% (\$300,000) will be paid by the City and reimbursed by the Department of Ecology FCAAP grant. The remaining 25% (\$100,000) match will be met through in-kind contributions by Kittitas County. An interlocal agreement with Kittitas County will be required to substantiate the in-kind contribution as eligible match.

Budget Adjustment: Yes

Attachments:

1. FCAAP Competitive Planning Grant Agreement

Agreement No. SEAFCAAC-2325-EllePW-00033**SHORELANDS FCAAP COMPETITIVE PLANNING GRANT AGREEMENT****BETWEEN****THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY****AND****CITY OF ELLENSBURG - PUBLIC WORKS DEPARTMENT**

This is a binding Agreement entered into by and between the state of Washington, Department of Ecology, hereinafter referred to as “ECOLOGY,” and City of Ellensburg - Public Works Department, hereinafter referred to as the “RECIPIENT,” to carry out with the provided funds activities described herein.

GENERAL INFORMATION

Project Title:	Urban Flood Modeling and Analysis
Total Cost:	\$400,000.00
Total Eligible Cost:	\$400,000.00
Ecology Share:	\$300,000.00
Recipient Share:	\$100,000.00
The Effective Date of this Agreement is:	07/01/2023
The Expiration Date of this Agreement is no later than:	06/30/2025
Project Type:	Planning

Project Short Description:

The City of Ellensburg (RECIPIENT) will provide an in-depth analysis within the Ellensburg Urban Growth Area (UGA) and city limits to support an updated stormwater model for the current floodplain map update process led by Kittitas County, focused on urban flooding caused by Whiskey and Mercer Creeks. The modeling will also support future flood map updates proposed for Wilson Creek, increase understanding of flooding in the city, and identify mitigation actions.

Project Long Description:

The City of Ellensburg (city) is located within the Wilson Creek Watershed, on a complex alluvial creek system that diverges upstream of the city into four main distributaries: Whiskey, Mercer, Wilson, and Naneum Creeks. Within the city limits, there is one divergence location and two convergences. The creek system has been highly modified, with several sections of the creeks piped and others running through backyards. There are additional convergences

Agreement No: SEAFCAAC-2325-EllePW-00033
Project Title: Urban Flood Modeling and Analysis
Recipient Name: City of Ellensburg - Public Works Department

downstream of the UGA, until Wilson Creek joins the Yakima River. As an alluvial system there is potential for broad areas of shallow flooding. Upstream of the city, flow paths have changed over time as sediment is deposited in areas where the creek transitions from steep mountainous terrain to the flat valley floor.

Kittitas County is currently in the process of updating the flood maps for Whiskey and Mercer Creeks, from their point of divergence north of the city to the point of convergence with Wilson Creek in the city limits. Recognizing the complexity associated with alluvial floodplain dynamics, these flood modeling efforts have employed 2D techniques, which are more appropriate than 1D techniques in predicting flooding. When the draft maps were reviewed, the differences between the proposed and current flood maps were significant. The city determined they did not have enough confidence in the county's hydraulic model to move forward with a map revision because of the modeling technique that was utilized and there being several variables affecting flooding that were not studied.

This project will provide the resources for the RECIPIENT and county to collaborate and conduct a more in-depth analysis of the floodplain within the city's UGA, evaluate the stormwater system, analyze how the built environment affects and changes flooding in the city UGA and city limits, and determine which flood zones should be associated with the areas shown with shallow flooding. The analysis will inform the current flood map update process for Whiskey and Mercer Creeks and will support future mapping proposed for Wilson Creek. This project will also support the identification of effective mitigation actions and improvements to the stormwater system to reduce flood risk. With this knowledge, the RECIPIENT will be more prepared for flood events, and residents within the city and its UGA - especially those in areas with a high probability of flooding during a 1% annual chance flood - will be better equipped to take additional precautions or mitigate against the risk of flooding.

Overall Goal:

With the increased understanding of flood dynamics, the RECIPIENT and county can achieve several long-term benefits, including, but not limited to:

- Updated hydraulic modeling for Whiskey Creek, Mercer Creek, and Wilson Creek.
- Supporting future flood map updates of Whiskey Creek, Mercer Creek, and Wilson Creek.
- Providing outreach and education to residents with flood risk in the Ellensburg UGA, in both high and low risk areas.
- Identifying where future mitigation projects and stormwater system improvements should be focused for the greatest benefit.
- Being better prepared to respond to future flood events.

Agreement No: SEAFCAAC-2325-EllePW-00033

Project Title: Urban Flood Modeling and Analysis

Recipient Name: City of Ellensburg - Public Works Department

RECIPIENT INFORMATION

Organization Name: City of Ellensburg - Public Works Department

Federal Tax ID: 91-6001245

UEI Number: SFRMWQVG79M5

Mailing Address: 501 North Anderson St
Ellensburg, WA 98926Organization Email: morrowj@ci.ellensburg.wa.us**Contacts**

Project Manager	Jon Morrow Stormwater Utility Manager 501 North Anderson Street Ellensburg, Washington 98926 Email: morrowj@ci.ellensburg.wa.us Phone: (509) 925-8619
Billing Contact	Michael Jenkins Finance Officer 501 North Anderson St Ellensburg, Washington 98926 Email: jenkinsm@ci.ellensburg.wa.us Phone: (509) 962-7204
Authorized Signatory	Ryan Lyyski Public Works and Utilities Director 501 North Anderson Street Ellensburg, Washington 98926 Email: lyyskir@ci.ellensburg.wa.us Phone: (509) 962-7230

Agreement No: SEAFCAAC-2325-EllePW-00033

Project Title: Urban Flood Modeling and Analysis

Recipient Name: City of Ellensburg - Public Works Department

ECOLOGY INFORMATION

Mailing Address: Department of Ecology
Shorelands
PO BOX 47600
Olympia, WA 98504-7600

Physical Address: Shorelands
300 Desmond Drive SE
Lacey, WA 98503

Contacts

Project Manager	Sandy Floyd Project Manager 1250 W Alder St. Union Gap, Washington 98903-0009 Email: sflo461@ecy.wa.gov Phone: (509) 571-5679
Financial Manager	Michele Boderck Financial Manager PO Box 47600 Olympia, Washington 98504-7600 Email: mbod461@ecy.wa.gov Phone: (360) 764-6807

SCOPE OF WORK

Task Number: 1 **Task Cost:** \$10,000.00

Task Title: 1. Project Administration / Management

Task Description:

- A. The RECIPIENT will provide Project Coordination to ensure effective communication on this project with all interested parties including ECOLOGY, all affected local, state, federal agencies, tribal nations, local land owners, and other applicable stateholders. In addition, the RECIPIENT should consult with all other appropriate entities that may have useful scientific, technical, or cultural information that will augment this project. Coordination issues include, but are not limited to, flood plain management, habitat and fish protection and restoration, public access and recreation, cultural and archaeological resources, etc.
- B. The RECIPIENT is responsible for conducting Project Management activities to include project scheduling, assuring quality control, adherence to the scope of work, time lines, and due dates; application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and has applicable compliance with deed restrictions on acquisitions as well as conducting the competitive procurement process including preparation of grant bidding documents, advertisement; award of grants and grant monitoring.
- C. The RECIPIENT will provide Project Administration including submittal of quarterly progress reports and reimbursement requests with corresponding supporting documentation; maintenance of project records, submittal and compliance of deliverables on established due dates.

Task Goal Statement:

A properly managed project that meets ECOLOGY administrative requirements and provides open communication to all stakeholders.

Task Expected Outcome:

Timely and complete submittal of quarterly Payment Requests/Progress Reports (PRPRs); a project that is on schedule and within budget, and objectives of this funding opportunity are met; and a Recipient Close Out Report (RCOR).

Recipient Task Coordinator: Michael Jenkins

1. Project Administration / Management

Deliverables

Number	Description	Due Date
1.1	Quarterly Payment Request / Progress Report (PRPR)	
1.2	Recipient Close Out Report (RCOR)	06/30/2025

Agreement No: SEAFCAAC-2325-EllePW-00033
Project Title: Urban Flood Modeling and Analysis
Recipient Name: City of Ellensburg - Public Works Department

SCOPE OF WORK

Task Number: 2 **Task Cost:** \$240,000.00

Task Title: 2. Data Collection and Modeling

Task Description:

A. The RECIPIENT will hire a consultant(s) to evaluate data, develop a stormwater model within the Ellensburg UGA, update the existing Kittitas County hydraulic model, and identify potential mitigation actions (Task 3). Services will be secured in accordance with the RECIPIENT or State of Washington procurement procedures. The RECIPIENT will enter into a contract with the selected consultant(s) and prepare a contract in accordance with the scope of work in this agreement. The RECIPIENT will upload a copy of the signed contract to EAGL and notify the ECOLOGY Project Manager.

B. The RECIPIENT will provide documentation that data collection specifications and post processing meet Federal Emergency Management Agency (FEMA) standards for the project area and provide a Quality Assurance Project Plan (QAPP) or QAPP waiver.

C. The RECIPIENT will gather data about the project area including, but not limited to: stormwater, roads, bridges, past flooding information and photos, watercourse data, and climate change predictions. The RECIPIENT will provide a City Conditions Memo that includes an inventory of collected data.

D. To analyze how the stormwater system may help to manage flooding, the RECIPIENT will develop a stormwater model. Stormwater modeling will be utilized as an input of analysis in the hydraulic model (sub-task 2E). If necessary, a surveyor will collect elevations and other data required for the modeling. This modeling will help the city to understand how the stormwater system and flood waters interact and how the system may support flood risk reduction for flood events up to and including the 1% annual chance flood event. The modeling will also incorporate climate change predictions to evaluate future conditions. The RECIPIENT will provide a Stormwater Model Report.

E. Using the data collected in sub-task 2C and the findings and recommendations from the Stormwater Model Report (sub-task 2D), the RECIPIENT will update the existing hydraulic model. The RECIPIENT will review the results of the updated model to determine the level of certainty, where primary flow paths are located, and which flood zones may be the most appropriate for the specific flood conditions in Ellensburg. The RECIPIENT will upload the final hydraulic model and associated documentation, including results of hydraulic analyses, to EAGL and notify the ECOLOGY Project Manager.

Task Goal Statement:

The goal is to gather all of the information required to increase the RECIPIENT's understanding of flooding within the UGA, prepare the stormwater model, and increase the RECIPIENT's level of certainty in the hydraulic model, which can be used to support a Letter of Map Revision (LOMR).

The RECIPIENT will determine how specific conditions in Ellensburg may affect flooding in order to increase the accuracy and level of certainty of modeling results that will lead to future flood map updates. The stormwater model will provide long-term benefit by allowing the RECIPIENT to more cohesively evaluate the capacity of the stormwater system and identify where additional capacity, modifications, or improvements may be necessary in the future.

Task Expected Outcome:

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Project Title: Urban Flood Modeling and Analysis
Recipient Name: City of Ellensburg - Public Works Department

This task will provide the data necessary to evaluate the stormwater system and flooding in the Ellensburg UGA to support development of the most accurate flood mapping and have a more accurate depiction of existing conditions and climate change predictions. The hydraulic modeling and stormwater model are based on inputs; therefore, the quality of data collected will affect the outcome of the entire project.

The RECIPIENT will document the data collected and provide the inventory of data in the City Conditions Memo. The memo will focus on the needs within Ellensburg to support future mitigation action development. The RECIPIENT will prepare a Stormwater Model Report describing the findings of the evaluations, summarizing the stormwater modeling results, and providing recommendations for model updates.

This task will also provide an update to the existing Kittitas County hydraulic model. The deliverables will be prepared to FEMA standards and be able to support a LOMR application.

Recipient Task Coordinator: Jon Morrow

2. Data Collection and Modeling

Deliverables

Number	Description	Due Date
2.1	Copy of signed consultant contract(s) and interlocal agreement(s), if any. Upload to EAGL and notify ECOLOGY Project Manager via email.	
2.2	QAPP or QAPP waiver. Upload to EAGL and notify ECOLOGY Project Manager via email.	
2.3	City Conditions Memo, including inventory of collected data. Upload to EAGL and notify ECOLOGY Project Manager via email.	
2.4	Stormwater Model Report. Upload to EAGL and notify ECOLOGY Project Manager via email.	
2.5	Final hydraulic model and associated documentation including results of hydraulic analyses. Upload to EAGL and notify ECOLOGY Project Manager via email.	

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Project Title: Urban Flood Modeling and Analysis
Recipient Name: City of Ellensburg - Public Works Department

SCOPE OF WORK

Task Number: 3 **Task Cost:** \$150,000.00

Task Title: 3. Identify Mitigation Actions & Public Outreach

Task Description:

A. The RECIPIENT will evaluate the results of the updated hydraulic model and the new stormwater model to identify potential mitigation projects. The evaluation will focus on identifying actions that will provide the greatest benefit to the public and are feasible, cost-effective, resilient, and equitable. Actions that also benefit the habitat throughout the UGA and within the city limits will be identified as multiple benefit actions. Actions may include: acquisitions; identifying and protecting primary flow paths or flood storage areas; improvements to the stormwater system, such as regional stormwater facilities; outreach and education; regulation updates; conservation/flood easements; emergency response measures; and/or home elevations. Some actions may also identify future planning needs, such as alternatives analyses or feasibility studies.

B. After the actions are identified they will be prioritized and a funding and partnership strategy will be developed and added to the Kittitas County Comprehensive Flood Hazard Management Plan (CFHMP) and/or RECIPIENT's Hazard Mitigation Plan (HMP). Action development will comply with CFHMP guidance for identifying alternative strategies and measures for flood hazard management. All in-water actions will undergo an alternatives analysis and evaluation of effects in compliance with WAC 173-145-040.

All mitigation actions considered will be described in a memo. The Mitigation Actions Memo will address all actions and describe the alternatives analysis process and why certain actions were or were not prioritized. A list of prioritized mitigation actions will be prepared in a format similar to the CFHMP or HMP to facilitate adding the actions into the plan.

C. The RECIPIENT will form a Technical Stakeholder Team that will be active throughout the project to help guide the city in decision-making processes. The team will include, but not be limited to, staff from the county, county flood control district, Kittitas Conservation District, and the consultant.

D. Public outreach will include the whole community but will be targeted towards residents of properties that are identified as being in the high-risk flood zone. The outreach will focus on flood education and notification of potential future map changes and will meet the Federal Emergency Management Agency (FEMA) requirements for LOMR outreach. The RECIPIENT and county will jointly host an open house event in which the public can learn more about the project and discuss their specific concerns. The RECIPIENT will also host joint public meetings with the county. The RECIPIENT will upload a copy of each meeting attendance log and meeting agendas to EAGL and will notify the ECOLOGY Project Manager.

- For any publications, and education and outreach materials, the RECIPIENT will follow ECOLOGY's requirements in the following sections of the Agreement General Terms and Conditions: 3. ACCESSIBILITY REQUIREMENTS FOR COVERED TECHNOLOGY; and 19. PRESENTATION AND PROMOTIONAL MATERIALS. For more information, see the Agreement General Terms and Conditions.

- For communications and materials, the RECIPIENT will acknowledge that funding was provided by ECOLOGY. The ECOLOGY Project Manager will provide a copy of ECOLOGY's logo, upon request.

- The RECIPIENT will provide a copy of education and outreach materials to the ECOLOGY Project Manager for

review prior to distribution.

Task Goal Statement:

The goal of this task is to identify priority mitigation actions that will provide the greatest reduction in flood risk at the studied areas within the UGA and city while being feasible, resilient to changing conditions, equitable, and cost-effective. The actions will be identified using the most current and accurate information, in a collaborative environment with shared goals. Action development and alternatives analysis will be consistent with CFHMP guidance.

Task Expected Outcome:

This task will result in a list of prioritized mitigation actions that will be added to the county CFHMP and/or RECIPIENT's HMP. After the mitigation actions are identified, the RECIPIENT and county will have a unified mitigation strategy and can work towards implementation of the actions for reduced flood risk associated with Whiskey Creek, Mercer Creek, and Wilson Creek.

This task will provide the information necessary to take the next steps in the planning process and better understand the flood dynamics within the Ellensburg UGA and city, develop mitigation actions, and ensure residents understand their flood risk through public outreach.

Additionally, residents of the properties with the highest risk of flooding will be more aware of their flood risk and better able to mitigate and prepare for future flood events. In the long-term, the RECIPIENT and county will have a unified flood risk reduction strategy.

Recipient Task Coordinator: Jon Morrow

3. Identify Mitigation Actions & Public Outreach

Deliverables

Number	Description	Due Date
3.1	Mitigation Actions Memo. Upload to EAGL and notify ECOLOGY Project Manager via email.	
3.2	Public outreach materials and summary. Upload to EAGL and notify ECOLOGY Project Manager via email.	
3.3	Technical stakeholder agendas and attendance logs. Upload to EAGL and notify ECOLOGY Project Manager via email.	
3.4	Public meeting agendas and attendance logs for community engagement. Upload to EAGL and notify ECOLOGY Project Manager via email.	

BUDGET

NOTE: The above funding distribution number is used to identify this specific agreement and budget on payment remittances and may be referenced on other communications from ECOLOGY. Your agreement may have multiple funding distribution numbers to identify each budget.

Approved Indirect Costs Rate:	Approved State Indirect Rate: 30%
Recipient Match %:	25%
InKind Interlocal Allowed:	Yes
InKind Other Allowed:	Yes
Is this Funding Distribution used to match a federal grant?	No

FCAAP 23-25	Task Total
1. Project Administration / Management	\$ 10,000.00
2. Data Collection and Modeling	\$ 240,000.00
3. Identify Mitigation Actions & Public Outreach	\$ 150,000.00

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Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
FCAAP 23-25	25.00 %	\$ 100,000.00	\$ 300,000.00	\$ 400,000.00
Total		\$ 100,000.00	\$ 300,000.00	\$ 400,000.00

AGREEMENT SPECIFIC TERMS AND CONDITIONS

N/A

SPECIAL TERMS AND CONDITIONS

Floodplains by Design and Flood Control Assistance Account Program - Special Terms and Conditions

1. Local Decision: This grant is made in response to a request for financial assistance from the RECIPIENT to undertake flood damage prevention projects. The choice of floodplain management activities addressed by this grant is a local decision made solely by the RECIPIENT. The RECIPIENT is not acting as an agent of the State of Washington.
2. Lawsuits: Ecology shall not be responsible for any non-contractual damage or inverse condemnation claims resulting from the structures or works constructed, repaired, restored, maintained, or improved pursuant to this grant.
3. Indemnification, Hold Harmless and Duty to Defend
 - a. Ecology shall in no way be held responsible for payment of salaries, consultant's fees, and other costs related to the project described herein, except as provided in the scope of work.
 - b. This paragraph applies to negligence based claims only. All other claims are governed by paragraph 4 of this section (item 3.d). To the extent the constitution and laws of the State of Washington permit, RECIPIENT shall indemnify, defend and hold harmless the State, its agencies, officers and employees, from all claims, suits or actions brought for any or all injuries to persons or property arising from, or as a consequence of, negligent acts or omissions related to the construction, restoration, repair, maintenance, improvement or operation of the structures or works for which this grant is provided. If the structures or works for which this grant is received are a portion of an integrated flood protection system, RECIPIENT agrees to indemnify, defend and hold harmless the State of Washington, its agencies, employees, and officers against any and all liability arising out of the operation, maintenance, or repair of that integrated flood protection system; PROVIDED, however, that this provision is not intended to and shall not be construed as a waiver by RECIPIENT of any immunities conferred upon the RECIPIENT by RCW 86.12.037 nor is it intended to, and it shall not be construed to, confer any rights upon third parties.
 - c. The RECIPIENT will not be required to indemnify, defend, or save harmless the State, its agencies, officers or employees as provided in the preceding paragraph of this section if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the State. Where such claims, suits, or actions result from the concurrent negligence of (a) the State, or the State's agents or employees and (b) the RECIPIENT or the RECIPIENT's agents or employees, the indemnity provisions provided in the preceding paragraphs of this section shall be valid and enforceable only to the extent of the RECIPIENT's

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negligence or the negligence of its agents and employees.

d. To the extent that the constitution and laws of the State of Washington permit, RECIPIENT shall indemnify and hold harmless the State of Washington, its agencies, employees, and officers against any and all liability arising out of the continued operation, maintenance, or repair of the structures or works constructed, restored, repaired, maintained or improved as a result of this grant. If the structures or works for which this grant is received are portions of an integrated flood protection system, RECIPIENT agrees to indemnify, defend and hold harmless the State of Washington, its agencies, employees, and officers against any and all liability arising out of the operation, maintenance, or repair of that integrated flood protection system; PROVIDED, however, that the indemnity provisions of this paragraph are not intended to and shall not be construed as a waiver by Recipient of any immunities conferred upon the Recipient by RCW 86.12.037 nor are they intended to, and they shall not be construed to, confer any rights upon third parties. This agreement applies to all non-negligent, non-contractually based claims including, but not limited to, inverse condemnation, contribution, indemnification, trespass and/or nuisance.

4. Any development activity funded by this grant which occurs in the Federal Emergency Management Agency (FEMA)-mapped regulatory floodplain, also known as the Special Flood Hazard Area (SFHA), may trigger the need for a floodplain development permit from the local agency with floodplain management jurisdiction. "Development" is defined at 44 CFR 59.1 as " ... any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials." Further, any activity funded by this grant may change the base flood elevations from physical changes affecting the floodplain. Communities are required by 44 CFR 65.3 to submit new data to FEMA in the event their actions affect the base flood elevation and the regulatory map (the SFHA).

5. ECOLOGY waives property acquisition report appraisal requirements for properties valued at \$25,000 or less. When the estimated property value does not exceed \$25,000, and the acquisition is not complex, the RECIPIENT may be exempt from meeting appraisal and review appraisal standards. Such exemptions must be requested in writing and approved by the ECOLOGY Project Manager before the closing on the property. The RECIPIENT must follow the appraisal waiver standards in 44 C.F.R. § 24.102.

6. Some RECIPIENTS are required to provide grant match. Match is made up of three different types of contributions: cash expenditures, in kind other, and in kind interlocal. Cash match expenditures are eligible costs paid by the RECIPIENT and are not reimbursed by ECOLOGY. In kind contributions are property or services that benefit a project and are contributed to the RECIPIENT by a third party without direct monetary compensation. In kind other is a type of contribution where the third party making the contribution is not a government entity. In kind interlocal is a type of contribution where both the grant RECIPIENT and the third party making the contribution are both government entities and have a signed Inter-local agreement between them.

7. RECIPIENTS are required to submit a copy of the original invoice in the Payment Request backup documentation if an invoice number is referenced on a primary or subcontractor invoice.

8. To be eligible for reimbursement, RECIPIENTS must provide documentation of how an expenditure is directly related to the project. Ecology will not reimburse any expenditure that is already included in the indirect rate. At Ecology's sole discretion, ECOLOGY may approve reimbursement for the percentage of an expenditure that is directly related to the project.

FLOODPLAINS BY DESIGN FUNDING PROGRAM AND FCAAP GRANTS SPECIAL TERMS AND CONDITIONS
LAST UPDATED MAY 2021.

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Recipient Name: City of Ellensburg - Public Works Department

GENERAL FEDERAL CONDITIONS

If a portion or all of the funds for this agreement are provided through federal funding sources or this agreement is used to match a federal grant award, the following terms and conditions apply to you.

A. CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY**EXCLUSION:**

1. The RECIPIENT/CONTRACTOR, by signing this agreement, certifies that it is not suspended, debarred, proposed for debarment, declared ineligible or otherwise excluded from contracting with the federal government, or from receiving contracts paid for with federal funds. If the RECIPIENT/CONTRACTOR is unable to certify to the statements contained in the certification, they must provide an explanation as to why they cannot.
2. The RECIPIENT/CONTRACTOR shall provide immediate written notice to ECOLOGY if at any time the RECIPIENT/CONTRACTOR learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
3. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact ECOLOGY for assistance in obtaining a copy of those regulations.
4. The RECIPIENT/CONTRACTOR agrees it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under the applicable Code of Federal Regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
5. The RECIPIENT/CONTRACTOR further agrees by signing this agreement, that it will include this clause titled "CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY EXCLUSION" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
6. Pursuant to 2CFR180.330, the RECIPIENT/CONTRACTOR is responsible for ensuring that any lower tier covered transaction complies with certification of suspension and debarment requirements.
7. RECIPIENT/CONTRACTOR acknowledges that failing to disclose the information required in the Code of Federal Regulations may result in the delay or negation of this funding agreement, or pursuance of legal remedies, including suspension and debarment.
8. RECIPIENT/CONTRACTOR agrees to keep proof in its agreement file, that it, and all lower tier recipients or contractors, are not suspended or debarred, and will make this proof available to ECOLOGY before requests for reimbursements will be approved for payment. RECIPIENT/CONTRACTOR must run a search in <http://www.sam.gov> and print a copy of completed searches to document proof of compliance.

B. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) REPORTING**REQUIREMENTS:**

CONTRACTOR/RECIPIENT must complete the FFATA Data Collection Form (ECY 070-395) and return it with the signed agreement to ECOLOGY.

Any CONTRACTOR/RECIPIENT that meets each of the criteria below must report compensation for its five top executives using the FFATA Data Collection Form.

- Receives more than \$30,000 in federal funds under this award.
- Receives more than 80 percent of its annual gross revenues from federal funds.

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- Receives more than \$25,000,000 in annual federal funds.

Ecology will not pay any invoices until it has received a completed and signed FFATA Data Collection Form. Ecology is required to report the FFATA information for federally funded agreements, including the required Unique Entity Identifier in www.sam.gov <<http://www.sam.gov>> within 30 days of agreement signature. The FFATA information will be available to the public at www.usaspending.gov <<http://www.usaspending.gov>>.

For more details on FFATA requirements, see www.fsrs.gov <<http://www.fsrs.gov>>.

C. FEDERAL FUNDING PROHIBITION ON CERTAIN TELECOMMUNICATIONS OR VIDEO SURVEILLANCE SERVICES OR EQUIPMENT:

As required by 2 CFR 200.216, federal grant or loan recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain; or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment, video surveillance services or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in [Public Law 115-232](https://www.govinfo.gov/content/pkg/PLAW-115publ232/pdf/PLAW-115publ232.pdf) <<https://www.govinfo.gov/content/pkg/PLAW-115publ232/pdf/PLAW-115publ232.pdf>>, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

Recipients, subrecipients, and borrowers also may not use federal funds to purchase certain prohibited equipment, systems, or services, including equipment, systems, or services produced or provided by entities identified in section 889, are recorded in the [System for Award Management \(SAM\)](https://sam.gov/SAM) <<https://sam.gov/SAM>> exclusion list.

GENERAL TERMS AND CONDITIONS

Pertaining to Grant and Loan Agreements With the state of Washington, Department of Ecology

GENERAL TERMS AND CONDITIONS

For DEPARTMENT OF ECOLOGY GRANTS and LOANS

07/01/2023 Version

1. ADMINISTRATIVE REQUIREMENTS

- a) RECIPIENT shall follow the "Administrative Requirements for Recipients of Ecology Grants and Loans – EAGL Edition." (<https://fortress.wa.gov/ecy/publications/SummaryPages/2301002.html>)
- b) RECIPIENT shall complete all activities funded by this Agreement and be fully responsible for the proper management of all funds and resources made available under this Agreement.
- c) RECIPIENT agrees to take complete responsibility for all actions taken under this Agreement, including ensuring all subgrantees and contractors comply with the terms and conditions of this Agreement. ECOLOGY reserves the right to request proof of compliance by subgrantees and contractors.
- d) RECIPIENT's activities under this Agreement shall be subject to the review and approval by ECOLOGY for the extent and character of all work and services.

2. AMENDMENTS AND MODIFICATIONS

This Agreement may be altered, amended, or waived only by a written amendment executed by both parties. No subsequent modification(s) or amendment(s) of this Agreement will be of any force or effect unless in writing and signed by authorized representatives of both parties. ECOLOGY and the RECIPIENT may change their respective staff contacts and administrative information without the concurrence of either party.

3. ACCESSIBILITY REQUIREMENTS FOR COVERED TECHNOLOGY

The RECIPIENT must comply with the Washington State Office of the Chief Information Officer, OCIO Policy no. 188, Accessibility (<https://ocio.wa.gov/policy/accessibility>) as it relates to "covered technology." This requirement applies to all products supplied under the Agreement, providing equal access to information technology by individuals with disabilities, including and not limited to web sites/pages, web-based applications, software systems, video and audio content, and electronic documents intended for publishing on Ecology's public web site.

4. ARCHAEOLOGICAL AND CULTURAL RESOURCES

RECIPIENT shall take all reasonable action to avoid, minimize, or mitigate adverse effects to archaeological and historic archaeological sites, historic buildings/structures, traditional cultural places, sacred sites, or other cultural resources, hereby referred to as Cultural Resources.

The RECIPIENT must agree to hold harmless ECOLOGY in relation to any claim related to Cultural Resources discovered, disturbed, or damaged due to the RECIPIENT's project funded under this Agreement.

RECIPIENT shall:

- a) Contact the ECOLOGY Program issuing the grant or loan to discuss any Cultural Resources requirements for their project:
 - Cultural Resource Consultation and Review should be initiated early in the project planning process and must be completed prior to expenditure of Agreement funds as required by applicable State and Federal requirements.
 - * For state funded construction, demolition, or land acquisitions, comply with Governor Executive Order 21-02, Archaeological and Cultural Resources.
 - For projects with any federal involvement, comply with the National Historic Preservation Act of 1966 (Section 106).

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b) If required by the ECOLOGY Program, submit an Inadvertent Discovery Plan (IDP) to ECOLOGY prior to implementing any project that involves field activities. ECOLOGY will provide the IDP form.

RECIPIENT shall:

- Keep the IDP at the project site.
 - Make the IDP readily available to anyone working at the project site.
 - Discuss the IDP with staff, volunteers, and contractors working at the project site.
 - Implement the IDP when Cultural Resources or human remains are found at the project site.
- c) If any Cultural Resources are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.
- Immediately stop work and notify the ECOLOGY Program, who will notify the Department of Archaeology and Historic Preservation at (360) 586-3065, any affected Tribe, and the local government.
- d) If any human remains are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.
- Immediately stop work and notify the local Law Enforcement Agency or Medical Examiner/Coroner's Office, the Department of Archaeology and Historic Preservation at (360) 790-1633, and then the ECOLOGY Program.
- e) Comply with RCW 27.53, RCW 27.44, and RCW 68.50.645, and all other applicable local, state, and federal laws protecting Cultural Resources and human remains.

5. ASSIGNMENT

No right or claim of the RECIPIENT arising under this Agreement shall be transferred or assigned by the RECIPIENT.

6. COMMUNICATION

RECIPIENT shall make every effort to maintain effective communications with the RECIPIENT's designees, ECOLOGY, all affected local, state, or federal jurisdictions, and any interested individuals or groups.

7. COMPENSATION

- a) Any work performed prior to effective date of this Agreement will be at the sole expense and risk of the RECIPIENT. ECOLOGY must sign the Agreement before any payment requests can be submitted.
- b) Payments will be made on a reimbursable basis for approved and completed work as specified in this Agreement.
- c) RECIPIENT is responsible to determine if costs are eligible. Any questions regarding eligibility should be clarified with ECOLOGY prior to incurring costs. Costs that are conditionally eligible require approval by ECOLOGY prior to expenditure.
- d) RECIPIENT shall not invoice more than once per month unless agreed on by ECOLOGY.
- e) ECOLOGY will not process payment requests without the proper reimbursement forms, Progress Report and supporting documentation. ECOLOGY will provide instructions for submitting payment requests.
- f) ECOLOGY will pay the RECIPIENT thirty (30) days after receipt of a properly completed request for payment.
- g) RECIPIENT will receive payment through Washington State's Office of Financial Management's Statewide Payee Desk. To receive payment you must register as a statewide vendor by submitting a statewide vendor registration form and an IRS W-9 form at website, <https://ofm.wa.gov/it-systems/statewide-vendorpayee-services>. If you have questions about the vendor registration process, you can contact Statewide Payee Help Desk at (360) 407-8180 or email PayeeRegistration@ofm.wa.gov.
- h) ECOLOGY may, at its sole discretion, withhold payments claimed by the RECIPIENT if the RECIPIENT fails to satisfactorily comply with any term or condition of this Agreement.
- i) Monies withheld by ECOLOGY may be paid to the RECIPIENT when the work described herein, or a portion thereof, has been completed if, at ECOLOGY's sole discretion, such payment is reasonable and approved according to this Agreement, as appropriate, or upon completion of an audit as specified herein.
- j) RECIPIENT must submit within thirty (30) days after the expiration date of this Agreement, all financial, performance, and

other reports required by this Agreement. Failure to comply may result in delayed reimbursement.

8. COMPLIANCE WITH ALL LAWS

RECIPIENT agrees to comply fully with all applicable federal, state and local laws, orders, regulations, and permits related to this Agreement, including but not limited to:

- a) RECIPIENT agrees to comply with all applicable laws, regulations, and policies of the United States and the State of Washington which affect wages and job safety.
- b) RECIPIENT agrees to be bound by all applicable federal and state laws, regulations, and policies against discrimination.
- c) RECIPIENT certifies full compliance with all applicable state industrial insurance requirements.
- d) RECIPIENT agrees to secure and provide assurance to ECOLOGY that all the necessary approvals and permits required by authorities having jurisdiction over the project are obtained. RECIPIENT must include time in their project timeline for the permit and approval processes.

ECOLOGY shall have the right to immediately terminate for cause this Agreement as provided herein if the RECIPIENT fails to comply with above requirements.

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

9. CONFLICT OF INTEREST

RECIPIENT and ECOLOGY agree that any officer, member, agent, or employee, who exercises any function or responsibility in the review, approval, or carrying out of this Agreement, shall not have any personal or financial interest, direct or indirect, nor affect the interest of any corporation, partnership, or association in which he/she is a part, in this Agreement or the proceeds thereof.

10. CONTRACTING FOR GOODS AND SERVICES

RECIPIENT may contract to buy goods or services related to its performance under this Agreement. RECIPIENT shall award all contracts for construction, purchase of goods, equipment, services, and professional architectural and engineering services through a competitive process, if required by State law. RECIPIENT is required to follow procurement procedures that ensure legal, fair, and open competition.

RECIPIENT must have a standard procurement process or follow current state procurement procedures. RECIPIENT may be required to provide written certification that they have followed their standard procurement procedures and applicable state law in awarding contracts under this Agreement.

ECOLOGY reserves the right to inspect and request copies of all procurement documentation, and review procurement practices related to this Agreement. Any costs incurred as a result of procurement practices not in compliance with state procurement law or the RECIPIENT's normal procedures may be disallowed at ECOLOGY's sole discretion.

11. DISPUTES

When there is a dispute with regard to the extent and character of the work, or any other matter related to this Agreement the determination of ECOLOGY will govern, although the RECIPIENT shall have the right to appeal decisions as provided for below:

- a) RECIPIENT notifies the funding program of an appeal request.
 - b) Appeal request must be in writing and state the disputed issue(s).
 - c) RECIPIENT has the opportunity to be heard and offer evidence in support of its appeal.
 - d) ECOLOGY reviews the RECIPIENT's appeal.
 - e) ECOLOGY sends a written answer within ten (10) business days, unless more time is needed, after concluding the review.
- The decision of ECOLOGY from an appeal will be final and conclusive, unless within thirty (30) days from the date of such

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decision, the RECIPIENT furnishes to the Director of ECOLOGY a written appeal. The decision of the Director or duly authorized representative will be final and conclusive.

The parties agree that this dispute process will precede any action in a judicial or quasi-judicial tribunal.

Appeals of the Director's decision will be brought in the Superior Court of Thurston County. Review of the Director's decision will not be taken to Environmental and Land Use Hearings Office.

Pending final decision of a dispute, the RECIPIENT agrees to proceed diligently with the performance of this Agreement and in accordance with the decision rendered.

Nothing in this Agreement will be construed to limit the parties' choice of another mutually acceptable method, in addition to the dispute resolution procedure outlined above.

12. ENVIRONMENTAL DATA STANDARDS

a) RECIPIENT shall prepare a Quality Assurance Project Plan (QAPP) for a project that collects or uses environmental measurement data. RECIPIENTS unsure about whether a QAPP is required for their project shall contact the ECOLOGY Program issuing the grant or loan. If a QAPP is required, the RECIPIENT shall:

- Use ECOLOGY's QAPP Template/Checklist provided by the ECOLOGY, unless ECOLOGY Quality Assurance (QA) officer or the Program QA coordinator instructs otherwise.
- Follow ECOLOGY's Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies, July 2004 (Ecology Publication No. 04-03-030).
- Submit the QAPP to ECOLOGY for review and approval before the start of the work.

b) RECIPIENT shall submit environmental data that was collected on a project to ECOLOGY using the Environmental Information Management system (EIM), unless the ECOLOGY Program instructs otherwise. The RECIPIENT must confirm with ECOLOGY that complete and correct data was successfully loaded into EIM, find instructions at:

<http://www.ecy.wa.gov/eim>.

c) RECIPIENT shall follow ECOLOGY's data standards when Geographic Information System (GIS) data is collected and processed. Guidelines for Creating and Accessing GIS Data are available at:

<https://ecology.wa.gov/Research-Data/Data-resources/Geographic-Information-Systems-GIS/Standards>. RECIPIENT, when requested by ECOLOGY, shall provide copies to ECOLOGY of all final GIS data layers, imagery, related tables, raw data collection files, map products, and all metadata and project documentation.

13. GOVERNING LAW

This Agreement will be governed by the laws of the State of Washington, and the venue of any action brought hereunder will be in the Superior Court of Thurston County.

14. INDEMNIFICATION

ECOLOGY will in no way be held responsible for payment of salaries, consultant's fees, and other costs related to the project described herein, except as provided in the Scope of Work.

To the extent that the Constitution and laws of the State of Washington permit, each party will indemnify and hold the other harmless from and against any liability for any or all injuries to persons or property arising from the negligent act or omission of that party or that party's agents or employees arising out of this Agreement.

15. INDEPENDENT STATUS

The employees, volunteers, or agents of each party who are engaged in the performance of this Agreement will continue to be employees, volunteers, or agents of that party and will not for any purpose be employees, volunteers, or agents of the other party.

Agreement No: SEAFCAAC-2325-EllePW-00033
Project Title: Urban Flood Modeling and Analysis
Recipient Name: City of Ellensburg - Public Works Department

16. KICKBACKS

RECIPIENT is prohibited from inducing by any means any person employed or otherwise involved in this Agreement to give up any part of the compensation to which he/she is otherwise entitled to or receive any fee, commission, or gift in return for award of a subcontract hereunder.

17. MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MWBE)

RECIPIENT is encouraged to solicit and recruit, to the extent possible, certified minority-owned (MBE) and women-owned (WBE) businesses in purchases and contracts initiated under this Agreement.

Contract awards or rejections cannot be made based on MWBE participation; however, the RECIPIENT is encouraged to take the following actions, when possible, in any procurement under this Agreement:

- a) Include qualified minority and women's businesses on solicitation lists whenever they are potential sources of goods or services.
- b) Divide the total requirements, when economically feasible, into smaller tasks or quantities, to permit maximum participation by qualified minority and women's businesses.
- c) Establish delivery schedules, where work requirements permit, which will encourage participation of qualified minority and women's businesses.
- d) Use the services and assistance of the Washington State Office of Minority and Women's Business Enterprises (OMWBE) (866-208-1064) and the Office of Minority Business Enterprises of the U.S. Department of Commerce, as appropriate.

18. ORDER OF PRECEDENCE

In the event of inconsistency in this Agreement, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: (a) applicable federal and state statutes and regulations; (b) The Agreement; (c) Scope of Work; (d) Special Terms and Conditions; (e) Any provisions or terms incorporated herein by reference, including the "Administrative Requirements for Recipients of Ecology Grants and Loans"; (f) Ecology Funding Program Guidelines; and (g) General Terms and Conditions.

19. PRESENTATION AND PROMOTIONAL MATERIALS

ECOLOGY reserves the right to approve RECIPIENT's communication documents and materials related to the fulfillment of this Agreement:

- a) If requested, RECIPIENT shall provide a draft copy to ECOLOGY for review and approval ten (10) business days prior to production and distribution.
- b) RECIPIENT shall include time for ECOLOGY's review and approval process in their project timeline.
- c) If requested, RECIPIENT shall provide ECOLOGY two (2) final copies and an electronic copy of any tangible products developed.

Copies include any printed materials, and all tangible products developed such as brochures, manuals, pamphlets, videos, audio tapes, CDs, curriculum, posters, media announcements, or gadgets with a message, such as a refrigerator magnet, and any online communications, such as web pages, blogs, and twitter campaigns. If it is not practical to provide a copy, then the RECIPIENT shall provide a description (photographs, drawings, printouts, etc.) that best represents the item.

Any communications intended for public distribution that uses ECOLOGY's logo shall comply with ECOLOGY's graphic requirements and any additional requirements specified in this Agreement. Before the use of ECOLOGY's logo contact ECOLOGY for guidelines.

RECIPIENT shall acknowledge in the communications that funding was provided by ECOLOGY.

20. PROGRESS REPORTING

- a) RECIPIENT must satisfactorily demonstrate the timely use of funds by submitting payment requests and progress reports to

Agreement No: SEAFCAAC-2325-EllePW-00033
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ECOLOGY. ECOLOGY reserves the right to amend or terminate this Agreement if the RECIPIENT does not document timely use of funds.

b) RECIPIENT must submit a progress report with each payment request. Payment requests will not be processed without a progress report. ECOLOGY will define the elements and frequency of progress reports.

c) RECIPIENT shall use ECOLOGY's provided progress report format.

d) Quarterly progress reports will cover the periods from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Reports shall be submitted within thirty (30) days after the end of the quarter being reported.

e) RECIPIENT must submit within thirty (30) days of the expiration date of the project, unless an extension has been approved by ECOLOGY, all financial, performance, and other reports required by the Agreement and funding program guidelines.

RECIPIENT shall use the ECOLOGY provided closeout report format.

21. PROPERTY RIGHTS

a) Copyrights and Patents. When the RECIPIENT creates any copyrightable materials or invents any patentable property under this Agreement, the RECIPIENT may copyright or patent the same but ECOLOGY retains a royalty free, nonexclusive, and irrevocable license to reproduce, publish, recover, or otherwise use the material(s) or property, and to authorize others to use the same for federal, state, or local government purposes.

b) Publications. When the RECIPIENT or persons employed by the RECIPIENT use or publish ECOLOGY information; present papers, lectures, or seminars involving information supplied by ECOLOGY; or use logos, reports, maps, or other data in printed reports, signs, brochures, pamphlets, etc., appropriate credit shall be given to ECOLOGY.

c) Presentation and Promotional Materials. ECOLOGY shall have the right to use or reproduce any printed or graphic materials produced in fulfillment of this Agreement, in any manner ECOLOGY deems appropriate. ECOLOGY shall acknowledge the RECIPIENT as the sole copyright owner in every use or reproduction of the materials.

d) Tangible Property Rights. ECOLOGY's current edition of "Administrative Requirements for Recipients of Ecology Grants and Loans," shall control the use and disposition of all real and personal property purchased wholly or in part with funds furnished by ECOLOGY in the absence of state and federal statutes, regulations, or policies to the contrary, or upon specific instructions with respect thereto in this Agreement.

e) Personal Property Furnished by ECOLOGY. When ECOLOGY provides personal property directly to the RECIPIENT for use in performance of the project, it shall be returned to ECOLOGY prior to final payment by ECOLOGY. If said property is lost, stolen, or damaged while in the RECIPIENT's possession, then ECOLOGY shall be reimbursed in cash or by setoff by the RECIPIENT for the fair market value of such property.

f) Acquisition Projects. The following provisions shall apply if the project covered by this Agreement includes funds for the acquisition of land or facilities:

1. RECIPIENT shall establish that the cost is fair value and reasonable prior to disbursement of funds provided for in this Agreement.

2. RECIPIENT shall provide satisfactory evidence of title or ability to acquire title for each parcel prior to disbursement of funds provided by this Agreement. Such evidence may include title insurance policies, Torrens certificates, or abstracts, and attorney's opinions establishing that the land is free from any impediment, lien, or claim which would impair the uses intended by this Agreement.

g) Conversions. Regardless of the Agreement expiration date, the RECIPIENT shall not at any time convert any equipment, property, or facility acquired or developed under this Agreement to uses other than those for which assistance was originally approved without prior written approval of ECOLOGY. Such approval may be conditioned upon payment to ECOLOGY of that portion of the proceeds of the sale, lease, or other conversion or encumbrance which monies granted pursuant to this Agreement bear to the total acquisition, purchase, or construction costs of such property.

22. RECORDS, AUDITS, AND INSPECTIONS

Agreement No: SEAFCAAC-2325-EllePW-00033
Project Title: Urban Flood Modeling and Analysis
Recipient Name: City of Ellensburg - Public Works Department

RECIPIENT shall maintain complete program and financial records relating to this Agreement, including any engineering documentation and field inspection reports of all construction work accomplished.

All records shall:

- a) Be kept in a manner which provides an audit trail for all expenditures.
 - b) Be kept in a common file to facilitate audits and inspections.
 - c) Clearly indicate total receipts and expenditures related to this Agreement.
 - d) Be open for audit or inspection by ECOLOGY, or by any duly authorized audit representative of the State of Washington, for a period of at least three (3) years after the final grant payment or loan repayment, or any dispute resolution hereunder.
- RECIPIENT shall provide clarification and make necessary adjustments if any audits or inspections identify discrepancies in the records.

ECOLOGY reserves the right to audit, or have a designated third party audit, applicable records to ensure that the state has been properly invoiced. Any remedies and penalties allowed by law to recover monies determined owed will be enforced. Repetitive instances of incorrect invoicing or inadequate records may be considered cause for termination.

All work performed under this Agreement and any property and equipment purchased shall be made available to ECOLOGY and to any authorized state, federal or local representative for inspection at any time during the course of this Agreement and for at least three (3) years following grant or loan termination or dispute resolution hereunder.

RECIPIENT shall provide right of access to ECOLOGY, or any other authorized representative, at all reasonable times, in order to monitor and evaluate performance, compliance, and any other conditions under this Agreement.

23. RECOVERY OF FUNDS

The right of the RECIPIENT to retain monies received as reimbursement payments is contingent upon satisfactory performance of this Agreement and completion of the work described in the Scope of Work.

All payments to the RECIPIENT are subject to approval and audit by ECOLOGY, and any unauthorized expenditure(s) or unallowable cost charged to this Agreement shall be refunded to ECOLOGY by the RECIPIENT.

RECIPIENT shall refund to ECOLOGY the full amount of any erroneous payment or overpayment under this Agreement.

RECIPIENT shall refund by check payable to ECOLOGY the amount of any such reduction of payments or repayments within thirty (30) days of a written notice. Interest will accrue at the rate of twelve percent (12%) per year from the time ECOLOGY demands repayment of funds.

Any property acquired under this Agreement, at the option of ECOLOGY, may become ECOLOGY's property and the RECIPIENT's liability to repay monies will be reduced by an amount reflecting the fair value of such property.

24. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, and to this end the provisions of this Agreement are declared to be severable.

25. STATE ENVIRONMENTAL POLICY ACT (SEPA)

RECIPIENT must demonstrate to ECOLOGY's satisfaction that compliance with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW and Chapter 197-11 WAC) have been or will be met. Any reimbursements are subject to this provision.

26. SUSPENSION

When in the best interest of ECOLOGY, ECOLOGY may at any time, and without cause, suspend this Agreement or any portion thereof for a temporary period by written notice from ECOLOGY to the RECIPIENT. RECIPIENT shall resume performance on the next business day following the suspension period unless another day is specified by ECOLOGY.

Agreement No: SEAFCAAC-2325-EllePW-00033

Project Title: Urban Flood Modeling and Analysis

Recipient Name: City of Ellensburg - Public Works Department

27. SUSTAINABLE PRACTICES

In order to sustain Washington's natural resources and ecosystems, the RECIPIENT is fully encouraged to implement sustainable practices and to purchase environmentally preferable products under this Agreement.

a) Sustainable practices may include such activities as: use of clean energy, use of double-sided printing, hosting low impact meetings, and setting up recycling and composting programs.

b) Purchasing may include such items as: sustainably produced products and services, EPEAT registered computers and imaging equipment, independently certified green cleaning products, remanufactured toner cartridges, products with reduced packaging, office products that are refillable, rechargeable, and recyclable, 100% post-consumer recycled paper, and toxic free products.

For more suggestions visit ECOLOGY's web page, Green Purchasing,

<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Sustainable-purchasing>.

28. TERMINATION

a) For Cause

ECOLOGY may terminate for cause this Agreement with a seven (7) calendar days prior written notification to the RECIPIENT, at the sole discretion of ECOLOGY, for failing to perform an Agreement requirement or for a material breach of any term or condition. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Failure to Commence Work. ECOLOGY reserves the right to terminate this Agreement if RECIPIENT fails to commence work on the project funded within four (4) months after the effective date of this Agreement, or by any date mutually agreed upon in writing for commencement of work, or the time period defined within the Scope of Work.

Non-Performance. The obligation of ECOLOGY to the RECIPIENT is contingent upon satisfactory performance by the RECIPIENT of all of its obligations under this Agreement. In the event the RECIPIENT unjustifiably fails, in the opinion of ECOLOGY, to perform any obligation required of it by this Agreement, ECOLOGY may refuse to pay any further funds, terminate in whole or in part this Agreement, and exercise any other rights under this Agreement.

Despite the above, the RECIPIENT shall not be relieved of any liability to ECOLOGY for damages sustained by ECOLOGY and the State of Washington because of any breach of this Agreement by the RECIPIENT. ECOLOGY may withhold payments for the purpose of setoff until such time as the exact amount of damages due ECOLOGY from the RECIPIENT is determined.

b) For Convenience

ECOLOGY may terminate for convenience this Agreement, in whole or in part, for any reason when it is the best interest of ECOLOGY, with a thirty (30) calendar days prior written notification to the RECIPIENT, except as noted below. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Non-Allocation of Funds. ECOLOGY's ability to make payments is contingent on availability of funding. In the event funding from state, federal or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to the completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the Agreement, in whole or part, or renegotiate the Agreement, subject to new funding limitations or conditions. ECOLOGY may also elect to suspend performance of the Agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification or restrictions, although ECOLOGY will make a reasonable attempt to provide notice.

In the event of termination or suspension, ECOLOGY will reimburse eligible costs incurred by the RECIPIENT through the effective date of termination or suspension. Reimbursed costs must be agreed to by ECOLOGY and the RECIPIENT. In no event shall ECOLOGY's reimbursement exceed ECOLOGY's total responsibility under the Agreement and any amendments.

Agreement No: SEAFCAAC-2325-EllePW-00033
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If payments have been discontinued by ECOLOGY due to unavailable funds, the RECIPIENT shall not be obligated to repay monies which had been paid to the RECIPIENT prior to such termination.

RECIPIENT's obligation to continue or complete the work described in this Agreement shall be contingent upon availability of funds by the RECIPIENT's governing body.

c) By Mutual Agreement

ECOLOGY and the RECIPIENT may terminate this Agreement, in whole or in part, at any time, by mutual written agreement.

d) In Event of Termination

All finished or unfinished documents, data studies, surveys, drawings, maps, models, photographs, reports or other materials prepared by the RECIPIENT under this Agreement, at the option of ECOLOGY, will become property of ECOLOGY and the RECIPIENT shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.

Nothing contained herein shall preclude ECOLOGY from demanding repayment of all funds paid to the RECIPIENT in accordance with Recovery of Funds, identified herein.

29. THIRD PARTY BENEFICIARY

RECIPIENT shall ensure that in all subcontracts entered into by the RECIPIENT pursuant to this Agreement, the state of Washington is named as an express third party beneficiary of such subcontracts with full rights as such.

30. WAIVER

Waiver of a default or breach of any provision of this Agreement is not a waiver of any subsequent default or breach, and will not be construed as a modification of the terms of this Agreement unless stated as such in writing by the authorized representative of ECOLOGY.

End of General Terms and Conditions



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Bid Award - Bid Call 2023-12, Unity Park
Submitted by: Brad Case, Parks & Recreation Director
Department: Parks & Recreation

Suggested Motion/Action:

Award bid call 2023-12, Unity Park in the amount of \$2,656,516.00 for all schedules to Selland Construction, Inc., the lowest responsive and responsible bidder, and approve the necessary budget adjustments.

Background/Summary:

Bids were received on November 28, 2023, for the above-mentioned project. Selland Construction, Inc. was the lowest responsive and responsible bidder in the amount of \$2,656,516.00.

At their September 19, 2022 meeting, Council adopted a park design plan that includes a performance stage, comfort station, water feature, multipurpose turf and open area, fixed and flexible seating, and public art. The goals of the park are to create a central space for daily gatherings and special events that is open, inclusive and welcoming; a space that supports a wide range of event types and adds to the vibrancy of downtown throughout the year; and is a place that is unique and captures the feeling and essence of Ellensburg.

Previous Council Action:

The Unity Park project has been before the Council numerous times, including designating the property as a future park, the purchase of the property, concept plan adoption, final master plan adoption, authorizing funding through State and Local Fiscal Recovery Funds (SLFRF) for the design and construction of Unity Park.

Analysis:

The project was advertised and bids were received as follows:

	Selland Construction Inc.	Belsaas & Smith	Engineers Estimate
Schedule A - Base Bid	\$2,484,528	\$2,603,768.00	\$2,217,833.65
Schedule B - Base Bid - Construction in Public ROW	\$56,000.00	\$93,000.00	\$27,823.00

Add Alternate 1 - Water Feature	\$53,116.00	\$114,904.00	\$177,602.56
Add Alternate 2 - Paver Banding	\$62,872.00	\$63,956.00	\$41,463.00
Total	\$2,656,516.00	\$2,875,628.00	\$2,464,722.21

Rock Rite, LLC submitted a specialty bid item that was determined as non-responsive.

Financial Impact:

As previously mentioned, the project is being funded through State and Local Fiscal Recovery Funds (SLFRF), park impact fees, as well as a \$50,000.00 grant from the Kittitas County lodging tax program. The Council will need to redirect SLFRF funding from the Anderson Road Sewer Project to the Unity Park project.

Budget Adjustment: Yes

Attachments:

1. Bid Tab - City of Ellensburg Unity Park - Bid Call 2023-12 Signed
2. Unity Park Adopted Plan

City of Ellensburg
Unity Park Project
Project 22-074; Bid Call 2023-12
Bid Opening: November 28, 2023 3:00 PM

Schedule A				Selland Construction, Inc.		Belsaas & Smith Construction, Inc.		Engineer's Estimate	
No.	Item	Unit	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
A-1	Base Bid - Work on Park Property	LS	1	\$ 2,250,000.00	\$ 2,250,000.00	\$ 2,360,000.00	\$ 2,360,000.00	\$ 1,998,972.00	\$ 1,998,972.00
A-2	Record Drawings (\$1,000 Minimum Bid)	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00
A-3	Trench Excavation Safety Provisions	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00
A-4	Minor Changes	ALLOW	1	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00
				Subtotal	\$ 2,292,000.00		\$ 2,402,000.00		\$ 2,045,972.00
				Tax (8.4%)	\$ 192,528.00		\$ 201,768.00		\$ 171,861.65
				Total	\$ 2,484,528.00		\$ 2,603,768.00		\$ 2,217,833.65

Schedule B				Selland Construction, Inc.		Belsaas & Smith Construction, Inc.		Engineer's Estimate	
No.	Item	Unit	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
B-1	Base Bid - Construction in the Public Right of Way	LS	1	\$ 56,000.00	\$ 56,000.00	\$ 93,000.00	\$ 93,000.00	\$ 27,823.00	\$ 27,823.00
				Total	\$ 56,000.00		\$ 93,000.00		\$ 27,823.00

Add Alternate #1				Selland Construction, Inc.		Belsaas & Smith Construction, Inc.		Engineer's Estimate	
No.	Item	Unit	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
ALT- 1	Water Feature	LS	1	\$ 49,000.00	\$ 49,000.00	\$ 106,000.00	\$ 106,000.00	\$ 163,840.00	\$ 163,840.00
				Subtotal	\$ 49,000.00		\$ 106,000.00		\$ 163,840.00
				Tax (8.4%)	\$ 4,116.00		\$ 8,904.00		\$ 13,762.56
				Total	\$ 53,116.00		\$ 114,904.00		\$ 177,602.56

Add Alternate #2				Selland Construction, Inc.		Belsaas & Smith Construction, Inc.		Engineer's Estimate	
No.	Item	Unit	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
ALT- 2	Paver Banding	LS	1	\$ 58,000.00	\$ 58,000.00	\$ 59,000.00	\$ 59,000.00	\$ 38,250.00	\$ 38,250.00
				Subtotal	\$ 58,000.00		\$ 59,000.00		\$ 38,250.00
				Tax (8.4%)	\$ 4,872.00		\$ 4,956.00		\$ 3,213.00
				Total	\$ 62,872.00		\$ 63,956.00		\$ 41,463.00

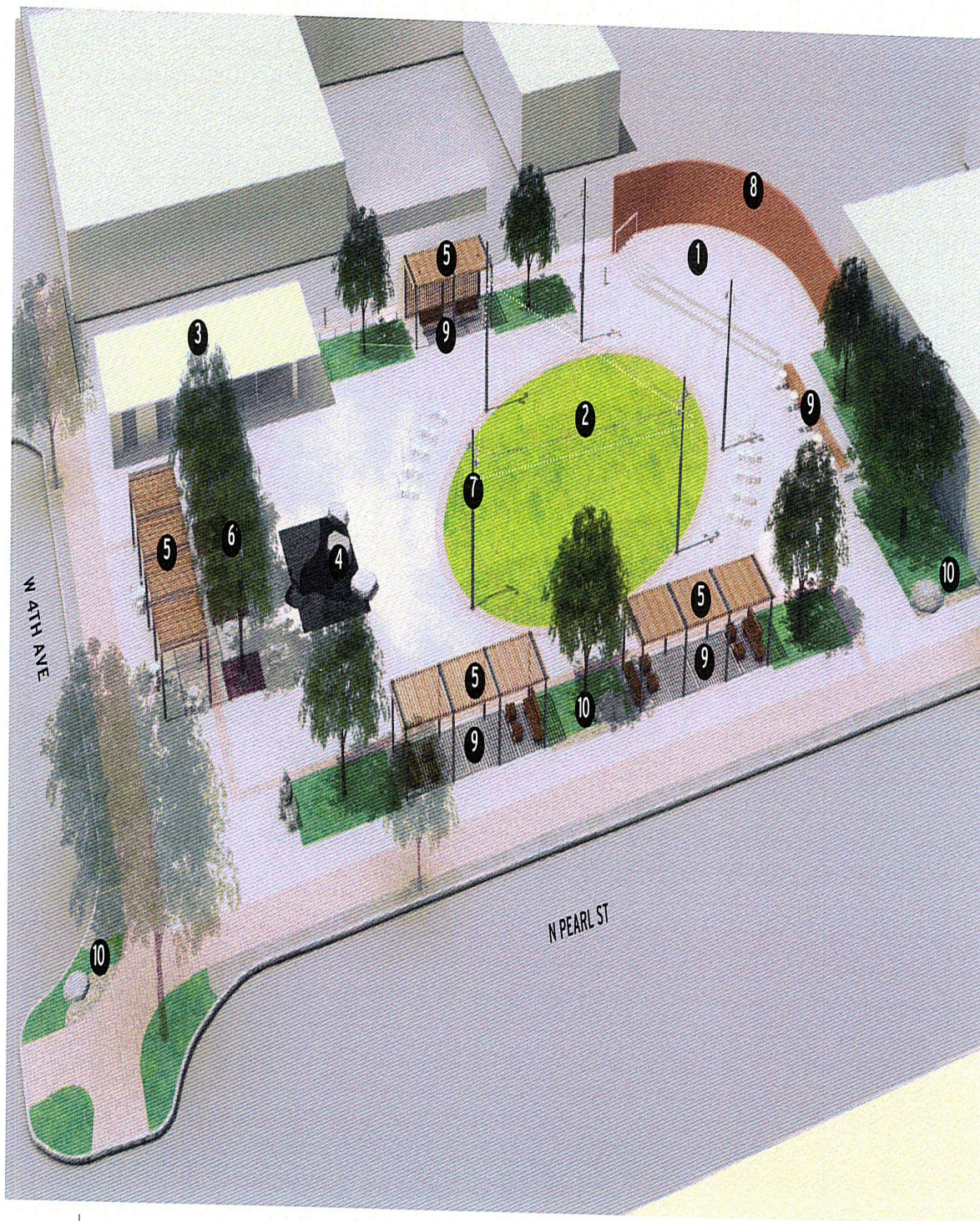
Total Bid Schedule A, B, Alt 1, Alt 2	\$ 2,656,516.00	\$ 2,875,628.00	\$ 2,464,722.21
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Rock Rite, LLC was found non responsive

Grant Maskal

Digitally signed by Grant Maskal
DN: C=US, E=maskalg@ci.ellensburg.wa.us,
O=City of Ellensburg, OU=Public Works, CN=Grant Maskal
Date: 2023.11.29 11:21:50-08'00'

BIRDSEYE VIEW LOOKING NW



- 1 Stage (permanent)
- 2 Lawn
- 3 Comfort Station
- 4 Water Feature
- 5 Shade Structure (permanent)
- 6 Picnic Grove
- 7 Lighting / Sound Support
- 8 Screen / Wind Block
- 9 Permanent Seating
- 10 Petrelief Area

WALKER | MACY

UNITY PARK
City of Ellensburg, Washington



Meeting Date: December 18, 2023

**City of Ellensburg
City Council Agenda Report**

Agenda Subject: Extension of Interlocal Agreement with Kittitas County for the Phase II Levee Extension and Agreement for Cultural Resource Survey

Submitted by: Jon Morrow, Stormwater Manager

Department: Public Works & Utilities

Suggested Motion/Action:

1. Move to authorize the City Manager to sign the letter extending the Interlocal Agreement with the Kittitas County Flood Control Zone District to December 31, 2024; and
2. Move to approve the agreement with Plateau Consulting for cultural resources survey and approve the requested budget adjustment.

Background/Summary:

Phase II preparation for the construction of the levee from Dolarway up to the BNSF railway has started. The County Flood District committed approximately \$1.2 million towards the project, and it is reimbursable through an Interlocal Agreement (ILA) with Kittitas County (attached). The ILA timeline for completion of the project needs to be extended (see attached Extension Letter). In addition, construction of the levee and flood swales, extended to the railroad, requires a cultural investigation and monitoring. Plateau Consulting has been selected for the cultural survey of the site. The fee for Plateau's work will be reimbursed through the ILA.

Previous Council Action:

City Council authorized the acquisition of the business lots along Enterprise Way in 2017. Acquisition of the 56 acres north of Dolarway with a Stormwater Bond was authorized by Council in 2020.

Council authorized the design and permitting with Aspect Engineering of the levee and Dolarway Bridge. Council authorized the ILA with the County Flood District (attached) in 2022 to reimburse the costs associated with the construction of Phase II.

Analysis:

Phase II levee extension will complete a flood project that has been extended due to changing designs/permitting, levee location changes, land acquisitions, boundary line adjustments, grant funded acquisitions, landowner agreements, re-designs to accommodate new flood maps, multiple grant attempts, capital bonding, delays due to inflation, cultural resource problems and final completion of a project to protect businesses and residences from a flooding problem that has plagued West Ellensburg for a very long time.

Financial Impact:

The costs of this project are included in the adopted 2023/2024 Biennial Budget. The fees for Plateau will be reimbursed through the County ILA. The ILA extension has no financial impact.

Budget Adjustment: Yes

Attachments:

1. ILA Modification Letter
2. City-County Flood Control District ILA re Levee Project (2022)
3. City of Ellensburg - Professional Services Agreement Plateau CRM Dolarway
4. Dolarway Levee Proposal - Plateau Consulting

November 27, 2023

Commissioner Wright
Chairman, Kittitas County Board of Commissioners
205 W 5th Ave Suite #108
Ellensburg, WA 98926

Re: Modification to Interlocal Agreement Between Kittitas County Flood Control Zone District and Kittitas County Conservation District.

Dear Commissioner Wright,

On September 19, 2022 the City of Ellensburg and Kittitas County Flood Control Zone District entered into an Interlocal Agreement for the purpose of providing funding support of the Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project (Kittitas County Resolution No. 2022-176). Per Term 14 of this agreement, “the provisions of this Agreement may be modified or amended only by written mutual agreement of the parties, executed by personnel authorized to bind each of these parties.”

May it be known that the undersigned parties, for good consideration, do hereby agree to extend the Interlocal Agreement from the current term of the agreement which ends on December 31, 2023 to December 31, 2024.

The parties reaffirm no other terms or conditions of the above-mentioned contract shall be negated or changed as a result of this modification.

Signatures:

Heidi Behrends Cerniwey, City Manager
City of Ellensburg

Cory Wright, Chairman
Kittitas County

Date

Date

INTERLOCAL AGREEMENT BETWEEN KITTITAS COUNTY FLOOD CONTROL ZONE DISTRICT AND CITY OF ELLENSBURG

This Interlocal Agreement is made and entered into this 19th day of September 2022, by and between the City of Ellensburg (herein after the "City") and Kittitas County through the Kittitas County Flood Control Zone District (hereinafter the "District").

RECITALS

WHEREAS, the Interlocal Cooperation Act, as amended, and codified in Chapter 39.34 of the Revised Code of Washington ("RCW"), provides for public agencies to enter into agreements for joint or cooperative action authorized under that chapter; and

WHEREAS, Kittitas County established a County-Wide Flood Control Zone District (District) pursuant to chapter 86.15 RCW for the purpose of addressing flood management needs within county, and

WHEREAS, RCW 86.15.080(8) provides for flood control zone districts to enter into cooperative agreements with any political subdivision; and

WHEREAS, the City of Ellensburg is undertaking the Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project, and

WHEREAS, Flood Control Zone Districts can provide grant funds to political subdivisions of the state that are located within the boundaries of the zone, so long as the use of the grant funds is within the purposes authorized under Chapter 86.15 RCW, and

WHEREAS, the District has included a total of \$1,000,000 in funding for the Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project in its 2021 and 2022 annual budgets;

WHEREAS, the District previously provided a total of \$111,637 in 2021 project funding for the Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project to conduct Reecer Creek Floodplain Mapping and Levee Certification Support Services;

WHEREAS, the District and the City of Ellensburg desire to allocate the remaining \$888,363 in funding in support of the construction of the Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project;

NOW, THEREFORE, it is hereby agreed as follows:

TERMS

1. **Legal Basis.** This Agreement is entered into pursuant to Chapter 39.34 (the

Interlocal Cooperation Act) and Chapter 86.15 RCW (Flood Control Zone Districts).

2. **Purpose.** The purpose of this agreement is for the District to grant the City funding of up to \$888,363 to assist with the construction of the Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project.

3. **Term of Agreement.** The term of this Agreement shall be from its effective date through December 31, 2023 or as otherwise agreed to by the parties as provided in Section 14 or terminated as provided in Section 16.

4. **Payment.** Payment shall be made on a lump sum basis for costs incurred by the City to construct each phase of the Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project as documented in an accepted bid tab and award of contract by the City of Ellensburg. Payment for satisfactory performance shall not exceed this amount unless the parties mutually agree in writing to a higher amount.

5. **Billing Procedure.** The City shall submit an invoice with the accepted bid tab and documentation of award. Invoices are to be sent to: Kittitas County Department of Public Works Department, 411 North Ruby, Suite 1, Ellensburg, WA 98926, Attn: Arden Thomas, and will be paid within thirty (30) days of receipt by the District. Upon expiration of the Agreement, any claim for payment not already made shall be submitted within 30 days after the expiration date or termination of the Agreement, whichever is earlier.

6. **Contract Management.** The Agreement administrator for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement.

The Agreement administrator for the City of Ellensburg is: Mr. Jon Morrow, 501 N Anderson St, Ellensburg, WA 98926. Telephone: 509-952-8619.

The Agreement administrator for the District is: Ms. Arden Thomas, 411 North Ruby, Suite 1, Ellensburg, WA 98926. Telephone: 509-962-7523.

7. **Maintenance of Record.** Each party hereto agrees to maintain books, records and documents using accounting procedures which accurately reflect all direct and indirect costs related to the performance of services described herein. Each party may examine the other party's books and records to verify the accuracy of invoices. Each party's fiscal management system shall include the capability to provide accurate and complete disclosure of all costs invoiced under this Agreement. All books, records, documents and other materials relevant to this agreement will be retained for six years after expiration of the Agreement, and the Office of the State Auditor and any persons duly authorized by the parties shall have full access and the right to examine any of these materials during this period. Each party will utilize reasonable security procedures and protections to assure that records and documents provided by the other party are not erroneously disclosed to third parties.

8. **Indemnification.** Each party agrees to be responsible and assume liability for its

own wrongful and/or negligent acts or omissions, or those of its officers, agents or employees to the fullest extent provided by law, and further agrees to save, indemnify, defend and hold harmless the other party from any and all such liability arising out of the performance of this Agreement. In the case of negligence of more than one party, any damages allowed shall be levied in proportion to the percentage of the negligence attributable to each party. This indemnification paragraph shall survive the termination of this Agreement.

9. **Assignment.** This Agreement cannot be assigned, transferred or any portion subcontracted by either party hereto without the prior written consent of the other party, which consent shall not be unreasonably withheld.

10. **Future Support.** Neither party to this Agreement makes any commitment to future support and assumes no obligation for future support of any activity contracted for herein, except as may be expressly set forth in this Agreement.

11. **Compliance with Laws.** Each party hereto, in its performance of this Agreement, agrees to comply with all applicable local, State, and Federal laws and ordinances.

12. **Relationship of the Parties.** In the performance of the work herein contemplated, the party performing the work is an independent contractor with the authority to control and direct the performance of the details of the work; however, the work contemplated herein shall be subject to the general rights of inspection and review of the party requesting the work be done, to secure the satisfactory completion thereof.

13. **Jurisdiction.** Any legal dispute between the parties to this Agreement shall be governed by the laws of the State of Washington, and any action to enforce this Agreement shall be brought in Kittitas County, Washington.

14. **Modification.** The provisions of this Agreement may be modified or amended only by written mutual written agreement of the parties, executed by personnel authorized to bind each of the parties.

15. **Waiver.** A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

16. **Termination.** This Agreement shall remain in full force and effect until terminated on December 31, 2023, by mutual written agreement of the parties, or by written notice of termination given by one party to the other at least thirty (30) days prior to the date of such termination.

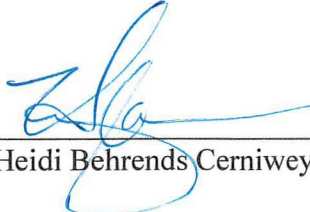
17. **Agreement Not for Benefit of Third Parties.** This Agreement is entered into solely for the benefit of the parties hereto and vests no rights in, or is it enforceable by, any third parties.

18. **Severability.** If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Agreement are declared to be severable.

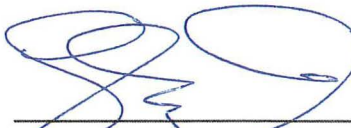
19. **Filing.** This Agreement shall be filed with the Kittitas County Auditor, or, alternatively, listed by subject on each or either party's web site or other electronically retrievable public source pursuant to Revised Code of Washington 39.34.040.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first written above.

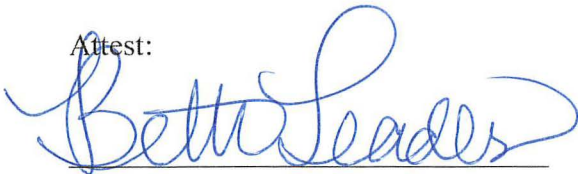
CITY OF ELLENSBURG


Heidi Behrends Cerniwey, City Manager

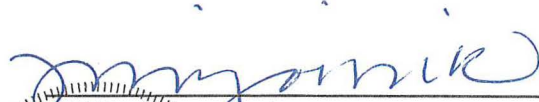
KITTITAS COUNTY


Laura Osiadacz,
Chairman

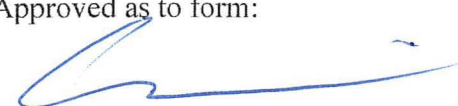
Attest:


Betty Leades

Attest:


Clerk of the Board

Approved as to form:


City Attorney



**AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN THE CITY OF ELLENSBURG
AND
Plateau Archaeological Investigations, LLC (dba Plateau CRM)**

RELATING TO: Cultural Resource Consulting for the Dolarway Levee Project

THIS COST PLUS FIXED FEE AGREEMENT is made and entered into this 4th day of December, 2023 ("Effective Date"), by and between THE CITY OF ELLENSBURG, a non-charter code city of the State of Washington (hereinafter called the "CITY") and Plateau CRM, a LLC 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 Dolarway Levee 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 (Project Price Proposal) 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 (December 4, 2023). 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 A.

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 (0). 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 \$22,765.00. 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 A. 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. WORK PRODUCT AND DOCUMENTS.

7.1. The work product and all documents produced under this Agreement shall be furnished by the CONSULTANT to the CITY, and upon completion 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, except that the CONSULTANT may retain one copy of the work product and documents for its records. The CONSULTANT will be responsible for the accuracy of the work, even though the work has been accepted by the CITY.

7.2. In the event that the CONSULTANT shall default on this Agreement or in the event that this Agreement shall be terminated prior to its completion as herein provided, all work product of the CONSULTANT, along with a summary of work as of the date of default or termination, shall become the property of the CITY. Upon request, the CONSULTANT shall tender the work product and summary to the CITY. Tender of said work product shall be a prerequisite to final payment under this Agreement. The summary of work done shall be prepared at no additional cost to the CITY.

7.3. CONSULTANT will not be held liable for reuse of documents produced under this Agreement or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of CONSULTANT.

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 shall not sublet or assign any of the work covered by this Agreement without the written consent of the CITY.

10.2. In the event any subcontracting is approved, the subcontractor and its employees shall be required to execute the Non-Disclosure Agreement prior to being given access to any confidential information regarding the CITY's computer system.

10.3. 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.

10.4. 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. If this Agreement is terminated in its entirety by the CITY for its convenience, the CITY shall pay the CONSULTANT for satisfactory services performed through the date of termination, but no amount shall be allowed for anticipated profit on unperformed Services or other work.

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. CONSULTANT shall defend, indemnify and hold the CITY, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the CONSULTANT in performance of this Agreement, except for injuries and damages caused by the sole negligence of the CITY.

However, should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the CONSULTANT and the CITY, its officers, officials, employees, and volunteers, the CONSULTANT's liability, including the duty and cost to defend, hereunder shall be only to the extent of the CONSULTANT's negligence.

15.2. It is further specifically and expressly understood that the indemnification provided herein constitutes the CONSULTANT's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

15.3. The provisions of this section shall survive the expiration or termination of this Agreement. Further, 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.

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. CONSULTANT'S maintenance of insurance as required by the Agreement shall not be construed to limit the liability of the CONSULTANT to the coverage provided by such insurance, or otherwise limit the CITY'S recourse to any remedy available at law or in equity.

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

16.3.1. 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,

16.3.2. 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 using ISO endorsement form CG 20 26, or coverage at least as broad; and,

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

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

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

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

16.4.2. Commercial General Liability insurance shall be written with limits

no less than \$2,000,000 each occurrence, \$2,000,000 general aggregate.

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

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

16.5.1. 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.

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

16.5.3. 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.

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

16.7. 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.

16.8. 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.

16.9. CITY Full Availability of CONSULTANT Limits. If the CONSULTANT maintains higher insurance limits than the minimum amounts shown above, the CITY shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the CONSULTANT, irrespective of whether such limits maintained by the CONSULTANT are greater than those required by this Agreement or whether any certificate of insurance furnished to the CITY evidences limits of liability lower than those maintained by the CONSULTANT.

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: Jon Morrow
501 N. Anderson
Ellensburg, WA 98926

Plateau CRM
Attn: David Harder
P.O. Box 714
Pullman, WA 99163

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

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

CONSULTANT:

By: _____

Printed
Name: _____

Title: _____

Tax ID#: _____

THE CITY OF ELLENSBURG:

By: _____

Printed
Name: _____

Title: _____

ATTEST: _____
Clerk

Approved as to Form:

City Attorney



PROJECT PRICE PROPOSAL

By
Plateau Archaeological Investigations, LLC
dba Plateau CRM
P.O. Box 714, Pullman, Washington 99163

To: City of Ellensburg

Project: Dolarway Levee Project Cultural Resource Survey, Kittitas County,
Washington

Date: November 2, 2023

Price: \$22,765.00

Signatures:

Mr. Jon Morrow
City of Ellensburg

Date

David A. Harder, Vice President
Plateau CRM

November 2, 2023

Date

The City of Ellensburg is extending the Dolarway Levee and will be working in proximity to recorded archaeological site 45KT04252. As such, Plateau Archaeological Investigations, LLC (dba Plateau CRM) was retained to test the proposed new swales and the new route of the Levee. The project area covers approximately 13.4 acres and lies in Section 34 of Township 18 North, Range 18 East, Willamette Meridian. Please review the attached map to verify the project location.

If any cultural resources are identified through the study, Plateau CRM will utilize a risk management strategy in the field that will seek to determine the horizontal and vertical limits within the project area and identify any potential effects. Plateau CRM will then utilize the professional and timely identification of any known or previously unrecorded cultural resources and then recommend viable management strategies or actions, thus, satisfying regulatory oversight and helping reduce the impact and the risk of found artifacts upon a project's timeline and approval process.

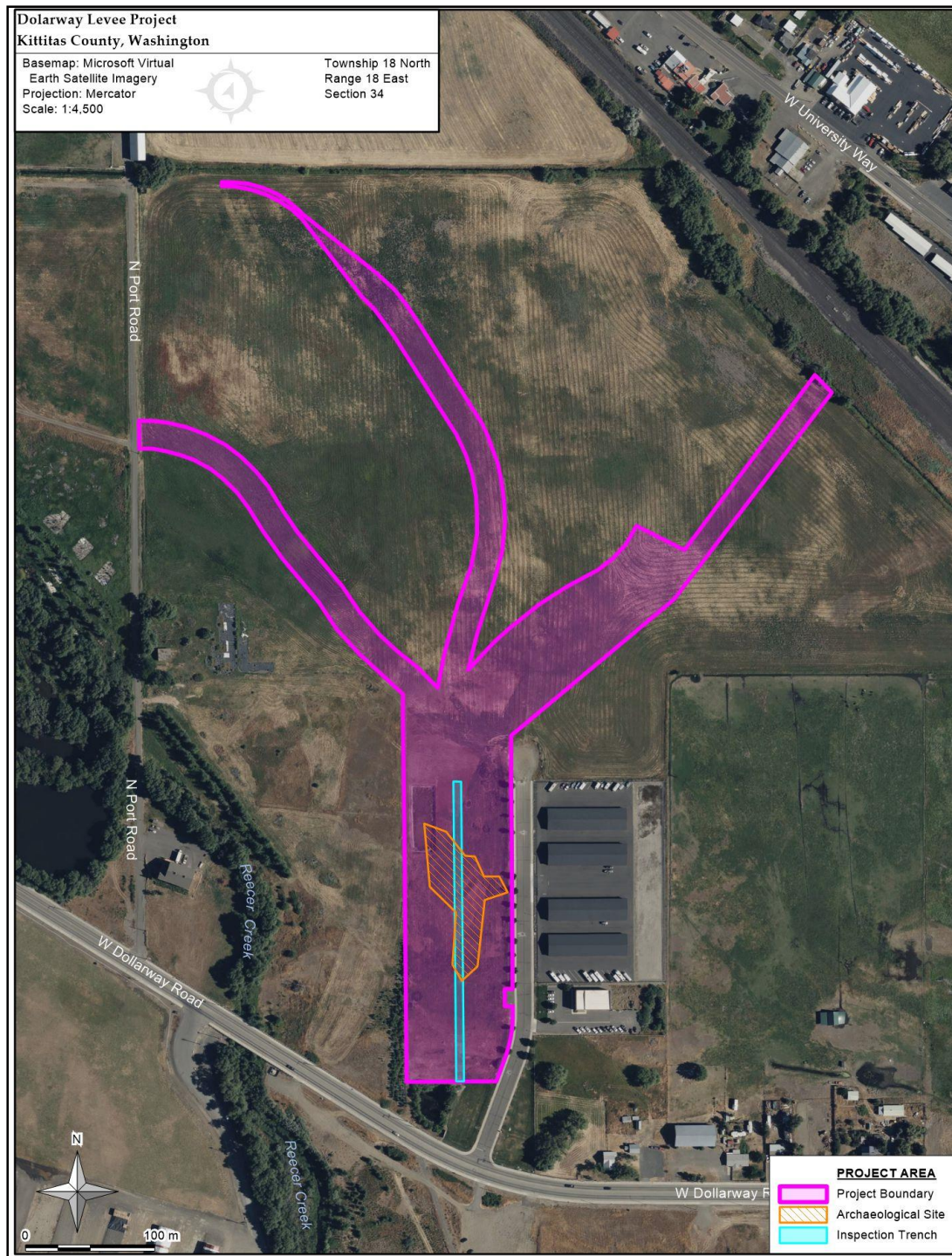
This cultural resource investigation will include a review of the Washington Information System for Architectural and Archaeological Records Data (WISAARD) database maintained by the Department of Archaeology and Historic Preservation (DAHP) in Olympia, a background literature review, informal contact with the interested tribe(s), a pedestrian ground survey, and the preparation of a report. The fieldwork will be completed in a manner consistent with RCW 27.53.030 and will include inspection techniques to identify both surface and subsurface archaeological resources. The proper field methods will be completed, at the archaeologist's discretion, depending upon information obtained during the background review and fieldwork. An unmanned aerial vehicle may be deployed for project mapping. Subsurface inspections could involve shovel excavations, or mechanical auger excavations, and screening of the fill to identify the nature and extent of any potential archaeological resources.

- 1 This agreement is for a cultural resource investigation of the areas to be impacted during the proposed Dolarway Levee Project, Kittitas County, State (spelled out). The purpose of the investigation is to identify any cultural resources which may be adversely affected by the project.
 - 1.1 The area of potential effect to be investigated is the physical location of the proposed disturbances required by the project and will include the physical location of the proposed disturbances required by the project where it intersects archaeological site 45KT04252.
- 2 Plateau CRM will conduct the investigation.
- 3 An Excavation and Alteration Permit will be prepared and submitted to the DAHP. This permit application will cover levee construction within the boundaries of site 45KT04252. The purpose of this permit is to identify the method of data recovery during construction.

- 3.1 Plateau CRM will perform all coordination with DAHP, the City of Ellensburg, and any Tribal Nations that express an interest in the project.
- 3.2 The permit application will include a review of the previous archaeological work, development of a plan to conduct data recovery as necessary, and synthesis into an Excavation and Alteration permit for submission to the DAHP.
- 3.3 The permit will meet the requirements of the DAHP and City of Ellensburg.
- 4 This overall project scope will consist of the permit application, a background search, field investigation of the project area to identify any cultural resources, research of public documents to help identify potential traditional cultural properties, and preparation of a report.
 - 4.1 This proposal does not include interviewing tribal elders to help identify possible Traditional Cultural Properties.
- 5 If cultural resources are located during this project, further work, investigation, or analysis may be required to evaluate whether the resource(s) is/are eligible for inclusion on the National Register of Historic Places; this survey could result in a recommendation for professional archaeological monitoring during excavation activities at project execution or other additional work; any such additional work, investigation, evaluation, or analysis is not included in this price proposal.
 - 5.1 This proposal does not include the inventory or formal National Register of Historic Places (NRHP) evaluation of any buildings, bridges, or other structures near the project area whose evaluation may be requested by interested or other parties.
- 6 An email describing the findings of the field investigation will be sent to Mr. Jon Morrow of City of Ellensburg within five working days of completion of the field work. The correspondence will include preliminary recommendations regarding project monitoring or any other suggestions for additional work.
 - 6.1 An electronic draft copy of the report in Portable Document Format (PDF) will be provided to City of Ellensburg within twenty working days of completion of the field work.
 - 6.2 Any review and comment upon the draft report will be provided to Plateau CRM within thirty days of receiving the draft report.
 - 6.3 Plateau CRM will upload the final report to the DAHP's WISAARD portal and provide contact information to request a review of the documentation. Since the submittal process varies by funding and permitting agency, Plateau CRM will assist with submissions and verify that the reports are submitted with all appropriate cover sheets and/or exhibits.
- 7 City of Ellensburg agrees to provide any of the following that are available or possible:

- 7.1 All available correspondence related to cultural resources from or to the funding or permitting agency, DAHP, or any other interested parties.
- 7.2 The most current set of project plans, preferably in an electronic format.
- 7.3 Geographic Information System (GIS) data for the project.
- 7.4 Inclusion of Plateau CRM's logo on the construction sign for the project.

Dolarway Levee Project Cultural Resource Survey Price Proposal



Aerial map showing the Dolarway Levee Project.

From: Jordan Ruhle <jordan.ruhle@ci.ellensburg.wa.us>
Sent: Thursday, November 30, 2023 4:48 PM
To: Kathy Boots <bootsk@ci.ellensburg.wa.us>
Subject: [Ext] Re: Affordable Housing Commission

CAUTION - EXTERNAL EMAIL: The email below is from an external source. Please exercise caution before opening attachments, clicking links, fulfilling requests, or following guidance.

Yes, that is correct.

Thank you.

On Thu, Nov 30, 2023, 4:01 PM Kathy Boots <bootsk@ci.ellensburg.wa.us> wrote:

Jordan,

As we just spoke on the phone, you expressed that you were not able to continue being on the Affordable Housing Commission. I am sending this email for a confirmation. We appreciate your years of service and commitment on the Commission. You will be missed.

Kathy Boots

Planning Technician



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: 2024 Payment Agreement with Kittitas County Emergency Medical Services (EMS) and Trauma Care Council
Submitted by: Heidi Behrends Cerniwey, City Manager
Department: City Manager

Suggested Motion/Action:

Authorize the City Manager to execute the 2024 Payment Agreement with Kittitas County EMS and Trauma Care Council.

Background/Summary:

In accordance with the Interlocal Agreement for the operation of the Kittitas County EMS Division originally signed in 1995, the attached 2024 Payment Agreement has been submitted to the City of Ellensburg for approval.

Previous Council Action:

Each year the City Council approves the proposed payment agreement for the City's share of services.

Analysis:

Individual jurisdictions within Kittitas County are charged a percentage of the EMS Division budget based on a population distribution which is derived from the Office of Financial Management. Attached to this agenda report is a Memo from Cheryl Burrows, EMS Coordinator, the Payment Agreement for 2024 and the Proposed 2024 Kittitas County EMS Division Budget Plan. The amount allocated to Ellensburg for 2024 is \$112,007.00 to be paid in quarterly installments.

Financial Impact:

The City Council approved \$112,007 in funding for this agreement in the 2023-2024 Biennial Budget. The proposed Payment Agreement in the amount of \$112,007 is based on the Proposed 2024 Kittitas County EMS Division Office Budget Plan.

Budget Adjustment: No

Attachments:

1. Kittitas County EMS Trauma Care Council 2024 Payment Agreement
2. Memo from Cheryl Burrows
3. Proposed 2024 Kittitas County EMS Division Budget Plan

“C”
Kittitas County
Emergency Medical Services and Trauma Care Council
and
Interlocal Cooperation Agreement Participating Jurisdictions

PAYMENT AGREEMENT

1. Term. The term of this agreement will be from January 1, 2024, until December 31, 2024.
2. Compensation. The named Participating Jurisdiction, City of Ellensburg, shall pay the Kittitas County EMS & Trauma Care Council (Council) a total of \$112,007.00 or less, depending on actual expenses; to be paid in quarterly payments to the Council of \$28,001.75, for their 44.2% of the daily operations of the Kittitas County EMS Division office in accordance with the Interlocal Cooperation Agreement. Actual expenses shall be documented by the Council to the Participating Jurisdiction in the form of a quarterly report to include a quarterly billing statement. Quarterly payments will be made at the beginning of each quarter. Revenue not expended will be credited to the Participating Jurisdiction for the following year or reimbursed at the close of the operating year.

Agreed to and dated this _____ day of _____, 20__.

Kittitas County EMS & Trauma Care Council:



Lee Hadden, Chair
George Long, Vice Chair

City of Ellensburg

Heidi Behrends Cerniwey, City Manager

Approved as to form:

Attorney (optional)



RECEIVED

DEC 1 2023

CITY MANAGER'S OFFICE
ELLENSBURG, WA

**KITTITAS COUNTY
EMERGENCY MEDICAL SERVICES DIVISION**

MEDICAL PROGRAM DIRECTOR Office of the:
EMS COORDINATOR EMS & TRAUMA CARE COUNCIL

November 28, 2023

TO: Heidi Behrends Cerniwey, City Manager
City of Ellensburg

FR: Cheryl L. Burrows
EMS Coordinator

RE: 2024 Payment Agreement

Please find enclosed two original 2024 Kittitas County Emergency Medical Services (EMS) & Trauma Care Council Payment Agreements (attachment "C" to the Interlocal Cooperation Agreement with the Kittitas County EMS & Trauma Care Council). The Payment Agreement reflects the *2024 Budget Plan* recommended by the Kittitas County EMS & Trauma Care Council June 8, 2023, for the operation of the Kittitas County EMS Division.

The *2024 Budget Plan* was sent out to all Participating Jurisdictions in July and presented at the November 15, 2023, KCCOG meeting. The KCCOG members in attendance reviewed and approved the *2024 Budget Plan* as presented.

Upon approval of the 2024 Payment Agreement, please return one signed copy of the agreement to this office.

If you have any questions or would like me to attend a future meeting, please contact me at 509-929-3247.

Thank you for your continued support and Happy Holidays!

Enclosed:

- 2024 Payment Agreement (2 signed copies – please return 1)
- 2024 Budget Plan for Kittitas County EMS Division

**Kittitas County Emergency Medical Services Division
Proposed 2024 - Office Budget Plan**

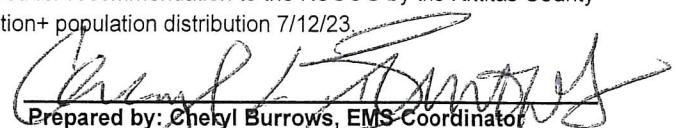
COPY

Description Projected Expenditures	Actual 2022	Amended 2023	Revised Draft 2024	Notes
Salary - Coordinator (1 FTE):	83,724.00	87,073.00	89,685.00	3.0% COLA/MERIT (estimate)
EMS Assistant (Program Support)	45,885.00	52,256.00	53,825.00	3.0% COLA/MERIT (estimate)
Benefits/Emp. Taxes Coord/Asst	39,461.46	65,334.00	73,000.00	50% of salaries ('23=43%)
Professional Support (Acct. / Legal)	48.30	2,000.00	2,000.00	As needed
County Administrative Fee	600.00	600.00	600.00	\$50 per month
Rent & Utilities (new lease 9/21)	15,499.10	20,000.00	18,000.00	\$1,000 + avg. Utilities = \$1,500
Phone/Internet/Cells:	2,803.94	2,500.00	2,800.00	\$235/mo
Postage:	265.91	200.00	300.00	
Office Supplies:	892.76	500.00	500.00	
Photocopies/Printing:	4,318.15	4,300.00	4,500.00	copier lease & other printing
Computer Serv./Software/Website:	3,606.03	3,900.00	3,900.00	ERS/Accting/Website maint.
Travel/Gas/License/Other	2,064.28	2,400.00	2,400.00	Vehicle: Gas/Travel/Maint/Lic.
Training/Conferences (Best Practices)	120.00	200.00	200.00	
Insurance	3,519.00	3,500.00	3,600.00	-vehicle insurance from User Fee
Office Equipment (replacement)	600.00	600.00	600.00	
Miscellaneous (bank fees +)	644.66	500.00	700.00	
TOTAL EXPENDITURES:	\$204,852.59	\$245,863.00	\$256,610.00	Difference = \$10,747
Vehicle/Insurance/tires(user fee)	800.00	1,200.00	1,200.00	insurance/maintenance
Training Copier Lease fund transfer		\$2,000.00	\$2,000.00	FY24 & FY25 training copies exp.
Salary Credit Carryover:	\$25,113.44	18,372.77	0.00	Due to reduced staffing circumstances.
Jurisdiction Projected Contribution	\$179,739.15	\$225,490.23	\$253,410.00	OFM Pop. 47,300 (4/1/23)
Kittitas County:	90,831.00	100,568.00	113,528.00	44.80%
City of Ellensburg:	86,430.00	100,118.00	112,007.00	44.20%
City of Cle Elum:	9,803.00	10,823.00	12,164.00	4.80%
City of Kittitas:	6,402.00	6,765.00	7,602.00	3.00%
City of Roslyn:	4,201.00	4,510.00	5,068.00	2.00%
Town of S. Cle Elum:	2,401.00	2,706.00	3,041.00	1.20%
TOTAL JURISDICTION REVENUE:	\$200,068.00	\$225,490.00	\$253,410.00	100.00%
Annual Jurisdiction % Increase:			11.0%	
User Fee=Vehicle Replace (10 yr)	\$6,500.00	\$6,500.00	\$6,500.00	Fee based on #/type providers
Reserve/Accrual Fund				
Wage Survey Adjust or Credit to PJ	25,113.44	18,372.77		Due to reduced staffing circumstances.
ASHI Training Site	12,020.21	11,932.32		
Public Education (ASHI courses)	2,263.47	2,814.60		
Benefit Accrual Fund	9,000.00	9,000.00		
Office Equip Accrual Fund	2,608.80	1,888.26		
Professional Support (Acct. / Legal)	987.05	1,951.70		
User Fee (Capt Equip/ Special Proj.)	22,235.83	27,716.83		
Total Annual Budget:	\$280,796.80	\$243,863.00		Pending Year-end budget resolution
Participating Jurisdiction Credit:	0.00	0.00		

Population percentages derived from the Office of Financial Management, Forecasting Division for April 1, 2023 (posted 7/2023)

The 2024 (1/1-12/31/2024) Office Budget Plan Resolution #6-8-23-A was approved for recommendation to the KCCOG by the Kittitas County Trauma Care Council on 6/8/23. Executive Committee amended benefits projection+ population distribution 7/12/23.


Lee Hadden, Chairman


Prepared by: Cheryl Burrows, EMS Coordinator



Meeting Date: December 18, 2023

**City of Ellensburg
City Council Agenda Report**

Agenda Subject: Project Acceptance - Ruby Street Skim Patch Bid Call 2023-09
Submitted by: Grant Maskal, Construction Project Manager
Department: Public Works & Utilities

Suggested Motion/Action:

Accept Bid Call 2023-09 as complete.

Background/Summary:

The construction of the Ruby Street from E Manitoba Ave to E 5th Ave Skim Patch project was completed in October 2023. This project consisted of full depth pavement repair patches where subgrade and asphalt roadway was compromised and installed an asphalt skim patch from E Manitoba to E 5th Ave in preparation for the 2024 Chip Seal program. Staff has recently received the necessary project closeout paperwork from the contractor and Council is now being requested to accept the project as complete.

Previous Council Action:

July 3rd, 2023 Regular Council Meeting - Council awarded the above-mentioned project to Central Paving, LLC.

Analysis:

The original contract amount bid for the project was \$195,852 with the final contract amount of \$189,379.68

Financial Impact:

This project was funded through the 2023/2024 Biennial Budget from Arterial Street Funds. Savings from the Main Street, Wildcat Way and Downtown Slurry Seal project were used to fund this project.

Budget Adjustment: No

Attachments:

None



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: First Amendment to Affordable Housing Agreement with HopeSource for Pathways Project
Submitted by: Terry Weiner, City Attorney/Assistant City Manager
Department: City Attorney

Suggested Motion/Action:

Move to authorize the City Manager to sign the First Amendment to the Affordable Housing Agreement with HopeSource for the Pathways Project.

Background/Summary:

On March 15, 2022 the City received an application from HopeSource requesting \$750,000 in affordable housing sales tax funds, to acquire 4.8 acres at 1200 South Ruby Street, which also included a vacant hotel (the old Nites Inn). HopeSource proposed to rehabilitate 32 units in the existing hotel building to develop up to 16 dwelling units, providing affordable housing opportunities for low-income households meeting the eligibility and income requirements of RCW 82.14.530. HopeSource has also obtained a \$750,000 project grant from Kittitas County. The total purchase price for the property, including the hotel, was \$1.5 million.

Previous Council Action:

Council approved an Affordable Housing Agreement with HopeSource, including the requested \$750,000 from the affordable housing sales tax funds, at its May 23, 2022 Special Meeting.

Analysis:

The City's Affordable Housing Agreement with HopeSource for the Pathways project (formerly the Nites Inn) included a Target Completion Date of June 30, 2023 and Outside Completion Date of June 1, 2024. HopeSource has commenced interior demolition of the old hotel units, and the project is out to bid with interior remodeling work scheduled to begin in the next few months. The project has been delayed due to permit and supply chain issues. The County has already agreed to an extension of the performance deadline for their grant award. The proposed amendment would extend the Target Completion Date to December 31, 2024 and the Outside Completion Date to December 31, 2025. HopeSource currently anticipates having the units occupied well prior to those dates.

Financial Impact:

None. The City and County's funds were used to purchase the Nites Inn property in May 2022.

Budget Adjustment: No

Attachments:

1. First Amendment to Affordable Housing Agreement between the City and HopeSource

**FIRST AMENDMENT TO AFFORDABLE HOUSING AGREEMENT
(1200 South Ruby Street – Pathways Project)**

THIS FIRST AMENDMENT TO AFFORDABLE HOUSING AGREEMENT (the “*Amendment*”) dated for identification purposes only as of December 20, 2023, is entered into by and between the CITY OF ELLENSBURG, a municipal corporation (“*City*”) and HopeSource, a Washington nonprofit corporation (the “*Developer*”).

Recitals

A. The City and Developer entered into an Affordable Housing Agreement dated May 24, 2022, for the acquisition and development of the Pathways Project at 1200 Ruby Street, Ellensburg, WA for affordable housing (the “*Agreement*”). All capitalized used but not otherwise defined herein have the meanings given in the Agreement.

B. Due to supply chain and other issues outside the Developer’s control, the Developer has requested to extend the date for project completion, which amendment is acceptable to the City.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer agree as follows:

1. Amendment to Article 1 - Definitions and Terms, Section 1.1 – Defined Terms.

Effective as of December 20, 2023, the specific definitions, below, in Section 1.1 of the Agreement are hereby amended as follows:

“**Outside Completion Date**” means ~~June 1, 2024~~ December 31, 2025.

“**Target Completion Date**” means ~~June 30, 2023~~ December 31, 2024.

2. Entire Agreement. This Amendment contains the entire agreement and understanding of the parties with respect to the subject matter hereof and supersedes all prior oral or written understandings, agreements, promises or other undertakings between the parties regarding that subject matter.

3. Conflicts. This Amendment shall control over any conflicting terms in the Agreement or any Project Document.

4. Counterparts. This Amendment may be executed in counterparts, all of which, taken together, shall be deemed to be one and the same document.

[Remainder of page blank; signature page follows.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed on the date(s) specified below.

DEVELOPER:

HopeSource, a Washington nonprofit corporation

By: _____
Susan Grindle
Its: CEO
Dated: _____

CITY:

City of Ellensburg, a Washington municipal corporation

By: _____
Heidi Behrends Cerniwey, City Manager
Dated: _____



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Approve Agreement for Lease of Mail Processing and Metering Business Solutions with Pitney Bowes Inc.
Submitted by: Keith Bassett, Assistant Finance Director
Department: Finance

Suggested Motion/Action:

Move to authorize the City Manager to approve the lease agreement for mail processing and metering business solutions with Pitney Bowes Inc.

Background/Summary:

The City provides utility service to approximately 11,000 customers who receive at least one of the six municipal utilities. An integral part of the physical provision of services to customers, the City is responsible for timely and accurate billing of customers. Additionally, the City mails various other notices, correspondence, remittances, and IRS required forms. Approval of the lease agreement for mail processing and metering business solutions with Pitney Bowes Inc. will provide equipment to maintain these key services.

Previous Council Action:

None

Analysis:

Staff reviewed available mail processing and metering business solutions, and determined the necessary functionality and features for the City's needs, including changes to bill mailing format and bottom addressed mailings, would be met with lease of specific equipment from Pitney Bowes Inc. The equipment lease is available on a cooperative purchasing agreement via state contract (NASPO ValuePoint).

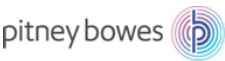
Financial Impact:

The monthly lease for the equipment is approximately \$1,396 per month, for 60 months, for an approximate total cost of \$83,760. Amounts for 2024 are included in the 2023-2024 Biennial Budget. Subsequent expenditure authority will be included in future biennial budget proposals. Operating costs of postage and mailing materials for the leased hardware will be equivalent to existing budgeted assumptions.

Budget Adjustment: No

Attachments:

1. Pitney Bowes Lease Agreement



NASPO ValuePoint FMV Lease Agreement (Option C)

--	--	--	--	--	--	--	--	--	--	--	--

Agreement Number

Your Business Information

Full Legal Name of Lessee / DBA Name of Lessee			Tax ID # (FEIN/TIN)		
City of Ellensburg			916001245		
Sold-To: Address					
501 N Anderson St, Ellensburg, WA, 98926-3147, US					
Sold-To: Contact Name		Sold-To: Contact Phone #		Sold-To: Account #	
Lynne Perrie		5099627208		0018554631	
Bill-To: Address					
501 N Anderson St, Ellensburg, WA, 98926-3147, US					
Bill-To: Contact Name		Bill-To: Contact Phone #		Bill-To: Account #	Bill-To: Email
Lynne Perrie		5099627208		0018554631	perriel@ellensburgwa.gov
Ship-To: Address					
501 N Anderson St, Ellensburg, WA, 98926-3147, US					
Ship-To: Contact Name		Ship-To: Contact Phone #		Ship-To: Account #	
Lynne Perrie		5099627208		0018554631	
PO #					
.					

Your Business Needs

Qty	Item	Business Solution Description
1	RELAY5000	Relay 5000 Inserting System
4	F780183	Sheet/Flat Envelope Tray
3	F780184	Insert Tray
2	F790018	18in Console Extension
1	F7DI	Bottom Address Inverter Kit
1	F9PG	PowerGuard Service Package
1	STDSLA	Standard SLA-Equipment Service Agreement (for Relay 5000 Inserting System)
1	TI50	Relay 5000 Inserting System
1	TIRC	60in Table
1	TIVP	Vertical Power Stacker
1	SENDPROMAILCENTER	MailCenter
1	1FWW	10lb Interfaced Weighing Feature
1	7W00	MailCenter Meter
1	ALMSP360	ALM Support for SP360 Cost Accounts

1	APAXL	Cost Acctg Accounts Level (100)
1	APKG	SendPro P SendPro 360 Ship Access
1	APSL	160/95 LPM Speed
1	CAABL	Basic Cost Acctg for SP MailCenter
1	F9PG	PowerGuard Service Package
1	HV1P	MailCenter Printer
1	HV96000	MailCenter Weighing Platform
1	HV97500	Wireless Client Kit
1	HVBB	MailCenter 2000
1	HVPS	MailCenter Power Stacker
1	HVSP	MailCenter Shipping Bundle
1	M9SS	Mailstream IntelliLink Services 2
1	ME1C	Meter Equipment - P Series, LV
1	MW90067	Power Cord Kit
1	MW90147	Wireless Keyboard
1	MW92705	MailCenter 15in Display
1	PTJ1	SendPro Online-PitneyShip
1	PTJ4	Multicarrier Sending App w HW or Meter
1	PTJ8	SPO-PitneyShip Mailing included w HW
1	PTJC	SPO-PitneyShip Individual
1	PTJN	Single User Access
1	PTK1	Web Browser Integration
1	PTK3	SendPro P Series Meter Integration
1	SJM2	SoftGuard for SendPro P2000
1	STDSLA	Standard SLA-Equipment Service Agreement (for MailCenter)
1	SYAB3	Analytics - 2 Products

Your Payment Plan

Initial Term: 60 months	Initial Payment Amount:	
Number of Months	Monthly Amount	Billed Quarterly at*
60	\$ 1,287.47	\$ 3,862.41

*Does not include any applicable sales, use, or property taxes which will be billed separately.
If the equipment listed above is replacing your current meter, your current meter will be taken out of service once this lease commences.

- ☐ Tax Exempt Certificate Attached
- ☐ Tax Exempt Certificate Not Required
- ☒ Purchase Power® transaction fees included
- ☐ Purchase Power® transaction fees extra

Your Signature Below

By signing below, you agree to be bound by your State's/Entity's/Cooperative's contract, which is available at <http://www.pb.com/states> and is incorporated by reference. The terms and conditions of this contract will govern this transaction and be binding on us after we have completed our credit and documentation approval process and have signed below. If software is included in the Order, additional terms apply which are either (i) included in your State's contract which is available at <http://www.pb.com/states> or (ii) available by clicking on the hyperlink for that software located at https://www.naspovaluepoint.org/search/?term=pitney+bowes&page_ref=contractors. Those additional terms are incorporated by reference.

NASPO VALUEPOINT CTR058808; 15622-01
State/Entity's Contract#

Lessee Signature

Print Name

Title

Date

Email Address

Pitney Bowes Signature

Print Name

Title

Date

Sales Information

Patrick Keegan	patrick.keegan@pb.com	
Account Rep Name	Email Address	PBGFS Acceptance

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

12/11/23
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 **18th DAY OF DECEMBER 2023**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Check #'s	164173	TO	164353	\$	1,695,694.92
EFT #'s	6569	TO	6600	\$	1,457,592.72
Treasure Cash					
EFT #'S	277		308	\$	2,882,458.47
Payroll Fund					
Check #'s	96132	TO	96141	\$	16,510.83
Direct Deposits	76467	TO	76709	\$	464,717.72

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Board and Commission Appointments - EBDA (Public Comment Opportunity)
Submitted by: Cynthia LaChappelle-Mathis, Executive Assistant
Department: City Manager

Suggested Motion/Action:

Move to confirm the EBDA's appointment of Dawn Alford, Del Bankston and Bob Rapp to its Board of Directors.

Background/Summary:

There are three vacancies for appointment to the EBDA.

Previous Council Action:

Analysis:

As directed by Council, the applicants requesting appointment have completed the preliminary process of attending an interview. The appointment recommendation from Kristine Miller, Executive Director, is attached.

Financial Impact:

None

Budget Adjustment: No

Attachments:

1. B and C Agenda Report Chart 12-18-23
2. Recommendation Memo - Dec. 18th
3. Board Interest - Form - Dawn Alford
4. Board Interest - Form - Bob Rapp
5. Board Interest - Form - Del Bankston

Boards and Commissions	Affordable Housing Commission	Arts Commission	Civil Service Commission	Diversity, Equity & Inclusion 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	Utility Advisory Committee
MEMBERS	7	7	3	9	9	7	7	7	7	7	7	7	7
Residency Requirements	Y	N	Y	Y	N	Y	Y	Y	N	Y	Y	N	Y
Current Members within City Limits	6	5	2	8	5	6	7	6	2	7	7	7	5
Current Members Outside City Limits	1	2	0	0	4	0	0	1	3	0	0	0	1
Current Members Outside but in UGA	0	0	0	0	0	0	0	0	0	0	0	0	0
VACANCIES	1	0	0	0	3	2 (EHS)	0	2	3	0	0	0	1 (Tele)
APPLICANTS													
Del Bankston					Re-appt								
Bob Rapp					Re-appt								
Dawn Alford					1st								

From: [Kristine Miller](#)
To:
Cc: [Ext] City Council's meeting Dec. 18th
Subject: Thursday, December 14, 2023 9:29:54 AM
Date:
Attachments:

CAUTION - EXTERNAL EMAIL: The email below is from an external source. Please exercise caution before opening attachments, clicking links, fulfilling requests, or following guidance.

Good day Cynthia,

At last night's board meeting we welcomed three board members starting January 2024 for their three-year term. Two are current board members who re-applied and the third is a new board member, Dawn Alford.

Attached are their applications ready to be included in the council packet for confirmation.

Thank you and have a great day.

Respectfully,

Kristine



Kristine Miller, MBA
CenterFuse Executive Director
E. director@ellensburgcenterfuse.com
O. (509) 955-3880
C. (509) 306-5023

Application for Appointment

Application for Appointment

For volunteering to serve on a Board or Commission

Boards & Commissions	Ellensburg Business Development Authority
Have you attended a meeting for the board or commission you are applying to?	No
Name of Applicant:	Dawn Y Alford
Address	
Mailing Address (If Different)	<i>Field not completed.</i>
City	Ellensburg
State	Washington
Zip	98926
Email Address	
Phone Number	
Length of Residency in Kittitas County	6.5 years
Do you live within the city limits?	Yes

ECC 1.12.120 Residency qualification. Except where a commission, board or committee specifically requires city residency as a condition of appointment, members of all other commissions, boards and committees shall maintain residency within the Kittitas County limits. "Residency," as used herein, means residing within the city or county limits, as applicable, both at the time of appointment and for at least 270 days within each calendar year for the duration of the member's term, but shall not include any period for which a member is absent due to military service.

If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age?

Field not completed.

Occupation Status and Background:

Former CWU Director for Strategic Communications & Digital Media
Currently CEO of Circa 9021 Communications, a public relations and marketing business. I serve non-profits and small businesses by promoting their organizations, growing their clientele, and providing content creation.

Organization Affiliations:

Ellensburg Downtown Association, Central Washington University, FISH, Kittitas County Sheriff's Office, Ellensburg Police Department, Kittitas County Emergency Management Council,
Washington State Emergency Public Information Network, Tri-Cities Communicators' Network, Mid-Columbia Chapter Public Relations and Communications Service (PRSA)

Why are you seeking appointment?

I have always enjoyed giving back to my community by actively engaging in service groups and organizations to strengthen and grow the environment in which I live. I will bring 20+ years of communication experience, community and business engagement, as well as the insights of a new business owner.

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

Building Appeals Board

Board Interest - Form Submission Notification

WordPress <wordpress@ellensburgcenterfuse.com>

Mon 10/9/2023 8:45 AM

To:Margaret Reich <director@ellensburgcenterfuse.com>

Today's date	2023-10-09
First Name	Bob
Last Name	Rapp
Street Address	
City	ellensburg
State	wa
ZIP/Postal Code	98926
Email	
Phone where we can reach you during the day	
Do you live in Ellensburg?	Yes
What is your current occupation and background?	Senior Partner, Envorso
What organizations are you affiliated with?	Rotary, CenterFuse, Microsoft community development efforts, mentorship at CWU Computer Science
What interests you in serving on the CenterFuse board?	In this transition to a new leader, I hope to increase the cooperation with the city to ensure more effective outcomes and a gentler approach to collaboration.
How did you learn about CenterFuse?	currently serve
What skills and attributes do you possess that will add value to the work of CenterFuse?	business consulting, technology savvy, community commitment
Will you be able to attend regular monthly board meetings?	Yes

Board Interest - Form Submission Notification

WordPress <wordpress@ellensburgcenterfuse.com>

Mon 10/9/2023 4:07 PM

To: Margaret Reich

Today's date	2023-10-09
First Name	Del
Last Name	Bankston
Street Address	
City	Ellensburg
State	WA
ZIP/Postal Code	98926
Email	
Phone where we can reach you during the day	
Do you live in Ellensburg?	Yes
What is your current occupation and background?	My current position is Senior Director of Sales. My background has been, as an entrepreneur, business owner, and business leader.
What organizations are you affiliated with?	CASA, Centerfuse, WGA (Washington Glass Association) Rotary
What interests you in serving on the CenterFuse board?	I am attempting to make a difference in the structured development and growth, to bring and keep, higher paying jobs and the key people that work or engage with them.
How did you learn about CenterFuse?	My family, who is very engaged in the Community
What skills and attributes do you possess that will add value to the work of CenterFuse?	Experience in starting, developing, and growing enterprises. Ability to work collaboratively with stakeholders. The ability to address the situation and make a meaningful difference in resolving the issues.
Will you be able to attend regular monthly board meetings?	Yes



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Ordinance 4926 (Second Reading) 2023 Comprehensive Plan Amendments (Public Comment Opportunity)
Submitted by: Jeremy Johnston, Planning Manager
Department: Community Development

Suggested Motion/Action:

1. Move to disapprove remanded docket proposal 23-04, Jensen Map Amendment
2. Conduct second reading and adoption of Ordinance 4926

Background/Summary:

Under the requirements of the State Growth Management Act (GMA), the City is allowed to amend its Comprehensive Plan once each year. City Council has adopted a formal amendment process that allows for amendments to be proposed by any member of the community, any City Council member, any City Board or Commission, or City staff.

Five proposed amendments to the Comprehensive Plan were submitted during the 2023 annual docketing process. The specific changes being proposed and recommended by the Planning Commission (with the exception of Item 23-04) can be found in the attached Exhibits to Ordinance 4926. Per the requirements of Ellensburg City Code (ECC) 15.250.090(D)(7), a public hearing to consider docketed amendments took place at the City Council's October 2, 2023, regular meeting.

Previous Council Action:

At their October 2, 2023 meeting, City Council held a duly noticed public hearing to consider five Comprehensive Plan amendment proposals. At the conclusion of the public hearing, the City Council approved amendments 23-01, 23-02, 23-03. The City Council also approved item 23-05, but requested revisions prior to adoption. The City Council remanded item 23-04 to the Planning Commission and then conducted first reading of Ordinance 4926.

Analysis:

As noted, Item 23-04 was remanded to the Planning Commission, who held a public hearing on December 14, 2023 to reconsider the proposal and provide a recommendation to City Council.

The following five proposals were docketed by City Council for consideration as amendments to the Comprehensive Plan:

Docket Proposal 23-01. This amendment proposal will provide an annual update to the 6-Year Capital Improvement Plans. The amendments will address the upcoming budget year. The proponents for this amendment include the following City of Ellensburg departments:

Community Development, Parks and Recreation, and Public Works and Utilities.

See the attached Exhibit A to Ordinance 4926 for the specific updates to the 6-year Capital Improvement Plans from each City department.

Docket Proposal 23-02.

This amendment proposal was submitted by the City's Community Development Department as requested by the Mayor. This amendment will create a Future Land Use / Zoning conversion table within the City of Ellensburg's Comprehensive Plan Land Use section. The purpose of this proposal is to create clear guidance for appropriate zoning options within each land use category. This proposal will add "*Table 7. Future Land Use – Zoning Conversion Table*" to the Comprehensive Plan's Land Use section. The table will be located directly below the Future Land Use Map on page 28, concluding the Comprehensive Plan Land Use chapter. The specific changes can be found in Exhibit B to Ordinance 4926.

Docket Proposal 23-03.

This amendment proposal seeks to update the Roadway Functional Classification Map with removal of a Future Minor Collector roadway. This is a citizen-proposed amendment to eliminate a Future Minor Collector roadway that affects their property. The specific change can be found in attached Exhibit C of Ordinance 4926.

Docket Proposal 23-04 (remanded item).

This docketing request was submitted by Randy and Dan Jensen to amend the Future Land Use Map for parcels 181933, 171933, 025236, and 191933. All four parcels currently reside within the Community Mixed Use Future Land Use designation. The applicant is requesting a map revision to change the Future Land Use designation to Heavy Industrial.

The City of Ellensburg Comprehensive Plan serves as a guidance document to set goals and policies for the City and inform regulations to reflect those goals and policies. The Comprehensive Plan describes the Heavy Industrial Land Use category as follows:

"This designation generally accommodates industries that process large volumes of raw materials into refined products and/or have significant external impacts. The uses in these areas tend to generate truck traffic and should have access to major transportation networks. Typically, these areas would not be compatible with residential uses."

Potential Heavy Industrial Uses include but are not limited to: hazardous waste treatment, vehicle wrecking yards, tow vehicle storage, mini warehouses, marijuana production/processing, concrete/asphalt processing plants, chemical plants, livestock feeding lots, freight facilities, etc.

In addition, the proposal is inconsistent with the Comprehensive Plan's Goal LU-5, Policy A-Program 5: *Separate heavy industrial uses from incompatible land uses. Use transition zoning, buffers, and other techniques to protect industrial areas and nearby uses from conflicts.* As noted below, the proposal would site Heavy Industrial lands in close proximity to various types of residential zones in the County and the City's UGA.

At the October 2, 2023, City Council Public Hearing, the applicant discussed a potential

proposal for the property if the map amendment were to be approved. The applicant described a foundation hardware manufacturing use with the potential for other Heavy Industrial uses to be determined. Staff confirmed with the applicant in a conversation following the October 2, 2023, City Council Public Hearing, that the proposed use would be consistent with the Heavy Industrial zoning designation and that any additional use proposed would need to comply with zone permissions.

The parcels listed in this application are currently zoned Commercial Highway within a Community Mixed Use land use designation. As a group, the parcels border KVFR Fire Station to the east, a veterinary clinic to the west, the Palouse to Cascades Trail to the south, and Vantage Highway to the north. City parcels within the immediate vicinity carry a Community Mixed Use or Public/Institutional Future Land Use designation which do not allow for Industrial zoning.

Several parcels to the north and south of the subject parcels are within County jurisdiction. The County parcels to the south are zoned Rural-5, which allows for low density residential, and some agricultural uses. These parcels are outside of the City's Urban Growth Area and will remain in County jurisdiction for the foreseeable future. The parcels to the north of the subject parcels are also within County jurisdiction. The County zoning designation for these parcels is Urban Residential. The Urban Residential zone allows for the highest density residential development among the County zoning designations. These parcels are also within the City Urban Growth Area and can be annexed into the City at some point in the future. Several of these parcels are currently residential in use or undeveloped.

The applicant noted a need for more Heavy Industrial lands within the City of Ellensburg and describes a Heavy Industrial use type as the highest and best use of this property.

Staff reviewed the proposal for its consistency with the Comprehensive Plan and general development patterns of the area. After consideration, staff concluded that amending the Future Land Use Map with this revision would not serve the general welfare of the immediate area or the City in general. Staff also concluded the proposal will create a pocket of Heavy Industrial zoning surrounded by several incompatible current and future residential uses. Once the land use designation is reassigned to Heavy Industrial, any permitted heavy industrial use could be sited there. While staff does agree that more industrial zoning could be beneficial to the City, we do not believe that the proposed area would be consistent with the general development patterns of the immediate area nor consistent with the Comprehensive Plan's guidance for location of heavy industrial land use.

This item was remanded to the Planning Commission by the City Council at a public hearing on October 2, 2023. The item was brought back before the Planning Commission at a public hearing on December 14, 2023, after this report and the agenda packet are published. It is anticipated that at the conclusion of the public hearing, the Planning Commission will again recommend disapproval of this item. Staff will provide an update on the result of the Planning Commission meeting recommendation at the Council meeting.

Docket Proposal 23-05 (approved with revision request).

This amendment proposal was originally submitted by CenterFuse on June 28, 2021. The amendment request suggested various updates to the Economic Development Chapter of

the Comprehensive Plan. The item was continued to the 2022 cycle under file number P22-03. Due to an extended time period to develop a collaborative City/Countywide Economic Development Strategic Plan with extensive public participation and updated data, the item was again continued to the 2023 cycle to ensure future goals were consistent with the new plan.

The current proposal addresses grammatical issues, general updates, adds a Covid-19 Impact section, expands the Arts and Culture and Business Development sections, removes irrelevant projections, and updates Demographic and Household Income data.

The City Council voted to approve this item at the public hearing on October 2, 2023, but requested revisions to the document to reflect more current information. The item has been updated as instructed by City Council, highlighting changes to the version that was reviewed at first reading. The specific revisions can be found in Exhibit A.

Financial Impact:

None

Budget Adjustment: No

Attachments:

1. Ordinance 4926
2. Exhibit A - Redline Economic Development Chapter

ORDINANCE NO. 4926

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, AMENDING THE COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 4785 AND SET OUT IN CHAPTER 15.120 OF THE ELLENSBURG CITY CODE.

WHEREAS, as one of the cities in Kittitas County, the City of Ellensburg is required to adopt and regularly update a comprehensive plan pursuant to the Washington State Growth Management Act (GMA); and

WHEREAS, the City Council adopted Ordinance No. 4785, “Imagine Ellensburg 2037,” as the official Comprehensive Plan for the City of Ellensburg, which was last amended by Ordinance No. 4910; and

WHEREAS, under the GMA and pursuant to Section 15.250.090 of the Ellensburg City Code, the City is authorized to amend its Comprehensive Plan on an annual basis; and

WHEREAS, the City Council adopted Resolution 1997-10 and Ordinance No. 4116 as last amended by Ordinance No. 4807, establishing a policy and procedure for the annual review of proposals to amend the Comprehensive Plan, which are codified in Ellensburg City Code 15.250.090(D); and

WHEREAS, on July 17, 2023 the City Council reviewed all of the proposed Comprehensive Plan amendments for the 2023 annual amendment cycle and moved to docket proposed amendments 23-01, 23-02, 23-03, 23-04, and 23-05, and then forwarded the docketed amendments to the SEPA Responsible Official for SEPA review and to the Planning Commission for review and recommendation; and

WHEREAS, on August 14, 2023 the City Community Development Department provided the required 60-Day Notice of Intent to Adopt Comprehensive Plan Amendments to the Washington Department of Commerce, and the 60-day review period ended on October 13, 2023; and

WHEREAS, the SEPA Responsible Official reviewed a SEPA checklist and other information in the record and issued a Determination of Non-Significance on August 14, 2023 for docketed comprehensive plan amendments 23-01, 23-02, 23-03, 23-04, and 23-05, and no comments were submitted during the SEPA comment period; and

WHEREAS, the Ellensburg City Planning Commission held a duly noticed public hearing on September 14, 2023 and the Planning Commission approved a motion to recommend the City Council approve proposed amendments 23-01, 23-02, 23-03, and 23-05 as presented, and to disapprove amendment 23-04; and

WHEREAS, the City Council held a duly noticed public hearing on the matter of adopting the docketed 2023 Comprehensive Plan amendments at its regular meeting on October 2, 2023. Council entered into the public hearing record the agenda report with Exhibit A through I, and documents submitted by Randy Jensen for proposed amendment 23-04 were entered into the public record as Exhibit J, for Council's October 2, 2023 regular meeting prior to closing the public hearing, after which City Council determined it is in the best interests of the City of Ellensburg that proposed amendments 23-01, 23-02, and 23-03 be approved as presented in accordance with the findings and recommendations submitted by the Planning Commission; and

WHEREAS, at the October 2, 2023 public hearing, the City Council approved amendment 23-05 with instruction for non-substantive revisions to update economic data with more current information and also voted to remand proposed amendment 23-04 to the Planning Commission; and

WHEREAS, the remanded item (23-04) was brought back before the Planning Commission during a duly noticed public hearing on December 14, 2023 and the Planning Commission recommended disapproval of the remanded item to City Council; and

WHEREAS, the remanded item (23-04) was brought back before the City Council during a regularly scheduled Council meeting on December 18, 2023 and the City Council voted to disapprove the remanded item (23-04); and

WHEREAS, all portions of the City of Ellensburg 2017 Ellensburg Comprehensive Plan, "Imagine Ellensburg 2037," as subsequently amended, shall remain in full force and effect except as specifically amended herein;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG DO ORDAIN AS FOLLOWS:

Section 1. The recitals set forth above are hereby adopted as the findings of the City Council and are by this reference incorporated herein as if set forth in their entirety.

Section 2. That document attached to this ordinance as Exhibit "A" and entitled "2023 City of Ellensburg Capital Improvement Plans" which is included as part of the Comprehensive Plan is hereby amended to adopt and include docket amendment 23-01.

Section 3. That document attached to this ordinance as Exhibit "B" and entitled "Future Land Use – Zoning Conversion Table" which is included as part of the Comprehensive Plan, is hereby amended to adopt and include docket amendment 23-02.

Section 4. That document attached to this ordinance as Exhibit "C" and entitled "Roadway Functional Classification Map" which is included as part of the Comprehensive Plan, is hereby amended to adopt and include docket amendment 23-03.

Section 5. That document attached to this ordinance as Exhibit “D” and entitled “Economic Development Chapter” which is included as part of the Comprehensive Plan, is hereby amended to adopt and include docket amendment 23-05.

Section 6. All portions of the City of Ellensburg 2017 Comprehensive Plan, “Imagine Ellensburg 2037,” as subsequently amended, shall remain in force and effect except as specifically amended herein.

Section 7. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 8. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener’s errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 9. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council this 18th day of December, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4926 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4926 was published as required by law.

Beth Leader

Exhibit A : 2023 City of Ellensburg Capital Improvement Plans

Item 23-01

APPENDIX A

Table 23. Electric Utility Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029
Electric System Plan						
Plan Update (every 6 years)	150000					
Capitol Projects						
Berry to Bull Rd Tie			\$ 200,000			
Canyon Rd I90 Crossing Reconductor (D2-1)			\$ 100,000			
Bowers Rd to Reecer Creek Extension (HE-2)					\$ 250,000	\$ 250,000
Feeder 15 Airport Rd to Bender (HE-1)					\$ 150,000	\$ 150,000
Mountain View Reconductor (D2-2)		\$ 500,000				
Sanders to Alder Tie (HE-3)				\$ 80,000		
Sanders to Brick Rd (HE-4)				\$ 175,000		
Anderson/Umptanum Rd Tie	\$ 150,000					
PSE Customer Annexations - Vantage Hwy	\$ 75,000	\$ 75,000				
Gateway II	\$ 125,000	\$ 125,000				
AMI Conversion	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000			
SR97 / Highway 10 Loop	\$ 300,000					
Wildcat Street Feeder System				\$ 315,000		
Street Lighting Laminated / Fiberglass Pole Replacement/ Misc. Lighting Upgrades	\$ 55,317	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Seattle (Willow To Vista View Plat) Extension	\$ 75,000					
Radio Road Conversion					\$ 180,000	
Substation Improvements						
Sub Land Purchase	\$ 225,000					
D1 Dolarway Substation Improvement	\$ 3,000,000	\$ 1,000,000				
TOTAL	\$ 5,155,317	\$ 2,750,000	\$ 1,350,000	\$ 620,000	\$ 630,000	\$ 450,000
Grand total	\$10,955,317.00					

Table 24. Information Technology Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029
IT Strategic Plan						
Plan Updates (every 3 years)			\$20,000			\$20,000
IT Computer Replacements						
Hardware	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000
Software	\$34,000	\$34,000	\$34,000	\$34,000	\$34,000	\$34,000
Consultant Services	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
IT Enterprise Applications						
Hardware	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Records Management	\$50,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
ERP replacement	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000
Software	\$185,000	\$185,000	\$185,000	\$185,000	\$185,000	\$185,000
Consultant Services	\$100,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
IT Network Resources						
Hardware	\$40,000	\$40,000	\$20,000	\$20,000	\$20,000	\$20,000
Software	\$53,000	\$53,000	\$53,000	\$53,000	\$53,000	\$53,000
Consultant Services	\$32,000	\$32,000	\$32,000	\$32,000	\$32,000	\$32,000
Off Site Data/DR	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Network Cable Upgrades	\$10,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
GIS Strategic Plan						
Plan Updates (every 3 years)		\$15,000			\$15,000	
GIS Enterprise Applications						
GIS - Asset Management System	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
GIS - Permit, licensing, and Service Applications	\$90,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
GIS Network Resources						
Hardware	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Software	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000
Consultant Services	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Total	\$941,000	\$786,000	\$771,000	\$751,000	\$766,000	\$771,000
GRAND TOTAL	\$4,786,000					

Table 25. Natural Gas Utility Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029
Gas System Planning & Programs						
System Plan Update (every 6 years)			\$120,000			
DIMP Program	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
PSMS Program	\$30,000	\$5,000	\$15,000	\$5,000	\$15,000	\$10,000
Public Awareness Program	\$25,000	\$25,000	\$30,000	\$30,000	\$30,000	\$30,000
System Improvements						
No 6 Road / Vantage Hwy Loop	\$600,000					
Misc System Integrity Looping	\$30,000	\$30,000	\$30,000	\$40,000	\$40,000	\$40,000
Vantage Highway (Gateway II)		\$350,000				
SR97 / Highway 10 Loop	\$200,000					
Pipe Boring under Roads, RR, and Creeks	\$40,000	\$50,000	\$50,000	\$50,000	\$60,000	\$60,000
WWTP RNG Station	\$100,000					
Emission Mitigation Equipment	\$80,000					
Misc System Improvements	\$100,000	\$120,000	\$120,000	\$140,000	\$140,000	\$140,000
Tap/Regulator Station Upgrades						
System Telemetry Upgrades	\$15,000		\$20,000		\$20,000	
Tap Station Land Acquisition	\$120,000					
Kittitas Tap Station Site Improvements		\$450,000				
Cathodic Protection System Improvements						
Anode Bed Replacements	\$160,000					
Cathodic Protection (CP) System Study		\$90,000				
Cathodic Protection Close Interval Survey	\$30,000					
Tap Station CP Interference Testing/Analysis	\$15,000					
Meter/ERT Upgrades/Improvements						
Meter Proving/Refurbish	\$40,000	\$40,000	\$40,000	\$50,000	\$50,000	\$50,000
Meter/ERT Change-Outs	\$140,000	\$200,000	\$200,000	\$140,000	\$140,000	\$140,000
AMI Conversion		\$800,000				
Developments						
Misc System Developments	\$150,000	\$150,000	\$200,000	\$200,000	\$200,000	\$225,000
Total	\$1,880,000	\$2,315,000	\$830,000	\$660,000	\$700,000	\$700,000
Grand total	\$7,085,000					

APPENDIX A

Table 26. Parks and Recreation Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029
Rotary Park Fieldhouse	\$25,000,000.00					
Rotary Pavilion Property Development	\$2,500,000.00					
North Alder Street Park Sprayground	\$250,000.00					
IRRP Playground			\$200,000			
Kiwanis Park Skatepark Improvements	\$545,000.00					
Reed Park Improvements	\$200,000.00	\$200,000	\$200,000			
Community Center				\$50,000,000		
McElroy Park Improvements				\$30,000		
Pickleball Court Development (4)		\$110,000				
Rotary Park and Trail Development			\$500,000			\$5,000,000
New Park Acquisition					\$200,000	
Mt. View Park Multi Purpose Court Improvements		\$40,000				
Mt. View Park Tennis Court Development (6)			\$410,000			
PTCSTP Reconnection		\$825,000	\$75,000	\$200,000	\$500,000	\$300,000
Yakima River Trail			\$750,000			
Irene Rinehart Park Improvements						\$1,827,000
Kleinberg Park Improvements					\$17,000	
Mt. View Park Improvements						\$188,300
Paul Rogers Park Improvements		\$118,000				
South Main Entry Park Improvements						\$20,000
Veterans Memorial Park Improvements					\$401,000	
West Ellensburg Park Improvements					\$432,600	
Wipple Park Improvements	\$50,000.00					
Off Leash Park Phase II		\$10,000				
Totals	\$28,545,000	\$1,303,000	\$2,135,000	\$50,230,000	\$1,550,600	\$7,335,300
Grand Total	\$91,098,900					

APPENDIX A

Table 27. Sewer Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029	2030-2040
Maintenance Issues & Concrete & Clay Pipe Replacement	\$150,000	\$180,000	\$180,000	\$200,000	\$200,000	\$200,000	\$2,200,000
Concrete & Clay Pipe Replacement							\$4,050,000
Cora Street Pump Removal/Main Extension				1,500,00			
Anderson Road Extension	\$1,500,000						
Totals	\$1,650,00	\$180,000	\$180,000	\$1,700,00	\$200,000	\$200,000	\$6,250,000
Grand Total	\$10,360,000						

Table 28. Stormwater Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029
Effectiveness Monitoring	\$ 74,073	\$ 92,039	\$ -	\$ -	\$ -	\$ -
University Avenue Gateway Project (Wenas to Whiskey Cr.)	\$2,500,000					
Street Tree Inventory and Assessment	\$80,000	\$0	0	0	0	0
Annual Stormwater Project (Varies)	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
Phase II Levee Reecer Dolarway	\$ 1,200,000					
University Avenue Gateway II Project (Vista Rd. to E. CL)	\$1,025,000		\$ 4,900,000			
Totals	\$ 4,954,073	\$167,039	\$ 4,975,000	\$ 75,000	\$ 75,000	\$ 75,000
Grand Total	\$10,321,112					

Table 29. Telecommunications Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029
Telecom Strategic Plan						
Plan Updates (every 3 years)	\$20,000					
System Improvements						
WWTP Fiber Optic Connection	\$55,000					
Bull Road	\$20,000					
Hardware Refreshment	\$100,000	\$25,000	\$25,000	\$25,000	\$100,000	\$25,000
Outdoor Plant Improvements	\$48,000	\$48,000	\$48,000	\$48,000	\$48,000	\$48,000
Gateway 2 Project	\$20,000	\$20,000				
Telecom Connections	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Telecom Infrastructure	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Line Extensions						
Commercial Customers	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Wireless Improvements						
Community WiFi, Wireless Equipment for DR/Backup or Temporary Svc.	\$10,000	\$10,000				
Total	\$353,000	\$183,000	\$153,000	\$153,000	\$228,000	\$153,000
GRAND TOTAL	\$1,223,000					

APPENDIX A

Table 31. Waste Water System Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029	2030-040
Digester and GBT Building Electrical Upgrades	\$ 848,000						
Recirculation Pump Station		\$ 275,000					
Boiler Building		\$ 40,000					
Aeration	\$ 200,000	\$ 30,000,000					
New Clarifier		\$ 10,000,000					
Rebuild Clarifiers			\$ 1,700,000				
Methane Recapture Analysis/Contract	\$ 1,040,000						
Totals	\$ 2,088,000	\$ 40,315,000	\$ 1,700,000	\$ -	\$ -	\$ -	\$ -
Grand Total	\$44,103,000						

APPENDIX A

Table 32. Water System Capital Improvement Plan

Project	2024	2025	2026	2027	2028	2029	2030-2040
Aquifer Storage and Recovery Program	\$ 300,000						\$ 5,000,000
Craig's Hill Pressure Zone	\$ 1,210,000						
Reservoir Siting Study	\$ 50,000						
Craig's Hill Reservoir Seismic Study and Retrofit	\$ 50,000	\$ 180,000					
Pfenning Loop					\$ 274,000		
Airport Well 3 and 1824 Zone Connector						\$ 160,000	
Memorial Park Main Relocation	\$ 50,000						
Walnut Street Main Replacement		\$ 286,000					
Seattle Ave. Main Extension	\$ 323,000						
24-inch Main Inspection	\$ 25,000						
24-inch Valve Rehabilitate	\$ 40,000	\$ 40,000					
New 1860 Pressure Zone				\$ 2,500,000	\$ 1,840,000		
New 4.0 MG 1824 Zone Reservoir				\$ 4,745,000	\$ 4,745,000		
Reservoir Corrosion Control Program	\$ 230,000						
Permanent On-Site Well Backup Generators		\$ 550,000		\$ 550,000		\$ 550,000	\$ 1,200,000
Recoat Reservoirs			\$ 825,000				\$ 825,000
AMI Conversion			\$ 500,000				
Pressure Reducing Valve							\$ 81,000
New Well(s)	\$ 50,000	\$ 3,000,000	\$ 3,500,000				
Water System Plan Update							\$ 300,000
Rotary Park Irrigation	\$ 750,000						
Oversizing Fund	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 520
Pipe Replacement Fund	\$ 100,000	\$ 100,000	\$ 110,000	\$ 110,000	\$ 120,000	\$ 120,000	\$ 1,320,000
Meter Testing	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 455,000
Pump and Motor Inspection/Repair	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000	\$ 416,000
Totals	\$ 3,308,000	\$ 4,286,000	\$ 5,065,000	\$ 8,035,000	\$ 7,109,000	\$ 960,000	\$ 9,597,520
Grand Total	\$38,360,520						

		CITY OF ELLENSBURG		PUBIC HEARING DATE:		6/20/2023					
		6-YEAR TRANSPORTATION IMPROVEMENT PLAN		ADOPTION DATE:		6/20/2023					
		2024 TO 2029 (INCLUDES CURRENT WORK REMAINING IN 2023)		RESOLUTION NO.		2023-14					
		REVENUE BY YEAR (thousands)									
		SOURCE		2023*	2024	2025	2026	2027	2028	2029	TOTALS
		ARTERIAL STREET		735	136	308	45	113	395	118	1,850
		REGIONAL STBG		20	1,284	0	0	0	710	750	2,764
		SALES TAX RESERVE		1,370	1,340	0	430	1,425	1,155	500	6,220
		FEDERAL SAFER ROUTES TO SCHOOL & PEDESTRIAN/BICYCLE GRANTS		0	2,580	872	0	750	750	250	5,202
		WSDOT SAFETY PROGRAM		0	0	0	4,350	0	0	0	4,350
		TRANSPORTATION IMPROVEMENT BOARD (TIB) - Grant Programs		260	2,472	886	200	1,700	3,475	2,800	11,793
		DISTRESSED COUNTY SALES/USE TAX		62	144	134	0	0	609	0	949
		1/4 CENT REAL ESTATE EXCISE TAX		438	2,141	162	50	0	250	0	3,041
		MAP-21 TRANSPORTATION ALTERNATIVES PROGRAMS		0	403	0	0	0	475	0	878
		DOE FISCAL YEAR WATER QUALITY GRANT		1,450	4,250	0	0	0	0	0	5,700
		COUNTY LOGGING TAX GRANT		0	67	0	0	0	0	0	67
		LOCAL LOGGING TAX FUNDS		0	66	0	0	0	0	0	66
		TRANSIT		25	0	0	0	0	0	0	25
		OTHER AGENCY OR CITY DEPARTMENT		5	8,501	330	0	0	1,036	300	10,172
		LOCAL IMPROVEMENT DISTRICT (LID) / DEFERRALS		0	4,700	0	0	1,145	695	8,200	14,740
		TRAFFIC IMPACT FEES		62	831	55	2,195	0	990	993	5,126
		NOT FUNDED		0	0	0	0	0	0	0	0
		TOTAL REVENUE		4,427	28,915	2,747	7,270	5,133	10,540	13,311	72,943
		EXPENDITURES BY YEAR (thousands)									
		PROJECT		2023*	2024	2025	2026	2027	2028	2029	TOTALS
1	S/P	Bridge Inspections		5	5	5	5	5	5	5	35
2	S/P	Engineering Transfer		15	15	15	15	15	15	15	108
3	S/P	Signal Optimization		25	25	25	25	25	25	25	175
4	S/P	Alley Reconstruction (Semi-Annual)		80	0	85	0	90	0	95	350
5	S	University Way and Reecer Creek Road Signalization		25	0	0	0	0	0	0	25
6	S	5th Ave. and Railroad Ave. Traffic Signal Installation		124	0	0	0	0	0	0	124
7	S	University Way Gateway - Nanum Street to Red Horse Diner		2,500	0	0	0	0	0	0	2,500
8	S	Downtown Slurry Seal		129	0	0	0	0	0	0	129
9	S	Main St. Overlay - 3rd Ave to University Way		592	0	0	0	0	0	0	592
10	S	Wildcat Way Overlay (University Way to 18th Ave)		646	0	0	0	0	0	0	646
11	S	Ruby St Skim Patch		220	0	0	0	0	0	0	220
12	S	Planning Road Shared Use Pathway		50	526	0	0	0	0	0	576
13	S/P	Helena Ave Imp (Water St to 3,200' west, Cora Connection, portion in KC jurisdiction)		150	300	0	0	0	0	5,450	5,900
14	S	Brick Rd Improvements		191	1,485	0	0	0	0	0	1,676
15	S/P	Mountain View Ave and Bul Rd/Willow St Intersection Enhancements		75	0	750	0	0	0	0	825
16	S/P	University Way Gateway II - Vista Rd to east City Limits		510	515	5,125	0	0	0	0	6,150
17	S	Planning Rd Sidewalk - 240' North of Vantage Hwy to Radio Rd		272	1,867	0	0	0	0	0	2,139
18	S/P	Alder St Sidewalk - One Side - Capitol Ave to 4th Ave		0	75	0	80	0	85	0	240
19	P	Large Scale Wayfinding Implementation Project		0	133	0	0	0	0	0	133
20	S/P	Capitol Ave Sidewalk Replacement - Main St to Sampson St		0	100	0	110	0	130	0	340
21	P	Anderson/Umpnam/Railroad Ave. Road Widening Overlay (Joint w/ County)		0	500	550	6,260	0	0	0	7,310
22	P	Recon Trail and Sidewalk Extension - PTC to Bender and Hannah to Whiskey Cr		0	250	2,791	0	0	0	0	3,041
23	P	University Way Overlay - (BNSF To Whiskey Creek)		0	540	0	0	0	0	0	540
24	P	Water St. Overlay - University Way to Manitoba, Manitoba from Water to Main		0	0	1,416	0	0	0	0	1,416
25	P	1st Ave Sidewalk Improvements - Ruby St to Sampson St - North Side		0	0	234	0	0	0	0	234
26	P	Palouse to Cascades Reconnect Trail - Sanders to Airport		0	0	804	0	0	0	0	804
27	P	15th Ave Sidewalk Improvements - Cora St to Water St - North Side		0	0	185	0	0	0	0	185
28	P	Wildcat Way and 18th Intersection Enhancements		0	0	0	756	0	0	0	756
29	P	University Way and Water Street Intersection Enhancements and Widening		0	0	0	3,270	0	0	0	3,270
30	P	Mountain View Ave and Ruby St Intersection Enhancements and Widening		0	0	0	2,920	0	0	0	2,920
31	P	Canyon Rd Overlay - Umpnam Rd to Mountain View Ave		0	0	0	260	0	0	0	260
32	P	Walnut St and 18th Bike Lane - Dean Nicholson to Alder St		0	0	0	0	150	0	0	150
33	P	Water St. Overlay - University Way to Helena		0	0	0	0	1,550	0	0	1,550
34	P	University Way Sidewalks - Brick Rd. to Vista Rd.		0	0	0	0	2,040	0	0	2,040
35	P	Industrial Way Improvements - LID		0	0	0	0	1,260	0	0	1,260
36	P	Canyon Rd and Umpnam Rd Intersection Enhancements and Widening		0	0	0	0	0	3,390	0	3,390
37	P	3rd Ave. Pavestone Sidewalks and Historic Lighting - Water St. to Depot		0	0	0	0	0	810	0	810
38	P	Capitol Ave. Improvements - Willow St. to Oak St.		0	0	0	0	0	1,525	0	1,525
39	P	Airport Rd Sidewalk Improvements - Dean Nicholson to N. City Limits		0	0	0	0	0	1,170	0	1,170
40	P	City to Canyon Trail - Umpnam Rd to Tjosses Rd		0	0	0	0	0	3,600	0	3,600
41	P	3rd Ave and Ruby St Intersection Enhancements		0	0	0	0	0	0	890	890
42	P	14th Ave and Wildcat Way Bike Lane - B St to University Way		0	0	0	0	0	0	103	103
43	P	Mountain View Overlay - Canyon to Willow		0	0	0	0	0	0	1,500	1,500
44	P	Helena Ave Extension - PTC Trail to Dry Cr Rd		0	0	0	0	0	0	4,100	4,100
45	P	Cora Street Ex - PTC Trail to Bender Rd (portion in KC jurisdiction)		0	0	0	0	0	0	7,200	7,200
46	P	Chestnut St and Walnut St Bike and Ped Improvements									263
47	P	8th Ave LID (University Way to Maple St)									1,061
48	P	Trail Connection - 5th Ave to University Way (near CWJ)									250
49	P	5th and Ruby Intersection Enhancements and Widening									741
50	P	Helena Ave and Walnut St Intersection Enhancements and Widening									740
51	P	Circle the City Trail - Enterprise Way to Faust Rd									4,200
52	P	Helena Ave and Water St Intersection Enhancements and Widening									936
53	P	Manitoba Ave and Ruby St Intersection Enhancements and Realignment									1,332
54	P	University Way and Alder St Intersection Enhancements and Widening									1,558
55	P	University Way and Main St Intersection Enhancements and Widening									3,338
56	P	Water St and Bender Rd Intersection Enhancements									966
57	P	Airport Rd and Bender Rd Intersection Enhancements									1,008
58	P	Capitol Ave and Chestnut St Intersection Enhancements									672
59	P	Sanders Rd and Alder St Intersection Enhancements									665
60	P	Capitol Ave and Willow St Intersection Enhancements									524
61	P	Anderson Rd and Umpnam Rd Intersection Enhancements									1,252
62	P	15th Ave and Cora St Intersection Enhancements									432
63	P	18th Ave and Alder St Intersection Enhancements									720
64	P	Planning Rd Sidewalks - Radio Rd to 14th Ave									1,101
		TOTAL EXPENDITURE		5,609	6,336	11,985	13,721	5,155	10,755	19,383	21,759
		ARTERIAL STREET FUND BEGINNING BALANCE (01/01/2022)		1,329	714	698	510	585	592	317	
		EST. GAS TAX REVENUE & SCHEDULED SALES TAX TRANSFER		120	120	120	120	120	120	120	
		ARTERIAL STREET FUND ENDING BALANCE		714	698	510	585	592	317	319	

*Current year projects shown for accounting purposes.

**TIP plans calls for road widening/impr. projects to be funded from Sales Tax Reserve, to replace the Federal STP funding which is now shown for potential asphalt overlay funding.

(Average annual need to overlay the arterial street system on a 15 year cycle is in excess of \$1,079,000 per year.)

Exhibit B: Future Land Use – Zoning Conversion Table
Item 23-02

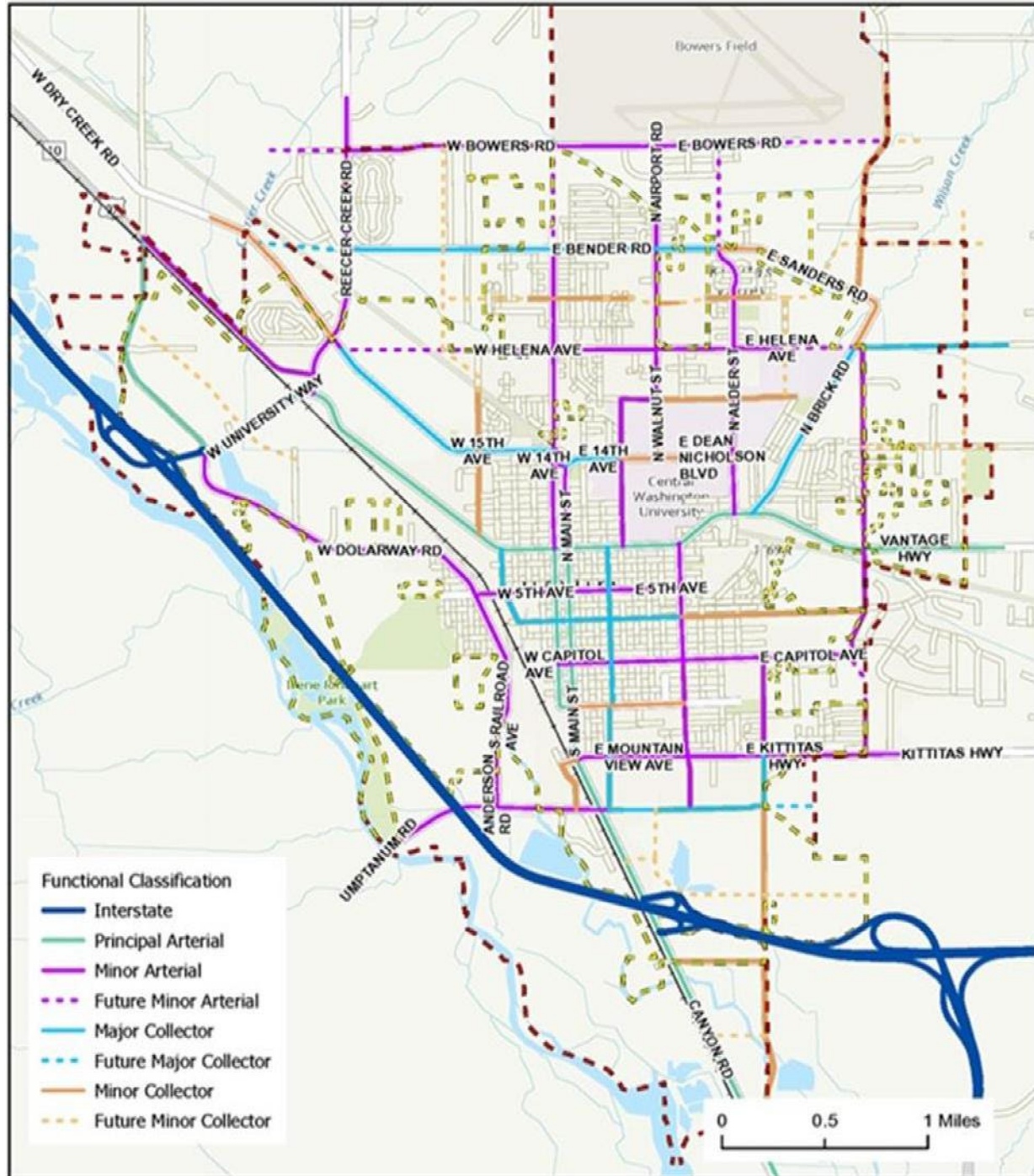
Table 7. Future Land Use- Zoning Conversion Table	
Future Land Use	Zoning Options
Residential Neighborhood	Residential Suburban (R-S)
	Residential Low (R-L)
	Residential Medium (R-M)
	Residential High (R-H)
	Residential Office (R-O)
	Commercial Neighborhood (C-N)
Blended Residential Neighborhood	Residential Low (R-L)
	Residential Medium (R-M)
	Residential High (R-H)
	Commercial Neighborhood (C-N)
Urban Neighborhood	Residential High (R-H)
	Residential Office (R-O)
	Commercial Neighborhood (C-N)
Neighborhood Mixed Use	Residential Medium (R-M)
	Residential High (R-H)
	Residential Office (R-O)
	Commercial Neighborhood (C-N)
Community Mixed Use	Residential Medium (R-M)
	Residential High (R-H)
	Residential Office (R-O)
	Neighborhood Center (NCMU)
	Regional Center Mixed Use (RCMU)
	Commercial Highway (C-H)
Neighborhood Commercial	Commercial Neighborhood (C-N)
	Residential Office (R-O)
Mixed Business Park	Industrial Light (I-L)
	Commercial Highway (C-H)
	Regional Center Mixed Use (RCMU)
Urban Center	Central Commercial (C-C)
	Central Commercial II (C-CII)
General Commercial and Services	Commercial Highway (C-H)
Light Industrial	Industrial Light (I-L)
Heavy Industrial	Industrial Heavy (I-H)
Industrial Residential	Industrial Light (I-L)
Public Institutional	Public Reserve (P-R)
Open Space (Private)	Public Reserve (P-R)
Parks and Open Space (Public)	Public Reserve (P-R)

Exhibit C: Roadway Functional Classification Map
Item 23-03

CHAPTER 3

TRANSPORTATION

Figure 13. Roadway Functional Classifications



**Figure 13 (above) depicts the general location and connections of future roadways. The exact locations of future roadways will be determined based on topography, environmental conditions, and future development needs.

Exhibit D – Economic Development Chapter
Item 23-05



ECONOMIC DEVELOPMENT

WHAT YOU WILL FIND IN THIS CHAPTER

- Information about the local economy, including statistics on population, employment, businesses, and employment sectors.
- Policies and programs that seek to help Ellensburg build a promising economic future.
- Policies that provide a framework for leveraging tourism and promoting Ellensburg as a destination.
- Policies that seek to maintain a qualified workforce and promote living wage jobs.

OVERVIEW

This chapter contains goals, policies, and programs to define Ellensburg's role in economic development, and to help the City build a healthy economy. While economic activity exists at all levels, both public and private, local government's role is to establish parameters for private markets, provide vital services, and ensure that development enhances the quality of life in Ellensburg.

A healthy economy adds to all aspects of the community, from job retention and creation to infrastructure to community services. A healthy local economy can strengthen the community's position as a unique and attractive place to work, live, play, and visit.

The goals, policies, and programs contained in this chapter aim to guide the City of Ellensburg in developing a supportive and equitable business environment for new and existing businesses with the intent of providing a range of employment opportunities for all residents, and a strong tax base for the City.

BACKGROUND & CONTEXT

With a population of just about 21,000 as of 2023, Ellensburg is the center of commerce and government for Kittitas County. It offers services for local residents, and the financial, religious, and educational institutions that serve an area much larger than what is within city limits. Ellensburg is a central gathering place for the regional community, and hosts a diversity of activities, events, and services that serve more people than those within the city limits of Ellensburg. Ellensburg is known as the home of Central Washington University and the annual Ellensburg Fair and Rodeo that attracts national attention.

The quality of life in Ellensburg is characterized by a clean environment, vibrant downtown, and outstanding outdoor recreational activities, all of which are important factors in nurturing economic growth. Businesses provide property, sales, lodging tax and other revenues that support public infrastructure and maintain quality of life. As local and national economies and lifestyles evolve, it will become more important for Ellensburg to maintain and enhance its livability through smart urban design that reflects the values and choices of the community. The Ellensburg community is challenged with the availability of living wage jobs, and with the City's ability to continue providing services that foster business development and increase economic opportunities. Residents want employment, retail, and social opportunities that allow them the ability to live, work, and play in the community.

Ellensburg's economic base has been relatively narrow since its settlement in the late 1800s. While Ellensburg still enjoys a strong agricultural economy, the community as a whole has become less dependent on natural and agricultural resources. Today Central Washington University, Kittitas Valley Healthcare, state and local government, and food and retail services are strong economic drivers in the community. Ellensburg has also experienced an increasing number of residents commuting to Yakima County and to the greater Puget Sound region for employment opportunities.



As of 2022, the top five employers in Ellensburg are: Central Washington University, Kittitas Valley Healthcare, Ellensburg School District, Kittitas County, and Anderson Hay and Grain,. Tourism and retail industries are also key employers.

The growth in metropolitan areas near Ellensburg—King County in particular—is changing the community’s economic position. The US Census Bureau named Kittitas County the 10th fastest growing county by percentage in the United States in 2015 to 2016 with a 4.2 percent growth rate. Kittitas County was the only county in Washington on the list. The same report cited the City as the third-fastest growing micropolitan area in the country.

Transportation congestion and high home prices in urban areas are pushing people into rural Kittitas County for a more relaxed and affordable place to live. The lack of congestion and ubiquitous changes in technology makes commuting and remote work a reasonable alternative to living and working in urban areas. An increasing number of residents are working in Yakima County and the greater Puget Sound region. According to the 2016 Kittitas County Population Projection Review and Analysis, in 2013 46 percent of working Kittitas County residents worked outside of Kittitas County, with 16 percent of those commuting to King County.



Equitable Economic Development

While the overall goal for economic development in Ellensburg is to promote the wellbeing, vitality, and quality of life for residents, not all residents have equal access to education, housing, job opportunities, and therefore, the same quality of life. As the community invests in the future, it is with the commitment to work together to provide tangible solutions to create an equitable economy. This work includes examining existing policies and procedures, outlining economic development goals with an equity lens, and inviting more diversity within leadership roles in the community.

Working with community partners, priorities would include educational opportunities, workforce development, business attraction, retention and expansion, and affordable housing.

Economic Sectors

The following is a brief synopsis of the economic drivers in the City of Ellensburg. More information on each of these drivers, as it pertains to land use, is provided in the Land Use Element.

Impact of the Covid-19 Pandemic

Like many rural communities around the state, the long-term impact of the global pandemic Covid-19 is still being measured. Small businesses within Ellensburg faced many challenges and state, county, and local governments stepped in to help our community with additional resources to get through unprecedented times. As we move into a post-pandemic economy, the direct impact on our community is still unknown, however, we continue to be challenged by instability throughout the supply chain, the

growing cost of goods, expanded need for community assistance and resources, and a growing need for affordable housing.

As a result of the acceptance of remote work opportunities, coupled with the rising cost of housing prices in neighboring counties, the demand for new homes in Ellensburg has increased, driving up the average home price. This has created a higher demand for affordable housing, as the median income has not kept pace with the rising housing market.

Ellensburg will continue to monitor the effects of the global pandemic and seek innovative measures to strengthen the region and create a stronger, more resilient economy for the community.



Commercial and Industrial

Ellensburg's early industrial development focused along the railroad tracks to the west of downtown. Over time, land use designations and zoning patterns have continued this pattern, with the bulk of Ellensburg's industrial land located along a narrow strip paralleling the Burlington Northern Santa Fe (BNSF) railroad tracks. Most of this land is in the 100-year floodplain. Commercial and

industrial development has expanded along Dolarway Road to connect to the area surrounding the west I-90 freeway interchange. Additionally, the northernmost portion of Ellensburg's UGA surrounding Bowers Field is designated for light industrial use to attract and accommodate business innovation and family-wage jobs, with more light industrial uses in a variety of existing zones, along with inventive ideas to mitigate industrial development in the floodplain areas.

A 2016 Downtown Market Study and Economic Development Plan indicates that local shoppers are traveling outside of Ellensburg to purchase daily goods and services. The nearest large commercial center is Yakima, 35 minutes to the south, which is a popular destination for various kinds of retail shopping.

Three key highways meet at Ellensburg. Interstate 90 is the state's primary east-west route; Interstate 82 carries traffic through south central Washington to population centers in Yakima and the Tri-Cities. State Route 97 moves traffic north to Wenatchee. These highway interchanges provide substantial opportunity for commercial development. The south interchange at Canyon Road is currently the more developed of the two existing interchange areas, offering lodging, dining, and gasoline sales. The west (I-90/SR 97) interchange provides

similar services, but not at the same intensity. Both interchange areas have been identified for regional retail commercial development, at a scale that serves the City of Ellensburg, as well as the surrounding region. As new development of big-box stores and shopping centers slow on a national level, however, a variety of commercial and public-service uses for these commercial and industrial sites are being explored, including distribution warehousing.



Downtown Commercial

The development of commercial areas outside the downtown core has distributed business activity beyond the traditional range of downtown. The community's passion for downtown Ellensburg is evident, as shown in its commitment to preserving historic buildings while staying on the cutting edge of reuse and revitalization.

As a result, downtown Ellensburg has experienced a renaissance over the last

decade with many buildings undergoing restoration; upper floors of long-shuttered historic buildings have opened, expanding residential, commercial, and civic space. A new boutique hotel, the redevelopment of a downtown city center park, and expansion of residential, artistic, and commercial offerings have added to the high quality of life for Ellensburg's City Center. A Certified Main Street community, the thriving downtown is on the National Register of Historic Places, named a Dozen Distinctive Destinations by the National Trust for Historic Preservation in 2007 and a Great American Main Street Award finalist by the National Main Street Center in 2018.



Healthcare

Kittitas Valley Healthcare operates KVH Hospital, an accredited Critical Access Hospital and the state of the art, Medical Arts Center along with multiple clinics that include primary care, internal medicine, occupational medicine, orthopedics, surgical, and women's health services. The Emergency Department at KVH Hospital is designated as a Level IV trauma

service by the State of Washington Department of Health and is staffed 24-hours-a-day team of emergency personnel.

KVH is the second largest employer in Ellensburg, with over 600 employees. The hospital is working on a new campus master plan that will expand the footprint of the campus. In anticipation of the projected growth in Ellensburg's 65 or older population, KVH is expected to remain a key part of Ellensburg's economic growth over the next 20 years.



Central Washington University

Central Washington University is an important and vital force in the community. CWU's campus occupies more than 380 acres and employees approximately 1,800 people. The \$113 million annual payroll supports retail, housing, and entertainment businesses; CWU spends nearly \$15 million in the area with vendors for everything from catering to furniture. Construction spending of nearly \$500 million since

2010 has supported employment throughout the region and built one of the most beautiful and modern campuses in the state.

The Central Washington University Strategic Plan calls for continued public service and community engagement, with emphasis on the level of collaboration between the University and local communities to contribute to the education, social, and economic progress of Washington communities.

Under new leadership in 2021, Central Washington University is committed to working with the City of Ellensburg to expand community engagement, collaborative partnerships, and regional economic development. It will be important to understand enrollment trends in the post-pandemic era as the University—like other higher education institutions nationwide—have experienced a decline. Historically, students have been a significant portion (nearly 40%) of the City's population which drives housing and other public services.



Tourism

Tourism is one of the five top economic drivers for Ellensburg, with year-round events such as Dachshunds on Parade, Ellensburg Music Festival, Buskers in the Burg, Winter Hop Brewfest, First Friday Art Walks, and many others providing entertainment for thousands of locals and visitors. Many events are held in the historic city center, with Central Washington University also offering a full calendar of music, conferences, and sports related activities. Outdoor

recreation, event and performance centers, conferences, and youth sports provide growth potential for the local tourism industry. Ellensburg's creative industry, that includes tourism, has the potential to help drive Ellensburg's overall economic growth.

Lodging tax continues to grow steadily with 2018 recording \$530,000, 2019 recorded at \$578,000, while 2020 experienced a drop due to the global pandemic. However, post Covid-19, a strong year-over-year rebound was realized in 2022 recording revenues of \$675,000. These funds benefit the community in a number of ways through increased tourism, event and project grants, and capital improvements for civil facilities and parks.

Ellensburg is home of the Kittitas County Event Center which hosts the Kittitas County Fair and Ellensburg Rodeo. The Fair and Rodeo is held each Labor Day weekend and the rodeo is continuously ranked in the top 10 rodeos in the nation with over 25,000 visitors attending from outside the community.

The Event Center is located on 21 acres just South of Central Washington University. The Event Center hosts more than 1,500 events throughout the year for community organizations, trade shows, expositions, equestrian and livestock events, and other special events. The Center includes conference and event spaces, an indoor arena, stock pens, barns, RV hookups, and on-site parking.

With some structures built over 90 years ago, the Kittitas Valley Event Center is listed on both the Washington State and National Register of Historic Places, offering both cultural and economic opportunities for Ellensburg and the surrounding region.

Technology

While the technology sector is not yet a significant portion of Ellensburg's current economy, there is a drive to expand and develop this throughout the region utilizing multi-county partnerships that elevate and promote the Central Washington Region as a whole. The technology sector tends to offer well-paying jobs and is attracted to good schools, high quality of life, and recreational amenities. Ellensburg embodies these characteristics while offering the City of Ellensburg's growing telecommunications utility (see Capital Facilities and Utilities chapter) as well as the proximity to Seattle, one of the top tech hubs in the nation. CWU has state-of-the-art computer science facilities along with technology programs in the Departments of Information Technology Administrative Management (ITAM), Computer Sciences, and Advance Industrial Sciences that support areas of future economic expansion and digital transformation of industry.

Arts and Culture

The arts play an important role in the economy in Ellensburg; home to many artists, designers, creative entrepreneurs, and art nonprofits that may be classified under other categories of business activity. Nonprofit arts organizations serve as regular economic contributors to tourism and local job base. For example, the Laughing Horse Arts Foundation (LHAF) gives operational support for a sponsor for several performing arts organizations under the LHAF foundational umbrella. Long standing festivals and organizations such as Ellensburg Music Festival (formerly Jazz in the Valley) and Valley Theatre Company, have brought people from all over the state to celebrate the arts. Central Washington University is home to a top-rated academic music program that is dedicated to achieving the highest standards of musical knowledge, performance, and teaching. In addition to sponsoring remarkable student performances, the department brings in world-class musicians throughout the year. A growing campus public art and sculpture collection and degree programs in art, multi-cultural and diversity studies, film and theatre, craft brewing and wine studies program add to the richness of the creative sector in Ellensburg.

The Creative Industry is a vital component of a healthy regional economy and the arts play an important role in the economic development of Ellensburg. The creative sector is a \$29 million economic driver that will increase tourism, bring new and innovative job creation, and expand opportunities throughout Ellensburg. Home to many artists, designers, creative entrepreneurs, artisanal spirits, and artistic nonprofits, Ellensburg has become a central regional hub with a flourishing art and cultural community.

In 2016, the City Council designated 10 percent of construction sales tax revenue to community art, with an annual floor of \$25,000 and a ceiling of \$50,000. As stewards of these funds, the Ellensburg Arts Commission develops strategies, procedures, and goals that reflect the best usage to further the impact of the arts community. Events and programs such as First Friday Art Walk, the Ellensburg Poet Laureate, Project Grant Program, the Ellensburg Music Festival,

Buskers in the Burg, The Bite of the Burg, and Moments to Remember generating income for artists and increase revenue for businesses annually.

In 2021 the Ellensburg Arts and Cultural Alliance was established, uniting artists, artistic nonprofits, foundations, economic development organizations, municipalities, Central Washington University, and community leaders with the purpose of positioning the arts to thrive in Ellensburg and drive economic growth for our community. With a robust strategic plan and strong community participation, growth within the creative sector can bolster the overall economy of Ellensburg.

Opportunity Zones

Both industrial and downtown retail areas lie largely within “Opportunity Zones,” a community development program established by Congress in the Tax Cuts and Jobs Act of 2017. The zones are intended to encourage long-term investments in low-income urban and rural communities nationwide. The Opportunity Zones program provides a tax incentive for investors to re-invest their unrealized capital gains into Qualified Opportunity Funds (QOF) that are dedicated to investing into Opportunity Zones designated by each state.

Ellensburg’s two Opportunity Zones comprise more than 6,120 acres. Of that, 22 percent is designated for commercial or industrial use; 2,540 acres of vacant land are ready for development.

- Census tract 5303797-5600 includes portions of Central Washington University, the Historic District and Main Street to I-90. The tract includes the city’s warehouse district and is bisected by the BNSF railroad line. Sixty percent of the tract lies within the incorporated city, with the remaining 40 percent within the Urban Growth Area. The tract comprises over 2,000 acres with 44 percent designated as areas that are development-ready with direct access to Interstate 90, rail, and city utilities. Zoning allows for a broad mix of developments: Residential Suburban, Central Commercial, Commercial Highway, Central Commercial II and Light Industrial.
- Census tract 5303797-5500 lies north and west of tract 5600. It runs in a southeast-northwest direction with I-90 as the southwestern border and the Palouse to Cascades Trail acting as the northeastern border. Fifty percent of the tract lies within the incorporated city or Urban Growth Area, with the remaining sited on county land. Zoning allows for diverse applications: Light industrial, urban residential, general commercial, residential suburban, residential office, and commercial tourist.

Foreign Trade Zones

In 2010, the Port of Moses Lake established a 90-mile radius of a Foreign Trade Zone (FTZ) that included all of Kittitas County. A FTZ allows companies to store goods duty-free, delay tax and customs payments, and lower inventory costs. By establishing a FTZ, companies compete more

efficiently and cost effectively in the marketplace. Merchandise may be moved into these zones for operations, including storage, exhibition, assembly, manufacturing, and processing. The standard customs entry procedures and payments of duties are not required on the foreign merchandise unless and until it enters the US Custom's territory, at which point the importer generally has the product. Domestic goods moved into the zone for export may be considered exported upon admission to the zone for the purposes of excise tax rebates and drawback. As part of the county-wide strategic plan, the City of Ellensburg, the Kittitas County Chamber of Commerce, and CenterFuse are developing tactics to encourage businesses to utilize this benefit.

Business Development

Working collaboratively, multiple organizations enhance the community's quality of life through business development.

The City of Ellensburg offers a unique and streamlined approach for businesses to start and grow. From business incentives to a comprehensive review of proposed projects in a Pre-Application Meeting that includes representatives and staff from all the required entities to begin a project. Because the City owns and operates electric, natural gas, water, wastewater, stormwater, and telecommunications utilities, project review is conducted by a single entity at one location which provides increased certainty for development in terms of process, timelines, and requirements for a successful project. Additionally, the City of Ellensburg has invested in staffing and talent in key roles like Community Development and Economic Development to enhance the overall economic success of the City.

Many organizations throughout Ellensburg work to build the economy and enhance the community's quality of life. Three organizations in particular are directly involved in business development in Ellensburg.

CenterFuse is a Public Development Authority, authorized by RCW 35.21.730 and created by the City of Ellensburg in 1994. CenterFuse recruits, supports, and connects businesses with the resources they need to start, grow, and prosper.

The Kittitas County Chamber of Commerce partners with CenterFuse, the City of Ellensburg, and the County's Downtown Associations on business development, in addition to overseeing tourism, events, and services as the designated County Associated Development Organization (ADO).

The Ellensburg Downtown Association (EDA) is a Certified Main Street Organization through the Washinton Main Street Program and the Department of Archeology and Historic Preservation and follows the designated Main Street Approach for downtown revitalization.

Household Income

In 2022, the median household income for households residing in the City of Ellensburg was \$47,407 , compared to \$64,134 for Kittitas County and \$82,400 for Washington state respectively. Ellensburg's median family household income is 58 percent of the median income of Washington State, and about 74 percent of the median income of Kittitas County.

Table 20 compares the demographics and family household income of Ellensburg with Kittitas County, and with Washington state.

Table 20. Demographics and Household Income as of 2022

	Ellensburg	Kittitas County	Washington State
2022 population	20,940	47,200	7,864,400
Median age	23.7	33.0	37.4
Labor force population (age 18-64), percent of total	65.6%	62.4%	63.7%
65 years and over, percent of total population	9.7%	18.3%	16.8%
Median household income	\$47,407	\$64,134	\$82,400

Washington Office of Financial Management, United States Census, American Community Survey 5-Year Estimates, 2010-2014 and 2011-2015

The median age in Ellensburg is influenced by the population of college students that attend Central Washington University. In the fall of 2019, student attendance on the Ellensburg campus was 9,988, over half of the population of Ellensburg, and a significant portion of population of Kittitas County. The university had projected incoming on-campus freshman enrollment to grow by about 2% each year for the next 10 years, however CWU, like many other campuses across the country, has seen a decline in enrollment from incoming freshman students.

Currently about 18% of Kittitas County's population is 65 years and over. Washington State Office of Financial Management demographers project that this population share will increase to about 20% by 2030, as today's baby boomers enter their 70s and 80s. As the center for medical and other services, Ellensburg could expect to see growth in residents 65 years and over, and an increase in demand for services and senior and/or assisted living facilities.

Employment Overview

In Kittitas County the average annual employment growth rate from 2000 to 2021 was 1.1%. The County has had two distinct periods of job loss attributed to larger national economic collapse, during the recession beginning in 2009 and again in 2020, during the global pandemic. After the Covid-19 global pandemic, the labor market maintained a year over year recovery from 2021 to 2022 and rebounded in 2022 with a 6.7% increase, providing 1,060 new jobs.

The Washington State Employment Security Department notes that construction, local government, retail trades, and health services accounted for over three-fourths of the jobs added to Kittitas County from 2011-2022.

Within the City of Ellensburg, 56.9% of individuals are employed by private companies, with 28.6% employed by local, state, and federal government. The employment rate in Ellensburg in 2022 was 61.4% compared to 61.1% statewide.

TOP EMPLOYERS IN ELLENSBURG

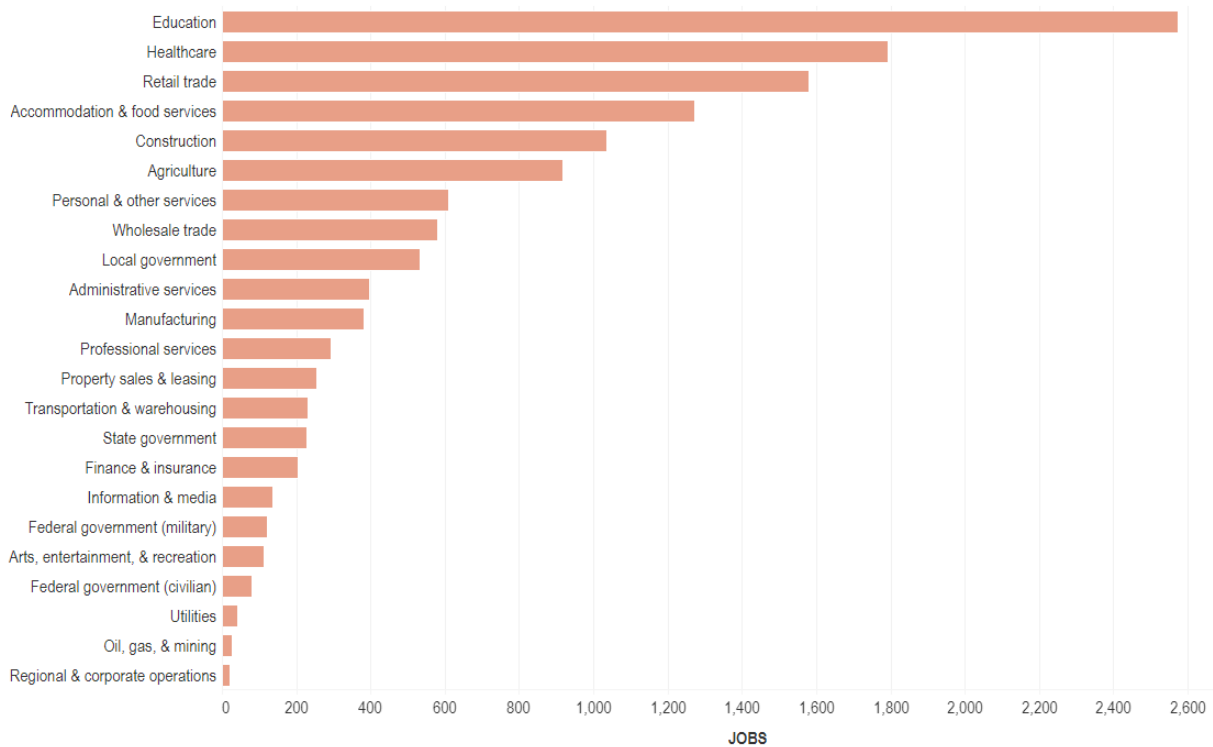
- Central Washington University
- Kittitas Valley Healthcare
- Ellensburg School District
- Kittitas County
- Anderson Hay and Grain
- Elmview
- Fred Meyer
- City of Ellensburg
- Twin City Foods, Inc.
- Super 1 Foods

Employment Post Covid-19

Overall employment (2023) within Kittitas County averaged 16,830 jobs, down 4.2 percent from pre-Covid employment, indicating that employment rates, while increasing, are still recovering three years after the pandemic.

The employment market in Kittitas County is limited in diversification. Per the Employment Security Department, approximately 62.6 percent of all jobs in Kittitas County are from five specific industry sectors: local government, accommodation/food services, construction, retail trade, and state government. Of these five, local and state governments were the top two industries in terms of payroll. The construction industry is the largest private sector and has seen significant growth in a post-Covid 19 economy, however, trends indicate that the housing market was experiencing increase in demand prior to the pandemic. For example, county-wide in 2015 there were 295 housing permits compared to 545 permits in 2021.

Additional Covid-19 influences on employment in Ellensburg and Kittitas County include the wide acceptance of remote work, coupled with the proximity of Ellensburg to the Seattle region, the difficulty in recruiting new employees for the retail and service industry, potentially linked to the decline in college enrollment, and the challenges recruiting skilled professional workers due to the rising cost of homes prices and cost of living in Kittitas County in relation to scale of pay for those professional positions in the region.

2020 EMPLOYMENT BY INDUSTRY SECTOR: ELLENSBURG, WA (IN KITTITAS COUNTY)

The City of Ellensburg along with county-wide partners are working together to diversify the overall job market, recruiting new industries around key targeted sectors that will bring new training opportunities, family wage jobs, and strengthen the local economy.

While unemployment was unprecedented during the Covid-19 pandemic of 2020, Kittitas County has seen unemployment decrease year over year since. As of July 2023, per Washington State Employment Security Department, 22,786 of the available labor force in Kittitas County, 21,950 were employed, leaving 836 individuals unemployed.

Employment Forecasts

The employment target is the amount of job growth the jurisdiction should plan to accommodate during the 2017-2037 planning period. Ellensburg's employment target for this period is 6,998 additional jobs.

The Kittitas County Conference of Governments countywide employment projection is a 2 percent average annual growth rate; with 80 percent of employment growth projected to occur in incorporated areas and their Urban Growth Areas, and 20 percent projected to occur in rural areas outside of urban growth areas. The allocation method is based on current shares of employment growth by sector based on each incorporated areas baseline (2013) share of total employment in that sector. See Table 22 below. For additional detail on employment forecasts please see the Community Profile and Land Use chapters.

Table 22. City of Ellensburg Employment Allocation

Jurisdiction	2015 Employment	20-year employment allocation	2037 Employment
Ellensburg	11,490	6,998	18,488
Total	19,362	11,155	30,517

Estimated employment in 2015 for Ellensburg and its urban growth area is approximately 11,490 jobs, which equates to about 1.4 jobs per household, and about 59 percent of jobs countywide. Between 2002 and 2013 Ellensburg experienced about 29 percent of the countywide employment growth. According to the US Bureau of Labor Statistics, in 2020, Ellensburg had 13,423 total jobs and Kittitas County reported 17,563 jobs.

Previously, the 20-year employment allocation for the City of Ellensburg was projected to result in a total of 18,488 jobs, and about 1.3 jobs per household. The employment allocation is based upon Ellensburg and each of the incorporated areas in Kittitas County maintaining their current share of employment. Population was allocated using a similar method, and therefore projects that jobs per household would also be maintained over the next 20 years.

Based on a countywide land capacity analysis the employment allocation is within what Ellensburg can accommodate, based on the current zoning and land use regulations. The Land Use chapter contains descriptions and locations of future land use designations that will accommodate employment in the form of mixed-use areas, neighborhood commercial activities, regional commercial uses, and industrial areas.

GOALS, POLICIES, & PROGRAMS

These economic development goals, policies, and programs are designed to work with the other elements to help stimulate economic growth and focus on areas that take into account Ellensburg's unique characteristics and opportunities for growth.

Goal ED-1: Strengthen city partnerships throughout the county and expand resources to support economic opportunities that benefit all.

- | | |
|------------------|---|
| Policy A | Continue to implement and regularly update a strategic economic development plan with representatives from the following sectors: industrial, transportation, agriculture, tourism, healthcare, education technology, advance manufacturing (Industry 4.0), government, and public safety. |
| Program 1 | Coordinate with regional economic development groups to create, promote, and recruit brand new businesses. |

- Program 2* Strengthen collaboration among the business community, economic development stakeholders, Central Washington University, healthcare organizations, workforce agencies, local governments, tourism organizations, and other regional economic development organization partners and higher education institutions.
- Program 3* Partner with regional organizations to establish and extend training, funding, and business development opportunities for small businesses.
- Program 4* Develop, refine, and implement economic monitoring to help advance the City's economic development policies and programs with a focus on equitable business retention and growth.
- Program 5* Ensure strong partnerships with local school district to encourage enhanced K-12 educational opportunities and training.
- Program 6* Support programs that increase availability of affordable housing and public transportation.
- Program 7* Support efforts to continue the I-90 Snoqualmie Pass East project beyond Easton to Cle Elum, and ultimately to Ellensburg, to address safety, freight, and business mobility, and other issues related to chronic traffic congestion.
- Policy B Integrate economic strategies into community planning activities.**
- Program 1* When evaluating future locations for particular land use districts and zoning designations, consider local and regional market needs (i.e., trip counts, visibility, etc.) of the types of businesses likely to locate in those areas.
- Program 2* Work with county partners, Community Development, and Public Works to evaluate infrastructure needs to support business recruitment and a growing regional economy.
- Program 3* Direct capital improvements, including fiber/telecommunications network, to key areas to create a sense of place for all and to expand and attract businesses and commerce.

Goal ED-2: Stimulate and diversify Ellensburg's economy.

- Policy A Encourage diversified growth that will provide and expand goods and services to the local and regional community.**
- Program 1* Market to a variety of business – both large and small – that provide goods and services to local and regional populations.

- Program 2* Promote economic activity that diversifies sources of revenue and expand the employment base.
- Policy B Promote the retention and expansion of existing businesses as well as the development of new businesses.**
- Program 1* Solicit comments and feedback from local businesses on things that the City could change to better support local businesses.
- Program 2* Establish incentives and development flexibility to retain existing businesses, attract new businesses, and encourage quality development.
- Program 3* Partner with economic development groups to inventory and share information regarding vacant building and lot space.
- Program 4* Promote development of vacant lots and infill within Ellensburg's urban core.
- Program 5* Continue to provide high quality and cost-efficient city services and facilities and promote these as one of Ellensburg's economic development assets.
- Program 6* Identify segments of existing businesses and develop strategies and programs to remove barriers for growth and expansion.
- Program 7* Expand key partnerships in collaboration with Central Washington University, Kittitas County, economic development organizations, and work force development to support new businesses and expand existing businesses.
- Program 8* Identify opportunities for innovation through residents and Central Washington University to open avenues for new business start-ups and foster their development.
- Program 9* Utilizing the community's assets of location, workforce, and quality of life, develop and launch a pro-active, equitable business recruitment strategy that directly pitches the City as a place to do business to outside community prospects for relocation or expansion of additional locations.
- Program 10* Market the Opportunity Zones and work with the regional ports to identify existing businesses that could take advantage of Kittitas County's Foreign Trade Zone status and development marketing strategies to promote and utilize status for new development.
- Policy C Develop and maintain an effective and predictable regulatory environment.**

- Program 1* Provide efficient, predictable, and customer-service oriented permitting processes.
- Program 2* Consider streamlining permitting by establishing a one-stop permit center for all permits.
- Program 3* Encourage the use of the pre-application process as a means of identifying potential obstacles to the development of a particular site.
- Program 4* Establish predictable processing times and consistent review processes, and post timelines on the City's website.
- Policy 5* Work with regional economic development organizations to create "How to" guide for new businesses, investors, and developers to work with the city on new business creation, land development, and building redevelopment.
- Policy D Encourage development of light industrial uses within the City of Ellensburg.**
- Program 1* Work collaboratively with education, workforce development, and business to identify and grow industry clusters aligned with regional values to create a resilient economy.
- Program 2* Continue to partner with Kittitas County on development of Bowers Business Park at the airport.
- Program 3* Work with economic development organizations to identify strategic locations for light industrial land use and zoning changes to encourage innovation and job creation.

Goal ED-3 Grow and sustain a qualified workforce.

- Policy A Coordinate with local high schools, higher education institutions, workforce development, vocational rehabilitation, and local businesses to train a diverse workforce that is prepared for emerging job markets.**
- Program 1* Consider public/private sponsorship of entrepreneurial education.
- Program 2* Encourage organizational partnerships that focus resources toward increasing the employability of all people.
- Program 3* Work collaboratively with K-12, workforce development, technical skills training, and higher education institutions to create stackable educational pathways for a flexible future workforce.

Program 4 Diversify and expand the city's job base, with focus on attracting living-wage jobs, to allow people to work and live in the community.

Goal ED-4 Emphasize equity-focused economic development of downtown as an economic, tourist, retail, art, and event destination.

Policy A Promote access from Interstate 90 and create a desire to stop within the central business area of Ellensburg.

Program 1 Establish land uses that recognize Canyon Road, Main Street, University Way, Vantage Highway, and Dolarway as entrances to our city.

Program 2 Expand and enhance the wayfinding system to local businesses, city parking, tourist facilities and attractions, and pedestrian paths.

Program 3 Encourage and support diverse cultural activities and the arts and recognize their contributions to the local economy.

Program 4 Partner with the Kittitas County Chamber of Commerce and the Ellensburg Downtown Association to develop incubators and incentives for development in the downtown area.

Program 5 Work with all economic development organizations, including Central Washington University, to identify key buildings for development of technology and creative sector jobs.

Program 6 Collaborate with creative sector organizations to achieve Creative District designation and expand creative sector through implementation of the Creative Industry Strategic Plan.

Program 7 *Be proactive in re-evaluating policies and strategies for downtown parking as the downtown evolves, referencing the 2019 Nelson/Nygaard Parking Study.*

Policy B Partner with regional EDOs and community organizations to implement the downtown economic development plan.

Program 1 Encourage mixed uses in the downtown area to support increased commercial and tourist activity, walkability, and diverse housing options.

Program 2 Provide enhanced public gathering places downtown to encourage a sense of place and community.

Goal ED-5 Embrace tourism as an economic development tool.

Policy A Market Ellensburg’s tourism opportunities by developing a marketing strategy to address all tourism segments of the region.

Program 1 Advertise to targeted interests at the regional, national, and international level.

Program 2 Keep detailed and updated content management platforms such as websites and mobile applications.

Program 3 Support visitor information centers and kiosks.

Program 4 Explore future development of visitor information services near freeway interchanges.

Program 5 Promote Ellensburg’s role as a destination to regional recreation and cultural activities.

Program 6 Create community gateway sign to attract visitors into business core.

Program 7 Support destination marketing organizations through lodging tax funds.

Policy B Market Ellensburg’s central location for conventions, business meetings, recreation, sports tournaments, cultural events, and other activities.

Program 1 Inventory and manage data about where regional tourism-based enterprises can meet and use community spaces and resources.

Program 2 Coordinate and promote a central booking location for public/private regional facilities.

Program 3 Provide a consistent level of reliable public transportation between public and private local facilities and accommodations.

Program 4 Leverage lodging tax funding to support events and promotions and development of government-owned facilities and parks for tourism related markets.

Policy C Support and expand opportunities for tourism-based investments.

Program 1 Identify appropriate zoning districts to allow for short-term rental property.

Program 2 Identify appropriate zoning districts to allow for ancillary tourism activities.

Goal ED-6 Foster economic development through energy innovation and use of renewable energy.

*Policies and programs on renewable energy and promotion of energy efficiencies are addressed in the Capital Facilities and Utilities Chapter.

ACTION ITEMS

Airport master plan implementation

Collaborate with Kittitas County to ensure the implementation of the airport's master plan and Bowers Business Park contributes to the overall economic growth in the region, and that Ellensburg's land use plans are compatible with continuing airport and airport-related uses.

Economic development vision and strategic plan

Collaborate with local economic development organizations to activate and implement an economic development vision and strategy for Ellensburg, which identifies the types of land use designations and the relative priorities of capital investment necessary to foster economic development and promote living wage jobs in Ellensburg.

An updated Kittitas County Economic Development Strategic Plan was created in partnership with a county-wide coalition of jurisdictions and economic development organizations. The plan consists of a five-point strategy focused on:

1. Collaboration: Unite upper and lower County government and organizations in shared goals and action that benefit the County as a whole.
2. Economic Resilience: Provide residents with tools and resources to access jobs and opportunities in the area, including entrepreneurship.
3. Balanced Growth: Direct and manage the growth of the County to build a dynamic community that remains an attractive and affordable place to live.
4. Community Investment: Develop the County's infrastructure to meet its current and future needs and position it to amplify the advantage of its central location.
5. Preservation: Preserve the legacy of the County, valuing its assets and resources to turn them into opportunities for future generations.

The county-wide coalition began implementation activities of the strategic plan in 2023.

Increase usable industrial-zoned property

Review the industrial land inventory and identify and implement steps within the City's control to make more light industrial land available in less constrained areas.

Kittitas Valley Event Center Master Plan

Encourage an updated long-term plan for the Kittitas County Event Center to facilitate long-term growth and best land use. Collaborate with the Kittitas County Event Center as a major cultural site and economic generator in Ellensburg.

Streamline/automate permitting process

Review land use permitting processes and make adjustments as necessary to streamline approval processes while still ensuring projects enhance Ellensburg's economic vitality and community character.

POLICY CONNECTIONS

Policies and programs that address energy efficiencies and renewable energy are addressed in the **Capital Facilities and Utilities** and **Environmental** chapter.

The **Transportation** and **Capital Facilities and Utilities** chapters address policies and programs regarding the development of infrastructure for economic development including roadways, transit facilities, telecommunications and other utilities.

Goals, policies, and programs that address commercial and industrial land use designations are addressed in the **Land Use** chapter.

Policies and programs that address affordable and diverse housing options are in the **Housing** Chapter.



ECONOMIC DEVELOPMENT

WHAT YOU WILL FIND IN THIS CHAPTER

- Information about the local economy, including statistics on population, employment, businesses, and employment sectors.
- Policies and programs that seek to help Ellensburg build a promising economic future.
- Policies that provide a framework for leveraging tourism and promoting Ellensburg as a destination.
- Policies that seek to maintain a qualified workforce and promote living wage jobs.

OVERVIEW

This chapter contains goals, policies, and programs to define Ellensburg's role in economic development, and to help the City build a healthy economy. While economic activity exists at all levels, both public and private, local government's role is to establish parameters for private markets, provide vital services, and ensure that development enhances the quality of life in Ellensburg.

A healthy economy adds to all aspects of the community, from job retention and creation to infrastructure to community services. A healthy local economy can strengthen the community's position as a unique and attractive place to work, live, play, and visit.

The goals, policies, and programs contained in this chapter aim to guide the City of Ellensburg in developing a supportive and equitable business environment for new and existing businesses with the intent of providing a range of employment opportunities for all residents, and a strong tax base for the City.

BACKGROUND & CONTEXT

With a population of just ~~under~~ ~~over~~ about 201,000 as of ~~2019~~20223, Ellensburg is the center of commerce and government for Kittitas County. It offers services for local residents, and the financial, religious, and educational institutions that serve an area much larger than what is within city limits. Ellensburg is a central gathering place for the regional community, and hosts a diversity of activities, events, and services that serve more people than those within the city limits of Ellensburg. Ellensburg is known as the home of Central Washington University and the annual Ellensburg Fair and Rodeo that attracts national attention.

The quality of life in Ellensburg is characterized by ~~our~~ a clean environment, vibrant downtown, and outstanding outdoor recreational activities, all of which are important factors in nurturing economic growth. Businesses provide property, sales, ~~and~~ lodging tax and other revenues that ~~help~~ support public infrastructure and maintain ~~our~~ quality of life. As local and national economies and lifestyles evolve, it will become more important for Ellensburg to maintain and enhance its livability through ~~good~~ smart urban design that reflects the values and choices of the community. The Ellensburg community is ~~concerned~~ challenged with the availability of living wage jobs, and with the City's ability to continue providing services that ~~help to~~ foster business development and increase economic opportunities. Residents want employment, retail, and social opportunities that allow them the ability to live, work, and play in the community.

Ellensburg's economic base has been relatively narrow since its settlement in the late 1800s. While Ellensburg still enjoys a strong agricultural ~~base~~ economy, ~~our~~ the community as a whole has become less dependent on natural and agricultural resources. Today Central Washington University, Kittitas Valley Healthcare, state and local government, and food and retail services are strong economic drivers in the community. Ellensburg has also experienced an increasing number of residents commuting to Yakima County and to the greater Puget Sound region for employment opportunities.



~~Today As of 2022, four of~~ the top five employers ~~in Ellensburg~~ are ~~in the government and non-profit sectors~~: Central Washington University, ~~1,438~~; Kittitas Valley Healthcare, ~~600~~; Ellensburg School District, ~~380~~; Kittitas County, ~~363~~, and; Anderson Hay and Grain, ~~240~~; ~~Elmview~~, ~~200~~. Tourism and retail industries are also key employers.

The growth in metropolitan areas near Ellensburg—King County in particular—is changing ~~the our~~ community’s economic position. The US Census Bureau named Kittitas County the 10th fastest growing county by percentage in the United States in 2015 to 2016 with a 4.2 percent growth rate. Kittitas County was the only county in Washington on the list. The same report cited the City as the third-fastest growing micropolitan area in the country.

Transportation congestion and high home prices in urban areas are pushing people into rural Kittitas County for a more relaxed and affordable place to live. The lack of congestion ~~and ubiquitous changes in technology~~ makes commuting ~~and remote to~~ work a reasonable alternative to living and working in urban areas. An increasing number of residents are ~~commuting working to in~~ Yakima County and, ~~in particular, to~~ the greater Puget Sound region ~~for employment opportunities~~. According to the 2016 Kittitas County Population Projection Review and Analysis, in 2013 46 percent of working Kittitas County residents worked outside of Kittitas County, with 16 percent of those commuting to King County.



Equitable Economic Development

While the overall goal for economic development in Ellensburg is to promote the wellbeing, vitality, and quality of life for residents, not all residents have equal access to education, housing, job opportunities, and therefore, the same quality of life. As the community invests in the future, it is with the commitment to work together to provide tangible solutions to create an equitable economy. This work includes examining existing policies and procedures, outlining economic development goals with an equity lens, and inviting more diversity within leadership roles in the community.

Working with community partners, priorities would include educational opportunities, workforce development, business attraction, retention and expansion, and affordable housing.

Economic Sectors

The following is a brief synopsis of the economic drivers in the City of Ellensburg. More information on each of these drivers, as it pertains to land use, is provided in the Land Use Element.

~~The~~ Impact of the Covid-19 Pandemic

Like many rural communities around the state, the long-term impact of the global pandemic Covid-19 is still being measured. Small businesses within Ellensburg faced many challenges and state, county, and local governments stepped in to help our community with additional resources to get through ~~the~~

unprecedented times. As we move into a post-pandemic economy, the direct impact on our community is still unknown, however, we continue to be challenged by instability throughout the supply chain, the growing cost of goods, expanded need for community assistance and resources, and a growing need for affordable housing.

As a result of the acceptance of remote work opportunities, coupled with the rising cost of housing prices in neighboring counties, the demand for new homes in Ellensburg has increased, driving up the average home price. This has created a higher demand for affordable housing, as the median income has not kept pace with the rising housing market.

Ellensburg will continue to monitor the effects of the global pandemic and seek innovative measures to strengthen [our the](#) region and create a stronger, more resilient economy for [our the](#) community.



Commercial and Industrial

Ellensburg's early industrial development focused along the railroad tracks to the west of downtown. Over time, land use designations and zoning patterns have continued this pattern, with the bulk of Ellensburg's industrial land located along a narrow strip paralleling the Burlington Northern Santa Fe (BNSF) railroad tracks. Most of this land is in the 100-year floodplain. Commercial and

industrial development has expanded along Dolarway Road to connect to the area surrounding the west I-90 freeway interchange. Additionally, the northernmost portion of Ellensburg's UGA surrounding Bowers Field is designated for light industrial use to attract and accommodate business innovation and family-wage jobs, with more light industrial uses in a variety of existing zones, along with inventive ideas to mitigate industrial development in the floodplain areas.

A 2016 Downtown Market Study and Economic Development Plan indicates that local shoppers are traveling outside of Ellensburg to purchase daily goods and services. The nearest large commercial center is Yakima, 35 minutes to the south, which is a popular destination for various kinds of retail shopping.

Three key highways meet at Ellensburg. Interstate 90 is the state's primary east-west route; Interstate 82 carries traffic through south central Washington to population centers in Yakima and the Tri-Cities. State Route 97 moves traffic north to Wenatchee. These highway interchanges provide substantial opportunity for commercial development. The south

interchange at Canyon Road is currently the more developed of the two existing interchange areas, offering lodging, dining, and gasoline sales. The west (I-90/SR 97) interchange provides similar services, but not at the same intensity. Both interchange areas have been identified for regional retail commercial development, at a scale that serves the City of Ellensburg, as well as the surrounding region. As new development of big-box stores and shopping centers slow on a



national level, however, a variety of commercial and public-service uses for these commercial and industrial sites are being explored, including distribution warehousing.

Downtown Commercial

The development of commercial areas outside the downtown core has distributed business activity beyond the traditional ~~areas~~ range of downtown. The community's passion for downtown

Ellensburg is evident, ~~however,~~ as shown in its commitment to preserving historic buildings while staying on the cutting edge of reuse and revitalization.

As a result, downtown Ellensburg has experienced a renaissance over the last decade with many buildings undergoing restoration; upper floors of long-shuttered historic buildings have opened, expanding residential, commercial, and civic space. A new boutique hotel, the redevelopment of a downtown city center park, and expansion of residential, artistic, and commercial offerings have added to the high quality of life for Ellensburg's City Center. ~~As A~~ Certified Main Street ~~C~~community, the thriving downtown is on the National Register of Historic Places, named ~~d~~ a Dozen Distinctive Destinations by the National Trust for Historic Preservation in 2007 and a Great American Main Street Award finalist by the National Main Street Center in 2018.



Healthcare

Kittitas Valley Healthcare operates KVH Hospital, an accredited Critical Access Hospital and the state of the art, Medical Arts Center along with multiple clinics that include primary care, internal medicine, occupational medicine, orthopedics, surgical, and women's health services. The Emergency Department at KVH Hospital is designated as a Level IV trauma

service by the State of Washington Department of Health and is staffed 24-hours-a-day team of emergency personnel.

KVH is the second largest employer in Ellensburg, with ~~about over~~ 600 employees ~~in Ellensburg~~. The hospital is working on a new campus master plan that will ~~potentially~~ expand the footprint of the campus. In anticipation of the projected growth in Ellensburg's 65 or older population, KVH is expected to remain a key part of Ellensburg's economic growth over the next 20 years.



Central Washington University

Central Washington University is an important and vital force in the community. CWU's campus occupies more than 380 acres and employees ~~approximately about~~ 1,800 people. ~~In the spring of 2017, the Ellensburg campus enrollment was approximately 9,600 students.~~ The \$113 million annual payroll supports retail, housing, and entertainment businesses; CWU spends nearly \$15 million in the area with

vendors for everything from catering to furniture. Construction spending of nearly \$500 million since 2010 has supported employment throughout the region and built one of the most beautiful and modern campuses in the state.

The Central Washington University Strategic Plan calls for continued public service and community engagement, with emphasis on the level of collaboration between the University and local communities to contribute to the education, social, and economic progress of Washington communities.

Under new leadership in 2021, Central Washington University is committed to working with the City of Ellensburg to expand community engagement, collaborative partnerships, and regional economic development. It will be important to understand enrollment trends in the post-pandemic era as the University—like other higher education institutions nationwide—have experienced a decline. Historically, students have been a significant portion (nearly 40%) of the City’s population which drives housing and other public services.



Tourism

Tourism is one of the five top economic drivers for Ellensburg, with year-round events such as Dachshunds on Parade, Ellensburg Music Festival, Buskers in the Burg, Winter Hop Brewfest, ~~and~~ First Friday Art Walks, and many others providing entertainment for thousands of locals and visitors. Many ~~of these~~ events are held in the historic city center, with Central Washington University also offering a full calendar of music, conferences, and sports related activities.

Outdoor recreation, event and performance centers, conferences, and youth sports provide growth potential for the local tourism industry. Ellensburg’s creative industry, that includes tourism, is a \$29 million industry in 2018, has the potential to help drive Ellensburg's overall economic growth.

Lodging tax continues to grow steadily with 2018 recording \$530,000-, 2019 recorded at \$578,000, while, 2020 experienced ~~the~~ a drop due to the global pandemic. However, post Covid-19, ~~we see~~ a strong year-over-year rebound with was realized in 2022 recording revenues of \$675,000. These funds benefit the community in a number of ways through increased tourism, event and project grants, and capital improvements for civil facilities and parks.

Ellensburg is home of the Kittitas County Event Center which hosts the Kittitas County Fair and Ellensburg Rodeo. The Fair and Rodeo is held each Labor Day weekend and the rodeo is continuously ranked in the top 10 rodeos in the nation with over 25,000 visitors attending from outside the community.

The Event Center is located on 21 acres just South of Central Washington University, ~~adjacent to the City’s eastern-most residential areas.~~ The Event Center hosts more than 1,500 events throughout the year for community organizations, trade shows, expositions, equestrian and livestock events, and other special events. The Center includes conference and event spaces, an indoor arena, stock pens, barns, RV hookups, and on-site parking.

With some structures built over 90 years ago, the Kittitas Valley Event Center is listed on both the Washington State and National Register of Historic Places, offering both cultural and economic opportunities for Ellensburg and the surrounding region.

Technology

While the technology sector is not yet a significant portion of Ellensburg's current economy, there is a drive to expand and develop this throughout the region utilizing multi-county partnerships that elevate and promote the Central Washington Region as a whole. The technology sector tends to offer well-paying jobs and is attracted to good schools, high quality of life, and recreational amenities. Ellensburg embodies these characteristics while offering the City of Ellensburg's growing telecommunications utility (see Capital Facilities and Utilities chapter) as well as the ~~close proximity~~ proximity to Seattle, one of the top tech hubs in the nation. ~~CWU~~ CWU has state-of-the-art computer science facilities along with technology programs in the Departments of Information Technology Administrative Management (ITAM), Computer Sciences, and Advance Industrial Sciences that support areas of future economic expansion and digital transformation of industry.

Arts and Culture

The arts play an important role in the economy in Ellensburg; home to many artists, designers, creative entrepreneurs, and art nonprofits that may be classified under other categories of business activity. Nonprofit arts organizations serve as regular economic contributors to tourism and local job base. For example, the Laughing Horse Arts Foundation (LHAF) gives isoperational support -afor a fiscal sponsor for seven-several performing arts organizations under the LHAF foundational umbrella. Long standing festivals and organizations such as Ellensburg Music Festival (formerly Jazz in the Valley) and Valley Theatre Company, celebrating 25 years of theatre in Ellensburg, have brought people from all over the state to celebrate the arts. Jazz in the Valley, and the Ellensburg Film Festival. Central Washington University is home to a top-rated academic music program that is dedicated to achieving the highest standards of musical knowledge, performance, and teaching. on the West Coast. In addition to sponsoring remarkable student performances, the department brings in world-class musicians throughout the year. A growing campus public art and sculpture collection and degree programs in art, multi-cultural and diversity studies, film and theatre, craft brewing and wine studies program add to the richness of the creative sector in Ellensburg. ~~Ellensburg Arts.~~

The Creative Industry is a vital component of a healthy regional economy and the arts play an important role in the economic development of Ellensburg. The creative sector is a \$29 million economic driver that will increase tourism, bring new and innovative job creation, and expand

opportunities throughout Ellensburg. Home to many artists, designers, creative entrepreneurs, artesian spirits, and artistic nonprofits, Ellensburg has become a ~~Central~~central Regional hub with a ~~thriving~~flourishing art and cultural community.

In 2016, the City Council designated 10 percent of construction sales tax revenue to community art, with an annual floor of \$25,000 and a ceiling of \$50,000. As stewards of these funds, the Ellensburg Arts Commission develops strategies, procedures, and goals that reflect the best usage to further the impact of the arts community. Events and programs such as First Friday Art Walk, the Ellensburg Poet Laureate, Project Grant Program, the Ellensburg Music Festival, Buskers in the Burg, The Bite of the Burg, and Moments to Remember generating income for artists and increase revenue for businesses annually.

In 2021 the Ellensburg Arts and Cultural Alliance was established, uniting artists, artistic nonprofits, foundations, economic development organizations, municipalities, Central Washington University, and community leaders with the purpose of positioning the arts to thrive in Ellensburg and drive economic growth for our community. With a robust strategic plan and strong community participation, growth within the ~~Creative~~creative Industry sector can bolster the overall economy of Ellensburg.

Opportunity Zones

Both industrial and downtown retail areas lie largely within “Opportunity Zones,” a community development program established by Congress in the Tax Cuts and Jobs Act of 2017. The zones are intended to encourage long-term investments in low-income urban and rural communities nationwide. The Opportunity Zones program provides a tax incentive for investors to re-invest their unrealized capital gains into Qualified Opportunity Funds (QOF) that are dedicated to investing into Opportunity Zones designated by each state.

Ellensburg’s two Opportunity Zones comprise more than 6,120 acres. Of that, 22 percent is designated for commercial or industrial use; 2,540 acres of vacant land are ready for development.

- Census tract 5303797-5600 includes portions of Central Washington University, the Historic District and Main Street to I-90. The tract includes the city’s warehouse district and is bisected by the BNSF railroad line. Sixty percent of the tract lies within the incorporated city, with the remaining 40 percent within the Urban Growth Area. The tract comprises over 2,000 acres with 44 percent designated as areas that are development-ready with direct access to Interstate 90, rail, and city utilities. Zoning allows for a broad mix of developments: Residential Suburban, Central Commercial, Commercial Highway, Central Commercial II and Light Industrial.
- Census tract 5303797-5500 lies north and west of tract 5600. It runs in a southeast-northwest direction with I-90 as the southwestern border and the Palouse to Cascades

~~Trail Iron Horse Trail~~ acting as the northeastern border. Fifty percent of the tract lies within the incorporated city or Urban Growth Area, with the remaining sited on county land. Zoning allows for diverse applications: Light industrial, urban residential, general commercial, residential suburban, residential office, and commercial tourist.

Foreign Trade Zones

In 2010, the Port of Moses Lake established a 90-mile radius of a Foreign Trade Zone (FTZ) that included all of Kittitas County. A FTZ allows companies to store goods duty-free, delay tax and customs payments, and lower inventory costs. By establishing a FTZ, companies compete more efficiently and cost effectively in the marketplace. Merchandise may be moved into these zones for operations, including storage, exhibition, assembly, manufacturing, and processing. The standard customs entry procedures and payments of duties are not required on the foreign merchandise unless and until it enters the US Custom's territory, at which point the importer generally has the product. Domestic goods moved into the zone for export may be considered exported upon admission to the zone for the purposes of excise tax rebates and drawback. As part of the county-wide strategic plan, the City of Ellensburg, the Kittitas County Chamber of Commerce, and CenterFuse are developing tactics to encourage businesses to utilize this benefit.

Business Development

Working collaboratively, multiple organizations enhance the community's quality of life through business development.

The City of Ellensburg offers a unique and streamlined approach for businesses to start and grow. From business incentives to a comprehensive review of proposed projects in a Pre-Application Meeting that includes representatives and staff from all the required entities to begin a project. Because the City owns and operates electric, natural gas, water, wastewater, stormwater, and telecommunications utilities, project review is conducted by a single entity at one location which provides increased certainty for development in terms of process, timelines, and requirements for a successful project. Additionally, the City of Ellensburg has invested in staffing and talent in key roles like Community Development and Economic Development to enhance the overall economic success of the City.

Many organizations throughout Ellensburg work to build the economy and enhance the community's quality of life. Three organizations in particular are directly involved in business development in Ellensburg.

CenterFuse is a Public Development Authority, authorized by RCW 35.21.730 and created by the City of Ellensburg in 1994. CenterFuse recruits, supports, and connects businesses with the resources they need to start, grow, and prosper.

The Kittitas County Chamber of Commerce partners with CenterFuse, the City of Ellensburg, and the County's Downtown Associations on business development, in addition to overseeing

tourism, events, and services as the designated County Associated Development Organization (ADO).

The Ellensburg Downtown Association (EDA) is a Certified Main Street Organization through the Washinton Main Street Program and the Department of Archeology and Historic Preservation and follows the designated Main Street Approach for downtown revitalization.

Household Income

In ~~2022-2015~~, the median household income for households residing in the City of Ellensburg ~~is~~ was \$47,407 , compared to \$64,134 for Kittitas County and \$82,400 for Washington state respectively. \$28,341, however this data is skewed by part-time residence of the students, who compromise 50 percent of the population who may have little or no personal income. Among only family households, the median income in 2014 is \$60,650. Ellensburg's median family household income is ~~about 85~~58 percent of the median income of Washington State, and about ~~96-74~~ percent of the median income of Kittitas County.

Table 20 compares the demographics and family household income of Ellensburg with Kittitas County, and with Washington state.

Table 20. Demographics and Household Income as of 2022

	Ellensburg	Kittitas County	Washington State
2022-2022 population	18,703 <u>20,940</u>	45,189 <u>47,200</u>	7,785 <u>786</u> <u>7,864,400</u>
Median age	23.7	33.0	37.4
Labor force population (age 18-64), percent of total	65.6%	62.4%	63.7%
65 years and over, percent of total population	9.7%	18.3%	16.8%
Median household income	\$47,407	\$64,134	\$82,400

Washington Office of Financial Management, United States Census, American Community Survey 5-Year Estimates, 2010-2014 and 2011-2015

The median age in Ellensburg ~~and Kittitas County also are~~ is skewed ~~influenced~~ by the large population of college students that attend Central Washington University. In the fall of 2019, student attendance on the Ellensburg campus was 9,988, During Spring of 2017, there were over 9,600 students attending university on campus in Ellensburg, or about over half of the population of Ellensburg, and just a significant portion of quarter of the population of Kittitas County. The university ~~is had projected projecting~~ incoming on-campus freshman enrollment to grow by about 2% each year for the next 10 years, however CWU, like many other campuses across the country, has seen a decline in enrollment , from incoming freshman students continue to be lower than expected.

Currently about ~~14 %~~ 18% of Kittitas County's population is 65 years and over. Washington State Office of Financial Management demographers project that this population share will increase to about 20% by 2030, as today's baby boomers enter their 70s and 80s. As the center

for medical and other services, Ellensburg could expect to see growth in residents 65 years and over, and an increase in demand for services and senior and/or assisted living facilities.

Employment

Overview

In Kittitas County the average annual employment growth rate from 2000 to 2021 was 1.1%. The County has had two distinct periods of job loss attributed to larger national economic collapse, during the recession beginning in 2009 and again in 2020, during the global pandemic. After the Covid-19 global pandemic, the labor market maintained a year over year recovery from 2021 to 2022 and rebounded in 2022 with a 6.7% increase, providing 1,060 new jobs.

The Washington State Employment Security Department notes that construction, local government, retail trades, and health services accounted for over three-fourths of the jobs added to Kittitas County from 2011-2022.

Within the City of Ellensburg, 56.9% of individuals are employed by private companies, with 28.6% employed by local, state, and federal government. The employment rate in Ellensburg in 2022 was 61.4% compared to 61.1% statewide.

In Kittitas County employment grew at a rate of 2.5% between 2000 and 2008. The County suffered job losses during the recession beginning in 2009, and since then job growth has been stagnant or slow. In 2014, county employment finally surpassed the 2008 peak. During the entire period of 2000—2014, county employment grew at an average annual rate of 1.4%. The employment sectors with the highest growth between 2000 and 2014 were professional and business services, and the leisure and hospitality sectors (Table 21). The Washington State Employment Security Department has projected that these two sectors, and sectors, Education and Health Services, will continue to experience the highest growth rates over the next several years. Many of Ellensburg's top employers are in these sectors.

Ellensburg's annual employment growth rate of 0.7 percent, between 2002 and 2013, was slower than the countywide employment growth. Between 2013 and 2014, there was an 8 percent decline in the total number of workers in Ellensburg.

TOP EMPLOYERS IN ELLENSBURG

- Central Washington University
- Kittitas Valley Healthcare
- Ellensburg School District
- Kittitas County
- Anderson Hay and Grain
- Elmview
- Fred Meyer
- City of Ellensburg
- Twin City Foods, Inc.
- Super 1 Foods

~~Between 2002 and 2014 there has had been a slow decline in the number of Ellensburg residents who work in Kittitas County, and a steady increase in the number of Ellensburg residents who work outside Kittitas County. In 2014, the counties where the greatest shares of Ellensburg residents worked were Kittitas (53 percent), King (14 percent), Yakima (9 percent).~~

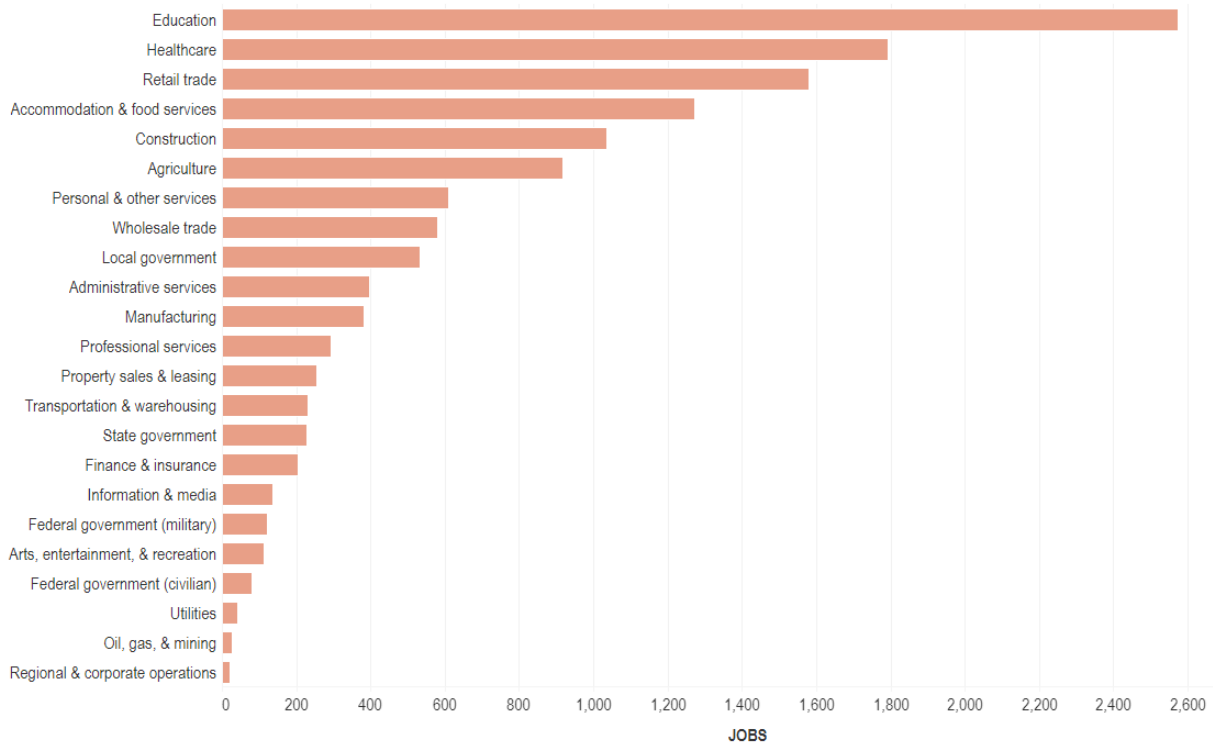
Employment Post Covid-19

Overall employment (2023) within Kittitas County averaged 16,830 jobs, down 4.2 percent from pre-Covid employment, indicating that employment rates, while increasing, are still recovering three years after the pandemic-.

~~Overall, the~~The employment market ~~market~~ in Kittitas County is limited in diversification. Per the Employment Security Department, approximately 62.6 percent of all jobs in Kittitas County are from five specific industry sectors: local government, accommodation/food services, construction, retail trade, and state government. Of these five, local and state governments were the top two industries in terms of payroll. The construction industry is the largest private sector and has seen significant growth in a post-Covid 19 economy, however, trends indicate that the housing market was experiencing increase in demand prior to the pandemic. For example, county-wide in 2015 there were 295 housing permits compared to 545 permits in 2021.

Additional Covid-19 influences on employment in Ellensburg and Kittitas County include the wide acceptance of remote work, coupled with the proximity of Ellensburg to the Seattle region, the difficulty in recruiting new employees for the retail and service industry, potentially linked to the decline in college enrollment, and the challenges recruiting skilled professional workers due to the rising cost of homes prices and cost of living in Kittitas County in relation to scale of pay for those professional positions in the region.

2020 EMPLOYMENT BY INDUSTRY SECTOR: ELLENSBURG, WA (IN KITTITAS COUNTY)



The City of -Ellensburg along with county-wide partners are working together to diversify the overall job market, recruiting new industries around key targeted sectors that will bring new training opportunities, family wage jobs, and strengthen our the local economy.

While unemployment was unprecedented during the Covid-19 pandemic of 2020, Kittitas County has seen unemployment decrease year over year since. As of July 2023, per Washington State Employment Security Department, 22,786 of the available labor force in Kittitas County, 21,950 were employed, leaving 836 individuals unemployed.

Table 21. Kittitas County Employment and Growth Rates by Sector

Employment sector	09/2015 employment	Average annual growth rate		ESD-projected annual growth rate	
		2000— 2014	09/2014— 09/2015	2013— 2018	2018— 2023
Goods-producing	1,510	0.91%	0.00%	-	-
Trade, transportation, utilities	2,500	0.12%	5.00%	1.37%	0.95%
Information & financial activities	730	2.41%	5.80%	0.00%	0.43%
Professional & business services	680	2.73%	17.20%	1.39%	2.23%
Leisure and hospitality	3,210	2.52%	22.10%	2.07%	1.38%

Private education & health services	1,450	2.04%	3.60%	3.59%	1.89%
State & local government	6,340	1.61%	17.00%	1.29%	1.21%
Federal government	180	-1.78%	12.50%	-1.28%	0.00%

Employment Forecasts

The employment target is the amount of job growth the jurisdiction should plan to accommodate during the 2017-2037 planning period. Ellensburg's employment target for this period is 6,998 additional jobs.

The Kittitas County Conference of Governments countywide employment projection is a 2 percent average annual growth rate; with 80 percent of employment growth projected to occur in incorporated areas and their Urban Growth Areas, and 20 percent projected to occur in rural areas outside of urban growth areas. The allocation method is based on current shares of employment growth by sector based on each incorporated areas baseline (2013) share of total employment in that sector. See Table 22 below. For additional detail on employment forecasts please see the Community Profile and Land Use chapters.

Table 22. City of Ellensburg Employment Allocation

Jurisdiction	2015 Employment	20-year employment allocation	2037 Employment
Ellensburg	11,490	6,998	18,488
Total	19,362	11,155	30,517

Estimated employment in 2015 for Ellensburg and its urban growth area is approximately 11,490 jobs, which equates to about 1.4 jobs per household, and about 59 percent of jobs countywide. Between 2002 and 2013 Ellensburg experienced about 29 percent of the countywide employment growth. [According to the US Bureau of Labor Statistics, in 2020, Ellensburg had 13,423 total jobs and Kittitas County reported 17,563 jobs.](#)

~~Previously,~~ the 20-year employment allocation for the City of Ellensburg ~~would~~ was projected to result in a total of 18,488 jobs, and about 1.3 jobs per household. The employment allocation is based upon Ellensburg and each of the incorporated areas in Kittitas County maintaining their current share of employment. Population was allocated using a similar method, and therefore projects that jobs per household would also be maintained over the next 20 years.

Based on a countywide land capacity analysis the employment allocation is within what Ellensburg can accommodate, based on the current zoning and land use regulations. The Land Use chapter contains descriptions and locations of future land use designations that will accommodate employment in the form of mixed-use areas, neighborhood commercial activities, regional commercial uses, and industrial areas.

GOALS, POLICIES, & PROGRAMS

These economic development goals, policies, and programs are designed to work with the other elements to help stimulate economic growth and focus on areas that take into account Ellensburg's unique characteristics and opportunities for growth.

Goal ED-1: Strengthen city partnerships throughout the county and expand resources to support economic opportunities that benefit all.

- | | |
|------------------|---|
| Policy A | Continue to implement and regularly update a strategic economic development plan with representatives from the following sectors: industrial, transportation, agriculture, tourism, healthcare, education technology, advance manufacturing (Industry 4.0), government, and public safety. |
| <i>Program 1</i> | Coordinate with regional economic development groups to create, promote, and recruit brand new businesses. |
| <i>Program 2</i> | Strengthen collaboration among the business community, economic development stakeholders, Central Washington University, healthcare organizations, workforce agencies, local governments, tourism organizations, and other regional economic development organization partners and higher education institutions. |
| <i>Program 3</i> | Partner with regional organizations to establish and extend training, funding, and business development opportunities for small businesses. |
| <i>Program 4</i> | Develop, refine, and implement economic monitoring to help advance the City's economic development policies and programs with a focus on equitable business retention and growth. |

- Program 5* Ensure strong partnerships with local school district to encourage enhanced K-12 educational opportunities and training.
- Program 6* Support programs that increase availability of affordable housing and public transportation.
- Program 7* Support efforts to continue the I-90 Snoqualmie Pass East project beyond Easton to Cle Elum, and ultimately to Ellensburg, to address safety, freight, and business mobility, and other issues related to chronic traffic congestion.

Policy B Integrate economic strategies into community planning activities.

- Program 1* When evaluating future locations for particular land use districts and zoning designations, consider local and regional market needs (i.e., trip counts, visibility, etc.) of the types of businesses likely to locate in those areas.
- Program 2* Work with county partners, Community Development, and Public Works to evaluate infrastructure needs to support business recruitment and a growing regional economy.
- Program 23* Direct capital improvements, including fiber/telecommunications network, to key areas to create a sense of place for all and to expand and attract businesses and commerce.

Goal ED-2: Stimulate and diversify Ellensburg's economy.

Policy A Encourage diversified growth that will provide and expand goods and services to the local and regional community.

- Program 1* Market to a variety of business – both large and small – that provide goods and services to local and regional populations.
- Program 2* Promote economic activity that diversifies sources of revenue and expand the employment base.

Policy B Promote the retention and expansion of existing businesses as well as the development of new businesses.

- Program 1* Solicit comments and feedback from local businesses on things that the City could change to better support local businesses.

- Program 2* Establish incentives and development flexibility to retain existing businesses, attract new businesses, and encourage quality development.
- Program 3* Partner with economic development groups to inventory and share information regarding vacant building and lot space.
- Program 4* Promote development of vacant lots and infill ~~development~~ within Ellensburg's urban core.
- Program 5* Continue to provide high quality and cost-efficient city services and facilities and promote these as one of Ellensburg's economic development assets.
- Program 6* Identify segments of existing businesses and develop strategies and programs to remove barriers for growth and expansion.
- Program 7* Expand ~~key partnerships and in collaboration with~~ Central Washington University, Kittitas County, economic development organizations, and work force development ~~to support open avenue for~~ new businesses ~~start-ups and expand foster their development~~ existing businesses expansion.
- Program 8* Identify opportunities for innovation through residents and Central Washington University to open avenues for new business start-ups and foster their development.
- Program 9* Utilizing the community's assets of location, workforce, and quality of life, develop and launch a pro-active, equitable business recruitment strategy that directly pitches the City as a place to do business to outside community prospects for relocation or expansion of additional locations.
- Program 10* Market the Opportunity Zones and work with the regional ports to identify existing businesses that could take advantage of Kittitas County's Foreign Trade Zone status and development marketing strategies to promote and utilize status for new development.
- Policy C Develop and maintain an effective and predictable regulatory environment.**
- Program 1* Provide efficient, predictable, and customer-service oriented permitting processes.
- Program 2* Consider streamlining permitting by establishing a one-stop permit center for all permits.

- Program 3* Encourage the use of the pre-application process as a means of identifying potential obstacles to the development of a particular site.
- Program 4* Establish predictable processing times and consistent review processes, and post timelines on the City's website.
- Policy 5* Work with regional economic development organizations to create "How to" guide for new businesses, investors, and developers to work with the city on new business creation, land development, and building redevelopment.
- Policy D Encourage development of light industrial uses within the City of Ellensburg.**
- Program 1* Work collaboratively with education, workforce development, and business to identify and grow industry clusters aligned with regional values to create a resilient economy.
- Program 2* Continue to partner with Kittitas County on development of ~~the Kittitas County Industrial~~ Bowers Business Park at the airport.
- Program 3* Work with economic development organizations to identify strategic locations for light industrial land use and zoning changes to encourage innovation and job creation.

Goal ED-3 Grow and sustain a qualified workforce.

- Policy A Coordinate with local high schools, higher education institutions, workforce development, vocational rehabilitation, and local businesses to train a diverse workforce that is prepared for emerging job markets.**
- Program 1* Consider public/private sponsorship of entrepreneurial education.
- Program 2* Encourage organizational partnerships that focus resources toward increasing the employability of all people.
- Program 3* Work collaboratively with K-12, workforce development, technical skills training, and higher education institutions to create stackable educational pathways for a flexible future workforce.
- Program 4* Diversify and expand the city's job base, with focus on attracting living-wage jobs, to allow people to work and live in the community.

Goal ED-~~54~~ Emphasize equity-focused economic development of downtown as an economic, tourist, retail, art, and event destination.

Policy A Promote access from Interstate 90 and create a desire to stop within the central business area of Ellensburg.

Program 1 Establish land uses that recognize Canyon Road, Main Street, University Way, Vantage Highway, and Dolarway as entrances to our city.

Program 2 Expand and enhance the wayfinding system to local businesses, city parking, tourist facilities and attractions, and pedestrian paths.

Program 3 Encourage and support diverse cultural activities and the arts and recognize their contributions to the local economy.

Program 4 Partner with the Kittitas County Chamber of Commerce and the Ellensburg Downtown Association to develop incubators and incentives for development in the downtown area.

Program 5 Work with all economic development organizations, including Central Washington University, to identify key buildings for development of technology and creative sector jobs.

Program 6 Collaborate with creative sector organizations to achieve Creative District designation and expand creative sector through implementation of the Creative Industry Strategic Plan.

Program 7 Be proactive ~~as to~~ in re-evaluating policies and strategies for downtown parking as the downtown evolves, referencing the 2019 Nelson/Nygaard Parking Study.

Policy B Partner with ~~local~~ regional EDOs and community organizations to implement the downtown economic development plan.

Program 1 Encourage mixed uses in the downtown area to support increased commercial and tourist activity, walkability, and diverse housing options.

Program 2 Provide enhanced public gathering places downtown to encourage a sense of place and community.

Goal ED-5 Embrace tourism as an economic development tool.

Policy A Market Ellensburg's tourism opportunities by developing a marketing strategy to address all tourism segments of the region.

Program 1 Advertise to targeted interests at the regional, national, and international level.

- Program 2* Keep detailed and updated content management platforms such as websites and mobile applications.
- Program 3* Support visitor information centers and kiosks.
- Program 4* Explore future development of visitor information services near freeway interchanges.
- Program 5* Promote Ellensburg's role as a destination to regional recreation and cultural activities.
- Program 6* Create community gateway sign to attract visitors into business core.
- Program 7* Support destination marketing organizations through lodging tax funds.

Policy B **Market Ellensburg's central location for conventions, business meetings, recreation, sports tournaments, cultural events, and other activities.**

- Program 1* Inventory and manage data about where regional tourism-based enterprises can meet and use community spaces and resources.
- Program 2* Coordinate and promote a central booking location for public/private regional facilities.
- Program 3* Provide a consistent level of reliable public transportation between public and private local facilities and accommodations.
- Program 4* Leverage lodging tax funding to support events and promotions and development of government-owned facilities and parks for tourism related markets.

Policy C **Support and expand opportunities for tourism-based investments.**

- Program 1* Identify appropriate zoning districts to allow for short-term rental property.
- Program 2* Identify appropriate zoning districts to allow for ancillary tourism activities.

Goal ED-6 **Foster economic development through ~~promoting~~ energy efficiencies innovation and use of renewable energy.**

*Policies and programs on renewable energy and promotion of energy efficiencies are addressed in the Capital Facilities and Utilities Chapter.

ACTION ITEMS

Airport master plan implementation

Collaborate with Kittitas County to ensure the implementation of the airport's master plan [and Bowers Business Park](#) contributes to the overall economic growth in the region, and that Ellensburg's land use plans are compatible with continuing airport and airport-related uses.

Economic development vision and strategic plan

Collaborate with local economic development organizations to ~~prepare~~ [activate and implement](#) an economic development vision and strategy for Ellensburg, which identifies the types of land use designations and the relative priorities of capital investment necessary to foster economic development and promote living wage jobs in Ellensburg.

An updated Kittitas County Economic Development Strategic Plan was created in partnership with a county-wide coalition of jurisdictions and economic development organizations. The plan consists of a five-point strategy focused on:

1. Collaboration: Unite upper and lower County government and organizations in shared goals and action that benefit the County as a whole.
2. Economic Resilience: Provide residents with tools and resources to access jobs and opportunities in the area, including entrepreneurship.
3. Balanced Growth: Direct and manage the growth of the County to build a dynamic community that remains an attractive and affordable place to live.
4. Community Investment: Develop the County's infrastructure to meet its current and future needs and position it to amplify the advantage of its central location.
5. Preservation: Preserve the legacy of the County, valuing its assets and resources to turn them into opportunities for future generations.

The county-wide coalition ~~begins~~ [began](#) ~~full~~ implementation [activities](#) of the strategic plan in ~~the fall of September~~ [2023](#).

Increase usable industrial~~ly~~-zoned property

Review the industrial land inventory and identify and implement steps within the City's control to make more light industrial land available in less constrained areas.

Kittitas Valley Event Center Master Plan

Encourage an updated long-term plan for the Kittitas County Event Center ~~in order~~ to facilitate long-term growth and best land use. Collaborate with the Kittitas County Event Center as a major cultural site and economic generator in Ellensburg.

Streamline/automate permitting process

Review land use permitting processes and make adjustments as necessary to streamline approval processes while still ensuring projects enhance Ellensburg's economic vitality and community character.

POLICY CONNECTIONS

Policies and programs that address energy efficiencies and renewable energy are addressed in the **Capital Facilities and Utilities** and **Environmental** chapter.

The **Transportation** and **Capital Facilities and Utilities** chapters address policies and programs regarding the development of infrastructure for economic development including roadways, transit facilities, ~~and~~ telecommunications and other utilities.

Goals, policies, and programs that address commercial and industrial land use designations are addressed in the **Land Use** chapter.

Policies and programs that address affordable and diverse housing options are in the **Housing** Chapter.



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Ordinance 4934 (Second Reading) Amending the 2023-2024 Biennial Budget (Public Comment Opportunity)
Submitted by: Gloria Lanphere, Accountant III - Budget Officer
Department: Finance

Suggested Motion/Action:

Move to conduct second reading and adoption of Mid-Biennial Review Supplemental Budget Ordinance 4934.

Background/Summary:

This proposed ordinance meets the statutory requirements for a Mid-Biennial Review process required for cities budgeting biennially, and makes amendments to the 2023-2024 Biennial Budget to reflect changes in operational requirements and adjustments to capital project plans approved through prior Council action along with the modifications to the Biennial Budget as proposed by the City Manager.

Previous Council Action:

Council adopted the 2023-2024 Biennial Budget via Ordinance 4900 on December 5, 2022, appropriating funds and providing expenditure authority for the two-year period beginning January 1, 2023. Council subsequently amended the 2023-2024 Biennial Budget via Ordinance 4923 on September 5, 2023. Council held a public hearing and conducted first reading of Ordinance 4934 on December 4, 2023. Council regularly reviews and approves additional budget adjustments as part of its ongoing review and approval of contracts and purchases.

Analysis:

Since the prior supplemental budget was adopted, items have been approved by City Council that require a supplemental budget adjustment in order to be implemented. The anticipated budget impacts are presented as part of the City's standard agenda reports that accompany the initial request. The proposed ordinance will officially authorize expenditures in support of previously approved projects and program changes. Additional budget adjustments were identified as a result of a review of anticipated expenditures, expenditure trends, and current expenditure authority. These items provide the necessary budget to maintain the programs and projects previously adopted by City Council, comply with external regulations, and update originally budgeted amounts to current forecasts. The budget amendments in the proposed ordinance include updated revenue forecasts and beginning fund balances as needed, and maintain anticipated 2023 and 2024 ending fund balances within required fund balance thresholds.

Items that have previously come before the Council include 2023 General Fund revenue and

expenditures for the FISH Food Bank Expansion Project funded by a "Congressionally Directed Spending" USDA Rural Development grant, 2024 Street Fund revenue and expenditures authority including the Comprehensive Safety Action Plan for City streets and the Surrounding Urban Growth Area funded with a Safe Streets for All (SS4A) grant award, additional grant funding in support of six-year Transportation Improvement Plan projects in the Arterial Street Fund, and Washington State Department of Transportation (WSDOT) grants for 2023-2025 in the Ellensburg Public Transit Fund. Other items previously approved by Council include the Utility Billing Software Implementation project costs in the General Fund and IT internal service fund, Park Acquisition Fund expenditure authority to complete the installation of field lights at Rotary Park, increases in Lodging Tax Fund expenditures to meet the pledged contribution to the countywide Consolidated Lodging Tax process, expenditures for Fieldhouse design and engineering from insurance recoveries on the Ellensburg Racquet & Recreation Center, anticipated costs associated with health and medical insurance, and compensation adjustments as approved in collective bargaining agreements and pay resolutions.

Items moved between budget years are comprised of carry-forward of Council adopted project budgets unspent in 2022 for expenditure in 2023, or budget adjustments to reflect changes to anticipated project timelines between 2023 and 2024. This includes carry-forward of unspent 2022 Economic Development Investment Fund budget to 2023 for the balance of the City-County Economic Development Plan contract with TIP Strategies, moving expenditure authority from 2023 to 2024 for the joint purchase with Kittitas County Sheriff's Office of an armored vehicle (BEARCAT) in the Criminal Justice Fund, carry-forward of remaining COVID-19 State and Local Fiscal Recovery Funds, and adjustments due to project timing of Gateway II and Reecer Creek levee projects in the Stormwater Utility, Seattle Avenue Main Extension and the Mount Stuart Well Refurbishing projects in the Water Utility Fund, and clarifier rebuild, digester and gravity belt thickening (GBT) Electrical upgrade projects in the Wastewater Utility Fund.

New items include additional expenditure authority for police operations in 2024 including local funding for SWAT Team supplies due to lack of Federal funding for ongoing support of expiring tactical equipment, increased costs of investigative/communications software, added special events such as the Pride Parade, Traffic Safety patrols, overtime, and also the anticipated increases in jail medical, and dispatching costs. Other items include a complete re-roof for the Stan Bassett Youth Center (SBYC), telecommunications system extension for Central Washington University (CWU) to reach their airport hanger and flight technology facility, the purchase and installation of modular office space at the City Shop & Warehouse, and increased costs of insuring city operations.

Additionally, corrections have been made since the first reading of the Mid-Biennial Supplemental Budget. Those corrections include adding two previously Council approved projects that had neglected to be recorded in the previous supplement: the Sustainability & Energy Plan and the Happy Feet Traffic Impact Fee Exemption. Also, additional budget adjustments were identified as a result of a year-end final review. Total changes to the supplemental budget included additional revenue of \$108,768 and added expenditure authority of \$315,537. These items are highlighted in Table 1 for ease of identification.

Details of each item, by fund, are included in Table 1, and a summary of the impacts by fund is included in Tables 2 and 3.

Financial Impact:

The proposed ordinance amends the Biennial Budget increasing budgeted 2023 expenditures by \$748,659 and revenue by \$6,118,094 and increasing budgeted 2024 expenditures by \$6,821,075 and revenue by \$5,039,595. The effect of these amendments on the budgeted 2024 ending fund balance is an increase of \$3,587,954.

Budget Adjustment: No

Attachments:

1. Table 1 - Supplemental Budget Items by Fund
2. Table 2 - 2023 Summary of Budget Adjustments
3. Table 3 - 2024 Summary of Budget Adjustments
4. Ordinance 4934 - Mid-Biennial Review 2023-2024 Supplemental Budget
5. Exhibits A & B - 2023-2024 Biennial Budget as Amended

Table 1 - 2023-2024 Mid-Biennial Review - Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2023				2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
General Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$152,745	\$0	\$0	-\$152,745
Police 2024 Cost increases	\$0	\$0	\$0	\$0	\$0	\$0	\$64,897	-\$64,897
Police Revenue Forecast Update	\$0	-\$22,600	\$0	-\$22,600	\$0	-\$22,600	\$0	-\$22,600
Utility Revenue Update	\$0	\$105,000	\$0	\$105,000	\$0	\$0	\$0	\$0
Origin SmartCity Utility Billing Project Timing	\$0	\$0	\$145,000	-\$145,000	\$0	\$0	\$0	\$0
FISH Warehouse Expansion USDA Grant	\$0	\$900,000	\$900,000	\$0	\$0	\$0	\$0	\$0
DEI Commission Program Support Budget	\$0	\$0	-\$4,078	\$4,078	\$0	\$0	\$5,200	-\$5,200
2024 Medical Insurance Premiums	\$0	\$0	-\$9,693	\$9,693	\$0	\$0	\$339,111	-\$339,111
Administrative Adjustments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Administrative Adjustment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Historic Preservation Carryforward	\$0	\$0	-\$4,000	\$4,000	\$0	\$0	\$4,000	-\$4,000
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$35,962	-\$35,962	\$0	\$0	\$44,362	-\$44,362
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$35,771	-\$35,771	\$0	\$0	\$26,530	-\$26,530
Employee Compensation Budget Reconcile - OPEIU	\$0	\$0	\$0	\$0	\$0	\$0	\$32,143	-\$32,143
Employee Compensation Budget Reconcile - Teamster Crews	\$0	\$0	\$0	\$0	\$0	\$0	\$78,678	-\$78,678
Legal Intern	\$0	\$0	\$0	\$0	\$0	\$0	\$13,820	-\$13,820
2003 Library Const. Debt Fund Closeout	\$0	\$83,817	\$0	\$83,817	\$0	\$0	\$0	\$0
Happy Feet Traffic Impact Fee Backfill	\$0	\$23,152	\$23,152	\$0	\$0	\$0	\$0	\$0
Sustainability Plan/ Energy Strategy - Carryforward	\$0	\$0	\$120,000	-\$120,000	\$0	\$0	\$0	\$0
General Fund Total	\$0	\$1,089,369	\$1,242,114	-\$152,745	-\$152,745	-\$22,600	\$608,741	-\$784,086
Economic Development Investments Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$49,000	\$0	\$0	-\$49,000
City/ County Economic Development Plan Carryforward	\$0	\$0	\$49,000	-\$49,000	\$0	\$0	\$0	\$0
Economic Development Investments Fund Total	\$0	\$0	\$49,000	-\$49,000	-\$49,000	\$0	\$0	-\$49,000
Art Acquisition Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$5,544	\$0	\$0	-\$5,544
Bus Shelter Art Carryforward	\$0	\$0	\$5,544	-\$5,544	\$0	\$0	\$0	\$0
Art Acquisition Fund Total	\$0	\$0	\$5,544	-\$5,544	-\$5,544	\$0	\$0	-\$5,544
Grants Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$1,966,142	\$0	\$0	-\$1,966,142
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$2,925	-\$2,925
Unity Park Carryforward	\$0	\$0	\$1,712,362	-\$1,712,362	\$0	\$0	\$0	\$0
Grants Fund Carryforward	\$0	\$0	\$229,428	-\$229,428	\$0	\$0	\$0	\$0
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$1,200	-\$1,200	\$0	\$0	\$1,200	-\$1,200
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$935	-\$935

Table 1 Continued - 2023-2024 Mid-Biennial Review - Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2023				2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
Happy Feet Traffic Impact Fee Backfill	\$0	\$0	\$23,152	-\$23,152	\$0	\$0	\$0	\$0
Grants Fund Total	\$0	\$0	\$1,966,142	-\$1,966,142	-\$1,966,142	\$0	\$5,060	-\$1,971,202
Fire Relief & Pension Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$50,000	\$0	\$0	-\$50,000
Fire Relief & Pension Medical Claims	\$0	\$0	\$50,000	-\$50,000	\$0	\$0	\$0	\$0
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$108,392	-\$108,392
Fire Relief & Pension Fund Total	\$0	\$0	\$50,000	-\$50,000	-\$50,000	\$0	\$108,392	-\$158,392
Street Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$139,164	\$0	\$0	\$139,164
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$886	-\$886
Administrative Adjustments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Safe Streets for All (SS4A) Grant - Safety Action Plan	\$0	\$0	\$0	\$0	\$0	\$160,000	\$200,000	-\$40,000
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$420	-\$420	\$0	\$0	\$8,820	-\$8,820
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$294	-\$294
Employee Compensation Budget Reconcile - Teamster Crews	\$0	\$0	-\$139,584	\$139,584	\$0	\$0	\$68,554	-\$68,554
Street Fund Total	\$0	\$0	-\$139,164	\$139,164	\$139,164	\$160,000	\$278,555	\$20,610
Arterial Street Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$17,000	\$0	\$0	\$17,000
5th and RR Signal-Distressed County Sales Tax Awarded	\$0	\$32,000	\$0	\$32,000	\$0	\$0	\$0	\$0
Traffic Count- Grant Awarded	\$0	\$30,000	\$45,000	-\$15,000	\$0	\$0	\$0	\$0
University Way Overlay - Grant Awarded	\$0	\$0	\$0	\$0	\$0	\$956,690	\$606,000	\$350,690
Arterial Street Fund Total	\$0	\$62,000	\$45,000	\$17,000	\$17,000	\$956,690	\$606,000	\$367,690
Public Transit Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$770,220	\$0	\$0	\$770,220
Special Transportation Needs Grant '23-'25	\$0	\$8,436	\$0	\$8,436	\$0	\$0	\$0	\$0
WSDOT Consolidated Federal Indirect Grant '23-'25	\$0	\$757,500	\$0	\$757,500	\$0	\$1,515,000	\$0	\$1,515,000
WSDOT Transit Support Grant '23-'25	\$0	\$0	\$0	\$0	\$0	\$266,251	\$0	\$266,251
Bus Shelter Art Carryforward	\$0	\$5,544	\$0	\$5,544	\$0	\$0	\$0	\$0
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$5,320	-\$5,320
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$1,260	-\$1,260	\$0	\$0	\$1,260	-\$1,260
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$949	-\$949
Public Transit Fund Total	\$0	\$771,480	\$1,260	\$770,220	\$770,220	\$1,781,251	\$7,529	\$2,543,942
Criminal Justice Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$148,800	\$0	\$0	\$148,800
Police 2024 Carryforward & Cost Increases	\$0	\$0	-\$150,000	\$150,000	\$0	\$0	\$217,200	-\$217,200
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$8,318	-\$8,318
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$1,200	-\$1,200	\$0	\$0	\$1,200	-\$1,200

Table 1 Continued - 2023-2024 Mid-Biennial Review - Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2023				2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$1,562	-\$1,562
Employee Compensation Budget Reconcile - OPEIU	\$0	\$0	\$0	\$0	\$0	\$0	\$1,120	-\$1,120
Criminal Justice Fund Total	\$0	\$0	-\$148,800	\$148,800	\$148,800	\$0	\$229,400	-\$80,600
Park Acquisition Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$113,000	\$0	\$0	-\$113,000
Rotary Park Fieldlights Carryforward and Supplemental	\$0	\$0	\$113,000	-\$113,000	\$0	\$0	\$0	\$0
Park Acquisition Fund Total	\$0	\$0	\$113,000	-\$113,000	-\$113,000	\$0	\$0	-\$113,000
Lodging Tax Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$2,000	\$0	\$0	-\$2,000
Consolidated Lodging Tax Program Contractual Contribution	\$0	\$0	\$2,000	-\$2,000	\$0	\$0	\$35,753	-\$35,753
Lodging Tax Fund Total	\$0	\$0	\$2,000	-\$2,000	-\$2,000	\$0	\$35,753	-\$37,753
2017 GO Bond Debt Service Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$1,000	\$0	\$0	-\$1,000
Debt Service Administrative Fees	\$0	\$0	\$1,000	-\$1,000	\$0	\$0	\$1,000	-\$1,000
2017 GO Bond Debt Service Fund Total	\$0	\$0	\$1,000	-\$1,000	-\$1,000	\$0	\$1,000	-\$2,000
2010 GO Bond Debt Service Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$1,000	\$0	\$0	-\$1,000
Debt Service Administrative Fees	\$0	\$0	\$1,000	-\$1,000	\$0	\$0	\$1,000	-\$1,000
2010 GO Bond Debt Service Fund Total	\$0	\$0	\$1,000	-\$1,000	-\$1,000	\$0	\$1,000	-\$2,000
Sidewalk Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$230,556	\$0	\$0	-\$230,556
Liberty Bible Church Paverstone Project	\$0	\$0	\$230,556	-\$230,556	\$0	\$16,053	\$0	\$16,053
Sidewalk Fund Total	\$0	\$0	\$230,556	-\$230,556	-\$230,556	\$16,053	\$0	-\$214,503
Fieldhouse Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$3,619,256	\$0	\$0	\$3,619,256
Fieldhouse Project	\$0	\$4,741,556	\$1,122,300	\$3,619,256	\$0	\$0	\$0	\$0
Fieldhouse Fund Total	\$0	\$4,741,556	\$1,122,300	\$3,619,256	\$3,619,256	\$0	\$0	\$3,619,256
Capital Improvement Bond Projects Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$176,436	\$0	\$0	-\$176,436
Stan Bassett Youth Center Re-roof	\$0	\$0	\$51,436	-\$51,436	\$0	\$0	\$0	\$0

Table 1 Continued - 2023-2024 Mid-Biennial Review - Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2023				2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
City Hall Roof Replacement	\$0	\$0	\$125,000	-\$125,000	\$0	\$0	\$0	\$0
Capital Improvement Bond Projects Fund Total	\$0	\$0	\$176,436	-\$176,436	-\$176,436	\$0	\$0	-\$176,436
Electric Utility Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$52,684	\$0	\$0	-\$52,684
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$46,745	-\$46,745
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$12,684	-\$12,684	\$0	\$0	\$12,684	-\$12,684
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$5,115	-\$5,115
Employee Compensation Budget Reconcile - OPEIU	\$0	\$0	\$0	\$0	\$0	\$0	\$2,072	-\$2,072
Sustainability Plan/ Energy Strategy - Carryforward	\$0	\$0	\$40,000	-\$40,000	\$0	\$0	\$0	\$0
Electric Utility Fund Total	\$0	\$0	\$52,684	-\$52,684	-\$52,684	\$0	\$66,616	-\$119,300
Natural Gas Utility Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$1,801,095	\$0	\$0	\$1,801,095
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$22,372	-\$22,372
System Expansion & Loop Design - Asphalt Plant	\$0	\$0	\$171,598	-\$171,598	\$0	\$0	\$0	\$0
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$3,672	-\$3,672	\$0	\$0	\$12,072	-\$12,072
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$3,006	-\$3,006
Employee Compensation Budget Reconcile - OPEIU	\$0	\$0	\$0	\$0	\$0	\$0	\$1,150	-\$1,150
Employee Compensation Budget Reconcile - Teamster Crews	\$0	\$0	\$0	\$0	\$0	\$0	\$55,522	-\$55,522
CCA Budget Reconcile Adjustments	\$0	\$0	-\$2,016,365	\$2,016,365	\$0	\$0	\$0	\$0
Sustainability Plan/ Energy Strategy - Carryforward	\$0	\$0	\$40,000	-\$40,000	\$0	\$0	\$0	\$0
Natural Gas Utility Fund Total	\$0	\$0	-\$1,801,095	\$1,801,095	\$1,801,095	\$0	\$94,122	\$1,706,973
Stormwater Utility Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$140,304	\$0	\$0	\$140,304
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$9,381	-\$9,381
Gateway II Project Timing	\$0	\$0	-\$150,000	\$150,000	\$0	\$0	\$150,000	-\$150,000
Reecer Creek Levee Project Timing	\$0	-\$888,376	-\$880,000	-\$8,376	\$0	\$1,238,363	\$880,000	\$358,363
Flood Control Assistance Account Program (FCAAP) Grant	\$0	\$0	\$0	\$0	\$0	\$300,000	\$400,000	-\$100,000
2023-2025 Stormwater Capacity Grant	\$0	\$0	\$0	\$0	\$0	\$130,000	\$130,000	\$0
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$1,320	-\$1,320	\$0	\$0	\$1,320	-\$1,320
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$1,106	-\$1,106
Employee Compensation Budget Reconcile - OPEIU	\$0	\$0	\$0	\$0	\$0	\$0	\$1,065	-\$1,065
Stormwater Utility Fund Total	\$0	-\$888,376	-\$1,028,680	\$140,304	\$140,304	\$1,668,363	\$1,572,872	\$235,795
Stormwater Bond Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$446,205	\$0	\$0	-\$446,205
Stormwater Bond Projects	\$0	\$0	\$362,381	-\$362,381	\$0	\$0	\$0	\$0

Table 1 Continued - 2023-2024 Mid-Biennial Review - Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2023				2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
Reecer Cr.Flood Hazard Reduction & Floodplain Restoration Prc	\$0	\$0	\$83,824	-\$83,824	\$0	\$0	\$0	\$0
Stormwater Bond Fund Total	\$0	\$0	\$446,205	-\$446,205	-\$446,205	\$0	\$0	-\$446,205
Telecommunications Utility Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$13,394	\$0	\$0	\$13,394
Construct Fiber for CWU to Airport	\$0	\$63,574	\$50,000	\$13,574	\$0	\$0	\$0	\$0
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$872	-\$872
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$180	-\$180	\$0	\$0	\$180	-\$180
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$181	-\$181
Telecommunications Utility Fund Total	\$0	\$63,574	\$50,180	\$13,394	\$13,394	\$0	\$1,233	\$12,161
Water Utility Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$471,884	\$0	\$0	\$471,884
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$207	-\$207
Seattle Main Extension Project Timing	\$0	\$0	-\$323,000	\$323,000	\$0	\$0	\$323,000	-\$323,000
Mount Stuart Well Refurbishing Project Timing	\$0	\$0	-\$150,000	\$150,000	\$0	\$0	\$150,000	-\$150,000
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$1,116	-\$1,116	\$0	\$0	\$9,516	-\$9,516
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$832	-\$832
Employee Compensation Budget Reconcile - Teamster Crews	\$0	\$0	\$0	\$0	\$0	\$0	\$62,664	-\$62,664
Water Utility Fund Total	\$0	\$0	-\$471,884	\$471,884	\$471,884	\$0	\$546,219	-\$74,335
Water Construction Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$222,000	\$0	\$0	-\$222,000
Craig's Hill Pressure Zone Project Timing	\$0	\$0	\$222,000	-\$222,000	\$0	\$0	-\$200,000	\$200,000
Administrative Adjustments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water Construction Fund Total	\$0	\$0	\$222,000	-\$222,000	-\$222,000	\$0	-\$200,000	-\$22,000
Sewer Utility Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$2,199,100	\$0	\$0	\$2,199,100
Clarifier rebuild & Digester & GBT Electrical Upgrade project tin	\$0	\$0	-\$2,200,000	\$2,200,000	\$0	\$0	\$2,200,000	-\$2,200,000
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	-\$2,496	\$2,496
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$900	-\$900	\$0	\$0	\$14,100	-\$14,100
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$699	-\$699
Employee Compensation Budget Reconcile - Teamster Crews	\$0	\$0	\$0	\$0	\$0	\$0	\$64,989	-\$64,989
Sewer Utility Fund Total	\$0	\$0	-\$2,199,100	\$2,199,100	\$2,199,100	\$0	\$2,277,292	-\$78,192
Shop & Warehouse Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$153,872	\$0	\$0	\$153,872
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$5,987	-\$5,987
Administrative Adjustments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment Purchase & Delivery Timing	\$0	\$48,868	-\$106,132	\$155,000	\$0	-\$34,068	\$120,932	-\$155,000
Modular Office Space	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	-\$100,000

Table 1 Continued - 2023-2024 Mid-Biennial Review - Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2023				2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$1,128	-\$1,128	\$0	\$0	\$9,528	-\$9,528
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$0	\$0	\$0	\$0	\$847	-\$847
Employee Compensation Budget Reconcile - Teamster Crews	\$0	\$0	\$0	\$0	\$0	\$0	\$31,755	-\$31,755
Shop & Warehouse Fund Total	\$0	\$48,868	-\$105,004	\$153,872	\$153,872	-\$34,068	\$269,049	-\$149,245
General Facilities Internal Service Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$9,693	\$0	\$0	-\$9,693
2024 Medical Insurance Premiums	\$0	\$0	\$9,693	-\$9,693	\$0	\$0	-\$458	\$458
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$0	\$0	\$0	\$0	\$1,200	-\$1,200
Employee Compensation Budget Reconcile - Teamster Crews	\$0	\$0	\$0	\$0	\$0	\$0	\$6,592	-\$6,592
General Facilities Internal Service Fund Total	\$0	\$0	\$9,693	-\$9,693	-\$9,693	\$0	\$7,334	-\$17,027
Risk Management Internal Service Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$36,095	\$0	\$0	-\$36,095
Insurance Cost Increases	\$0	\$0	\$36,095	-\$36,095	\$0	\$0	\$271,925	-\$271,925
Risk Management Internal Service Fund Total	\$0	\$0	\$36,095	-\$36,095	-\$36,095	\$0	\$271,925	-\$308,020
Health & Benefits Internal Service Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$150,426	\$0	\$0	-\$150,426
2024 Medical Insurance Premiums	\$0	\$227,824	\$378,250	-\$150,426	\$0	\$513,906	\$0	\$513,906
Health & Benefits Internal Service Fund Total	\$0	\$227,824	\$378,250	-\$150,426	-\$150,426	\$513,906	\$0	\$363,480
IT Internal Service Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$364,110	\$0	\$0	-\$364,110
Origin SmartCity Utility Billing Project Timing	\$0	\$0	\$192,107	-\$192,107	\$0	\$0	\$0	\$0
2024 Medical Insurance Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$16,172	-\$16,172
Administrative Adjustments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Employee Compensation Budget Reconcile - VEBA	\$0	\$0	\$4,896	-\$4,896	\$0	\$0	\$4,896	-\$4,896
Employee Compensation Budget Reconcile - Non-Represented	\$0	\$0	\$167,107	-\$167,107	\$0	\$0	\$3,875	-\$3,875
IT Internal Service Fund Total	\$0	\$0	\$364,110	-\$364,110	-\$364,110	\$0	\$24,943	-\$389,053
GIS Internal Service Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	\$6,000	\$0	\$0	\$6,000
GIS Training Carryforward	\$0	\$0	-\$6,000	\$6,000	\$0	\$0	\$6,000	-\$6,000
Employee Compensation Budget Reconcile - OPEIU	\$0	\$0	\$0	\$0	\$0	\$0	\$2,041	-\$2,041
GIS Internal Service Fund Total	\$0	\$0	-\$6,000	\$6,000	\$6,000	\$0	\$8,041	-\$2,041
Library Const Debt Fund								
Beginning Fund Balance Adjustment	\$0	\$0	\$0	\$0	-\$82,018	\$0	\$0	-\$82,018
2003 Library Const. Debt Fund Closeout	\$0	\$1,799	\$83,817	-\$82,018	\$0	\$0	\$0	\$0
Library Const Debt Fund Total	\$0	\$1,799	\$83,817	-\$82,018	-\$82,018	\$0	\$0	-\$82,018
Grand Total	\$0	\$6,118,094	\$748,659	\$5,369,435	\$5,369,435	\$5,039,595	\$6,821,075	\$3,587,954

Table 2
City of Ellensburg
2023 Summary of Budget Adjustments

Fund/Department	Budgeted Beg Fund Balance	2023 Revenues	2023 Expenditures	Budgeted Ending Fund Balance
Total General Fund	\$0	\$1,089,369	\$1,242,114	-\$152,745
Budgeted General Sub-Funds				
Economic Development		0	49,000	-\$49,000
Sales Tax				\$0
Art Acquisitions		0	5,544	-\$5,544
COVID-19 Grants			1,966,142	-\$1,966,142
Library Trust				\$0
Hal Holmes Trust				\$0
Fire Relief & Pension Trust			50,000	-\$50,000
Total Budgeted General Sub-Funds	0	0	2,070,686	-\$2,070,686
Special Revenue Funds:				
Street		0	-139,164	\$139,164
Arterial Street		62,000	45,000	\$17,000
Traffic Impact Fee				\$0
Ellensburg Public Transit		771,480	1,260	\$770,220
Criminal Justice		0	-148,800	\$148,800
Drug				\$0
CATV Ops. and & Maint.				\$0
CATV Capital	0			\$0
Park Acquisitions			113,000	-\$113,000
Lodging Tax		0	2,000	-\$2,000
Affordable Housing				\$0
Total Special Revenue Funds	0	833,480	-126,704	\$960,184
Debt Service Funds				
Capital Imprv. Debt			1,000	-\$1,000
2010 Maintenance Bond			1,000	-\$1,000
Library Bond Debt		1,799	83,817	-\$82,018
LID Guarantee Fund				\$0
Total Debt Service Funds	0	1,799	85,817	-\$84,018
Capital Project Funds				
Field House	0	4,741,556	1,122,300	\$3,619,256
Capital Imprv. Bond Projects		0	176,436	-\$176,436
Sidewalk Improvements		0	230,556	-\$230,556
Recreation Facilities				\$0
Total Capital Project Funds	0	4,741,556	1,529,292	\$3,212,264
Enterprise Funds				
Stormwater		-888,376	-1,028,680	\$140,304
Stormwater Bond			446,205	-\$446,205
Telecommunications		63,574	50,180	\$13,394
Gas		0	-1,801,095	\$1,801,095
Light			52,684	-\$52,684
Water		0	-471,884	\$471,884
Water Construction			222,000	-\$222,000
Sewer		0	-2,199,100	\$2,199,100
Total Enterprise Funds	0	-824,802	-4,729,690	\$3,904,888
Internal Service Funds				
Shop & Equipment		48,868	-105,004	\$153,872
General Facilities			9,693	-\$9,693
Health Insurance		227,824	378,250	-\$150,426
Risk Management		0	36,095	-\$36,095
IT Fund			364,110	-\$364,110
GIS Fund		0	-6,000	\$6,000
Total Internal Service Funds	0	276,692	677,144	-\$400,452
Grand Total	\$0	\$6,118,094	\$748,659	\$5,369,435

Table 3
City of Ellensburg
2024 Summary of Budget Adjustments

Fund/Department	Budgeted Beg Fund Balance	2024 Revenues	2024 Expenditures	Budgeted Ending Fund Balance
Total General Fund	-\$152,745	-\$22,600	\$608,741	-\$784,086
Budgeted General Sub-Funds				
Economic Development	-49,000	0	0	-49,000
Sales Tax	0			0
Art Acquisitions	-5,544			-5,544
COVID-19 Grants	-1,966,142	0	5,060	-1,971,202
Library Trust	0			0
Hal Holmes Trust	0			0
Fire Relief & Pension Trust	-50,000		108,392	-158,392
Total Budgeted General Sub-Funds	-2,070,686	0	113,452	-2,184,138
Special Revenue Funds:				
Street	139,164	160,000	278,555	20,610
Arterial Street	17,000	956,690	606,000	367,690
Traffic Impact Fee	0			0
Ellensburg Public Transit	770,220	1,781,251	7,529	2,543,942
Criminal Justice	148,800	0	229,400	-80,600
Drug	0			0
CATV Ops. and & Maint.	0			0
CATV Capital	0			0
Park Acquisitions	-113,000	0	0	-113,000
Lodging Tax	-2,000	0	35,753	-37,753
Affordable Housing	0		0	0
Total Special Revenue Funds	960,184	2,897,941	1,157,237	2,700,888
Debt Service Funds				
Capital Imprv. Debt	-1,000		1,000	-2,000
2010 Maintenance Bond	-1,000		1,000	-2,000
Library Bond Debt	-82,018			-82,018
LID Guarantee Fund	0			0
Total Debt Service Funds	-84,018	0	2,000	-86,018
Capital Project Funds				
Field House	3,619,256	0	0	3,619,256
Capital Imprv. Bond Projects	-176,436			-176,436
Sidewalk Improvements	-230,556	16,053	0	-214,503
Recreation Facilities	0	0	0	0
Total Capital Project Funds	3,212,264	16,053	0	3,228,317
Enterprise Funds				
Stormwater	140,304	1,668,363	1,572,872	235,795
Stormwater Bond	-446,205		0	-446,205
Telecommunications	13,394		1,233	12,161
Gas	1,801,095	0	94,122	1,706,973
Light	-52,684		66,616	-119,300
Water	471,884	0	546,219	-74,335
Water Construction	-222,000		-200,000	-22,000
Sewer	2,199,100	0	2,277,292	-78,192
Total Enterprise Funds	3,904,888	1,668,363	4,358,355	1,214,896
Internal Service Funds				
Shop & Equipment	153,872	-34,068	269,049	-149,245
General Facilities	-9,693		7,334	-17,027
Health Insurance	-150,426	513,906	0	363,480
Risk Management	-36,095	0	271,925	-308,020
IT Fund	-364,110		24,943	-389,053
GIS Fund	6,000	0	8,041	-2,041
Total Internal Service Funds	-400,452	479,838	581,291	-501,905
Grand Total	\$5,369,435	\$5,039,595	\$6,821,075	\$3,587,954

ORDINANCE NO. 4934

AN ORDINANCE AMENDING THE 2023-2024 BIENNIAL BUDGET OF THE CITY OF ELLENSBURG AS SET FORTH IN ORDINANCE NO. 4900 AND PREVIOUSLY AMENDED AS SET FORTH IN ORDINANCE NO. 4923 TO ADJUST APPROPRIATIONS IN THE CITY'S FUNDS.

WHEREAS, the City Council approved Ordinance No. 4900, which adopted a biennial budget for fiscal years 2023-2024; and

WHEREAS, Ch. 35A.34 RCW provides procedures for adopting, managing, and amending a biennial budget; and

WHEREAS, the City Manager has identified the need to make certain revisions to the 2023-2024 biennial budget; and

WHEREAS, the City Council has conducted a public hearing on 2024 proposed revenue sources at its October 2, 2023 regular meeting; and

WHEREAS, the City Council has conducted a public hearing regarding the Mid-Biennial Review and 2023-2024 Supplemental Budget at its December 4, 2023 regular meeting;

WHEREAS, the City Council has reviewed the proposed adjustments to the budget and has determined that they should be made;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **2023-2024 Supplemental Budget.** The 2023-2024 biennial budget for the City of Ellensburg for the period January 1, 2023 through December 31, 2024, as authorized in Ordinance 4900 and previously amended in Ordinance 4923 is hereby amended as revised in attached Exhibits A and B, and are hereby appropriated for expenditure at the fund level during the 2023-2024 biennium.

Section 2. **Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. **Corrections.** Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance

numbering, section/subsection numbers and any references thereto.

Section 4. **Effective Date.** This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title.

The foregoing ordinance was passed and adopted at regular meeting of the City Council on this 18th day of December, 2023.

Mayor

Attest:

City Clerk

Approved as to form:

CITY ATTORNEY

PUBLISH:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4934 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4934 was published as required by law.

Beth Leader, City Clerk

Ordinance 4934 - Exhibit A (Supplemental Budget Ordinance)

City of Ellensburg

2023 Budget Table - All Funds as Amended

Fund/Department	Budgeted Beg Fund Balance	2023 Revenues	2023 Expenditures	Budgeted Ending Fund Balance
Total General Fund	4,297,317	19,231,320	21,010,010	2,518,627
Budgeted General Sub-Funds				
Economic Development	654,662	0	49,000	605,662
Sales Tax	4,680,768	6,296,280	7,737,767	3,239,281
Art Acquisitions	47,181	51,000	64,544	33,637
COVID-19 Grants	5,024,069	0	2,543,740	2,480,329
Library Trust	324,103	4,900	8,800	320,203
Hal Holmes Trust	153,128	10,500	10,000	153,628
Fire Relief & Pension Trust	707,337	199,737	191,909	715,165
Total Budgeted General Sub-Funds	11,591,248	6,562,417	10,605,760	7,547,905
Special Revenue Funds:				
Street	1,782,075	2,597,582	3,266,095	1,113,562
Arterial Street	592,375	8,223,111	7,075,286	1,740,200
Traffic Impact Fee	285,837	379,387	298,870	366,354
Ellensburg Public Transit	3,511,760	3,340,585	2,694,984	4,157,361
Criminal Justice	2,788,774	1,532,560	2,252,446	2,068,888
Drug	29,403	3,100	22,385	10,118
CATV Ops. and & Maint.	117,221	101,998	115,470	103,749
CATV Capital	0	65,000	65,000	0
Park Acquisitions	557,641	122,661	533,000	147,302
Lodging Tax	911,672	690,000	357,313	1,244,359
Affordable Housing	2,448,165	1,187,160	1,877,500	1,757,825
Total Special Revenue Funds	13,024,923	18,243,144	18,558,349	12,709,718
Debt Service Funds				
Capital Imprv. Debt	362,381	562,327	563,326	361,382
2010 Maintenance Bond	87,215	187,003	188,003	86,215
Library Bond Debt	82,018	1,799	83,817	0
LID Guarantee Fund	140,785	0	0	140,785
Total Debt Service Funds	672,399	751,129	835,146	588,382
Capital Project Funds				
Field House	0	4,741,556	1,122,300	3,619,256
Capital Imprv. Bond Projects	520,273	0	176,436	343,837
Sidewalk Improvements	1,096,838	448,000	999,268	545,570
Recreation Facilities	0	380,000	0	380,000
Total Capital Project Funds	1,617,111	5,569,556	2,298,004	4,888,663
Enterprise Funds				
Stormwater	1,087,297	2,074,943	1,943,114	1,219,126
Stormwater Bond	1,165,638	0	1,165,638	0
Telecommunications	346,794	1,114,150	1,161,630	299,314
Gas	3,411,575	10,966,047	11,346,551	3,031,071
Light	13,522,336	21,852,960	26,131,009	9,244,287
Water	6,312,186	6,530,244	7,413,265	5,429,165
Water Construction	3,254,792	0	1,972,000	1,282,792
Sewer	7,555,399	8,330,355	8,612,175	7,273,579
Total Enterprise Funds	36,656,017	50,868,699	59,745,382	27,779,334
Internal Service Funds				
Shop & Equipment	8,959,502	2,707,688	2,629,433	9,037,757
General Facilities	0	630,424	596,822	33,602
Health Insurance	1,242,634	2,651,648	3,066,253	828,029
Risk Management	1,451,037	688,102	973,193	1,165,946
IT Fund	1,965,571	1,981,828	3,263,442	683,957
GIS Fund	314,822	519,467	556,433	277,856
Total Internal Service Funds	13,933,566	9,179,157	11,085,576	12,027,147
Grand Total	\$81,792,581	\$110,405,422	\$124,138,227	\$68,059,776

Ordinance 4934 - Exhibit B (Supplemental Budget Ordinance)

City of Ellensburg

2024 Budget Table - All Funds as Amended

Fund/Department	Budgeted Beg Fund Balance	2024 Revenues	2024 Expenditures	Budgeted Ending Fund Balance
Total General Fund	\$2,518,628	\$19,438,696	\$20,847,763	\$1,109,561
Budgeted General Sub-Funds				
Economic Development	605,662	0	0	605,662
Sales Tax	3,239,281	6,515,811	8,770,693	984,399
Art Acquisitions	33,637	51,000	59,000	25,637
COVID-19 Grants	2,480,329	0	188,262	2,292,067
Library Trust	320,203	7,500	8,800	318,903
Hal Holmes Trust	153,628	10,500	10,000	154,128
Fire Relief & Pension Trust	715,165	190,737	255,986	649,916
Total Budgeted General Sub-Funds	7,547,905	6,775,548	9,292,741	5,030,712
Special Revenue Funds:				
Street	1,113,563	3,017,122	3,610,331	520,354
Arterial Street	1,740,200	4,011,476	4,261,747	1,489,929
Traffic Impact Fee	366,355	372,387	642,384	96,358
Ellensburg Public Transit	4,157,360	4,248,756	2,495,829	5,910,287
Criminal Justice	2,068,888	1,556,822	2,262,175	1,363,535
Drug	10,118	3,100	5,000	8,218
CATV Ops. and & Maint.	103,749	100,198	110,529	93,418
CATV Capital	0	0	0	0
Park Acquisitions	147,302	102,261	0	249,563
Lodging Tax	1,244,359	687,000	366,066	1,565,293
Affordable Housing	1,757,825	820,406	682,500	1,895,731
Total Special Revenue Funds	12,709,719	14,919,528	14,436,561	13,192,686
Debt Service Funds				
Capital Imprv. Debt	361,382	562,327	563,326	360,383
2010 Maintenance Bond	86,215	187,003	188,003	85,215
Library Bond Debt	0	0	0	0
LID Guarantee Fund	140,785	0	0	140,785
Total Debt Service Funds	588,382	749,330	751,329	586,383
Capital Project Funds				
Field House	3,619,256	0	0	3,619,256
Capital Imprv. Bond Projects	343,837	0	0	343,837
Sidewalk Improvements	545,570	422,053	586,000	381,623
Recreation Facilities	380,000	380,000	760,000	0
Total Capital Project Funds	4,888,663	802,053	1,346,000	4,344,716
Enterprise Funds				
Stormwater	1,219,126	3,768,287	3,652,886	1,334,527
Stormwater Bond	0	0	0	0
Telecommunications	299,314	410,324	372,389	337,249
Gas	3,031,072	12,881,248	13,714,635	2,197,685
Light	9,244,288	21,752,965	24,422,107	6,575,146
Water	5,429,165	6,555,464	8,130,524	3,854,105
Water Construction	1,282,792	0	1,010,000	272,792
Sewer	7,273,579	6,923,113	9,604,785	4,591,907
Total Enterprise Funds	27,779,336	52,291,401	60,907,326	19,163,411
Internal Service Funds				
Shop & Equipment	9,037,757	2,812,252	2,880,737	8,969,272
General Facilities	33,602	630,424	557,717	106,309
Health Insurance	828,029	3,047,821	2,703,393	1,172,457
Risk Management	1,165,946	688,102	1,209,023	645,025
IT Fund	692,623	2,788,500	2,931,579	549,544
GIS Fund	269,190	309,244	368,844	209,590
Total Internal Service Funds	12,027,147	10,276,343	10,651,293	11,652,197
Grand Total	\$68,059,780	\$105,252,899	\$118,233,013	\$55,079,666



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Ordinance 4935 (Second Reading) Land Development Code Amendments (Public Comment Opportunity)
Submitted by: Jeremy Johnston, Planning Manager
Department: Community Development

Suggested Motion/Action:

Move to conduct second reading of Ordinance 4935 as presented, adopting proposed Land Development Code Amendments with a staff amendment to remove subsection 15.300.070 included in error in the first reading.

Background/Summary:

The proposed amendments will update various sections within Title 15. The proposals include amendments to portions of Chapters 15.110, 15.210, 15.250, 15.300, and a repeal and replacement of Chapter 15.280.

Land Development Code amendments follow a Type V process outlined in ECC 15.250.100. Community Development initiated this process on October 10, 2023 with a SEPA determination and 60-day Notice to Commerce. The 60-day notice concluded on December 9, 2023 and no SEPA appeals were filed.

Previous Council Action:

On December 4, 2023, City Council held a public hearing to consider the proposed amendments to the Land Development Code. The City Council approved all proposed amendments except for the proposed amendment to Ch. 15.420.

Analysis:

On November 9, 2023 the Planning Commission held a Public Hearing to consider the proposed amendments. The Planning Commission provided recommendations to City Council for each item. Following the Planning Commission Public Hearing, one item was removed due to comments submitted by the Department of Commerce. This item will be brought forward in a future Land Development Code cycle.

Proposed amendments to Chapters 15.110, 15.210, 15.250, 15.280, 15.300, and 15.420 were presented to City Council at a public hearing during their regular meeting held on December 4, 2023. The City Council voted to approve all proposed amendments as presented except for the proposed amendment to Chapter 15.420, which the City Council voted to disapprove. Following the first reading of Ordinance 4935, staff discovered an error in the description of the changes to section 15.300 in the Ordinance. Staff has corrected this error and removed the ordinance section which referenced section 15.300.070, which results in no changes in this proposal.

Financial Impact:

None

Budget Adjustment: No

Attachments:

1. Ordinance 4935

ORDINANCE NO. 4935

AN ORDINANCE RELATING TO THE CITY OF ELLENSBURG LAND DEVELOPMENT CODE, TITLE 15; AMENDING CHAPTER 15.110 “PURPOSE/AUTHORITY/INTERPRETATION”; AMENDING CHAPTER 15.210 “PERMIT REVIEW PROCESS TYPES”; REPEALING CHAPTER 15.280 AND ADOPTING NEW CHAPTER 15.280 “ELLENSBURG LANDMARKS REGISTER AND PROCEDURES”; AND AMENDING CERTAIN SECTIONS 15.300.040 THROUGH 15.300.060 OF CHAPTER 15.300 “ZONES, MAPS AND DESIGNATIONS”.

WHEREAS, the current Ellensburg Comprehensive Plan was initially adopted on December 18, 2017, and last updated through an annual docket cycle on February 21, 2023; and

WHEREAS, following adoption of the Comprehensive Plan update in December 2017, City of Ellensburg staff worked to evaluate the City’s development regulations and zoning districts to ensure consistency with the requirements of Chapter 36.70A RCW and the City of Ellensburg Comprehensive Plan; and

WHEREAS, the City Council desires to amend Chapter 15.280 of the Ellensburg City Code to prevent destruction of listed historical and landmark structures, where feasible, through a Landmark and Design Commission demolition review process.

WHEREAS, one request to amend Title 15 Land Development Code has been received by Community Development; and

WHEREAS, a staff review of Title 15 Land Development Code has identified code sections that need to be updated to provide clarity and consistency; and

WHEREAS, proposed amendments to the Ellensburg City Code were issued a SEPA Determination of Non-Significance on October 10, 2023; and

WHEREAS, pursuant to RCW 36.70A.106, notice of the City’s intent to amend the Land Development Code was sent to the Washington State Department of Commerce on October 10, 2023; and

WHEREAS, the required Washington State Department of Commerce 60-day notice period concludes on December 9, 2023; and

WHEREAS, the proposed Land Development Code amendments were reviewed by the Planning Commission in a public hearing on November 9, 2023, and based on testimony and other evidence received at said hearing, the Planning Commission recommended City Council approve amendments to Chapters 15.130, 15.280, 15.300, and 15.340, and recommended

disapproval of amendments to Chapters, 15.110, 15.210, 15.250 and 15.420 of the amendments included herein; and

WHEREAS, the City Council held a duly noticed public hearing on the matter of adopting the proposed 2023 Land Development Code amendments at a regular meeting on December 4, 2023, and recommended approval of the proposed amendments set forth herein;

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

Section 1. The recitals set forth above are hereby adopted as the findings of the City Council and are by this reference incorporated herein as if set forth in their entirety.

Section 2. Section 15.110.060 of Ellensburg City Code, as last amended by Section 1 of Ordinance 4656, is hereby amended to read as follows:

15.110.060 Roles and Responsibilities.

- A. The elected officials, appointed commissions, hearing examiner, and city staff share the roles and responsibilities for carrying out the provisions of the LDC.
- B. The city council is responsible for establishing policy and legislation affecting land use within the city. The city council acts on recommendations of the reviewing body in legislative and quasi-judicial matters.
- C. The planning commission is the designated planning agency for the city as specified by state law. The planning commission is responsible for a variety of discretionary recommendations to the city council on land use legislation, comprehensive plan amendments and certain quasi-judicial matters. ~~The planning commission is the decision-making body for conditional uses. See ECC 15.250.040. The planning commission duties and responsibilities are specified in the bylaws duly adopted by the planning commission.~~
- D. The hearing examiner is responsible for certain quasi-judicial decisions designated by this title and the review of administrative appeals. The hearing examiner is the decision making body for conditional uses. See ECC 15.250.040.
- E. The landmarks and design commission is the designated body responsible for certain quasi-judicial and legislative decisions established by this title relating to properties identified as being on the Ellensburg landmarks register.
- F. The director shall have the authority to administer the provisions of the LDC, to make determinations with regard to the applicability of the regulations, to interpret unclear provisions, to require additional information to determine the level of detail and appropriate methodologies

for required analysis, to prepare application and informational materials as required, to promulgate procedures and rules for unique circumstances not anticipated within the standards and procedures contained within the LDC, to decide all requests for non-landmarks register departures from the city's design standards (see ECC 15.210.060 for "departure" provisions), and to enforce requirements.

G. The rules and procedures for proceedings before the hearing examiner, appointed review bodies, and city council are adopted by ordinance and available from the city clerk's office and the department. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 3. Section 15.210.040 of Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to add the following section:

15.210.040 Permit review process types – Decision-making, procedures and notice requirements.

A. Decision-Making and Appeal Process. Table 15.210.040(A) sets out the permit review decision-making and appeal processes for the permit review process types.

**Table 15.210.040(A). Decision-making and appeal
process for permit review process types.**

	Type I	Type II	Type III	Type IV	Type V
Final decision made by:	Director or designated decision-maker (see ECC 15.210.050(A))	Director or designated decision-maker (see ECC 15.210.050(B))	Designated decision-maker (see ECC 15.210.050(C))	Designated decision-maker (see ECC 15.210.050(D))	City council
Recommendation made by:	NA	NA	Designated body	Designated body	Planning commission
Open record predecision public hearing	No	No Except that landmarks and design commission holds an open record public hearing (see Chapter 15.280 ECC)	Yes	Yes	Yes multiple open record predecision hearings can be held
Open record appeal public hearing	Yes	Yes, except for landmarks and design commission decisions which have a closed record appeal	No	No	No
Closed record appeal hearing	No	No, except for landmarks and design commission demolition permit decisions <u>which are appealed to the Hearings Examiner</u>	Yes	No	No

Table 15.210.040(A). Decision-making and appeal process for permit review process types.

	Type I	Type II	Type III	Type IV	Type V
Appeal to:	Superior court	Hearing examiner except landmarks and design commission decisions are appealed to city council and direct or decisions on departures are appealed to city council	Hearing examiner or city council	Superior court	Superior court or to the growth management hearings board if GMA action
Judicial appeal (see ECC 15.230.100)	Yes	Yes	Yes	Yes	Yes

B. Procedures. Table 15.210.040(B) sets out the permit review procedures for the five permit review process types.

Table 15.210.040(B). Procedures for permit review process types.

	Type I	Type II	Type III	Type IV	Type V
Preapplication meeting (see ECC 15.220.010)	No	No ¹	Yes	Yes	No
Notice of complete application (see ECC 15.220.030)	No	Yes	Yes	Yes	No

Table 15.210.040(A). Decision-making and appeal process for permit review process types.

	Type I	Type II	Type III	Type IV	Type V
Notice of application (see ECC 15.220.040)	No	Yes	Yes	Yes	No
SEPA determination (see Chapter 15.270 ECC)	No	Yes If applicable	Yes If applicable	Yes	Yes If applicable
Notice of hearing (see ECC 15.230.020)	No	No	Yes	Yes	Yes
Notice of decision (see ECC 15.220.080)	Yes	Yes	Yes	Yes	Yes
120-day review period (see ECC 15.220.070)	No ²	Yes	Yes	Yes	No
Final decision made by:	Director or designated decision-maker (see ECC 15.210.050(A))	Director or designated decision-maker (see ECC 15.210.050(B))	Designated decision-maker (see ECC 15.210.050(C))	Designated decision-maker (see ECC 15.210.050(D))	City council

**Table 15.210.040(A). Decision-making and appeal
process for permit review process types.**

	Type I	Type II	Type III	Type IV	Type V
Recommendation made by:	NA	NA	Designated body	Designated body	Planning commission
Open record predecision public hearing	No	No Except that landmarks and design commission holds an open record public hearing (see Chapter 15.280 ECC)	Yes	Yes	Yes multiple open record predecision hearings can be held
Open record appeal public hearing	Yes	Yes, except for landmarks and design commission decisions which have a closed record appeal	No	No	No
Closed record appeal hearing	No	No, except for landmarks and design commission demolition permit decisions which are appealed to the Hearings Examiner	Yes	No	No

Table 15.210.040(A). Decision-making and appeal process for permit review process types.

	Type I	Type II	Type III	Type IV	Type V
Appeal to:	Superior court	Hearing examiner except landmarks and design commission decisions are appealed to city council and director decisions on departures are appealed to city council	Hearing examiner or city council	Superior court	Superior court or to the growth management hearing board if GMA action
Judicial appeal (see ECC 15.230.100)	Yes	Yes	Yes	Yes	Yes

Notes/conditions:

1. A preapplication meeting shall be required for all major design review projects and short subdivisions as set forth in ECC 15.250.030.
 2. Short subdivisions have a 60-calendar-day deadline for issuance (after determination of complete application). A final subdivision must issue in 30 calendar days and a preliminary subdivision must issue in 90 calendar days (after determination of complete application). See RCW 58.17.140 and ECC 15.260.060 and 15.260.120.
- C. Notice Requirements. Table 15.210.040(C) sets out the notice requirements for the five permit review process types.

Table 15.210.040(C). Notice requirements for all permit application types, unless otherwise stated. See Chapter 15.220 ECC.

	Send to property owners within 300'	Public notice (see ECC 15.220.040)	Post property (see ECC 15.220.050)	Send to agencies	Send to applicant
Notice of completeness (see ECC 15.220.040)					X
Notice of application (see ECC 15.220.040)	X	X, except for Type I permits	X, except for Type I and II permits	X	X
SEPA determination (see Chapter 15.270 ECC)		X	X	X	X
Notice of open record predecision hearing or meeting, if applicable	X	X	X for site-specific proposals		X
Notice of decision (see ECC 15.220.080)		X	X, except for Type I and II permits		X
Notice of appeal hearing, if applicable	X	X			X

[Ord. 4807 § 16, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 4. Section 15.210.050 of Ellensburg City Code, as last amended by Ordinance 4878; are hereby amended to read as follows:

15.210.050 Projects under permit review process types.

A. Review Process Type I. Table 15.210.050(A) identifies the types of projects

and permits that require a Type I review process. Any decision-making, procedural, or noticing variations from the Type I review process are described in the middle column. The right column identifies code sections applicable to the project/permit.

Table 15.210.050(A). Projects under Type I review process.

Where superscript numbers are included in a cell, please reference the applicable number under “Notes/conditions” below the table.

Type I Project¹	Decision-making, procedures or noticing variation from ECC 15.210.040	Relevant ECC chapter or section(s)
Boundary line adjustments	No variation	ECC 15.260.050
Code interpretation	No variation	ECC 15.110.060(F)
Commercial wireless communication support towers, antenna arrays and facilities in residential zones	No variation Except if on a landmarks register property, then must undergo review and decision by the landmarks commission as Type II project. (See ECC 15.340.070)	ECC 15.340.070
Critical area exemption request or allowable activity	No variation	Division VI
Critical area initial and final determination	See Division VI for process variation	Division VI
Final short subdivision approval	(See ECC 15.260.120)	Chapter 15.260 ECC
Final subdivision approval	Final decision by city council (See ECC 15.260.060)	ECC 15.260.060
Home occupation	No variation	ECC 15.340.020
Minor changes to approved preliminary subdivision	No variation	ECC 15.260.110
Minor preliminary plat alteration	No variation	ECC 15.260.110(A)
Minor revision to regional retail commercial master site plan	No variation	ECC 15.390.040(C)(4)
Nonconforming use determination	No variation	Chapter 15.240 ECC
Permitted use	No variation	Chapter 15.310 ECC

Site development permits (no SEPA required)	No variation	ECC 15.250.020
Small wind energy system (one per parcel) ²	No variation Except if on a landmarks register property, then must undergo review and decision by the landmarks commission as Type II project. See ECC 15.340.060	ECC 15.340.060

Notes/conditions:

1. If any Type I project requires a SEPA threshold determination it automatically becomes a Type II project.
2. Where more than one small wind energy system is proposed for a parcel, then a conditional use permit is required.

B. Review Process Type II. Table 15.210.050(B) identifies the types of projects and permits that require a Type II review process. Any decision-making, procedural, or noticing variations from the Type II review process are described in the middle column. The right column identifies code sections applicable to the project/permit.

Table 15.210.050(B). Projects under Type II review process.

Where superscript numbers are included in a cell, please reference the applicable number under “Notes/conditions” below the table.

Type II Project	Decision-making, procedures or noticing variation from ECC 15.210.040	Relevant ECC chapter or section(s)
Administrative variance	No variation	ECC 15.500.040
Commercial wireless communication support towers, antenna arrays and facilities in commercial and industrial zones	No variation, except landmarks register properties require decision by landmarks and design commission after a public hearing	ECC 15.340.070
Critical area exception for public agency or reasonable use	No variation	Division VI
Design review, major and minor	No variation	ECC 15.250.030 Division V (Project Design)
Design review departure request for landmarks register property	Decision by landmarks and design commission after a public hearing; appeal closed record to city council	ECC 15.210.060 (Departures)
Design review departure request for non-landmarks register property	Appeal open record to city council	ECC 15.210.060 (Departures)
Landmark certificate of appropriateness (COA)	Landmarks and design commission decision after public hearing; appeal closed record to city council	ECC 15.280.090
Landmarks register demolition	Landmarks and design commission decision after a public hearing; appeal closed record to city council	ECC 15.280.090
Short subdivision alteration	No variation	ECC 15.260.170(C)

Table 15.210.050(B). Projects under Type II review process.

Where superscript numbers are included in a cell, please reference the applicable number under “Notes/conditions” below the table.

Type II Project	Decision-making, procedures or noticing variation from ECC 15.210.040	Relevant ECC chapter or section(s)
Short subdivision, preliminary	No variation	Chapter 15.260 ECC (Subdivisions) Division IV (Community Design)
Site development permit (if SEPA required)	No variation	ECC 15.250.020
Temporary use	No variation	ECC.250.010

C. Review Process Type III. Table 15.210.050(C) identifies the types of projects and permits that require a Type III review process. Any decision-making, procedural, or noticing variations from the Type III review process are described in the middle column. The right column identifies code sections applicable to the project/permit.

Table 15.210.050(C). Projects under Type III review process.

Where superscript numbers are included in a cell, please reference the applicable number under “Notes/conditions” below the table.

Type III Project	Decision-making, procedures or noticing variation from ECC 15.210.040	Relevant ECC chapter or section(s)
Binding site plan	City council decision	ECC 15.260.180
Conditional use permit	Planning commission <u>Hearing Examiner</u> decision after open record hearing; appeal closed record to city council	ECC 15.250.040
Extension requests for regional retail commercial master site plan projects	City council decision after open record public hearing	ECC 15.390.040(C)(3)
Variance	Hearing examiner decision after open record hearing; appeal closed record to city council	ECC 15.250.050
Variance for critical areas regulations	Hearing examiner decision after open record hearing; appeal closed record to city council	ECC 15.610.210 and 15.610.215 (frequently flooded areas)

D. Review Process Type IV. Table 15.210.050(D) identifies the types of projects and permits that require a Type IV review process. Any decision-making, procedural, or noticing variations from the Type IV review process are described in the middle column. The right column identifies code sections applicable to the project/permit.

Table 15.210.050(D). Projects under Type IV review process.

Where superscript numbers are included in a cell, please reference the applicable number under “Notes/conditions” below the table.

Type IV Project	Decision-making, procedures or noticing variation from ECC 15.210.040	Relevant ECC chapter or section(s)
Major revisions to regional retail commercial master site plans	Open record hearing before hearing examiner with recommendation for city council decision after closed record public hearing; not subject to decision timelines	ECC 15.390.040(C)(4)
Master plan for P-R zone uses	Hearing examiner recommendation to city council after open record hearing; city council decision after closed record hearing	ECC 15.250.080 and 15.310.050
Plat alteration (major)	City council decision after open record hearing	ECC 15.260.110(C)
Plat vacation	City council decision after open record hearing	ECC 15.260.110(B)
Preliminary subdivision	Hearing examiner recommendation to city council after open record hearing; city council decision after closed record hearing	Chapter 15.260 ECC
Regional retail commercial master site plans	Open record hearing before hearing examiner with recommendation for city council decision after closed record public hearing ¹ ; not subject to timelines	ECC 15.390.040 (master site plan provisions for regional retail commercial projects)

Table 15.210.050(D). Projects under Type IV review process.

Where superscript numbers are included in a cell, please reference the applicable number under “Notes/conditions” below the table.

Type IV Project	Decision-making, procedures or noticing variation from ECC 15.210.040	Relevant ECC chapter or section(s)
Site-specific rezone	Hearing examiner recommendation to city council after open record hearing; city council decision after closed record hearing	ECC 15.250.060 Chapter 15.300 ECC

Notes/conditions:

1. For review of a regional retail commercial master site plan related to a rezone application, subdivision application, a short subdivision application, or a binding site plan application, see ECC 15.390.040(C).

E. Review Process Type V. Table 15.210.050(E) identifies the types of approvals and permits that require a Type V review process. Any decision-making, procedural, or noticing variations from the Type V review process are described in the middle column. The right column identifies code sections applicable to the permit.

Table 15.210.050(E). Approvals subject to Type V review process.

Where superscript numbers are included in a cell, please reference the applicable number under “Notes/conditions” below the table.

Type V Approvals	Decision-making, procedures or noticing variation from ECC 15.210.040	Relevant ECC chapter or section(s)
Annexations	No variation	Chapter 15.360 ECC
Comprehensive plan amendment	See ECC 15.250.090	ECC 15.250.090
Essential public facilities	See ECC 15.250.110	ECC 15.250.110; RCW 36.70A.200; and Chapter 11 of the comprehensive plan
Land development code amendment	See ECC 15.250.100	ECC 15.250.100
Rezone (other than site specific)	No variation	ECC 15.250.060 and Chapter 15.300 ECC

[Ord. 4878 § 14, 2021; Ord. 4807 § 17, 2018; Ord. 4803 § 2, 2018; Ord. 4769 §§ 8 – 10, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 5. Section 15.250.040 of Ellensburg City Code, as last amended by Ordinance 4656; are hereby amended to read as follows:

15.250.040 Conditional use permits – Type III review process.

- A. Purpose. The purpose of a conditional use permit is to locate a permitted use on a particular property, subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.
- B. Procedures. Conditional use permits are subject to the Type III review process as set forth in Chapter 15.210 ECC.
- C. Decision Criteria. The city may approve or approve with conditions only if the applicant demonstrates that:

1. The size of the site is adequate for the proposed use, including all facilities and amenities that are required by this title or desired by the applicant;
2. The proposed use will not be detrimental to the public health, safety, and general welfare of the community and will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties;
3. The topography, soils, and other physical characteristics of the site are appropriate for the use and potential problems due to weak foundations soils can be eliminated or reduced to the extent necessary to avoid hazardous situations;
4. The proposed use will not be injurious to, or adversely affect the uses, property, or improvements adjacent to, or in the vicinity of the site upon which the proposed use is to be located;
5. The proposed use is compatible with adjacent land uses and consistent with the character of the surrounding area;
6. The proposed use will be supported by adequate water, sewer, storm drainage, schools, electrical, police, fire protection facilities and services. The use will not overburden or adversely affect said public facilities and services;
7. The traffic generated by the proposed use will not unduly burden the traffic circulation system in the vicinity;
8. An adequate site layout is proposed for on-site circulation and transportation activities, considering the potential impacts of the proposed use on traffic flow and control, emergency vehicle movements and safety associated with the suitability of access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities required by this title or desired by the applicant;
9. The proposal will cause no unreasonably adverse effects to wetlands, shorelands, wildlife habitat, and other critical areas;
10. Buffering devices such as fencing, landscaping or topographic characteristics adequately protect adjacent properties from adverse effects of the proposed use, including adverse visual or auditory effects;
11. The granting of the conditional use is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan;

12. The proposed use complies with the appropriate development and performance and all other applicable provisions of the city of Ellensburg development standards; and

13. All conditions necessary to lessen any impacts of the proposed use have been included in the project design or will be required as conditions of approval.

D. Appropriate Conditions for Approval. In approving a conditional use, the ~~planning commission~~ Hearing Examiner may impose conditions including, but not limited to, any of the following conditions:

1. Limit the manner in which the use is conducted, including restricting the time an activity may take place and imposing restraints to minimize environmental effects such as noise, vibration, air pollution, glare and odor;
2. Establish a special yard or other open space, lot area or dimension;
3. Limit the height, size or location of a building or other structure;
4. Designate the size, number or nature of vehicle access points;
5. Increase the amount of street dedication, roadway width or improvements within the street right-of-way;
6. Designate the size, location, screening, drainage, surfacing or other improvements of off-street parking or truck loading areas;
7. Limit or otherwise designate the number, size, location, and height of lighting of signs;
8. Limit the number and intensity of outdoor lighting or require its shielding;
9. Require screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility;
10. Require and establish the size, height, location or materials for a fence;
11. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources;
12. Impose special conditions on the proposed development to ensure that it is in conformance with the surrounding neighborhood and the intent and purpose of the zoning district classification; and/or
13. Require such financial guarantees and evidence that any applied conditions will be complied with. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 6. Chapter 15.280 of Ellensburg City Code, as last amended by section 15 of Ordinance 4887, is hereby repealed, and replaced with a new chapter 15.280 to read as follows:

Chapter 15.280
ELLENSBURG LANDMARKS REGISTER AND PROCEDURES

Sections:

- 15.280.010 Short title.**
- 15.280.020 Declaration of purpose.**
- 15.280.030 Definitions**
- 15.280.040 Creation of Ellensburg landmarks and design commission.**
- 15.280.050 Members, qualifications and terms.**
- 15.280.060 Powers and duties.**
- 15.280.070 Officers and records.**
- 15.280.080 Landmarks and design commission staff.**
- 15.280.090 Ellensburg landmarks register.**
- 15.280.100 Review of changes to landmarks register properties.**
- 15.280.110 Application for demolition permit; demolition review standards**
- 15.280.120 Evaluation of economic impact.**
- 15.280.130 Special valuation for historic properties.**

15.280.010 Short title.

The following sections shall be known and may be cited as the “landmarks and design ordinance” of the city of Ellensburg.

15.280.020 Declaration of purpose.

This chapter is intended to identify, evaluate, designate, protect, enhance, and perpetuate historic places within the city of Ellensburg in order to:

- A. Safeguard the heritage of the city as represented by those buildings, districts, objects, sites, and structures which reflect significant elements of Ellensburg’s history;
- B. Foster civic pride in the beauty and accomplishments of the past;
- C. Stabilize and improve the economic vitality of buildings, neighborhoods, and the community as a whole;
- D. Strengthen the city’s tourism industry by enhancing its historic character;

- E. Facilitate early resolution of conflicts between preservation of historic resources and alternative land uses;
- F. Protect property values and public and private investment in the existing built environment;
- G. Provide incentives to property owners for the acquisition, preservation, restoration, redevelopment, and continued use of outstanding historic properties; and
- H. Encourage the rehabilitation of eligible historic properties through the “special valuation for improvements to historic property” program, a property tax incentive, as provided in Chapter 84.26 RCW.

15.280.030 Definitions

The following definitions are specific to this chapter and shall have the following meanings:

“Certificate of appropriateness” or “COA” means the approval issued by the landmark and design commission indicating the commission has reviewed the proposed changes to a landmarks register property or within a landmarks register historic district and certified the changes as not adversely affecting the historic characteristics of the property which contribute to its designation. See Chapter 15.280 ECC.

“Commission” means the city’s landmarks and design commission.

“Imminently Dangerous” means a condition that could cause serious or life-threatening injury or death at any time and is typically intended to describe situations that pose a danger in an occupied building, or to adjacent occupied buildings.

“Landmark property” means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is listed on the Ellensburg Landmarks Register, stops at the parcel boundary, and does not include public right of way.

“Neglect” means the lack of proper maintenance for a building or structure, that contributes to the building being deemed structurally deficient.

“Ordinary repair and maintenance” means work for which a permit issued by the city is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real building or structure appurtenant therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage.

“Structure” for the purpose of this chapter, means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

“Structurally Deficient” means any failure or deviation from the intended structural performance of a building element due to defective design, workmanship, material, or caused by the age of the building.

15.280.040 Creation of Ellensburg landmarks and design commission.

There is hereby created an Ellensburg landmarks and design commission which shall have the powers, duties and functions provided in this chapter.

15.280.050 Members, qualifications and terms.

A. The Ellensburg landmarks and design commission shall consist of seven members appointed by a majority of the Ellensburg city council. A majority of members so appointed shall be residents of the city of Ellensburg.

B. All members of the commission shall have demonstrated an active interest in historic preservation and design review.

C. The commission shall include at least two owners of property from within the downtown and First Railroad Addition historic districts, as defined in ECC 15.300.070(B) and (C), or a property individually listed on the Ellensburg landmarks register. One member shall be a member of the Ellensburg Downtown Association (EDA) for a term of four years. One member shall be a general at-large position. The commission shall include at least three professionals (active or retired) who work or worked among the related fields of history, architecture, construction, landscape design, historic preservation, planning, anthropology, archaeology, cultural geography, American studies, land use law, or real estate.

D. A commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the commission action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the Ellensburg city council and the State Historic Preservation Officer.

E. Appointment of new members to the commission shall be for a period of four years. Vacancies shall be filled by the Ellensburg city council for any unexpired term in the same manner as the original appointment.

15.280.060 Powers and duties.

The primary role of the commission is twofold: 1) encourage the preservation of Ellensburg historic landmarks, and 2) to review proposed changes to Ellensburg landmarks properties.

A. Encourage the Preservation of Ellensburg Historic Landmarks. In the area of historic landmarks preservation, the primary role of the commission is to identify and actively encourage the conservation of Ellensburg's historic resources through a register of landmarks and historic resources and a review of proposed changes to landmarks; to raise community awareness of Ellensburg's history and built environment; and to serve as the city's primary resource in matters of heritage, historic planning, and preservation. In carrying out these responsibilities, the commission shall engage in the following:

1. Conduct and maintain a comprehensive Ellensburg historic resource inventory; publicize and periodically update inventory findings. Properties included in the inventory shall be noted on official zoning records with an "HI" (for historic inventory). This notation shall not modify the underlying zone classification;
2. Initiate and maintain the Ellensburg landmarks register. This official register shall be compiled of buildings, structures, sites, objects, and districts evaluated by the commission as possessing historic significance worthy of recognition by the city of Ellensburg and worthy of preservation;
3. Review citizen nominations to the Ellensburg landmarks register according to evaluation criteria set forth in ECC 15.280.080, and adopt standards in its rules to guide this review;
4. Develop incentive programs to assist landmark owners with the use, reuse, and redevelopment of historic buildings. Such incentives may include façade design assistance, revolving loan funds, and tax or building code relief;
5. Review proposals to alter or demolish landmark buildings, landmark sites, or landmark districts listed in the register as provided in ECC 15.280.100; and adopt standards in its rules to guide this review and the issuance of certificates of appropriateness and demolition applications;
6. Conduct all commission meetings in compliance with Chapter 42.30 RCW, Open Public Meetings Act, provide for adequate public participation, and adopt standards in its rules to guide this action;
7. Submit nominations to the Washington Heritage Register and the National Register of Historic Places and adopt standards in its rules to guide this action;
8. Through staff, provide review and comment to the department of community development on development proposals affecting historic resources within the boundaries of the city of Ellensburg;

9. Provide review and comment to the Ellensburg city council on land use planning, housing, transportation, municipal improvements, and other activities proposed by any agency of the city of Ellensburg, Kittitas County, Washington State, or the federal government, as they relate to the historic resources of Ellensburg;
10. Advise the Ellensburg city council generally on matters of historic preservation and heritage tourism, and perform other related functions as assigned by the Ellensburg city council;
11. Investigate and report to the Ellensburg city council on current federal, state, local and private funding sources available to promote public and private historic preservation projects and heritage tourism in the city of Ellensburg;
12. Establish working liaisons with existing nonprofit organizations and with federal, state, and local government entities to further historic preservation objectives in Ellensburg;
13. Provide current information to property owners on techniques and appropriate treatments for maintaining and rehabilitating historic properties. This may take the form of pamphlets, newsletters, workshops, or similar activities;
14. Compile a list of historic preservation consultants, building movers, and available vacant lots to assist in avoiding demolition of historic buildings. Consider proposing a property maintenance ordinance to assist with mothballing vacant historic buildings;
15. Conduct educational and interpretive programs pertaining to Ellensburg's historic resources;
16. Review nominations to the State and National Register of Historic Places.
17. Serve as the local review board for special valuation as provided under Chapter 84.26 RCW and ECC 15.280.130; and
18. Administer the historic preservation grant program in accordance with procedures authorized and approved by the city council.

B. Review Proposed Changes to Ellensburg Landmarks Properties. In the area of design review, a primary role of the commission is to review and make the decisions on proposed changes (including signage) to landmark properties. See ECC 15.280.090 for the design review process for landmark property/district related projects.

C. Demolition Review. In the area of demolition review, the role of the commission is to review and make decisions on the proposed whole or partial demolition of a landmark property or property located within an Ellensburg Landmark District boundary.

15.280.070 Officers and records.

The commission shall select from among its membership a chairperson and such other officers as may be necessary to conduct the commission's business. A majority of the membership will constitute a quorum for the purpose of transacting business. Action by the commission shall be by majority vote. A tie vote on a motion to approve shall constitute a failure of the motion and denial of the application. All meetings shall be open to the public and the commission shall keep minutes of its proceedings, and the minutes and a copy of its adopted kept on file in the office of the city clerk and be open to inspection by the public.

15.280.080 Landmarks and design commission staff.

Assistance to the commission shall be provided by the department of community development, which shall assign a professionally qualified member of the department's staff, or a qualified consultant, to act as a preservation planner to assist the commission in fulfilling its historic landmarks preservation duties. Under direction of the commission, the preservation planner shall be the custodian of the commission's historic landmarks records. The preservation planner shall conduct official correspondence, assist in organizing the commission, and carry out the technical work of the commission in all historic landmarks preservation activities.

15.280.090 Ellensburg landmarks register.

There is hereby created an Ellensburg landmarks register.

A. Criteria for Eligibility to the Register. Any building, structure, site, object, or district may be designated for listing in the Ellensburg landmarks register if it is significantly associated with the settlement, development, architecture, politics, economy, social history, archaeology, or cultural heritage of the community; retains integrity of location, setting, design, materials, workmanship, feeling, and association; is at least 50 years old; and if it meets at least one of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history;
2. Is closely linked with the life of a person important in the history of the city, state, or nation;
3. Embodies the distinctive visual characteristics of an architectural type, period, style, or method of construction;

4. Is an outstanding work of a designer, builder, or architect;
5. Has yielded, or may be likely to yield, important archaeological information related to history or prehistory; and/or
6. Because of prominent spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood and contributes to the distinctive identity of that neighborhood.

B. Process for Designating Properties to the Landmarks Register (a Type II Review Process Exception).

1. Any person may nominate a building, structure, site, object, or district for inclusion in the Ellensburg landmarks register. Members of the commission or the commission as a whole may generate nominations. In its designation program, the commission shall consider the Ellensburg historic resource inventory and the Ellensburg comprehensive plan. Owner(s)' consent is required before the commission shall consider the nomination.
2. Nominations shall be made on forms provided by the commission. Completed nominations received by the commission will be scheduled for review within 15 working days of receipt.
3. The commission shall consider the merits of the nomination at a public hearing, in accordance with the criteria for eligibility set forth in subsection (A) of this section, and according to the nomination review process.
4. Adequate notice shall be given to the general public, the property owner(s), the author of the nomination, and lessees, if any, prior to the public hearing. Such notice shall include publication in a newspaper of general circulation in Ellensburg.

5. Within 10 days of holding the public hearing, the commission shall render a decision on whether a nominated property meets the criteria set forth in subsection (A) of this section. If the finding is that the nominated property meets the criteria set forth in subsection (A) of this section, the property shall be officially listed as a landmark, landmark site, or landmark district or part thereof. Notice of the decision shall be sent to the property owner(s), the author of the nomination, any occupants of the building, the preservation planner, and the Ellensburg city council. If the listed property is adjacent to the boundary of an existing landmark district, said boundary shall be amended accordingly. If the listed property will create a new landmark district, then the listed area shall be designated on the official zoning map with the notation “LR” to indicate the district is on the landmarks register. An isolated property shall be designated on the official zoning map with the notation “LR” to indicate the property is on the landmarks register.
6. For individual landmark designations, the commission shall include in its designation the applicable criteria on which the listing is based, a legal description of the property, and a list of all significant features that contribute to its historic character.
7. For landmark district designations, the commission shall include in its designation recommendation the applicable criteria, a description of the boundaries of the district, and a list of all buildings, structures, sites, and objects which contribute to its historic character.
8. Whenever the commission rejects the nomination of all or any part of a property, the commission shall, within 10 working days, issue a written decision including reasons supporting the determination that the criteria set forth in subsection (A) of this section have not been met. Notice of the decision shall be sent to the property owner(s), author of the nomination, any lessees, the preservation planner, and the Ellensburg city council.
9. The commission’s decision on a COA may be appealed to the hearing examiner in a closed record appeal hearing.
10. Properties listed in the Ellensburg landmarks register shall be recorded on official zoning records with an “LR” (for landmarks register). This designation shall not change or modify the underlying zone classification.

C. Downtown and Residential Historic Districts.

1. The existing downtown historic district, defined in ECC 15.300.070(B) and hereafter known as the “downtown historic district,” and the existing residential historic district, defined in ECC 15.300.070(C) and hereafter known as the “First Railroad Addition historic district,” are hereby designated as Ellensburg landmark districts. The geographic area encompassed by each district is identified on the map attached to the ordinance codified in this chapter and made a part of this chapter by reference.

2. The commission shall compile existing historical data and property records, prepare Ellensburg landmarks register nomination forms, and create complete landmark files for each of the landmark districts.

3. The provisions of ECC 15.280 shall hereafter apply to the downtown historic district and the First Railroad Addition historic district.

D. Change of Status from Noncontributing to Contributing within a District. The owner(s) of record of noncontributing property within a district may submit a COA application to the department for change of status of the property from noncontributing to contributing. The application shall identify all features of historical significance of the property in accordance with subsection A of this section and shall include the legal description and description of all interior and exterior features, and outbuildings, that contribute to its proposed designation as a contributing property.

E. Effects of Listing on the Ellensburg Landmarks Register.

1. Listing on the Landmarks register of historic places is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as contributing properties to a historic district.

2. Prior to the commencement of any exterior work visible from a public right of way on a Landmarked building or any property located within the boundaries of a district, excluding ordinary repair and maintenance, the owner must apply for and receive a COA from the commission for the proposed work. Violation of this rule shall be grounds for the commission to review the property for removal from the register.

3. This city is a certified local government (CLG), and therefore all qualifying properties listed on the Ellensburg and National Registers of Historic Places may be eligible for special tax valuation on their rehabilitation under ECC 15.280.130.

4. Prior to whole or partial demolition of a register property or contributing property within a district, the owner must apply for and receive a demolition approval pursuant to the requirements of ECC 15.280.110.

F. Removal of Properties from the Register. In the event that any designated landmark property is no longer deemed eligible for inclusion on the Landmarks Register by City staff or the commission, per requirements of subsections A.1-6 of this section, the commission may initiate removal of such designation by the same procedure as provided for in establishing the designation in subsection (B) of this section.

15.280.100 Review of changes to landmarks register properties.

A. Review Required.

1. No person shall alter, repair, enlarge, newly construct, relocate, or demolish any registered landmark building, or any structure located on a property within a landmark district, nor install any exterior sign or mural pursuant to subsection (A)(2) of this section, without review by the commission and issuance of a COA or a demolition permit (ECC15.280.110).
2. In the case of murals, the arts commission shall first review and provide recommendations to the commission regarding any proposal for a mural to be located on a registered landmark or within a landmark district. Factors to be considered by the arts commission include media to be used, method of application, stability, building/site, mural location and practicability of project.
3. This review shall apply to all exterior features of the building visible from a public right-of-way. This review applies whether or not a permit from the city of Ellensburg is required.
4. Review of alterations to Ellensburg landmarks register properties under this chapter is in lieu of design review required for projects and sign review per ECC 15.210.050(B).

B. Exemptions. The following activities are exempted from landmarks review and do not require a COA:

1. Ordinary repair and maintenance which does not visually alter exterior features of a building visible from a public right-of-way, and does not utilize substitute materials.
2. Repairs to or replacement of utility systems which do not alter exterior features visible from a public right-of-way.
3. Interior building construction, maintenance, remodeling, decoration, or other activities located within the building envelope.
4. Painting of previously painted exterior surfaces.

5. Construction on a Landmarked property or within a Landmark district that is not considered a structure per ECC 15.280.030, or a building per ECC 15.130. By way of example and not limitation, such work might include landscaping, fences, and detached arbors or gazebos.

C. Review Process for Proposed Changes to Registered Landmark Properties and Properties Located within a Landmark District (a Type II Review Process Exception 15.210.030(B)).

1. Requests for Review and Issuance of a COA for proposed changes to a Landmarked property, which can include demolition within the overall scope of work.
2. Application for a COA to a landmark property shall be made by filing an application with the preservation planner on forms provided by the department. A written description of materials required for the commission's review include but are not limited to; site plans, narratives, elevations, and material samples, and shall be provided to the applicant. Preliminary plans may be submitted to the preservation planner for review and an advisory opinion.
3. If an application is submitted to the department for any permit which affects a designated landmark, or a property located in a landmark district, the building official shall promptly refer such application to the preservation planner, and such shall be deemed an application for a COA if accompanied by the additional materials required for COA review. No city permit shall be issued, nor work begun, until the landmarks and design review process has been completed and a COA has been issued pursuant to this chapter.
4. Landmarks and Design Commission Review.
 - a. At a regularly scheduled public hearing, the commission shall review the proposed work according to the relevant design provisions set forth in Divisions IV and V of this title. After concluding the public hearing, the commission shall approve or disapprove the application. Approval of COAs or demolition permits shall be based upon appropriateness of proposal as reflected in said design provisions, and upon review of demolition standards per ECC 15.280.120.
 - b. The commission may approve with or without conditions or disapprove an application. The decision of the commission shall be rendered within 30 working days of the date of receipt of a completed application, unless the parties agree to an extension. The commission's findings in support of any decision shall be in writing and shall cite the applicable design provisions.

c. If the commission makes a decision to issue a COA, such certificate shall be promptly issued to the applicant by the preservation planner and a copy of such certificate shall be transmitted to the building official.

d. If the commission denies the application, the applicant and the building official shall be notified of such denial, including the reasons why approval of the application is not warranted.

e. In the case of proposed demolition of a building or structure within a COA application that is listed in the landmarks register, the commission may require conditions of approval including, but not limited to, mitigation measures (e.g., to document the property, salvage significant architectural features of the building, install historical markers or plaques, prepare publications, etc., that provide historical context for the site).

f. The commission's decision on a COA may be appealed to the hearing examiner in a closed record appeal hearing.

15.280.110 Application for demolition permit; demolition review standards.

A. Permitted Reasons for Demolition. The proposed full or partial demolition of buildings or structures listed on the Ellensburg landmarks register individually or within a district, is disfavored in order to preserve the integrity of the city's historic landmarks and districts. Notwithstanding the foregoing, an application for a demolition permit under this chapter may be submitted for the following reasons:

1. Structural Deficiencies;
2. Economic Infeasibility (15.280.120); or
3. Property is not listed as contributing to the Landmarks District and is ineligible for future status change per listing requirements of 15.280.090(A).

B. Application.

1. An applicant proposing the full or partial demolition of any building or structure listed on the Ellensburg landmarks register or located within a landmark district, shall supply the information required in this section. The information to be provided relates only to the property or building under review, but does not require information concerning an owner's assets or income except as it specifically relates to the property or building under review.

2. An application for full or partial demolition of a building or structure listed on the Ellensburg landmarks register, shall be deemed incomplete unless the application provides the following:

- a. A narrative explaining the reasons for the proposed demolition and how the proposed demolition satisfies the standards listed in subsection C.1;
- b. Photographs documenting the existing condition of the structure;
- c. Analysis of possible alternatives to demolition considered, including but not limited to one or more of the following:
 - i. Redesigning the project to avoid any impact to the structure or setting;
 - ii. Conversion of the structure into another use (adaptive reuse);
 - iii. Relocation of the structure on the property;
 - iv. Relocation of the structure to another property;
 - v. Salvaging from the structure historically significant architectural features and building materials; or
 - vi. Possible design alternatives.
- d. Where demolition is sought due to structural deficiencies or the building is so deteriorated, and there is so little historical fabric, that it would be unreasonably costly to retain the historic, cultural, and architectural significance of the structure through rehabilitation or renovation, the applicant shall supply a report from a Washington-licensed structural engineer supporting this claim; and
- e. Where demolition is sought for reasons of economic infeasibility and the applicant requests that the commission consider evidence of economic impact on the owner from denial or partial denial of a demolition permit, the applicant shall supply a report that includes, but is not limited to, the requirements set forth in section 15.280.120.
- f. Where demolition is sought within a Landmarks district due to the structure's ineligibility to be classified as contributing within the district, the applicant shall provide a written assessment of this claim supported by historical research demonstrating that the structure does not qualify to be reclassified as contributing per criteria set forth in ECC 15.280.090(A).

C. Demolition Permit Review Standards. An application for the partial or full demolition of a landmark property or structure in a landmark district, shall be granted if the application material provided pursuant to subsection B.2 satisfies one or more of the following criteria;

1. The applicant has demonstrated through the submitted materials and a report from a Washington-licensed structural engineer, supporting the claim that the building is so deteriorated, and there is so little historical fabric, that it would be unreasonably costly to retain the historic, cultural, and architectural significance of the structure through rehabilitation or renovation.
2. The applicant has demonstrated through the submitted materials per section 15.280.120 Evaluation of Economic Impact, that the building cannot support the intended use or alternative uses prohibiting reasonable use of the structure;
3. The applicant has provided sufficient historical documentation to demonstrate that the subject building does not qualify to be relisted as contributing within the district per requirements of ECC 15.280.090(A); or

D. Exemptions. The following demolition activities do not require a demolition permit under this chapter:

1. Demolition review included as part of an approved COA design review application pursuant to 15.280.090 subsection (C).
2. City Abatement of Unsafe Conditions. In the event of a finding by the city building official of an unsafe condition or imminent danger, the building official may issue an abatement order allowing partial or complete demolition of a building or structure listed in the Ellensburg landmarks register provided, that all reasonable efforts have first been made to preserve and correct unsafe conditions rather than to partially or completely demolish historic buildings or structures.

E. Review Process for Proposed Full or Partial Demolitions to Registered Landmark Properties and Properties Located within a Landmark District (a Type II Review Process Exception 15.210.030(B)).

1. Application for a demolition to a landmark property or property within a Landmark district shall be made by filing an application with the preservation planner on forms provided by the department. The application shall include a written description of materials required for the commission's review, including but not limited to the requirements listed in subsection B.2 of this section. Preliminary plans may be submitted to the preservation planner for consultation prior to the preapplication conference required by this subsection.

2. If a demolition application is submitted to the department for any permit which affects a designated landmark or a property located in a landmark district, the building official shall promptly refer such application to the preservation planner to initially determine whether the application is complete per the requirements of subsection B.2. of this section. An applicant may not commence any demolition work until the landmarks and design review process has been completed and permit for the proposed demolition has been issued by the department.

3. Landmarks and Design Commission Review.

a. Mandatory preapplication conference. Applicants for a demolition permit under this chapter shall attend a preapplication conference with community development department staff including a historic preservation planner. The preapplication meeting shall occur before the proposal is reviewed by the commission. The purpose of the preapplication conference is to review with the applicant the requirements of this chapter, to provide preliminary comments on the acceptability of the proposal, and to discuss alternatives to demolition including available financial incentives.

b. A scheduled public hearing on the application shall be scheduled within thirty (30) days of the preapplication conference unless the applicant requests a delay. The commission shall review the proposed demolition at the hearing. After concluding the public hearing, the commission shall approve or disapprove the application. Approval of demolition permits shall be based upon demolition standards set forth in this section.

c. The commission may approve with or without conditions or disapprove an application. The decision of the commission shall be rendered within fourteen (14) days of the date of hearing, unless the parties agree to an extension. The commission's findings in support of any decision shall be in writing and shall cite the applicable design provisions.

d. If the commission makes a decision to approve a proposed demolition, such approval shall be promptly issued to the applicant by the preservation planner and a copy of such certificate shall be transmitted to the building official. The building official shall include any conditions for demolition required by city ordinance or state law (e.g., disconnection of utilities, rodent abatement and similar conditions).

e. If the commission denies the application, the applicant and the building official shall be notified of such denial, including the reasons why approval of the application is not warranted.

f. In the case of demolition of a building or structure listed in the landmarks register, the commission may require conditions of approval including, but not limited to, mitigation measures (e.g., to document the property, salvage significant architectural features of the building, install historical markers or plaques, prepare publications, etc., that provide historical context for the site).

F. Demolition permit expiration. A demolition permit issued under this chapter expires if the work authorized by the permit is not commenced within 365 days from the date of issuance of the demolition permit. The director may grant a one-time extension up to an additional 365 days, upon written request by the applicant showing circumstances beyond their reasonable control. Once a demolition permit expires, a new application for demolition must be submitted and approval obtained before work can be commenced.

G. Appeal. Any person aggrieved by any action of the commission denying or approving a demolition permit application may file a notice of appeal as set forth in Chapter 15.230 ECC.

15.280.120 Evaluation of economic impact.

A. In making its decision, the commission shall, when requested by the property owner, consider evidence of economic impact on the owner from the denial or partial denial of a COA or demolition permit. The commission may not deny a COA or demolition permit, in whole or in part, when it is established that the denial will, when available economic incentives are utilized, deprive the owner of a reasonable economic use of the property, and there is no viable and reasonable alternative which would have less impact on the significant features specified in the designation.

B. Where demolition of the building is sought for reasons of economic infeasibility, the applicant shall supply a report from the owner or a qualified professional such as a financial analyst or accountant. The report shall demonstrate that maintenance of the building or structure or any important features thereof proposed for demolition will impose an economic hardship upon the owner, rendering it impracticable to renovate, restore or reuse the structure, and rendering it economically infeasible to renovate, restore, or reuse the structure in comparison to the economic value of the proposed redevelopment. The report shall analyze the following:

1. Current level of economic return including the amount paid for the property, date of purchase, party from whom purchased and the relationship between the current owner of record, the applicant and the person from whom the property was purchased;
2. Annual gross income from the property for the previous three years, itemized operating and maintenance expenses for the previous three years, and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
3. Remaining balance on the mortgage or other financing secured by the property, real estate taxes paid on the property for the previous four years, and the most recent assessed value of the property;
4. Fair market value of the property at the time of application;
5. Whether the remainder of the site is capable of economically viable development even if the structure is required to remain on the site; and
6. Consideration of available and applicable economic incentives for rehabilitation.

C. Upon reasonable notice to the owner, the landmarks and design commission may appoint an expert to provide advice and testimony concerning the value of the landmark, the availability of incentives, and the economic impacts of approval, denial, or partial denial of a COA or demolition permit.

D. Any adverse economic impact caused due to neglect shall not constitute a basis for granting a demolition permit.

15.280.130 Special valuation for historic properties.

A. There is hereby established and implemented a special valuation program for historic properties as provided in Chapter 84.26 RCW and Chapter 254-20 WAC.

B. The Ellensburg landmarks and design commission is hereby designated as the local review board for the purposes set forth in Chapter 84.26 RCW and is authorized to perform all functions of a local review board authorized by Chapter 84.26 RCW and Chapter 254-20 WAC.

C. The class of properties eligible to apply for special valuation in the city of Ellensburg means all properties listed on the Ellensburg landmarks register, or properties contributing to an Ellensburg landmarks register historic district, which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW.

D. As used in this chapter, “Actual Cost of Rehabilitation” means costs incurred within twenty-four months prior to the date of an application for Special Valuation directly resulting from one or more of the following:

1. Improvements to an existing building located on or within the perimeters of the original structure; or
2. Improvements outside of but directly attached to the original structure which are necessary to make the building fully usable but shall not include rentable/habitable floor space attributable to new construction; or
3. Architectural and engineering services attributable to the design of the improvements; or
4. All costs defined as qualified rehabilitation expenditures for purposes of the federal historic preservation investment tax credit.

E. The landmarks and design commission shall comply with all other local review board responsibilities identified in Chapter 84.26 RCW and Chapter 254-20 WAC.

F. Any decision of the landmarks and design commission acting on any application for classification as historic property eligible for special valuation may be appealed to superior court under RCW 34.05.510 through 34.05.598 in addition to any other remedy of law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the county board of equalization. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 7. Section 15.300.040 of Ellensburg City Code, as last amended by Section 18 of Ordinance 4887, is hereby amended to read as follows:

15.300.040 Residential zones and map designations.

A. Residential Suburban Zone (R-S). The R-S zone is intended to provide for a mix of predominantly single-family detached dwelling units in a walkable neighborhood setting. These purposes are accomplished by:

1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, duplexes, townhomes, and other compatible housing types in a relatively low urban density;
2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
5. Providing an opportunity to integrate compatible small-scaled retail and service uses in strategic locations that serve the surrounding neighborhood;
6. Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;
 - b. Mix of housing types;
 - c. Off-street trails;
 - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
 - e. Preservation of historic buildings; and/or
 - f. Affordable housing; and
7. Use of this zone is appropriate for ~~any of the following or combinations thereof~~ areas designated residential neighborhood in the comprehensive plan.

- ~~a. Areas designated residential neighborhood in the comprehensive plan; and~~
- ~~b. Areas characterized predominantly by single family dwellings.~~

B. Residential Low Density Zone (R-L). The R-L zone is intended to protect and enhance the character of existing low density residential neighborhoods while allowing for compatible infill development. These purposes are accomplished by:

1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, duplexes, townhomes and cottage housing;

2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
5. Providing a minimum density standard to avoid large scale low density sprawl;
6. Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;
 - b. Mix of housing types;
 - c. Off-street trails;
 - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
 - e. Preservation of historic buildings; and/or
 - f. Affordable housing; and
7. Use of this zone is appropriate for ~~any of the following, or combinations thereof~~ areas designated residential neighborhood or blended residential neighborhood in the comprehensive plan.

~~a. Areas designated residential neighborhood or blended residential neighborhood in the comprehensive plan;~~

~~b. Areas characterized by, or immediately adjacent to, areas which are predominantly single-family in character.~~

C. Residential Medium Density Zone (R-M). The R-M zone is intended to provide for a mixture of housing types in a walkable neighborhood setting. These purposes are accomplished by:

1. Allowing a variety of housing types including detached single-family dwellings, cottage housing, townhouses, and multifamily;

2. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;
3. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;
4. Providing standards and guidelines that promote the integration of usable open space for residential uses;
5. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development on large sites;
6. Providing a minimum density standard to avoid large scale low density sprawl; and
7. Use of this zone is appropriate for ~~any of the following, or combinations thereof:~~ areas designated residential, neighborhood, blended residential neighborhood, neighborhood mixed use or community mixed-use in the comprehensive plan.
 - ~~a. Areas designated residential, neighborhood, mixed-use, or blended residential neighborhood, neighborhood mixed use or community mixed-use in the comprehensive plan;~~
 - ~~b. Areas characterized by a mix of single- and multifamily buildings;~~
 - ~~c. Areas located along designated arterial streets;~~
 - ~~d. Areas adjacent to commercial zoned property;~~
 - ~~e. Areas located along corridors served by transit.~~

D. Residential High Density Zone (R-H). The R-H zone is intended to comprise areas for high density multifamily residential development in areas served by transit and within walking distance from commercial services. These purposes are accomplished by:

1. Allowing multifamily dwellings and providing a minimum density limit;
2. Providing standards and guidelines that promote compact and walkable development patterns that are well integrated with surrounding multifamily developments;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses; and

4. Use of this zone is appropriate for ~~any of the following, or combinations thereof:~~ areas designated residential neighborhood, blended residential neighborhood, urban neighborhood, neighborhood mixed use, or community mixed-use in the comprehensive plan

~~a. Areas designated residential neighborhood, blended residential neighborhood, urban neighborhood, neighborhood mixed use, or community mixed-use in the comprehensive plan;~~

~~b. Areas characterized by multifamily buildings;~~

~~c. Areas adjacent to commercial zoned property;~~

~~d. Areas located along corridors served by transit.~~

E. Manufactured Home Park Zone (MHP). The MHP zone comprises areas developed or suitable for development for placement and occupancy of manufactured homes for residential purposes on rented or leased sites in manufactured home parks. These purposes are accomplished by:

1. Establishing regulations to establish, stabilize, and protect the residential character of the zone and to prohibit all incompatible activities;
2. Establishing provisions for common open space; and
3. Establishing standards for a safe and connected circulation system. [Ord. 4887 § 18, 2022; Ord. 4807 § 42, 2018; Ord. 4798 § 1, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 8. Section 15.300.050 of Ellensburg City Code, as last amended by Section 19 of Ordinance 4887, is hereby amended to read as follows:

15.300.050 Commercial and industrial zones.

A. Commercial Neighborhood Zone (C-N). The C-N zone is intended to provide small scale shopping areas to serve the residential neighborhoods in outlying areas of the city. These are intended to be pedestrian-oriented areas in convenient locations and designed compatible with the surrounding neighborhood. These purposes are accomplished by:

1. Allowing small scale retail, personal services and other compatible uses that serve the surrounding residential neighborhood;

2. Providing a minimum separation of neighborhood commercial zones of 2,000 feet to minimize their overuse, while providing the opportunity for such uses to be within reasonable walking distance of all residential uses;
3. Providing a maximum size of five acres for neighborhood commercial zones to maintain a small scale and compact, pedestrian-oriented design;
4. Allowing townhouses and multifamily uses as a secondary use due to their complementary nature and ability to enhance the walkability of these zones;
5. Providing standards and guidelines that enhance the appearance and function of neighborhood center uses and their compatibility with surrounding residential uses; and
6. Use of this zone is appropriate for ~~any of the following, or combination thereof:~~ areas designated residential neighborhood, blended residential neighborhood, blended residential neighborhood, urban neighborhood, neighborhood mixed use, or neighborhood commercial in the comprehensive plan.

~~a.—Areas designated residential neighborhood, blended residential neighborhood, blended residential neighborhood, or urban neighborhood, neighborhood mixed use, or neighborhood commercial in the comprehensive plan;~~

~~b.—Areas located adjacent to a collector or arterial roadway;~~

~~c.—Areas centralized to serve existing and/or planned residential neighborhoods within one-quarter mile of the site.~~

B. Commercial Highway Zone (C-H). The C-H zone is intended to accommodate diversified commercial establishments and multifamily residential as a conditional use. In addition, specific areas of the C-H zone which are in the regional retail overlay may have regional retail commercial uses if special development criteria in Chapter 15.390 ECC are met. These purposes are accomplished by:

1. Allowing a broad range of commercial uses that serve the community including retail, personal and general services, and office uses;
2. Allowing small to large scale retail uses, but excluding super scale retail (over 60,000 square feet of floor area) unless associated with a regional retail commercial project meeting the provisions of Chapter 15.390 ECC;
3. Allowing multifamily residential as a conditional use; and
4. Providing standards and guidelines that enhance the appearance and function of commercial highway uses and their compatibility with surrounding uses;

5. Use of this zone is appropriate for ~~any of the following, or combinations thereof:~~ areas designated community mixed use, mixed business park, or general commercial and services in the comprehensive plan.

~~a. Areas designated community mixed use, neighborhood commercial, mixed business park, or general commercial and services, or community mixed use in the comprehensive plan.;~~

~~b. Areas adjacent to, or with good access to, arterial streets and highways.~~

C. Light Industrial Zone (I-L). The I-L zone is intended to accommodate certain industrial structures and uses having physical and operational characteristics which might adversely affect the economic welfare of adjoining residential and commercial uses. These purposes are accomplished by:

1. Allowing a range of general service and light industrial uses which can be operated in a relatively clean, quiet and safe manner compatible with adjoining industrial uses and without serious effect, danger or hazard to nearby residential uses;
2. Providing for eating and drinking establishments that serve other permitted uses in the zone;
3. Providing for offices as an accessory use, except where owners have purchased development rights from county properties within defined sending areas (subject to the city's adoption of a TDR program);
4. Providing design standards and guidelines that enhance the appearance and function of uses in the zone and their compatibility with surrounding uses;
5. Promoting mixed-use residential as a secondary use in areas identified as industrial residential in the comprehensive plan; and
6. Use of this zone is appropriate for areas designated mixed business park, light industrial or industrial residential in the comprehensive plan.

D. Heavy Industrial Zone (I-H). The I-H zone is intended to accommodate certain industrial structures and uses including large scale or very specialized industrial operations which might have external physical effects of an offensive or hazardous nature. These purposes are accomplished by:

1. Allowing the processing of raw materials and the manufacturing, processing, storing, and compounding of semi-finished or finished durable or nondurable products; and

2. Providing design standards and guidelines that provide for flexibility in the layout of buildings and site features, yet enhance the appearance of I-H zone uses and their compatibility with surrounding uses;
3. Use of this zone is appropriate for areas designated heavy industrial in the comprehensive plan. [Ord. 4887 § 19, 2022; Ord. 4807 § 43, 2018; Ord. 4798 § 2, 2018; Ord. 4769 § 12, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 9. Section 15.300.060 of Ellensburg City Code, as last amended by Ordinance 4887, is hereby amended to read as follows:

15.300.060 Mixed-use zones

A. The general purposes of the mixed-use zones are as follows:

1. Fostering a development pattern offering direct, convenient pedestrian, bicycle, and vehicular access between residences and businesses, in order to facilitate pedestrian and bicycle travel and reduce the number and length of automobile trips;
2. Encouraging new development that supports the safe and efficient movement of goods and people;
3. Providing for a compatible mix of multifamily housing and neighborhood commercial businesses and services, with an emphasis on promoting multistory structures with commercial uses on the ground floor and multifamily housing on upper floors;
4. Promoting a compact growth pattern to efficiently use the developable land, and to enable cost-effective extensions of utilities, services, and streets; frequent transit service; and to help sustain neighborhood businesses;
5. Fostering the development of mixed-use areas that are arranged, scaled, and designed to be compatible with surrounding land uses and which provide transitions between significantly different land use;
6. Ensuring that buildings and other development components are arranged, designed, and oriented to facilitate pedestrian access.

B. The purpose of the specific mixed-use zones are as follows:

1. The ~~Residential-Office~~ (R-O) zone is intended to serve as a transition zone separating more intensive uses from single-family residential districts. This purpose is accomplished by:

- a. Avoiding large scale low density sprawl;
- b. Allowing a variety of housing types;
- c. Providing for nonresidential uses that are compatible in scale and character with residential uses;
- d. Reinforcing the character and walkability of streets within the zone;
- e. Encouraging historic preservation and adaptive reuse of historic properties; and
- f. Use of this zone is appropriate for: areas designated as residential neighborhood, urban neighborhood, neighborhood mixed-use, community mixed use, or neighborhood commercial in the comprehensive plan.
 - ~~i. Areas designated as residential neighborhood, urban neighborhood, and neighborhood mixed-use, community mixed use, or neighborhood commercial in the comprehensive plan, as well as:~~
 - ~~ii. Areas characterized by a mix of single and multifamily and office uses; and/or~~
 - ~~iii. Areas located generally between commercial and single-family residential zones.~~

2. The eCentral-eCommercial (C-C) zone is intended to encourage and accommodate the development and redevelopment of a viable central business district serving a broad trade area. The intended physical form of the district is an intensive concentration of compatible business, professional and commercial, and high density residential activities. This purpose is accomplished by:

- a. Allowing a range of commercial uses that serve the broad trade area;
- b. Promoting office uses, which provide for local employment and complement other commercial uses;
- c. Promoting residential as a secondary use, including upper floors on storefront dominated streets;
- d. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings; and
- e. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets;

- f. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.
3. The eCentral-eCommercial II (C-C II) zone is intended to provide for orderly expansion of the downtown commercial core. The zone is not to be used to allow strip commercial development or C-C II zones physically separate from the downtown commercial core. These purposes are accomplished by:
- a. Allowing a range of commercial uses that serve the broad trade area;
 - b. Promoting office uses, which provide for local employment and complement other commercial uses;
 - c. Promoting residential as a secondary use;
 - d. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings;
 - e. Providing standards and guidelines that promote compatibility between uses;
 - f. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets; and
 - g. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.
4. The nNeighborhood eCenter mixed-use (NCMU) zone provides for a compatible mix of neighborhood-scaled commercial and employment uses and medium density multifamily housing. These purposes are accomplished by:
- a. Promoting neighborhood identity; and
 - b. Providing a range of commercial, retail, and service opportunities;
 - c. Use of this zone is appropriate for areas designated community mixed-use in the comprehensive plan.
5. The rRegional eCenter mixed-use (RCMU) zone is intended to provide a broad mix of uses that offer a variety of commercial and employment opportunities and medium to high density multifamily housing. These purposes are accomplished by:
- a. Promoting neighborhood identity; and
 - b. Providing a range of commercial, retail, and service opportunities;

c. Use of this zone is appropriate for areas designated community mixed-use or mixed business park in the comprehensive plan. and within a half-mile radius of the center of Interstate 90 interchange. [Ord. 4887 § 20, 2022.]

Section 10. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 11. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 12. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 18th day of December 2023.

MAYOR

ATTEST:

City Clerk

Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4935 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4935 was published as required by law.

BETH LEADER



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Resolution 2023-33 Update of the City Council Rules of Procedure
Submitted by: Terry Weiner, City Attorney/Assistant City Manager
Department: City Attorney

Suggested Motion/Action:

Move to adopt Resolution 2023-33, updating the City Council Rules of Procedure.

Background/Summary:

The Rules and Procedures for the Ellensburg City Council (Council Rules) were last amended on November 6, 2023. At that same meeting, several speakers who registered to attend virtually via Zoom, using fake names, spewed racist and antisemitic remarks prior to having their microphones silenced. The "Zoom bombing" was repeated at the December 4 Council meeting. Based on feedback from City Council and staff research, staff is proposing revisions/additions to Section 7 of the City Council's Rules of Procedure to address this issue.

Previous Council Action:

Council discussed a variety of potential options to try and address Zoom bombing at its November 20, 2023 meeting.

Analysis:

The proposed revisions of the Council Rules for public comment on non-agenda items, as set out in Exhibit 1 to this report, will:

1. Make it clear that City Council meetings are a "limited public forum" where Council can impose reasonable time, place and manner restrictions on public comment (new Rule 7.1.c);
2. Limit public comment on Non-Agenda Items to only those persons attending Council meetings in person. Public comment on agenda items remains unchanged, i.e., they will be accepted both in person and virtually (revised Rule 7.2.b.1);
3. Require speakers to state the topic(s) upon which they wish to speak prior to beginning their comments, and giving the presiding officer the authority to silence the microphone of any speaker who either refuses to clearly identify their topic or whose topic does not concern City business or not within the control of the Council (revised Rule 7.2.b.2); and
4. Limit the total time allocated for all speakers providing comments on non-agenda items to thirty (30) minutes unless extended by Council vote (new Rule 7.2.b.5).

Council had expressed reluctance to eliminating virtual public comment on non-agenda items during the November 20 discussion. However, staff is nonetheless recommending the elimination of virtual public comments on non-agenda items (#2 above). There are several reasons for staff's recommendation, including:

- Although Council had suggested requiring persons registering for online public comment on non-agenda items to submit a detailed description of their topic, it would be extremely difficult and administratively burdensome to ensure the person speaking virtually "stuck to the script" and would then require the person who reviewed the registration form (staff? the Mayor?) to make that determination. That would still allow the virtual attendee to engage in hate speech while staff or the presiding officer is determining whether the speaker has gone off-topic.
- Although many members of the public provided public comment on many Council agenda items during the pandemic, the volume of virtual public comments has decreased since last year. The public continues, however, to provide written comments to City Council on a weekly basis, and those comments are always provided to the entire Council by the City Clerk.
- Although eliminating virtual public comment on non-agenda items will not guarantee an in-person attendee won't engage in hate speech at the podium, it makes it much less likely.

Financial Impact:

None

Budget Adjustment: No

Attachments:

1. Exhibit 1-Proposed Revisions to Council Rule 7.1
2. Resolution 2023-33-Council Rules of Procedure (12-18-23)

Exhibit 1 – Proposed Revisions to Council Rule 7.1

7.1 Meeting Participation and Addressing the Council. Members of the public are welcome at all Council meetings and are encouraged to provide comments and testimony on matters including agenda items, non-agenda items, and public hearings prior to the deliberations of the Council. Any person desiring to address the Council shall adhere to the rules below:

a. 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.

b. All remarks shall be addressed to the Council as a body and not to any individual member thereof. No question shall be asked of a Councilmember or staff except through the presiding officer.

c. Council meetings are considered a “limited public forum” which means the time, place and manner of speech can be regulated. At any time the Presiding Officer, in their sole discretion, may set such reasonable limits, or terminate that individual’s comment period, as necessary to prevent disruption or undue delay of other necessary business, or due to the person’s violation of the Council’s Rules for public participation.

~~c.d.~~ Prior to speaking, members of the public shall first obtain recognition by the presiding officer by raising their hand for in-person attendance and “virtual hand” if remotely attending the meeting, and once recognized shall state their name, whether they live in the City of Ellensburg, Kittitas County, or elsewhere, and whether they are speaking as an individual or in a representative capacity. An address may be required when providing public comment for specific instances when needed for staff to contact the speaker, such as public hearings.

~~d.e.~~ When addressing the Council, members of the public are urged to speak in an audible and articulate tone of voice for the record.

7.2 Public Comment on Matters Before the Council. Members of the public may address the Council on any matter which concerns the City's business or

over which the Council has control during the comment portion of the agenda item subject to the following:

a. Agenda Items.

1. Members of the public may comment on items on the City Council agenda which are not adjudicatory or administrative in nature.

2. Members of the public shall limit their remarks to three (3) minutes unless additional time is granted by the presiding officer.

b. Non-Agenda Items.

1. Only members of the public attending City Council meetings in person may provide public comment on non-agenda items. Members of the public wishing to speak are requested to sign a register maintained by the City Clerk in advance of the Council meeting ~~or raise their “virtual hand,” as directed, if attending the meeting remotely.~~

2. Members of the public may address the Council on any matter not on the agenda which concerns the City’s business or over which the Council has control, and must state the topic(s) upon which they wish to speak before addressing the Council if they have not done so in the City Clerk’s register. The presiding officer has authority to silence the microphone of any speaker who refuses to clearly identify their comment topic or when the proposed topic(s) does not concern the City’s business or is not one over which the Council has control.

3. Members of the public shall limit their remarks to three (3) minutes. Time may not be shared between members of the public in order to speak longer than three (3) minutes each.

4. No action will be taken by the Council at the meeting during which the subject is introduced.

5. The total time allocated for comments on non-agenda items is thirty (30) minutes for all speakers. The total time may be extended upon vote of the Council.

RESOLUTION NO. 2023-33

A RESOLUTION relating to the Ellensburg City Council, replacing the Rules and Procedures for the Ellensburg City Council, and repealing Resolution No. 2023-29.

WHEREAS, Resolution 2023-29 updated the "Rules and Procedures for the Ellensburg City Council" (Council Rules); and

WHEREAS, the City Council has determined the Council Rules should again be updated;

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

Section 1. This Resolution supersedes and replaces City Council Resolution No. 2023-29, which is hereby repealed.

Section 2. The Rules and Procedures for the Ellensburg City Council, attached to this Resolution, are hereby adopted and are effective immediately upon passage of this Resolution.

ADOPTED by the City Council of the City of Ellensburg this 18th day of December, 2023.

Mayor

Attest:

City Clerk

**City of Ellensburg
City Council Rules of Procedure
December 18, 2023**

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1. General Rules

1.1 **Authority.** The Ellensburg City Council hereby establishes the following procedures for the conduct of Council meetings, proceedings, and business. These procedures shall be in effect upon adoption by the Council and until such time as they are amended or new procedures are adopted in the manner provided in these rules.

1.2 **Meetings to be Public.** The meetings of the Council shall be open to the public with the exception of executive or exempt sessions for certain limited topics (as defined in Chapter 42.30 RCW). The Council minute book shall be open to public inspection.

1.3 **Quorum.** A majority of four councilmembers shall be required to be in attendance to constitute a quorum at any regular or special meeting of the Council. In the absence of a quorum, the Mayor or Mayor pro tempore, at the instance of any three (3) members present, may compel the attendance of absent members.

1.4 **Roll Call - Absences.** Before proceeding with the business of the Council, the City Clerk or his or her deputy shall call the roll of the members, and the names of those present shall be entered in the minutes. A Councilmember may be excused from the meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend the meeting. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the Mayor pro tempore, the City Clerk or Deputy City Clerk, who shall convey the message to the Mayor. The Mayor shall inform the Council of the Councilmember's absence, state the reason for such absence and inquire if there is a motion to excuse the member. Upon passage of such motion by a majority of Councilmembers present, the absent Councilmember shall be considered excused and the Clerk will make an appropriate notation in the minutes. If the motion is not passed, the Clerk will note in the minutes that the absence is unexcused.

1.5 **Records of Council Proceedings.** The City Clerk shall record all business transacted at a Council meeting. In recording Council minutes, the Clerk, in addition to the names of the Councilmembers in attendance, shall record the names of all city officials or employees in attendance at the Council meeting and all persons who

have addressed the Council.

1.6 **Right of Floor.** Any Councilmember desiring to speak shall be recognized by the presiding officer and shall confine his or her remarks to one subject under consideration or to be considered. Minutes of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.

1.7 **Remote Attendance.** Councilmembers may appear at a Council meeting via video conferencing or telephone ("remote attendance") when approved by the Mayor or Mayor pro tempore, or if remote attendance is required by reason of legislative or governor's proclamation/order, or other emergency order enacted by Council. Councilmembers attending remotely must keep their video camera turned on during the meeting unless they are unable to do so because of technical infeasibility (e.g., poor or no internet connection, no video camera available, etc.).

1.8 **Rules of Order.** *Robert's Rules of Order Newly Revised* shall be the guideline procedures for the proceedings of the Council. If there is a conflict, these rules shall apply.

2. Types of Meetings

2.1 Regular Meetings. The City Council shall hold regular meetings on the first and third Mondays of each month at 7:00 p.m. and will adjourn no later than 11 p.m. To continue past this time of adjournment, a majority of the Council must concur. If the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday. The Council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the Council Chambers at City Hall, 501 N. Anderson Street, unless specified otherwise by a majority vote of the Council, legislative proclamation, governor's proclamation/order, or other emergency order. All regular and special meetings shall be public.

2.2 Special Meetings. The City Clerk, upon request of the Mayor or by a majority of the Council shall call special meetings of the Council for the purpose of conducting official action. Notice shall be given at least 24 hours in advance as required by RCW 42.30.080. Notice may be provided to each member of the Council by telephone, e-mail, regular mail or otherwise, of the special meeting.

2.3 Study Session and Workshops. The Council may meet informally in study sessions and workshops (open to the public), at the call of the Mayor or by a majority of the Council, to review forthcoming programs of the city, receive progress reports on current programs or projects, receive other similar information from city department heads or conduct procedures workshops, provided that all discussions and conclusions thereon shall be informal and do not constitute final action of the Council.

2.4 Emergency Meetings. An emergency meeting is a Special Council meeting called without 24-hour notice. An emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage ~~when~~ time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the Mayor as provided by RCW 42.30.070. The Council minutes will indicate the reason for the emergency.

2.5 Executive Sessions. An executive session is a Council meeting that is closed except to the Council, City Manager, City Attorney and authorized staff members and/or consultants authorized by the Mayor. The public is restricted from attendance. Executive sessions may be held during Regular or Special council meetings and will be announced by the Mayor.

a. Executive Session subjects are limited to matters authorized pursuant to Ch. 42.30 RCW, including but not limited to considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, public employment applications and public employee evaluation, elective office appointments, and attorney-client discussions regarding agency enforcement actions, litigation, or threatened litigation.

b. Before convening in executive session, the Presiding Officer shall publicly announce the purpose for excluding the public from the meeting place, the anticipated time when the executive session will be concluded, and whether any action is anticipated to be taken following the executive session. Should the executive session require more time, a public announcement shall be made extending the meeting for a time certain. Should the executive session end prior to the time specified, Council may reconvene to formally adjourn, if appropriate. If action is required, the Council may not take action until the specified time has lapsed.

c. At the conclusion of the executive session, if appropriate, the public meeting will reconvene to formally adjourn the meeting, for taking action on the item resulting from the executive session if properly noticed, or to continue the meeting.

2.6 Council Contact Outside an Official Meeting. Generally, Councilmembers have the same freedoms of association as any other citizen. Councilmembers must take great care when present at the same social, unofficial functions, or in any public setting to refrain from engaging in any activity which could be interpreted as de facto deliberation or action on a matter of city business.

3. Conduct of Meetings

3.1 **The Mayor – Election.** The Mayor shall act as the presiding officer of the Council and shall be elected biennially at the first meeting of a new Council by the members from their membership, or otherwise when there is a vacancy in the position. The Mayor shall assume the chair immediately after his or her election. In the absence of the Mayor, the Mayor pro tempore shall act as the presiding officer. In the absence of both the Mayor and Mayor pro tempore, the Council shall elect a presiding officer to preside over the meeting or to act for the Mayor in his or her absence.

3.2 **Call to Order.** The presiding officer shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence of the Mayor and the Mayor pro tempore, the City Clerk or his or her assistant shall call the Council to order, whereupon a temporary presiding officer shall be elected by the members of the Council present. Upon the arrival of the Mayor or Mayor pro tempore, the temporary presiding officer shall immediately relinquish the chair upon the conclusion of the business immediately before the council.

3.3 **Preservation of Order.** The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, as set forth by Rules 6 and 7. The presiding officer may request the Sergeant-at-Arms to enforce actions consistent with this rule pursuant to Rule 7.4.

3.4 **Points of Order.** The presiding officer shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be "Shall the decision of the Presiding Officer be sustained?"

3.5 **Questions to be Stated.** The presiding officer shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject to, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. A roll call vote may be taken on any question.

3.6 **Mayor – Powers.** The Mayor shall vote on all questions, his or her name being called last. He or she shall sign all ordinances and resolutions adopted by the

Council during his or her presence. In the event of the absence of the Mayor, the Mayor pro tempore or presiding officer shall sign ordinances or resolutions as then adopted.

3.7 **Reading of Minutes.** Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the Clerk has previously furnished each member with a copy of the minutes.

4. Order of Business and the Agenda. All meetings of the Council shall be open to the public. Promptly at the hour specified herein on the date of each regular meeting, the members of the Council, the City Clerk, City Attorney, and City Manager shall be present for the meeting and the business of the Council shall be taken up for consideration and disposition in the following order:

4.1 Flag Salute.

4.2 Call to Order - Roll Call. The presiding officer calls the meeting to order and will announce the attendance of Councilmembers, indicate any Councilmember who is not in attendance and whether the Councilmember has requested an excused absence. Excused absences will be handled as stated in Rule 1.4.

4.3 Proclamations. A proclamation is defined as an official announcement made by the Mayor. It is the policy of the City Council for the Mayor to consider requests to proclaim certain events or causes when such proclamations pertain to a City of Ellensburg event, person, organization, or cause with local implications. The Mayor will consider requests that are timely, have potential relevance to the Ellensburg community, and either forward positive messages and/or call upon the support of the community. The Mayor will choose proclamations to read at a Council meeting subject to the following guidelines. The Mayor may act on requests for proclamations without a vote of the City Council. In addition:

a. The person(s) or organization making the request must submit a completed Application Requesting a City Proclamation and submit a copy of the proposed Proclamation to the City Clerk's office at least thirty calendar days before the proclamation is desired.

b. The sponsor must be a city resident.

c. Proclamations must have citywide significance and demonstrate relevancy to Ellensburg.

d. Proclamations should have a positive message and should not promote political, ideological or religious positions.

e. The Mayor shall not recognize groups or individuals who seek economic benefit by endorsement or for-profit commercial events or endeavors.

f. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations. The proclamation shall not exceed one page of text.

g. The Mayor may consult with City Boards, Commissions or other subject matter experts when considering appropriate proclamation language.

h. The Mayor retains the right to limit the number of proclamations at a City Council meeting.

i. The Mayor, in consultation with the City Manager and City Attorney, will determine if the proposed proclamation meets the intent of this policy

4.4 Awards and recognitions.

4.5 Approval of regular agenda.

a. The presiding officer may, with the concurrence of the Councilmembers by majority vote, take agenda items out of order. The agenda may be amended upon majority vote of the Councilmembers.

b. Because adoption of any item on the consent agenda, as provided in Rule 4.6, implies unanimous consent, any member of the Council shall have the right to remove any item from the consent agenda. Therefore, prior to the vote on the motion to adopt the regular agenda, the presiding officer shall inquire if any Councilmember, or any member of the public with concurrence of a Councilmember wishes an item to be withdrawn from the consent agenda. If an item is withdrawn, it shall be placed at an appropriate place on the regular agenda for the current or a future meeting, to be followed by a motion to approve the regular agenda, as amended, by the item's removal from the consent agenda.

4.6 Consent agenda. The consent agenda is designed to contain items which are of a routine and non-controversial nature, including, but not limited to the following: minutes from Council, commission, and committee meetings; excused absence requests from Councilmembers; letters of resignation; approval of appropriations;

resolutions which do not involve significant policy issues; routine contracts; labor agreements; and certain administrative actions, such as consideration of banner requests and such other items as may be requested for inclusion by Council or by the City Manager and approved by Council. Any and all items on the consent agenda are approved by single motion and vote of the City Council.

4.7 Petitions, protests, and communications.

4.8 Citizen comment on non-agenda issues.

4.9 Business requiring public hearings.

4.10 Introduction and adoption of resolutions and ordinances.

4.11 Unfinished business.

4.12 New business.

4.13 Miscellaneous.

4.14 Executive session.

4.15 Adjournment. The presiding officer shall adjourn Council meetings upon the conclusion of the agenda.

5. Agenda Preparation

5.1 Preparation. The City Clerk will prepare an agenda packet for each Council meeting and work session specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review and approval by the City Manager and Mayor (or Mayor pro tempore when acting in the absence of the Mayor), either of whom may add or delete any proposed agenda item for reasons of ensuring council meeting efficiency or for reasons that are in the best interests of the City.

5.2 Placement of Agenda Items. An item may be placed on a Council meeting agenda by any of the following methods: 1) approval of the City Manager; 2) approval of the Mayor; 3) upon request of any Councilmember prior to preparation of the agenda; or 4) upon request of any Councilmember and approval by majority vote during the Councilmember Reports portion City Council meetings, in which case the item shall be placed on the agenda for the next regular Council meeting.

5.3 Completion. Agenda items will be completed by the appropriate City department staff and submitted to the City Clerk for finalizing by 10 a.m. on the Wednesday prior to the following Council meeting. The "agenda report" form will be used for all items submitted for a meeting agenda of committees, regular or special meetings, and work sessions.

5.4 Availability. An agenda shall be prepared and provided to the Council and available to the public on the Thursday prior to each meeting. Public availability shall include posting on the City website, distribution by email to an established mailing list and copies provided in the City Hall and Ellensburg Public Library lobbies.

5.5 Agenda Retention. The City Manager will prepare and keep current a calendar of agenda items for all Council regular and special meetings, work sessions, and committee meetings.

6. Comments and Debates of the Council

6.1 Rules of Debate. Presiding Officer May Debate and Vote. The Mayor, or such other member of the Council as may be acting as presiding officer, may move, second and debate from the chair, subject only to such limitations of debate imposed by these rules on all members. Neither the Mayor nor any Councilmember shall be deprived of any of the rights and privileges of a Councilmember by reason of his or her acting as the presiding officer.

6.2 Getting the Floor – Improper References to be Avoided. Every Councilmember desiring to speak shall address the presiding officer and, upon recognition, shall confine his or her comments to the question under debate, avoiding all personalities and indecorous language.

6.3 Interruptions. A Councilmember, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or as herein otherwise provided. If a Councilmember, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and, if in order, he or she shall be permitted to proceed.

6.4 Courtesy. All staff and Councilmembers during the discussion, comments, or debate of any matter or issue, shall address their remarks to the presiding officer, be courteous in their language and deportment, and shall not discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant to the question or matter under discussion.

6.5 Privilege of Closing Debate. The Councilmember making the motion shall have the privilege of closing the debate.

6.6 Motion to Reconsider. A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding regular meeting. It may be seconded by any member and may be made at any time and have precedence over all other motions or while a member has the floor

and shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.

6.7 Remarks of Councilmember – When Entered in Minutes. A

Councilmember may request, through the presiding officer, the privilege of having an abstract of his or her statement on any subject under consideration by the Council entered in the minutes. If the Council consents to the request, the statement shall be entered in the minutes.

6.8 Synopsis of Debate – When Entered in Minutes. The Clerk may be directed by the presiding officer, with consent of the Council, to enter a synopsis of the discussion on any question coming before the Council into the minutes.

7. Duties and Privileges of Citizens

7.1 Meeting Participation and Addressing the Council. Members of the public are welcome at all Council meetings and are encouraged to provide comments and testimony on matters including agenda items, non-agenda items, and public hearings prior to the deliberations of the Council. Any person desiring to address the Council shall adhere to the rules below:

a. 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.

b. All remarks shall be addressed to the Council as a body and not to any individual member thereof. No question shall be asked of a Councilmember or staff except through the presiding officer.

c. Council meetings are considered a “limited public forum” which means the time, place and manner of speech can be regulated. At any time the Presiding Officer, in their sole discretion, may set such reasonable limits, or terminate that individual’s comment period, as necessary to prevent disruption or undue delay of other necessary business, or due to the person’s violation of the Council’s Rules for public participation.

~~c.d.~~ Prior to speaking, members of the public shall first obtain recognition by the presiding officer by raising their hand for in-person attendance and “virtual hand” if remotely attending the meeting, and once recognized shall state their name, whether they live in the City of Ellensburg, Kittitas County, or elsewhere, and whether they are speaking as an individual or in a representative capacity. An address may be required when providing public comment for specific instances when needed for staff to contact the speaker, such as public hearings.

~~d.e.~~ When addressing the Council, members of the public are urged to speak in an audible and articulate tone of voice for the record.

7.2 Public Comment on Matters Before the Council. Members of the public may address the Council on any matter which concerns the City's business or

over which the Council has control during the comment portion of the agenda item subject to the following:

a. Agenda Items.

1. Members of the public may comment on items on the City Council agenda which are not adjudicatory or administrative in nature.

2. Members of the public shall limit their remarks to three (3) minutes unless additional time is granted by the presiding officer.

b. Non-Agenda Items.

1. Only members of the public attending City Council meetings in person may provide public comment on non-agenda items. Members of the public wishing to speak are requested to sign a register maintained by the City Clerk in advance of the Council meeting ~~or raise their “virtual hand,” as directed, if attending the meeting remotely.~~

2. Members of the public may address the Council on any matter not on the agenda which concerns the City’s business or over which the Council has control, and must state the topic(s) upon which they wish to speak before addressing the Council if they have not done so in the City Clerk’s register. The presiding officer has authority to silence the microphone of any speaker who refuses to clearly identify their comment topic or when the proposed topic(s) does not concern the City’s business or is not one over which the Council has control.

3. Members of the public shall limit their remarks to three (3) minutes. Time may not be shared between members of the public in order to speak longer than three (3) minutes each.

4. No action will be taken by the Council at the meeting during which the subject is introduced.

5. The total time allocated for comments on non-agenda items is thirty (30) minutes for all speakers. The total time may be extended upon vote of the Council.

c. **Public Hearings.**

1. For legislative hearings, any member of the public may comment or provide testimony.

2. For quasi-judicial or appeal hearings, comments will be limited to persons who participated in the proceedings prior to the City Council public hearing, as established by the record below.

3. Members of the public shall limit their remarks to five (5) minutes unless additional time is granted by the presiding officer.

d. **“Out of Order” Comments and Enforcement.** Any person engaging in conduct that disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting, including but not limited to: unduly repetitive or irrelevant remarks; use of intimidating, threatening, or abusive language; disobedience of an order to be seated or to discontinue further comments; and/or engaging in violent behavior, will be deemed out of order and may, at the discretion of the presiding officer or upon a majority vote of the Council, be removed from the Council Chamber and/or have his or her virtual microphone muted.

7.3 Written Communications. Interested parties, or their authorized representatives, may address the Council through written communications, including email, in regard to matters under discussion. Communication should be directed to the City Clerk or to Councilmembers directly.

7.4 Designation of Sergeant-at-Arms. The presiding officer may designate the Chief of Police or such member of members of the Police Department as a Sergeant-at-Arms for the purpose of maintaining order and decorum at Council meetings. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings.

8. Council Actions. The following actions may be considered at Council meetings:

8.1 **Ordinances.** "Ordinances" are legislative acts or local laws. They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance.

8.2 **Resolutions.** "Resolutions" are adopted to express Council policy or to direct certain types of administrative action. They have the same effect as a motion, but in a written form. A resolution may be changed by adoption of a subsequent resolution.

8.3 **Motions.** "Motions" are official Council actions which do not require prior documentation in writing. They often are the Council authorizing action (e.g., signing an agreement by the Mayor) or to provide direction to staff to prepare an item for future consideration.

8.4 **Protests of Council Action.** Any Councilmember shall have the right to have the reasons for his or her dissent from, or protest against, any action of the Council entered in the minutes.

9. Ordinances, Resolutions and Motions.

9.1 Preparation of Ordinances. All ordinances shall either be prepared by the City Attorney or submitted to the him or her for review prior to presentation to the Council.

9.2 Prior Review by Administrative Staff. All ordinances and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been reviewed for administration by the City Manager or the Manager's authorized representative, where there are substantive matters of administration involved.

9.3 Introducing for Passage or Approval.

a. Ordinances, resolutions, and other matters or subjects requiring action by the Council must be introduced and sponsored by a member of the Council; provided, however, such items may be presented to the Council by the City Manager or City Attorney, or such City staff as may be designated by the City Manager. Any Councilmember may assume sponsorship of an item of business submitted by the City Manager or City Attorney by moving that it be introduced; otherwise, the item shall not be considered.

b. No ordinance shall be put on its final passage on the same day on which it was introduced unless this rule is waived as provided by Rule 9.7 and not otherwise prohibited by state law from final passage in a single meeting. Where such a motion to waive this Rule 9.3(b), as provided in Rule 9.7, is approved, the ordinance may then be adopted through a single reading followed by a roll call vote.

c. All ordinances shall have two separate readings, each of which readings may be accomplished by a reading of the title paragraph only: provided, however, any or all of the readings may be required to be accomplished by a reading of the full text of the proposed ordinance if the rules are waived as provided by Rule 9.7 to require such readings of the full text. When such a reading of the full text is required, upon a vote of a majority of the Council members present, it shall not be necessary to read excessive detail set forth in a particular ordinance, including but not limited to legal

descriptions of land areas, and in lieu thereof an oral statement summarizing the contents so omitted may be made by the presiding officer, or by the City Clerk or other recording secretary if so directed by the presiding officer.

d. No ordinance shall relate to more than one subject and that subject shall be clearly summarized in its title paragraph. No ordinance or section thereof, or City Code section, shall be amended unless the title paragraph of the amendatory ordinance indicates that the ordinance, or a part thereof, is amendatory.

e. The vote on amendments to a proposed ordinance may occur at any time prior to its final adoption; provided, that in the case of any ordinance which under state law cannot be adopted at the same meeting in which it is introduced, the ordinance as amended shall not be finally voted upon until the next regular council meeting.

f. All ordinances introduced for the purpose of amending, in whole or in part, any existing City Code title, chapter, section, or subsection, shall state the number of such provisions, together with a reference to the ordinance or ordinances and the sections thereof from which the code provisions were most recently codified. Any such amendatory ordinances shall state how the pertinent City Code provisions shall be amended to read thereafter, and any so stated amended language of any such code provisions shall be deemed and shall constitute sufficient compliance with any other statutory or ordinance requirement that all ordinances, or sections or subsections thereof be set forth in full.

9.4 Resolution. A resolution may be approved on the same day it is introduced. While it is not necessary to have the title of a resolution read aloud, Council may invoke the two reading procedures described above to facilitate public understanding and/or comment on the resolution. If Council invokes the two reading procedures, a Councilmember may request that the entire resolution or certain sections be read, and such request shall be granted and the City Clerk shall read as requested.

9.5 Voting and Motions.

a. Consensus Voice Votes. When a formal motion is not required on a

Council action or opinion, a consensus voice vote will be taken except that any Councilmember may require the vote of each Councilmember be recorded. The presiding officer will state the action or opinion. The Council as a group will indicate concurrence or non-concurrence. Silence of a Councilmember during a voice vote shall be recorded as a vote with the prevailing side, except where such a Councilmember abstains because of a stated conflict of interest or appearance of fairness.

b. Motions. No motion shall be entertained or debated until duly seconded and announced by the presiding officer. The motion shall be recorded and, if desired by any Councilmember, it shall be read by the Clerk before it is debated and, by the consent of the Council, may be withdrawn at any time before action is taken on the motion.

c. Votes on Motions. Each member present shall vote or abstain on all questions put to the Council except on matters in which he or she has a conflict of interest. If a conflict of interest exists for a councilmember, such member shall announce their conflict and abstention from voting prior to any discussion of the matter, and shall be prohibited from participating in discussion of the matter. A roll call vote shall be taken on the adoption of all ordinances and on motions to suspend rules. The order of voting shall be alphabetically according to the surnames of the Council members, except that the presiding officer shall vote last.

d. Abstention from Vote. Any Councilmember who abstains from voting will not have his or her abstention counted or tallied with the votes of the Council on the question or matter under consideration, which must pass by a majority of those Councilmembers who voted.

9.6 **Filing with Clerk.** All reports, petitions, ordinances and resolutions shall be filed with the Clerk and entered into the minutes.

9.7 **Waiver of Rules/Effect.** Except as otherwise provided by law, any rule established by this chapter may be waived upon an affirmative vote of five members of the City Council. No action taken by a Councilmember or by the Council, which is not in compliance with these rules but which is otherwise lawful, shall invalidate such

Councilmember's or Council action, or be deemed a violation of the oath of office, misfeasance or malfeasance. These rules do not grant rights or privileges to members of the public or third parties.

10. Creation of Committees, Boards and Commissions.

10.1 Citizen Committees, Boards and Commissions. The Council may create committees, boards and commissions to assist in the conduct of the operation of city government with such duties as the Council may specify consistent with the Ellensburg City Code.

10.2 Types of Committees. There shall be two types of committees in the City of Ellensburg:

a. Standing Committees. Such committees are established to conduct business delegated by the legislative body and may be authorized by either state statute or city ordinance. An example would be the Utility Advisory Committee.

b. Citizen Advisory Committees. Such committees are formed to promote citizen participation on a particular subject and provide guidance on community views on a subject.

c. Special Committees. All special committees shall be appointed by the presiding officer, unless otherwise directed by the Council.

10.3 Membership and Selection. Membership and selection of members shall be as provided by the Council if not specified otherwise in the Ellensburg City Code or state law. The Mayor makes all other appointments, subject to confirmation by the City Council, at an open public meeting. No committee so appointed shall have powers other than advisory to the Council or to the Mayor except as otherwise specified in the Ellensburg City Code or state law. City Council seeks to create diverse and inclusive committees, boards and commissions, and strives to ensure that such committees, boards and commissions are representative of the entire Ellensburg community.

10.4 Attendance.

a. An aggregate of five absences for any committee, board or commission member per calendar year will be permitted. An excess of five unexcused

absences may result in the member forfeiting his or her office, subject to the provisions of Rule 10.5.

b. No more than three consecutive member unexcused absences from regularly scheduled meetings will be permitted, with any excess absences resulting in potential forfeiture of office, subject to the provisions of Rule 10.5, unless such consecutive absences are excused by the board or commission in an open public meeting.

10.5 Removal of Members of Committees, Boards and Commissions. A committee, board or commission may, by majority vote, recommend to the city council that an appointed member be removed for reasons stated in Rule 10.4 or any other reasonable grounds that include, but are not limited to inefficiency, neglect of duty, or an unlawful act. Council shall consider the recommendation as provided in ECC 1.12.060.

10.6 Formal Reports of Committee, Boards and Commission. All committees, boards and commissions shall make their formal reports in writing.

10.7 Council Liaisons to Committees, Boards and Commissions.

a. Councilmembers may be assigned as liaisons to City Committees, Boards and Commissions on a voluntary basis.

b. Council liaisons shall serve for the purpose of providing a constructive relationship between the City Council and the advisory body without implying direction, review, or oversight of the activities of the advisory body. In general, liaisons should not participate in committee, board or commission meetings where they serve a liaison, and must exercise particular care when attending quasi-judicial public hearings to avoid an Appearance of Fairness doctrine violation.

c. This Rule shall not limit a Councilmember's full participation as a member of a committee, board or commission that was not created by the City.

10.8 Hybrid Meetings. Unless otherwise prohibited by legislative or governor's proclamation/order, or other emergency order, all committee, board and commission meetings shall be held both in-person at a City-owned facility and hosted remotely through videoconferencing technology. Committee, board and commission

members shall be allowed to any meeting remotely as provided in ECC 1.12.100. Committee, board or commission members attending a meeting remotely must keep their video camera turned on during the meeting unless they are unable to do so because of technical infeasibility (e.g., poor or no internet connection, no video camera available, etc.).

11. Internet & Electronic Resources – Equipment Use.

11.1 Policy. It is the policy of the City Council that Internet and electronic resources equipment use by Councilmembers shall conform to and be consistent with the requirements of City of Ellensburg Personnel Policies Manual Section 9.6, "COMPUTER SYSTEM, INTERNET AND E-MAIL USE POLICIES," adopted hereby and incorporated herein by this reference.

11.2 Use of Electronic Communication and Internet during Council Meetings. Councilmembers will avoid accessing, responding to, or sending any electronic message (text, e-mail, instant message, social media etc.) during Council meetings, whether such communication involves a citizen or other Councilmember. Such communication could be construed as inviting or receiving public comment, or engaging in a non-public discussion, regarding Council business, which should be conducted in an open meeting. Likewise, Councilmembers will avoid any browsing of the Internet of non-City business during Council meetings in order that Council's full attention can be given to the topic at hand.

11.3 Public Records. All letters, memoranda, interactive computer communication or other forms of electronic communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with exceptions stated by the Public Records Act (Ch. 42.56 RCW), are public records.

11.4 Open Public Meetings. In most cases, the Washington Open Public Meetings Act (OPMA) applies to electronic communications, which can include e-mail, instant messaging, texting or other methods that allow electronic interaction. Interactive e-mail or text discussions among a quorum of a governing body, whether shared concurrently or serially, regarding a matter which will come to the body for a vote is a "meeting" under the OPMA. The same result would apply to an interactive discussion among a quorum of Councilmembers conducted in any electronic format. Further, electronic communication should not be used to form a collective decision of the

Council.

11.5 Public Records and Open Public Meetings Act Training. All newly elected or appointed Councilmembers shall complete basic training in public records and the Open Public Meetings Act (OPMA) within 90 days of taking the oath of office. Refresher training must be taken no later than every four years thereafter.

11.6 The Appearance of Fairness Doctrine. The Appearance of Fairness Doctrine applies if an electronic communication to or from the Mayor or Councilmembers relates to a quasi-judicial matter that will come before Council for a decision (e.g., appeals from land use hearing examiner decisions). As with any ex parte communication about a quasi-judicial matter, the Mayor or Councilmember who receives the e-mail should:

- a. Advise the sender that on advice of the City Attorney, he or she may not comment outside a public meeting on a pending matter before Council and that the sender's e-mail will be included in the public record on the matter.
- b. Immediately forward the communication to the City Manager for inclusion in the public record of the matter.
- c. Disclose on the record in the public hearing or meeting on the matter that the communication has been received and is in the record.

11.7 Electronic Communications.

a. Electronic communication should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other confidential City business. In general, electronic communication is discoverable in litigation, and even deleted electronic communication is not necessarily removed from the system. Confidential electronic communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

b. As a cautionary note, if an elected public official uses his or her personal home computer to send electronic communications dealing with City business, the electronic communications and electronic records may be subject to discovery

demands and public disclosure requests. That possibility amplifies the need for caution in how one uses electronic communication for City business.



Meeting Date: December 18, 2023
City of Ellensburg
City Council Agenda Report

Agenda Subject: Resolution 2023-34 Declaring The City of Ellensburg to be an Inviting, Equitable and Safe Community For All (Public Comment Opportunity)

Submitted by: Nicole Klauss

Department: City Manager

Suggested Motion/Action:

Move to adopt Resolution 2023-34 declaring the City of Ellensburg to be an inviting, equitable and safe community for all.

Background/Summary:

On Monday, November 6, 2023, the Ellensburg City Council meeting was the target of hate speech by online participants using fake names. At the November 20 meeting, the Ellensburg City Council discussed how they could respond if this happens again. The City Council referred the topic back to the DEI Commission for discussion and recommendation.

The Diversity, Equity and Inclusion Commission met on December 12, 2023, and discussed the issue. The Commission recommended passing the attached resolution to show the City Council's commitment to making Ellensburg an inviting, equitable, and safe community for everyone; to standing together with the people of Ellensburg in opposing hate, violence and acts of intolerance committed against our community members; and to continuing our work to reach out and connect with all members of our community.

The DEI Commission voted to recommend the Ellensburg City Council approve Resolution 2023-34.

Previous Council Action:

The Ellensburg City Council referred the issue of the Zoom-bombing to the Diversity, Equity and Inclusion Commission for discussion and consideration.

Analysis:

Adopting Resolution 2023-34 would affirm the City Council's goal of making Ellensburg an inviting, equitable and safe community for all.

Financial Impact:

None.

Budget Adjustment: No

Attachments:

1. Resolution 2023-34 DEI Commission re Safe & Inclusive Community

RESOLUTION 2023-34

A RESOLUTION of the City Council of Ellensburg, Washington declaring the City of Ellensburg to be an inviting, equitable and safe community for all.

WHEREAS, the City believes that the strength and vitality of our community comes from our rich diversity of cultures, experiences and faiths; and

WHEREAS, the City recognizes and upholds the rights of individuals to be treated fairly and to live their lives with dignity and respect and free from discrimination or targeting because of their faith, race, national origin, sexual orientation, gender or gender identity, age, ability, ethnicity, housing status, economic status, or other social status; and

WHEREAS, the City strongly condemns any act of harassment, bullying, intimidation, violence, or other acts of hate that are based on faith, race, national origin, sexual orientation, gender or gender identity, age, ability, ethnicity, housing status, economic status, or other social status; and

WHEREAS, the City is committed to ensuring that Ellensburg remains a welcoming, inclusive and safe community for all who live, work and visit here; and

WHEREAS, the City will continue to work through the Diversity, Equity and Inclusion Commission, in cooperation with our community partners, to ensure our services and programs are accessible and open to all individuals; and

WHEREAS, the City will consult with the Diversity, Equity and Inclusion Commission in addressing and responding to community concerns when issues of harm and/or hate occur in our community; and

WHEREAS, as leaders in the community, we have a special responsibility not to stay silent in the face of discrimination, harassment or hate against any of our residents, and we choose to be a leader in protecting human rights, equity, public safety and social well-being;

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

Section 1. That the City Council of the City of Ellensburg is committed:

- a) to making Ellensburg an inviting, equitable, and safe community for everyone;
- b) to standing together with the people of Ellensburg in opposing hate, violence and acts of intolerance committed against our community members;
- c) to continuing our work to reach out to and connect with all members of our community to ensure that our programs are accessible and open to all individuals.

ADOPTED by the City Council of Ellensburg this 18th day of December, 2023.

Mayor

Attest:

City Clerk



MANAGER'S REPORT

DATE: December 18, 2023

To: Ellensburg City Council

FROM: Heidi Behrends Cerniwey, City Manager

1. Councilmember Adam Winn Announced Resignation

Councilmember Adam Winn announced his decision to step down from his elected position on City Council at the end of this year to focus on family and business development. We thank him for his service to the community. At the January 2, 2024 meeting, Council will review an application and appointment process to consider candidates for the position.

2. New Utility Billing Software System Went Live on December 12

The City of Ellensburg switched to a new utility billing software on Tuesday, December 12. Customers are reminded that:

- The new customer portal will provide customers with more online options. It will look different and customers must create a new password.
- Utility account numbers will change, so please update the account number on your check or bill-payer payment to ensure accuracy in posting the payment to the correct account.
- If customers did not previously provide an email address to the City, they will need to create an online account in the new portal.
- Statements will have more details, including graphs to compare usage. And there are more options online.
- Customers currently enrolled in autopay will need to re-enroll and provide payment information in the new portal.
- Now, you can sign up to go paperless!

If you have any questions about your utility bill or notice any irregularities, please contact a customer service representative at (509) 962-7201.

3. A Year End Thank You to City Staff

A great deal of work happens every day in Ellensburg to deliver essential public services to the community. The City provides drinking water, wastewater treatment, safe streets, transit, reliable energy, safe buildings, parks and trails, recreation services, library, public safety, financial stewardship, and partnerships for other amenities. As City Manager, it has been my honor and pleasure to serve another year with a team of talented and dedicated employees that work—often behind the scenes and in challenging conditions—to make a difference and sustain or improve our infrastructure, programs/services, and the quality of life in Ellensburg. Together, we accomplished a great deal this year. Thank you to all City employees. Your service is appreciated.