

CITY COUNCIL AGENDA

April 15, 2024



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To attend the city council meeting virtually register here:

https://us02web.zoom.us/webinar/register/WN_uylP0XLTfOaWxNGktW1hA

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AMERICANS WITH DISABILITIES ACT

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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/ECTV_Ellensburg). 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.

Only persons attending the City Council meeting in-person may provide public comment on Non-Agenda Issues (Item No. 7), which is limited to a combined total of thirty (30) minutes unless Council votes to extend the time. For all other Agenda items, City Council accepts testimony or comments in person or via remote testimony for most 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, virtually, on any listed agenda items except under Item 7 for Non-Agenda Issues (see below). **Public comment on Item 7 for Non-Agenda items will only be accepted from persons attending Council meetings in-person,** i.e., Zoom comments are not accepted for **Non-Agenda Issues.**
6. If you wish to speak on an agenda item, you must:
 - a) **Wait to be called upon by the Mayor** using your name, e-mail, or phone number used to log in to the teleconference.
 - b) **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.
7. **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 providing comments on Item 7, Non-Agenda Issues, may only address the Council on matters which concern the City's business or over which the Council has control, and must announce the topic upon which they wish to speak before making their comments.

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, April 15, 2024
7:00 PM - Regular Meeting**

Pledge of Allegiance

1. Call to Order and Roll Call

2. Proclamations (Public Comment Opportunity)

2.A National Arab American Heritage Month 6

2.B 2024 Historic Preservation Month 7

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 April 1, 2024 Regular Meeting 8

5.B Approve Minutes of April 1, 2024 Study Session 13

5.C Acknowledge Minutes of Boards & Commissions 14

5.D Approve University Way Banner Request for Drug Take Back - April 16-22, 2024 22

5.E Bid Award - Bid Call 2024-02 for Piping Irrigation Ditch on City's University Way (formerly Catherine Park) Property 23

5.F Bid Award – Bid Call 2024-06 2024 Cured-In-Place Sewer Line Rehabilitation Project 25

5.G Consultant Agreement Supplement No. 3 - Brick Road Improvements Engineering 26

5.H TIB 2024 Complete Streets Early Opportunity Award - Grant Agreement 35

5.I	Amendment 2 to the Interlocal Cooperation Agreement between the City of Ellensburg and the Northwest Open Access Network (NoaNet)	44
5.J	Approve Voucher Listing for April 15, 2024	58
6.	Petitions, Protests, and Communications	
6.A	Recommendation of Appointment to the Public Transit Advisory Committee	59
6.B	Poetry Month Reading and Update from City of Ellensburg Poet Laureate, Marie Marchand	63
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6.E	Ellensburg Police Department - 2024 Community Survey Results	115
7.	Citizen Comment on Non-agenda Issues	
8.	Business Requiring Public Hearings	
8.A	Public Hearing for Adoption of Resolution 2024-08 to Surplus a City-owned Parking Lot at 6th and N. Pearl Street and Approval of Sale by Exchange of Properties with 1102 Parking, LLC (Public Comment Opportunity)	132
9.	Introduction and Adoption of Ordinances and Resolutions	
9.A	Ordinance 4940 (Second Reading) Amending the 2023-2024 Biennial Budget (Public Comment Opportunity)	146
9.B	Resolution 2024-09 Authorizing Grant Submittal to the Recreation and Conservation Office (Public Comment Opportunity)	158
10.	Unfinished Business	
10.A	Follow-up Items for Council Discussion	164
11.	New Business	
12.	Miscellaneous	
12.A	Manager's Report (No Public Comment)	165
12.B	Councilmembers' Reports (No Public Comment)	
13.	Executive Session	
14.	Adjournment	



City of Ellensburg

PROCLAMATION

National Arab American Heritage Month 2024

Whereas, President Biden recognized April as National Arab American Heritage month; and

Whereas, today the Arab American Institute estimates that there are roughly 3,700,000 Arab Americans living in the United States, from a variety of faith backgrounds including both Christians and Muslims originating from any of the 22 Arabic speaking countries; and

Whereas, Arab Americans have throughout their history in the United States generously shared their culture, music, and food with their fellow citizens and contributed to the economy and society of the United States, having brought with them to the United States their resilient family values, strong work ethic, dedication to education, and diversity that have added strength to our democracy; and

Whereas, today, the achievements of Arab Americans are reflected in the arts and sciences; in businesses and faith communities; in sports and entertainment, in classrooms and hospitals; and in police stations, firehouses, and every branch of the military; and

Whereas, we also recognize that, even as Arab Americans enrich our Nation, Arab American Heritage Month is necessary to address the misconceptions, misinformation, and discrimination against Arab Americans by celebrating their accomplishments and providing factual information about Arab American culture and persons.

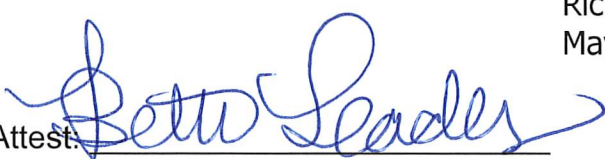
Now, Therefore, the City Council of the City of Ellensburg does hereby proclaim April 2024 as National Arab American Month and encourages residents to learn more about the history, culture, and achievements of Arab Americans and to observe this month with appropriate programs and activities.

Signed this 15th day of April 2024.

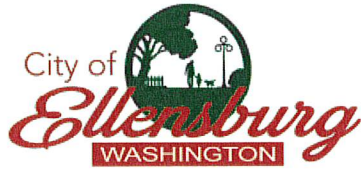


Rich Elliott
Mayor

Attest:



City Clerk



City of Ellensburg

PROCLAMATION

National Historic Preservation Month 2024
"People Saving Places"

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals and public agencies in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, historic preservation is an effective tool for revitalizing neighborhoods, managing growth and sustainable development, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, Ellensburg encourages the preservation and active use of historic structures to enhance the city's quality of life, economic vibrancy, and environmental sustainability; and

WHEREAS, Ellensburg's Preservation Month May 2024, honors national historic preservation month at a City, State, and National level, and is cosponsored by the Ellensburg Landmarks and Design Commission, Ellensburg Downtown Association, Kittitas County Historical Museum, and the National Trust for Historic Preservation.

Now, Therefore, We, the City Council of the City of Ellensburg, do proclaim May 2024 as National Historic Preservation Month and call upon the people of Ellensburg to join their fellow citizens across the United States of America in recognizing and participating in this special observance.

Signed this 15th day of April, 2024.

Attest. 
City Clerk



Rich Elliot
Mayor



CITY OF ELLENSBURG

Minutes of City Council, Regular Meeting

Date of Meeting

April 1, 2024

Time of Meeting

7:00 PM

Place of Meeting

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

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Thompson

1. Call to Order and Roll Call

Roll Call Present: Sarah Beauchamp, Rich Elliott (present remotely), Nancy Goodloe, Nancy Lillquist, David Miller, Delano Palmer, Joshua Thompson

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

Others present remotely via Zoom: Sustainability & Energy Coordinator Baker, Energy Resources Manager Stanavich and approximately thirteen members of the public

2. Proclamations

- 2.A Arbor Day Proclamation 2024
Councilmember Miller read the proclamation.
- 2.B National Safe Digging Month Proclamation
- 2.C National Child Abuse Prevention Month
Kittitas County Commissioner Wachsmith read the proclamation. Nicole Wachsmith and Sandra Martinez with CASA were also present.

3. Awards and Recognitions

- 3.A Zoe Trudeau, Kittitas County Girl Scouts Honor Mayor Pro Tem Nancy Lillquist
Zoe Trudeau, with Girl Scout Troop 3953, presented an award to Mayor Pro Tem Lillquist.

4. Approval of Agenda

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

5. Consent Agenda

- 5.A Approve Minutes of March 18, 2024 Regular Meeting
- 5.B Acknowledge Minutes of Boards and Commissions
- 5.C Approve University Way Banner Request for National Day of Prayer, April 23-May 6, 2024
- 5.D Project Acceptance - Bid Call No. 2022-06, 2022 City Property Groundskeeping
- 5.E Bid Award - Bid Call 2024-07 for Residential Natural Gas Meters
- 5.F Bid Award - Bid Call 2024-08 for Natural Gas Meter ERTs
- 5.G Professional Services Agreement with Evergreen StormH2O for Stormwater Asset Data Collection
- 5.H Resolution 2024-07 Approving Cason Salvati's Street Tree Removal Request at 604 S. Maple Street.
- 5.I City of Ellensburg Urban Flooding Analysis FCAAP Grant
- 5.J Approve April 1, 2024 Voucher Listing

Mayor Elliott moved to approve the Consent Agenda as presented. **Motion Approved 7-0**

6. Petitions, Protests, and Communications

- 6.A Recommendation of Appointments to the Lodging Tax Advisory Committee and the Library Board (Public Comment Opportunity)
Carmen Wiggins and Janie Zencak introduced themselves and spoke on their interest in serving on the Lodging Tax Committee.
Vikki Carpenter and Richard Moreno (present remotely) introduced themselves and spoke on their interest in serving on the Library Board.

Mayor Elliott moved to appoint the recommended applicants to the Lodging Tax Committee and Library Board. **Motion Approved 7-0**

7. Citizen Comment on Non-agenda Issues

- William Coleman, County resident, spoke regarding City Facebook posts
- Theresa Plue, County resident, spoke regarding Council Rule 6.4
- Howard Jones, Ellensburg resident, spoke regarding a site evaluations
- Angie Lang, Ellensburg resident, speaking for herself, spoke regarding surveys turned in for Reed Park
- Councilmember Lillquist apologized to Angie Lang and Council for comments she made at the March 18 meeting
- Cheryl Chance, County resident, spoke regarding March 18th meeting minutes and comments from councilmembers

- Pat Kelleher, County resident, spoke regarding the form for sleep center property suggestions and the requirement of 1.25 acres
- Penney Whitman, Ellensburg resident, spoke regarding support of Angie Lang and requested a town hall meeting
- Andy Cleman, County resident, spoke regarding violation of Council Rule 6.4 and violation per RCW 42.30.120

8. Business Requiring Public Hearings

8.A Ordinance 4940 (First Reading) Amending the 2023-2024 Biennial Budget (Public Comment Opportunity)

Gloria Lanphere, Budget Officer, presented information in the staff report. Mayor Pro Tem Lillquist opened the public hearing. With no comments or questions from the public or Council, the public hearing was closed.

Councilmember Goodloe moved to conduct first reading of Ordinance 4940, amending the 2023-24 biennial budget. **Motion Approved 7-0**

8.B Public Hearing (Legislative) to Consider Annexation of 10 Parcels and First Reading of Ordinance 4941 Approving the Annexation (Public Comment Opportunity)

Mayor Pro Tem Lillquist opened the public hearing.

Jeremy Johnston, Planning Manager, presented information in the staff report. Chad Bala, representative for the petitioner, expressed support of the annexation.

Theresa Plue, commented regarding Mill Ditch and water rights

Jeff Calaway, County resident and property owner, spoke regarding Mill Ditch and spoke about the Light Industrial portion of the annexation.

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

Mayor Elliott moved to approve conducting the first reading of Ordinance 4941 annexing parcels into the City of Ellensburg. **Motion Approved 7-0**

9. Introduction and Adoption of Ordinances and Resolutions

9.A Resolution 2024-06, Multifamily Housing Limited Property Tax Exemption Agreement with Patricia Place LLC for 501 N Water Street (Public Comment Opportunity)

Lily Frey, Housing and Grants Manager, presented information in the staff report.

Mayor Elliott moved to approve adoption of Multifamily Housing Limited Property Tax Exemption Resolution 2024-06. **Motion Approved 7-0**

10. Unfinished Business

11. New Business

- 11.A Arbor Day Tree Giveaway Program Expansion (Public Comment Opportunity)
Nichole Baker, Sustainability & Energy Coordinator, presented information in the staff report.

Councilmember Goodloe moved to adopt the expansion of the Arbor Day Tree Giveaway Program to allow tree voucher eligibility beyond the right-of-way (ROW) areas, in private residential zones, within the City of Ellensburg city limits. **Motion Approved 7-0**

- 11.B Fieldhouse Owner's Advisor Consultant Agreement (Public Comment Opportunity)
Brad Case, Parks & Recreation Director, presented information in the staff report. Council asked questions of staff.
Robynne Thaxton, with Thaxton|Parkinson PLLC, council retained for the project, also answered Council questions.

Jennifer Patteson, County resident, questioned whether the insurance funding the City receives would be used for the project.

Councilmember Miller moved to authorize the City Manager to sign the consultant agreement with the Wenaha Group in the amount of \$635,231.68 and approve the necessary budget adjustments. **Motion Approved 7-0**

12. Miscellaneous

- 12.A Manager's Report (No Public Comment)
The City Manager reviewed the report. She requested two councilmembers be appointed to the Homelessness Ad Hoc Committee. Nancy Goodloe and Josh Thompson volunteered to serve on the committee.

Councilmember Palmer moved to approve Councilmembers Goodloe and Thompson to the Ad Hoc Committee. **Motion Approved 7-0**

The City Manager explained customer questions concerning stormwater charges now showing on utility bills.

The World Cafe will be held at CWU Sue Lombard Hall on April 13th and the Waste Management Spring Cleanup will be April 6th - 13th.

- 12.B Councilmembers' Reports (No Public Comment)
- Councilmember Beauchamp asked about KITTCOM board meetings, attended the Unity Park groundbreaking, attended the save Craig's Hill meeting and asked about a town hall meeting
 - Councilmember Goodloe reported on the Homelessness & Affordable Housing Commission, AWC upcoming forum, Ellensburg Homeless panel at Hal Holmes on April 16th; she attended the Unity Park groundbreaking and Craig's Hill meeting

-
- Councilmember Miller apologized for alleged comments that were interpreted as being insulting and that they weren't intended to be disparaging.
 - Councilmember Palmer spoke regarding open house and town hall meetings, attended the Affordable Housing Commission, Law & Justice Council, Steer I-90 meeting, and requested an excused absence for the May 6 & June 3 meetings

Councilmember Miller moved to approve an excused absence for Councilmember Palmer for the May 6 and June 3 regular meetings. **Motion Approved 7-0**

- Councilmember Thompson spoke regarding a meeting with Save Craig's Hill group and asked about someone else attending the Chamber monthly meeting
- Councilmember Lillquist attended the Environmental Commission, Utility Advisory Committee and Planning Commission meetings, traveled with City staff to Olympia for signing of the CCA Bill, attended a Yakima Basin Fish & Wildlife Recovery Board meeting, Unity Park groundbreaking. She asked about next steps for council decision on Reed Park, and the City Manager reviewed next steps. She also attended a meeting with representatives from Sanda City, Japan
- Mayor Elliott spoke about a fundraiser at IOOF on Thursday for a high school exchange program, spoke regarding the energy code and ADUs, met with Representative Schrier, an interim Director for KITTCOM has been hired, and is working with entities for economic development

13. Executive Session

14. Adjournment

Meeting adjourned at 8:47 pm

Mayor

ATTEST:

City Clerk



CITY OF ELLENSBURG

Minutes of City Council, Study Session

Date of Meeting

April 1, 2024

Time of Meeting

6:00 PM

Place of Meeting

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

Study Session (No Public Comment)

Roll Call Present: Sarah Beauchamp, Rich Elliott (present remotely), Nancy Goodloe, Nancy Lillquist, David Miller, Delano Palmer, Joshua Thompson

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Building Official Doan, Planning Manager Johnston, Building Inspector Sommer, Public Information Officer Klauss, Assistant City Attorney Reiman, Affordable Housing Manager Frey and three members of the public.

- A 2021 Washington State Energy Code Update
Heidi Behrends Cerniwey, City Manager, introduced the item and Chuck Doan, City Building Official, presented information and updates to Council.
Councilmembers asked questions of staff.
- B City Communication Tools and How We Use Them
Heidi Behrends Cerniwey, City Manager, introduced the item and Nicole Klauss, Public Information Officer, reviewed a presentation with Council.

Adjournment

Meeting adjourned at 6:52 pm

Mayor

ATTEST:

City Clerk

CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Diversity, Equity & Inclusion

Commission Meeting

March 12, 2024

3:00 PM

Council Conference Room & Zoom

1. Call to Order and Roll Call

Vice Chair Tylene Carnell called the meeting to order at 3:02 p.m.

Roll Call Present: Nancy Goodloe, Tylene Carnell, Amber Hoefer, Alex Mandujano, Mayra Colazo, and Kande Cleary

Also present: Nicole Klauss, Public Information Officer (Recording Secretary); Denise Horton, Ellensburg Farmers Market; Ramona Bryant, League of Women Voters; and Betsy Dunbar, Transit Manager

Commissioner Colazo moved to approve the excused absence for Commissioners Divine and Backlund. Commissioner Mandujano seconded the motion. **Motion approved 5-0.**

2. Approval of the Agenda

3. Approval of Minutes from February 13, 2024, Meeting

Chair Goodloe moved to approve the minutes from the February 13, 2024, DEI Commission Meeting. Commissioner Colazo seconded the motion. **Motion approved 5-0**

4. Previous Meeting Motions And To-Do List Review

A. Introduced Denise Horton from Ellensburg Farmer's Market

The Commission discussed the idea for a multicultural day at the market with interim market manager Denise Horton. The Commission should brainstorm the event more and then reach out to Denise/the market to discuss and set it up. The market has room for 86 10-foot spaces. The market is very full and they try to bring in nonprofit tables when possible. The best times are early in May or late in October because they have more open space after farmers are done. October was suggested because CWU students will be here and Unity Park may be done by then. Colazo will connect with Divine to discuss further details.

B. 90-Day To-Do List Review:

- Plan Juneteenth event

Goodloe reported:

- Picnic In The Park set for Saturday, June 15 at Veterans Memorial; trying to get speakers
- Museum will be doing an exhibit
- Nicole will be working with Parks team to coordinate space

- Delano Palmer, Krechiere Jackson, and Lucinda Carnell added to the committee
- City will recognize Trans Day of Visibility
 - Carnell reported the proclamation was supported and will be read on March 18
- Develop an accessible onboarding program for new commission members
 - The subcommittee provided a recommendation for an orientation packet specific to DEI Commission to include:
 - Commission agendas and minutes from past six months
 - Commission goals
 - Commission contact sheet
 - Commission's annual report
 - Chapter 9 of the Comprehensive Plan
 - DEI Commission's spending plan and City's overall budget
 - A summary document of the commission's subcommittees, programs, and events
 - Nametag and business cards
 - Ordinance that created commission (suggested addition)
 - Original IDE Report (suggested addition)
 - Assign new commission members a mentor for 3 months.
 - Schedule a six-month check-in with Commission Chair and new member
 - Add Commission's documents to DEI webpage so easily accessible to all members
- Develop the strategies and partnerships to support diverse residents to apply to City boards to better reflect our diverse community
 - Carnell asked about methods of advertising openings. Klauss mentioned challenges with capturing FB Group posts for archiving as required by City.
 - Hoefer wants commission to have larger conversation beyond recruitment and getting people there, how do we make sure people feel welcome and heard and not just tokenized.
- CWU/City collaboration to engage students with off-campus resources
 - KCHN has a resource manual that is printed and shared on campus.
 - Mandujano visited various departments on campus and left messages. Will follow up.
- Continue World Café conversations and expand topics of
 - World Café committee had a meeting and finalized the questions.
- Develop partnerships for planning a multicultural event to celebrate the opening of Unity Park that focuses on music, food, dance, etc.
 - Need to identify representatives from Arts Commission & Parks Commission to get meeting set.
- Explore coalition partnership idea with the Dispute Resolution Center and others
 - Goodloe to check in with Carolyn in April.
- Meet with the Farmer's Market and Night Market organizers to discuss a multicultural day at the Farmers Market and possibly sponsoring vendors

- Interim market manager attended the meeting; Colazo and Divine need to meet to map out plans.
- Put listening tour data into a document for review, and discuss how to use the data
 - No updates. Want to have more listening tour before review data.

5. Liaison Reports

None.

6. Subcommittee Reports

Colazo reported the listening tour subcommittee had a meeting a few months ago and chatted about reaching out to APOYO for a Spanish speaking tour. The listening tour is being scheduled for April 2 or 3, and an interpreter is needed as Commissioner Mandujano cannot attend. Colazo would also like to have the listening tour guide translated and can help with that.

Colazo reported the Unity Park art subcommittee did not meet last month. Construction on the park has started. At the last DEI Commission meeting, the commission voted to fund one of the art banners.

7. Commission Member Reports

Goodloe reported on the CWU Diversity Awards:

- Commissioner Carnell received a community diversity award for impacting diversity and equity in our community (her second one).
- Commissioner Divine received a lifetime achievement award for her equity and justice work.

Carnell reported:

- 8-9 organizations have completed Safe Spaces training
- KC Youth is hosting their event on May 18 from 11-3 and anyone that serves youth should attend.

Colazo reported:

- CWDR has been in Kittitas County since 1981 and the current building lease is coming up in September. They are looking for an accessible building in the downtown area.

Hoefler reported:

- Attended the CWU Diversity Awards
- Could not attend the Juneteenth meeting
- Alternative Solutions through the Department of Health Services is a virtual tool that provides info for basic needs, health services support, legal support, employment services for cities and counties: [Alternative Solutions | DSHS \(wa.gov\)](#)
- Shared a link to find an interpreter: [Find an Interpreter or Translator - LTC \(wa.gov\)](#)

The Commission asked for someone to attend a future meeting to provide an update on the proposed Sleep Center. Klauss provided a brief update but will ask if the City Manager could attend a future meeting.

8. New Business

A. Transit Update

Transit Manager Betsy Dunbar provided a Central Transit about:

- How Central Transit connects to residential areas
- Central Transit offerings including paratransit and Dial-A-Ride
- Plans to make bus stops more ADA accessible. 33 bus stops and 9 bus shelters are on the ADA improvement plan for 2024.
- Shared success stories of riders

B. Rapid Response Discussion/Recommendation

Goodloe drafted the rapid response recommendation based on previous notes from minutes and conversations. Goodloe asked for input from the commission. Due to time and a desire to review the recommendation in depth, it was moved to the top of the April agenda for discussion.

9. Staff Report

Klauss reported:

- One applicant has applied for the vacancy, please share. Interviews will be conducted in late March
- Grants are open, please share the information with your networks.
- World Café marketing is out, please share. Facilitators are still needed.

10. Preview Next Meeting April 9, 2024

Move these to top of agenda:

- Rapid Response Recommendation
- Jeremy Johnston: Comprehensive Plan Goals, Policies & Programs Discussion

Meeting adjourned at 4:35 p.m.

Nicole Klauss

Drafted: 3/20/2024

Approved: 4/9/2024

**Parks & Recreation Advisory Commission
Meeting Minutes – February 14, 2024**

DATE OF MEETING: February 14, 2023
MEMBERS PRESENT: Nikki Pollock, Frana Milan (remote), Nick Zentner, Casey Fiske (remote), Marion Elliot (remote), Jackie Adams, Council Liaisons Beauchamp and Thompson, AAC Liaison Sue Ledbetter,
OTHERS PRESENT: Parks & Recreation Director Case, approximately 15 members of the public
LOCATION: Meeting was held in the Council Conference Room and Remotely

CALL TO ORDER – Meeting called to order at 5:30pm

INTRODUCTIONS OF LIAISONS

Sue Ledbetter introduced herself as the liaison from the Adult Activity Center to the Parks & Recreation Commission. Council members Sarah Beauchamp and Joshua Thompson introduced themselves as the new Council liaisons to the Parks & Recreation Commission.

COMMISSION ELECTIONS

Motions were made and seconded to elect Commissioner Pollock as Commission Chair and Commissioner Adams as Vice Chair. All in favor.

MEETING MINUTES – Minutes from the November 8, 2023 meeting were approved as submitted.

CITIZEN COMMENT ON NON-AGENDA ITEMS –

Angie Lang – Voiced about concerns about the proposed sidewalk location at Reed Park. Was appreciate of the efforts between the City and Legion regarding the Craig Avenue parking situations.

Penny Whitman – Wants answers to questions related to Reed Park and what the proposals are

Theresa Plue – Talked about erosion concerns at Reed Park and law enforcement

Carolyn Noel – Has concerns with Craig's Hill sloughing

Pat Kelleher – Stated that there are inaccuracies in the adopted meeting minutes from the November 8, 2023 Commission meeting regarding the Commissions opinion on the overlook trees/planting

NEW BUSINESS

Wetland Mitigation at Paul Rogers Park

Staff presented to the Commission a proposal to expand two existing wetland areas within Paul Rogers Parks which would satisfy a requirement under section of 15.620.040 of the Ellensburg City Code (ECC) and Sections of 404/401 of the federal Clean Water Act, to compensate for impacts to wetlands located along the Vantage Highway, which are result of the Gateway II project.

The benefits to mitigating in the park:

- The park is owned by the City which precludes the need to buy additional property for mitigation
- The two existing wetlands at the park are suitable for enhancement and/or enlargement.

- The park is located within the same watershed as the Gateway wetland impacts.

The proposed mitigation efforts will not impact the park pathways, nor will it create park flooding since the mitigation sites are being supported by park irrigation and seasonal groundwater.

A motion was made to approve the use of Paul Rogers Park for wetland mitigation as a result of the City's Gateway II project. All in favor.

Dr. Vernie Playground Dedication at North Alder Street Park- The Commission affirmed an action the Parks & Recreation Commission and City Council took back in 2006 naming the playground at North Adler Street Park 'Dr. Rudolph Vernie Playground' in honor of Dr. Vernie, a long time Ellensburg pediatrician. Staff will place appropriate signage at the playground, the name of the park will remain North Alder Street Park.

Commission Member Adopted Parks – Each Commission 'adopts' parks that they report back to the commission on or communicate concerns with staff. With some new members joining the commission in the last few months some parks needed to be readopted. Below is the allocation of parks:

Commissioner Adams - Irene Rinehart Riverfront Park, Rotary Park
 Commissioner Zentner - Reed Park, Veterans Memorial Park
 Commissioner Pollock - McElroy Park, Kleinberg Park, Wippel
 Commissioner Brown- Kiwanis Park, West Ellensburg Park
 Commissioner Fiske – Mt. View Park
 Commissioner Milan – North Alder Street Park, Palouse to Cascades Reconnection Route (Sanders Road to Helena Avenue)
 Commissioner Elliot – Paul Rogers Park

ITEMS FOR MARCH 13, 2024 MEETING

Update on Reed Park

Potential discussion about Craig's Hill Erosion

STAFF REPORTS

1. Staff is planning to open park restrooms by March 18th at the latest, however they could open earlier if the weather allows. 2. City staff has identified a potential future park property in the northwest part of Ellensburg. Staff made application through Department of Ecology grant to purchase the property, which also have fish and flooding benefits. 3. The Unity Park property will be closed February 22nd for construction which is anticipated to last through early to mid-August. City staff met with local businesses to discuss their concerns about park construction and local impacts. The biggest concern voiced was alley access during construction which being addressed by city staff. 4. The fieldhouse project has slowed down due to some questions on the planning process related to the alternative bid methods. 5. To address some of the fire lane concerns at Reed Park the city removed a section of cable fencing and the American Legion granted an easement which widens Craig Avenue allowing cars to parallel park. 6. Participation numbers in our all recreation programs are very strong. 7. Staff told the Commission about a petition circulating in the community about updating playground facilities. Staff agrees that there is a need to perform updates, the challenge is determining how to fund these improvements. An average park playground is going to cost at least \$100,000.00 after installation and playground surfacing. 8. Commission members were encouraged to spread the word about temporary employment opportunities in the parks division.

Meeting adjourned at 6:55pm



CITY OF ELLENSBURG

Minutes of Utility Advisory Committee, Regular Meeting

Date of Meeting

January 18, 2024

Time of Meeting

3:30 PM

Place of Meeting

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

1. Call to Order and Roll Call of Members

Chairperson Goodloe called the meeting to order at 3:30 pm.

Members present: Nancy Goodloe, Chair; Nancy Lillquist, City Council; Grant Craig, Utility Customer (Zoom); Bryan Clark, KITTCOM (Zoom). Absent: Jeff Bousson, CWU (excused); Audrey Huerta, Utility Customer (unexcused).

Also present: Ryan Lyyski, Public Works & Utilities Director; Darin Yusi, Gas Engineer (Zoom); Derek Mayo, Engineering Services Manager (Zoom); Kim Bowie, Operations Analyst; Buddy Stanavich, Energy Resource Manager; Nicole Baker, Sustainability & Energy Coordinator;

One member of the public present remotely via Zoom.

2. Elect Chairperson & Vice Chairperson

Nancy Lillquist moved to move item 2 to the end of the meeting - anticipating the arrival of another member. **Motion approved. 3-0**

Lillquist move to postpone election of chair and vice chair to the February UAC meeting. **Motion approved. 3-0**

3. Approval of Agenda

Committee member Lillquist moved to approve the agenda as amended. **Motion approved. 3-0**

4. Approval of Minutes

- 4.A November 16, 2023 regular meeting minutes
Committee member Lillquist moved to approve the regular meeting minutes.
Motion approved. 3-0

5. Approval of Consent Agenda

No consent items.

6. Correspondence and Citizen Comments on Non-Agenda Items

Forrest Beard of Ellensburg, saw the storm water charge on his new utility bill. He reviewed city code which said the fee will be collected via owner or tenant. He feels the fee is leveled on non-permeable surface and should be paid by the property owner and not tenants.

7. Telecommunications Utility Discussion Items

- 7.A Monthly Telecom Report
Ben Faubion gave a telecom update.

8. Electric, Natural Gas, Water, Wastewater, Stormwater Utility Discussion Items

- 8.A Renewable Energy Park - Update
Buddy Stanavich shared a presentation on the renewable energy park.
- 8.B HopeSource Low-Income Energy Conservation Program
Buddy Stanavich explained the history of the low-income energy conservation program and the benefits of it. Andrew Lyons of HopeSource spoke in favor of the ongoing gas & electric conservation program and how valuable it is to their customers to make their homes more affordable and safer to live in.

Lillquist moved to continue supporting the HopeSource low-income energy conservation program. **Motion approved. 3-0**

9. Staff Informational Items

- 9.A Public Works and Utilities Updates
Staff shared Public Works updates

10. Commission Representative Update

Lillquist told the Committee that Council did approve the sustainability and energy plan.

11. Adjournment

Meeting adjourned at 4:24 pm.

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: Drug Take Back
Contact Person: Jessica Cranefield Phone Number: 509-941-7304
Banner Hang Dates (Tuesday-Monday): April 16 - April 22, 2024

☒ 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)

Kittitas County	Sponsor Logos Added Here!!
DRUG TAKE BACK & PAPER SHRED EVENT	
LAST SATURDAY in APRIL @ CHCW 591 EAST Mountain View Ave	

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: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Bid Award - Bid Call 2024-02 for Piping Irrigation Ditch on City's University Way (formerly Catherine Park) Property
Submitted by: Lily Frey, Housing and Grants Manager
Department: Community Development

Suggested Motion/Action:

Award bid call 2024-02 to Eastern Washington Groundworks, LLC, the lowest responsive and responsible bidder.

Background/Summary:

Bids were received on Thursday, March 28, 2024, for the Piping Irrigation Ditch on City's University Way (formerly Catherine Park) Property project.

The project includes clearing and piping an irrigation ditch in disrepair across a City of Ellensburg-owned parcel (694034) and the existing ditch on the adjacent parcel (704034), and excavating a driveway on the City-owned parcel to complete the work. A temporary construction easement was acquired by the city for the work on the adjacent parcel. This work will enable wetland determination on the site which will be used to determine the buildable area for affordable housing development.

In July 2023, GG Environmental identified wetland characteristics on the parcel, noting "lack of ditch maintenance has allowed wetland plants to colonize the ditch profile, which in turn has resulted in root mass impoundment and sediment aggradation." The report notes that "best available science strongly suggests the wetland would dry down and the hillside would return to an upland condition were the irrigation ditch to be repaired and restored to its original as-built condition and function – or, if it were to be lined or piped."

Previous Council Action:

Council adopted Resolution 2022-27 on August 15, 2022 to surplus the Catherine Property for public benefit of affordable housing.

Analysis:

The project was advertised and bids were received as follows:

Eastern Washington Groundworks, LLC:	\$56,521.28
McCann Trucking, LLC:	\$57,744.68
H&H Construction Solutions, LLC:	\$59,062.28
Belsaas & Smith Construction:	\$64,779.84
Gibson & Son Road Building:	\$64,998.12
Wakefield Excavating:	\$67,728.43

Thayer Excavation:	\$77,434.17
Granite Construction:	\$81,986.17
Paragon Native LLC:	\$87,083.14
Lowell's Cornerstone Construction:	\$94,784.96
Maryanski Plumbing:	\$109,635.76
Piper Construction:	\$126,203.61
Engineers Estimate:	\$86,744.20

The low bid submitted by Eastern Washington Groundworks, LLC, is below the engineer's estimate.

Financial Impact:

The full cost of the piping work, with the low bid totaling \$56,521.28, will be funded through Sales Tax – Housing and Related Services revenue. The Affordable Housing Commission reviewed the project and recommended using affordable housing sales tax funds for this planned work at their February 7, 2024 meeting. Sufficient expenditure authority was adopted in the 2024 budget.

Budget Adjustment: No

Attachments:

None



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Bid Award – Bid Call 2024-06 2024 Cured-In-Place Sewer Line Rehabilitation Project
Submitted by: Hunter Slyfield, Shop & Warehouse Manager
Department: Public Works & Utilities

Suggested Motion/Action:

Award bid call 2024-06, to SAK Construction Inc. in the amount of \$275,262.29, the lowest responsive and responsible bidder.

Background/Summary:

Bids were received on Wednesday, March 27, 2024, for the Cured-in-Place Sewer Line Rehabilitation project. SAK Construction Inc. was the lowest responsive and responsible bidder in the amount of \$275,262.29. Staff requests Council award the bid to SAK Construction Inc.

The project includes rehabilitation of approximately 227 lineal feet of 6" sewer line, approximately 1,065 lineal feet of 8" sewer line, approximately 1,249 lineal feet of 10" sewer line and approximately 18 lineal feet of 15" sewer line. Also included is the reconnection of approximately 38 side services.

Previous Council Action:

None.

Analysis:

The project was advertised and bids were received as follows:

SAK Construction Inc.:	\$275,262.29
Insituform Technologies, LLC:	\$315,965.40
Vortex Services, LLC:	\$356,092.32
Allied Trenchless:	\$493,030.30

Engineer's Estimate: **\$308,500.98**

The low bid submitted by SAK Constriction Inc. is below the engineer's estimate.

Financial Impact:

The project is estimated to cost \$275,262.29. Adequate dollars exist within the 2024 Sewer budget to fund the project.

Budget Adjustment: No

Attachments:

None



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Consultant Agreement Supplement No. 3 - Brick Road Improvements Engineering
Submitted by: Josh Mattson, Assistant City Engineer
Department: Public Works & Utilities

Suggested Motion/Action:

Authorize the City Manager to sign the attached Supplement No. 3 for the professional services agreement with Perteet, Inc to complete the design and preparation of construction bid documents for the Brick Road Improvements project and complete cultural resource monitoring during construction.

Background/Summary:

Brick Road is a narrow street, classified as a major collector, with a significant amount of vehicular and pedestrian traffic. With limited shoulders and no sidewalk, pedestrians must travel immediately adjacent to the travel lanes. In 2017, the City received a petition from local residents and school district employees expressing the need for safety improvements on this stretch of City street.

In January of 2022, the City was awarded Surface Transportation Block Grant (STBG) regional federal funds in the amount of \$1,284,000 for this project which will complete multimodal improvements on Brick Road between Radio Road and the north City Limits/McElroy Park. The project will include overlaying the existing roadway to maintain the existing two lanes of travel and will include installation of curb, gutter, sidewalk, stormwater facilities, illumination, and other improvements.

Previous Council Action:

On October 17, 2022, Council authorized the consultant agreement with Perteet, Inc. to complete the design for the project.

Analysis:

Staff went through a qualifications-based consultant selection process based on requirements associated with federal funding. Three consultant teams were interviewed for the project and Perteet, Inc. was selected. Following Council authorization in for the consultant agreement in October 2022, Supplement Numbers 1 and 2 for the agreement were signed for no cost time extensions to complete the work. Design is completed.

Supplement Number 3 is for authorization of the management reserve fund identified in the agreement, valued at \$19,113 which is 10% of the original contract value of \$191,131. Additional engineering work beyond the original design scope was required to complete the project design which will be funded through the management reserve fund. Supplement

number 3 also includes a time extension and cost increase of \$8,872 for extra work to complete cultural resource monitoring during project construction in the summer of 2024.

Financial Impact:

The City was awarded \$1,284,000 in grant funds for the project. The total project cost is estimated at \$1,635,000 and \$351,000 in matching funds will be required. The \$19,113 indicated above will be funded by Arterial Street Fund for the current design budget. The \$8,872 cost for cultural resource monitoring is for the construction of the project. Adequate funding exists within the Arterial Street budget.

Budget Adjustment: No

Attachments:

1. Ellensburg Brick Rd Supp 3_4-4-2024

Date _____

EXHIBIT A
SUPPLEMENT #3 – SCOPE OF SERVICES
City of Ellensburg
Brick Road Improvements

City Project Number: 21-130

Federal Project Funding Number: STPUS-6909(001)

INTRODUCTION

The City of Ellensburg (City) plans to construct roadway improvements to approximately 2,300 linear feet of Brick Road from Radio Road to the McElroy Park/northern city limits. A previous cultural resources assessment completed for NEPA and Section 106 of the National Historic Preservation Act (NHPA), which found that a historical road may be below the roadway surface and provided a Monitoring and Inadvertent Discovery Plan (MIDP). Pursuant to the MIDP, the City requested this scope of services to provide archaeological monitoring and complete archaeological site documentation if an intact historical road is encountered during construction ground disturbance.

Under the Brick Road Improvements project, the City has also requested that Perteet (Consultant) prepare a supplement to provide professional services not included within the original Scope of Services. These additional services include project management and coordination, storm drainage design, retaining wall design, and irrigation system design. The budget associated with these additional effort tasks will be funded by the release of management reserve funds in the amount shown in the attached Consultant Fee Determination Summary.

Perteet's (Consultant) services will be limited to those expressly set forth herein. If the service is not specifically identified herein, it is expressly excluded. Consultant will have no other obligations, duties, or responsibilities associated with the project except as expressly provided in this Agreement.

Transferring Budget within Contract Maximum: The level of effort is specified in the scope of services. The budget may be transferred between discipline tasks at the discretion of the Consultant, provided that the total contracted amount is not exceeded. The Consultant will have the flexibility to manage budget within a given discipline on a subtask level.

Services provided by the Consultant will consist of:

GENERAL SCOPE OF SERVICES

This Scope of Services describes the work elements to be accomplished by the Consultant as summarized under each Task. This scope consists of the following elements:

(The task numbers below correspond to the original Scope of Services.)

Task 1 – Project Management *(Supplemented)*

Task 9 – Storm Drainage Design (Osborn Consulting, Inc.) *(Supplemented)*

Task 10 – 60% PS&E *(Supplemented)*

Task 11 – Final PS&E (*Supplemented*)

Task 16 – Irrigation Design and PS&E (*New Task*)

Task 17 – Archaeological Monitoring (*New Task*)

Optional Services With prior written approval by the Client and written notice-to-proceed, work elements described in this scope of services as optional services (as directed) may be produced by the Consultant.

This Scope of Services is defined in the tasks below.

SCOPE OF SERVICES DEFINED

Task 1 – Project Management and Coordination (*Supplemented*)

Effort associated with Project Management and Coordination for archaeological monitoring in this supplement agreement is described and included in Subtask 17.1 of this Scope of Services. The following Project Management and Coordination effort included under this Task is associated with extra effort due to schedule delays from WSDOT reviews and approvals.

1.1 Project Coordination with City

The Consultant coordinated with the City on a regular basis to keep the City's project manager informed about project progress, project issues, budget, and schedule. The Consultant attended five (5) additional project status meetings with the City that occurred once a month. The meetings under this work element included the following participation by the Consultant team:

- Up to five (5) meetings attended by Perteet with up to one (1) staff from the Perteet team.
- The Consultant prepared agendas and meeting notes/action items.

Task 9 – Storm Drainage Design (Osborn Consulting, Inc.) (*Supplemented*)

Osborn Consulting, Inc. (OCI) supported Perteet (Prime) by performing additional stormwater design. The original Scope of Services assumed the swale could infiltrate stormwater, which was determined to be infeasible.

9.2 Design Calculations

Due to the infeasibility of infiltration within the project area, OCI provided additional coordination with the City and Prime. Additional swale design modifications and stormwater conveyance design and calculations were also required.

Task 10 – 60% Plans, Specifications, and Opinion of Costs (*Supplemented*)

The Consultant prepared 60% plans, specifications, and opinion of costs for a retaining wall.

10.1 60% Plans & Design

Work Elements:

- Retaining wall plan, profile, and details design and plans.

10.2 60% Opinion of Costs

The Consultant calculated 60% level quantities and opinion of construction costs for the retaining wall based upon the 60% design and plans and anticipated unit bid prices.

10.3 60% Specifications

The Consultant prepared retaining Specifications for the 60% submittal.

Task 11 – Final Plans, Specifications, and Opinion of Costs (*Supplemented*)

The Consultant revised the 60% plans, specifications, and opinion of cost estimate for the retaining wall based on the City's comments and prepare a Final PS&E package.

Task 16 – Irrigation Design and PS&E (*New Task*)

The Consultant prepared Final/100% design level plans, specifications, and opinion of costs for the irrigation system for street trees.

Work Elements:

- Irrigation plan and details design and plans.
- Irrigation system opinion of cost.
- Irrigation system special provisions.

Deliverables:

- Final Irrigation Design shown on the Landscape, Irrigation, and Restoration Plan and Details included with Task 11.2 of the original Scope of Services
- Final Irrigation opinion of cost summary included with Task 11.3 of the original Scope of Services
- Final Irrigation Contract Specifications included with Task 11.4 of the original Scope of Services

Task 17 – Archaeological Monitoring (*New Task*)

The Consultant will provide the following services as part of the archaeological monitoring during construction.

17.1 Project Management and Coordination

Consultant will coordinate with the Client on a regular basis about project progress, project issues and schedule and coordinate with the Client's contractor to provide archaeological monitoring according to the Contractor's construction schedule.

As part of the project, the Consultant will prepare monthly progress reports that describe the work items and percentage of work items that were accomplished during a given month, as well as a forecast of work to be completed over the following month. Progress report will include a status of budget, spent and remaining. The Consultant will submit these monthly progress reports to the City's Project Manager with the monthly invoices. The Consultant Project Manager will notify the City's Project Manager, in writing (memo or e-mail format), of any out of scope and/or budgetary issues that are inconsistent with this Scope of Services.

Deliverables:

- Monthly Invoices and Progress Reports (maximum of nine (9); PDF format)

17.2 Daily Monitoring

A Perteet archaeologist will be present for project ground disturbance in areas defined in the MIDP between approximately STA 12+50 and STA 17+00. The archaeologist will visually and manually inspect surfaces exposed by roadway demolition. Roadway demolition with the potential to expose the historical brick surface of the roadway for the project is anticipated to take approximately five (5) eight (8)-hour working days.

Notes about sediments and cultural material encountered during excavations will be kept on standard Perteet forms. Coordinates of any discoveries will be recorded with a handheld global positioning system (GPS) unit.

Assumptions:

- Monitoring will be provided up to five (5) eight (8)-hour days under this scope of services. Additional monitoring days, if necessary, would require a budget adjustment.
- If at any time human remains are encountered, work will cease, and notification of DAHP and affected tribes will proceed as directed by RCW 27-44.
- No artifacts will be collected.
- Treatment of identified archaeological resources would be determined through consultation with the DAHP, the City, and the affected Tribes.
- If archaeological sites are identified during monitoring a budget adjustment may be required for site form preparation and data recovery excavations.

Deliverables:

- Archaeological Site Inventory Form; 1 pdf (if needed)
- Draft Monitoring Report, 1 pdf
- Final Monitoring Report, 1 pdf submitted to the DAHP by Perteet.

17.3 Documentation

Perteet will prepare a letter report that will include a brief description of the project, a summary of the monitoring methods, and any findings during monitoring. After one round of City review, Perteet will upload the letter report to the DAHP database. If the historical road is observed, Perteet will also prepare and submit an Archaeological Site Inventory Form, as required. The form will be uploaded to the DAHP's secure database, WISAARD, and a pdf will be included as an appendix to the monitoring report.

Assumptions:

- The report will undergo one (1) round of review.

Deliverables:

- Draft Report, 1 PDF by email
- Final Report, 1 PDF by email, submitted to DAHP by Perteet
- One Archaeological Site Inventory Form, submitted to the DAHP if needed

Additional (Optional) Services

The Consultant may provide additional services as directed by the Client which are not identified in this Scope of Services. Additional services shall not commence without written authorization and approval from the Contract and a supplement to the contract.

Services Not Included in this Scope of Services

1. Additional archaeological site inventory forms.
2. Additional monitoring.
3. Construction management services.

Items to be furnished by the Client**Information Provided by Others:**

The Client shall furnish, at the Client's expense, all information, requirements, reports, data, surveys, and instructions required by this Agreement. The Consultant may use such information, requirements, reports, data, surveys, and instructions in performing its services and is entitled to rely upon the accuracy and completeness thereof. Further, the Client agrees that the Consultant shall have no responsibility for any portion of the Project designed by other consultants engaged by the Client.

The Client shall furnish the following:

- Construction Schedule



Consultant Fee Determination Summary

2707 Colby Avenue, Suite 900, Everett, WA 98201 | P 425.252.7700

Project: Brick Road Improvements - Supp 03

Client: City of Ellensburg

Hourly Costs Plus Fixed Fee Estimate (Task 17)

<u>Classification</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Technician I	8.00	25.00	\$200
Sr Planner/Cultural Resources Manager	2.00	55.07	\$110
Cultural Resources Specialist II	4.00	41.57	\$166
Cultural Resources Specialist I	64.00	31.50	\$2,016
Total Direct Salary Costs	78.00		\$2,492
Overhead @		188.43%	\$4,696
Fixed Fee @		29.85%	\$744
Total Labor Costs			\$7,932

Reimbursables

<u>Expenses</u>	<u>Amount</u>
Per Diem	\$266.00
Travel - Allowable	\$520.00
Total Expenses	\$786.00

<u>In-House Costs</u>	<u>Qty</u>	<u>Rate</u>	<u>Amount</u>
Mileage - \$.67	230	\$0.670	\$154.00
Total In-House Costs			\$154.00

Other

Management Reserve (Tasks 1 through 16)	\$19,113.00
Total Other Costs	\$19,113.00

CONTRACT TOTAL	\$27,985.00
-----------------------	--------------------

Rates shown reflect the typical compensation rate of employees assigned to the billing category listed. Each category may have multiple employees assigned to that billing category and each employee may have a different hourly rate of pay. Employee compensation is subject to adjustment in June of each calendar year.

Prepared By: Russell D Craven

Date: April 4, 2024



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: TIB 2024 Complete Streets Early Opportunity Award - Grant Agreement
Submitted by: Josh Mattson, Assistant City Engineer
Department: Public Works & Utilities

Suggested Motion/Action:

Move to authorize the Mayor and City staff to execute the TIB Grant Agreement and Project Funding Status Form and authorize the necessary budget amendments.

Background/Summary:

The City of Ellensburg was recently awarded \$500,000 through the Transportation Improvement Board's (TIB) 2024 Complete Streets Early Opportunity grant program with an \$88,235 local match. The City became eligible for this award with successful completion of its 2019 Complete Streets Award work plan.

The 2024 work plan, completed in coordination with TIB, includes \$380,000 for the construction of missing sidewalk and frontage improvement links on the north side of 15th Avenue between Columbia Street and Bluegrass Lane and on the east side of Alder Street between 1st Avenue and 3rd Avenue. The remaining \$120,000 will be used for upgrades of curb ramps to Americans with Disabilities Act (ADA) standards on Washington Avenue and Tacoma Avenue. Construction must be completed in 2024.

Previous Council Action:

On June 20, 2023, Council conducted a public hearing and adopted the 2024-2029 Six-Year TIP through Resolution 2023-14 which contains the 15th Avenue and Alder Street sidewalk installation projects.

Analysis:

To formally accept the grant, the City will need to execute the attached Grant Agreement with TIB.

Financial Impact:

This grant program has a 15% matching requirement. An increase of \$500,000 to the 2024 Arterial Street Fund budget is necessary to accommodate the grant expenditures. Sufficient budget exists in the 2024 Arterial Street fund for the additional expenditure of \$88,235 and the remainder will be reimbursed by TIB.

Budget Adjustment: Yes

Attachments:

1. Selected Letter - CSP - Ellensburg - Pedestrian improvements
2. Grant Agreement - CSP - Ellensburg - Pedestrian improvements
3. Project Funding Status Form - CSP - Ellensburg - Pedestrian improvements



Washington State Transportation Improvement Board

TIB Members

Chair
Councilmember Sam Low
Snohomish County

Vice Chair
Mayor Hilda González
City of Granger

Amy Asher
Mason Transit Authority

Aaron Butters
HW Lochner Inc.

Susan Carter
Hopelink

Kent Cash
Port of Vancouver

Barbara Chamberlain
WSDOT

Elizabeth Chamberlain
City of Walla Walla

Dongho Chang
WSDOT

Scott Chesney
Spokane County

Vicky Clarke
Cascade Bicycle Club and Washington Bikes

Andrew Denham
Town of Twisp

Commissioner Al French
Spokane County

Commissioner Scott Hutsell
Lincoln County

Councilmember Jon Pascal
City of Kirkland

Les Reardanz
Whatcom Transportation Authority

Peter Rogalsky
City of Richland

Mayor Kim Roscoe
City of Fife

Maria Thomas
Office of Financial Management

Jennifer Walker
Thurston County

Jane Wall
County Road Administration Board

March 22, 2024

The Honorable Rich Elliott, Mayor
City of Ellensburg
420 North Pearl Street
Ellensburg, WA 98926

Dear Mayor Rich Elliott:

Congratulations! The Transportation Improvement Board (TIB) is pleased to announce the selection of your early opportunity Complete Streets project, Pedestrian improvements, Multiple Locations, TIB project number C-E-175(003)-1.

This project is supported with funding from Washington's Climate Commitment Act (CCA). The CCA supports Washington's climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov.

TIB is awarding 85.0000% of approved eligible project costs with a maximum grant of \$500,000.

Before any reimbursable work is permitted on this project, you *must* email a signed copy of the below documents and receive *approval* from TIB:

- Project Funding Status Form (verify the information is correct)
- Grant Agreement

All early opportunity Complete Streets projects must be **constructed by December 31, 2024, and closeout paperwork must be completed by April 1, 2025.**

If you have any questions or concerns about the above requirements, please contact your region engineer, Jonathan Heusman, at JonathanH@tib.wa.gov.

Sincerely,

Ashley Probart
Executive Director

Ashley Probart
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
www.tib.wa.gov

City of Ellensburg
C-E-175(003)-1
Pedestrian improvements
Multiple Locations

STATE OF WASHINGTON
TRANSPORTATION IMPROVEMENT BOARD
AND
City of Ellensburg
AGREEMENT

THIS GRANT AGREEMENT (hereinafter "Agreement") for the Pedestrian improvements, Multiple Locations (hereinafter "Project") is entered into by the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD (hereinafter "TIB") and City of ELLENSBURG, a political subdivision of the State of Washington (hereinafter "RECIPIENT").

1.0 PURPOSE

For the project specified above, TIB shall pay 85.0000% percent of approved eligible project costs up to the amount of \$500,000, pursuant to terms contained in the RECIPIENT'S Grant Application, supporting documentation, chapter 47.26 RCW and/or chapter 47.04 RCW, title 479 WAC, and the terms and conditions listed below.

2.0 SCOPE AND BUDGET

The Project Scope and Budget are initially described in RECIPIENT's Grant Application and incorporated by reference into this Agreement. Scope and Budget will be further developed and refined, but not substantially altered during the Design, Bid Authorization and Construction Phases. Any material alterations to the original Project Scope or Budget as initially described in the Grant Application must be authorized by TIB in advance by written amendment.

3.0 PROJECT DOCUMENTATION

TIB requires RECIPIENT to make reasonable progress and submit timely Project documentation as applicable throughout the Project. Upon RECIPIENT's submission of each Project document to TIB, the terms contained in the document will be incorporated by reference into the Agreement. Required documents include, but are not limited to the following:

- a) Project Funding Status Form
- b) Bid Authorization Form with plans and engineers estimate
- c) Award Updated Cost Estimate
- d) Bid Tabulations
- e) Contract Completion Updated Cost Estimate with final summary of quantities
- f) Project Accounting History

4.0 BILLING AND PAYMENT

The local agency shall submit progress billings as project costs are incurred to enable TIB to maintain accurate budgeting and fund management. Payment requests may be submitted as often as the RECIPIENT deems necessary, but shall be submitted at least quarterly if billable

amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

5.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through closeout of the grant or until terminated as provided herein, but shall not exceed April 1, 2025 unless amended by the Parties.

6.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

7.0 ASSIGNMENT

The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

8.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9.0 DEFAULT AND TERMINATION

9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) In response to the notice, RECIPIENT shall provide a written response within 10 business days of receipt of TIB's notice of non-compliance, which should include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details.
- c) TIB will provide 30 days for RECIPIENT to make reasonable progress toward compliance pursuant to its plan to correct or implement its amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold further payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

9.2 DEFAULT

RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:

- a) RECIPIENT is not making reasonable progress toward correction and compliance.
- b) TIB denies the RECIPIENT's request to amend the Project.
- c) After investigation TIB confirms RECIPIENT'S non-compliance.

TIB reserves the right to order RECIPIENT to immediately stop work on the Project and TIB may stop Project payments until the requested corrections have been made or the Agreement has been terminated.

9.3 TERMINATION

- a) In the event of default by the RECIPIENT as determined pursuant to Section 9.2, TIB shall serve RECIPIENT with a written notice of termination of this Agreement, which shall be served in person, by email or by certified letter. Upon service of notice of termination, the RECIPIENT shall immediately stop work and/or take such action as may be directed by TIB.
- b) In the event of default and/or termination by either PARTY, the RECIPIENT may be liable for damages as authorized by law including, but not limited to, repayment of grant funds.
- c) The rights and remedies of TIB provided in the AGREEMENT are not exclusive and are in addition to any other rights and remedies provided by law.

9.4 TERMINATION FOR NECESSITY

TIB may, with ten (10) days written notice, terminate this Agreement, in whole or in part, because funds are no longer available for the purpose of meeting TIB's obligations. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for performance rendered or costs incurred prior to the effective date of termination.

10.0 USE OF TIB GRANT FUNDS

TIB grant funds come from Motor Vehicle Fuel Tax revenue and other revenue sources. Any use of these funds for anything other than highway or roadway system improvements is prohibited and shall subject the RECIPIENT to the terms, conditions and remedies set forth in Section 9. If Right of Way is purchased using TIB funds, and some or all of the Right of Way is subsequently sold, proceeds from the sale must be deposited into the RECIPIENT's motor vehicle fund and used for a motor vehicle purpose. The obligations of this Section shall survive termination of this Agreement.

11.0 INCREASE OR DECREASE IN TIB GRANT FUNDS

At Bid Award and Contract Completion, RECIPIENT may request an increase in the maximum payable TIB funds for the specific project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. All increase requests must be made pursuant to WAC 479-05-202 and/or WAC 479-01-060 and/or WAC 479-10-575. If an increase is denied, the recipient shall be liable for all costs incurred in excess of the maximum amount payable by TIB. In the event that final costs related to the specific project are less than the initial grant award, TIB funds will be decreased and/or refunded to TIB in a manner that

maintains the intended ratio between TIB funds and total project costs, as described in Section 1.0 of this Agreement.

12.0 INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

Each of the PARTIES, shall protect, defend, indemnify, and save harmless the other PARTY, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, that PARTY's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No PARTY will be required to indemnify, defend, or save harmless the other PARTY if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other PARTY. Where such claims, suits, or actions result from the concurrent negligence of the PARTIES, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a PARTY's own negligence. Each of the PARTIES agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each of the PARTIES, by mutual negotiation, hereby waives, with respect to the other PARTY only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW. In any action to enforce the provisions of the Section, the prevailing PARTY shall be entitled to recover its reasonable attorney's fees and costs incurred from the other PARTY. The obligations of this Section shall survive termination of this Agreement.

14.0 DISPUTE RESOLUTION

- a) The PARTIES shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this AGREEMENT. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this AGREEMENT.
- b) Informal Resolution. The PARTIES shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the PARTIES are unable to resolve the dispute, the PARTIES shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The PARTIES shall share equally in the cost of the mediator.
- d) Each PARTY agrees to compromise to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The PARTIES agree that they shall have no right to seek relief in a court of law until and unless the Dispute Resolution process has been exhausted.

15.0 ENTIRE AGREEMENT

This Agreement, together with the RECIPIENT'S Grant Application, the provisions of chapter 47.26 Revised Code of Washington and/or 47.04 Revised Code of Washington, the provisions of title 479 Washington Administrative Code, and TIB Policies, constitutes the entire agreement between the PARTIES and supersedes all previous written or oral agreements between the PARTIES.

16.0 RECORDS MAINTENANCE

The RECIPIENT shall maintain books, records, documents, data and other evidence relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. RECIPIENT shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the Agreement shall be subject at all reasonable times to inspection, review or audit by TIB personnel duly authorized by TIB, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement. The obligations of this Section shall survive termination of this Agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Approved as to Form
Attorney General

By:

Signature on file

Guy Bowman
Assistant Attorney General

Lead Agency

Transportation Improvement Board

Chief Executive Officer

Date

Executive Director

Date

Print Name

Print Name



Project Funding Status Form

Agency Name: **ELLENSBURG**
Project Name: **Pedestrian Improvements
Multiple Locations**

TIB Project Number: **C-E-175(003)-1**

Verify the information below and revise if necessary.
Submit by emailing this completed form to your TIB Region Engineer.

PROJECT SCHEDULE

Target Dates		
Construction Approval	Contract Bid Award	Contract Completion

PROJECT FUNDING PARTNERS

List additional funding partners and amount.

Funding Partners	Amount	Revised Funding
ELLENSBURG	88,235	
WSDOT	0	
TOTAL LOCAL FUNDS	88,235	

Signatures are required from two different agency officials. Return the originally signed form to the TIB office.

Mayor or Public Works Director

Signature

Date

Printed or Typed Name

Title

Financial Officer

Signature

Date

Printed or Typed Name

Title



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Amendment 2 to the Interlocal Cooperation Agreement between the City of Ellensburg and the Northwest Open Access Network (NoaNet)

Submitted by: Ben Faubion

Department: Information Technology

Suggested Motion/Action:

Move to authorize the Mayor's signature on Amendment 2 to the Interlocal Agreement between the City of Ellensburg and Northwest Open Access Northwest and approve the budget adjustments necessary to carry forward unspent 2023 Telecom project budget to 2024.

Background/Summary:

On June 15, 2015, the City and NoaNet entered into a Master Services Agreement for wholesale telecommunications services. On December 4, 2017, the City entered into an Interlocal Cooperation Agreement with NoaNet for cooperative services to support telecommunications services. Before the agreement expired December 21, 2021, the City signed a new Interlocal Cooperative Agreement with NoaNet on December 20, 2021. The current Interlocal Agreement expired December 31, 2023.

On July 26, 2021, the Department of Commerce Washington Broadband Office (WSBO) selected the City of Ellensburg Telecom Utilities project "City of Ellensburg Fiber Extension and Fixed Wireless Broadband Project" to be included in the WSBO's application for funding through the National Telecommunications and Information Administration (NTIA).

On July 20, 2022, the City of Ellensburg Telecom Utility received an award letter for \$437,573 for a grant from the WSBO. The WSBO's application has been funded through the National Telecommunications and Information Administration (NTIA)-Broadband Infrastructure Program.

On August 19, 2022, the City of Ellensburg Telecom Utility received an additional \$109,393 award from the WSBO's Match Grant Program to cover changes in projected costs to complete the project due to cost increases for materials and construction.

The City of Ellensburg Telecom Utility received an award from the WSBO for \$437,573 and a matching grant amount of \$109,393 for total grant funding in the amount of \$546,966 for the City of Ellensburg Fiber Extension and Fixed Wireless Broadband Project.

On October 17, 2022, Council authorized the City Mayor to sign Amendment 1 to the

Interlocal Cooperation Agreement with NoaNet and approve the necessary budget adjustments.

Previous Council Action:

On October 17, 2022, Council authorized the Mayor to sign Amendment 1 to the Interlocal Cooperation Agreement with NoaNet and approve the necessary budget adjustments.

Analysis:

The Interlocal Agreement Amendment 2 includes City membership in the NoaNet Affiliate Program which provides for reduced pricing, and extends the term to December 31, 2025, thus stabilizing the costs to the City's Telecom Utility. Carryforward of 2023 Telecom project budget was erroneously excluded from the supplemental budget ordinance. Additional 2024 expenditure authority is needed to accommodate these project costs, which include expenditures via this interlocal agreement with NoaNet.

Financial Impact:

The Interlocal Agreement outlines the costs for services provided to the City of Ellensburg Telecom Utility and is within the Telecom Utilities operating budget, including carryforward of \$536,709 unspent Telecom project budget from 2023 to 2024, which is offset by grant awards.

Budget Adjustment: Yes

Attachments:

1. Amendment 2 to Interlocal Agreement between City of Ellensburg and NoaNet
2. NoaNet Affiliate Program Guideline 2024 Final

AMENDMENT 2 TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF ELLENSBURG AND THE NORTHWEST OPEN ACCESS NETWORK

This AMENDMENT 2 to the Interlocal Cooperation Agreement effective December 20, 2021 ("Agreement") is made and entered into effective the ____ day of _____, 2024 between the City of Ellensburg ("City"), a Washington municipal corporation, and Northwest Open Access Network ("NOANET"), a nonprofit mutual corporation of the state of Washington. The City and NOANET are sometimes referred to herein collectively as "Parties."

RECITALS

WHEREAS, the Washington Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington ("RCW"), permits public entities to cooperate with one another on the basis of mutual advantage to make the most efficient use of their powers, thereby providing services and facilities in a manner that accords best with geographic, economic, population, and other factors influencing the needs and development of local communities, and allows public agencies to enter into agreements with one another for joint cooperative action; and

WHEREAS, NOANET is a Washington nonprofit mutual cooperation formed by Public Utility Districts in the State of Washington with the mission to bring high-speed telecommunications services to unserved and underserved communities; and

WHEREAS, the City has the authority to construct, purchase, acquire, develop, finance, lease, license, handle, provide, add to, contract for, interconnect, alter, improve, repair, operate, and maintain any telecommunications facilities within or without the City's limits; and

WHEREAS, on December 20, 2021, the Parties entered into a Interlocal Cooperation Agreement for cooperative services to support telecommunications services; and on October 21, 2022, the Parties entered into Amendment 1 to the Interlocal Cooperation Agreement; and

WHEREAS, NOANET desires to assist the City with all programs possible to support the City's telecommunications efforts, including the City's expansion project for its fiberoptic network funded through a grant from the U.S. Department of Commerce - National Telecommunications and Information Administration's ("NTIA") Broadband Infrastructure Program ("BIP"), hereafter referred to as "the Project"; and the Scope of Work Tasks (the "Services"); and

WHEREAS, NOANET and the City desire to extend the term of the Agreement;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Parties hereby agree as follows:

AMENDMENT 2

A. Section 1 of the Agreement is hereby amended as follows:

3. **Period of Performance.** Performance of Services shall commence upon execution of this Agreement by the Parties and continue until December 31, 2025

B. Section 4 of the Agreement is hereby amended as follows:

4. **Compensation.** The City shall pay NOANET for the Services on a time and material bases according to the fee schedule identified in Amendment 2, Exhibit A.

C. All actions taken in conformance with this Amendment 2 prior to its Effective Date are hereby ratified.

D. Except as specifically amended herein, all other terms and conditions of the Agreement remain in full force and effect.

By: _____
Mayor, City of Ellensburg

By: _____
Craig Nelsen
Chief Executive Officer, NoaNet

Attest:

City Clerk

EXHIBIT "A"

Rate Sheet

Engineering, Permitting and Project Management:

	Per Hour
Director	\$285.00
Sr. Manager / Sr. Engineer	\$255.00
Manager / Engineer	\$195.00
Field Technician / Designer	\$175.00
Project Manager / Consultant	\$185.00
Sr. Specialist	\$205.00
Sr. RoW Agent	\$205.00
Environmental Agent / Biologist	\$205.00
Administrative Support/ Coordinator	\$105.00
GIS Drafter Technician	\$125.00
GIS Drafter Analyst	\$95.00

Construction Management:

	Per Hour
Foreman	\$192.50
Resident	\$170.50
Inspector	\$137.50

Reimbursables:

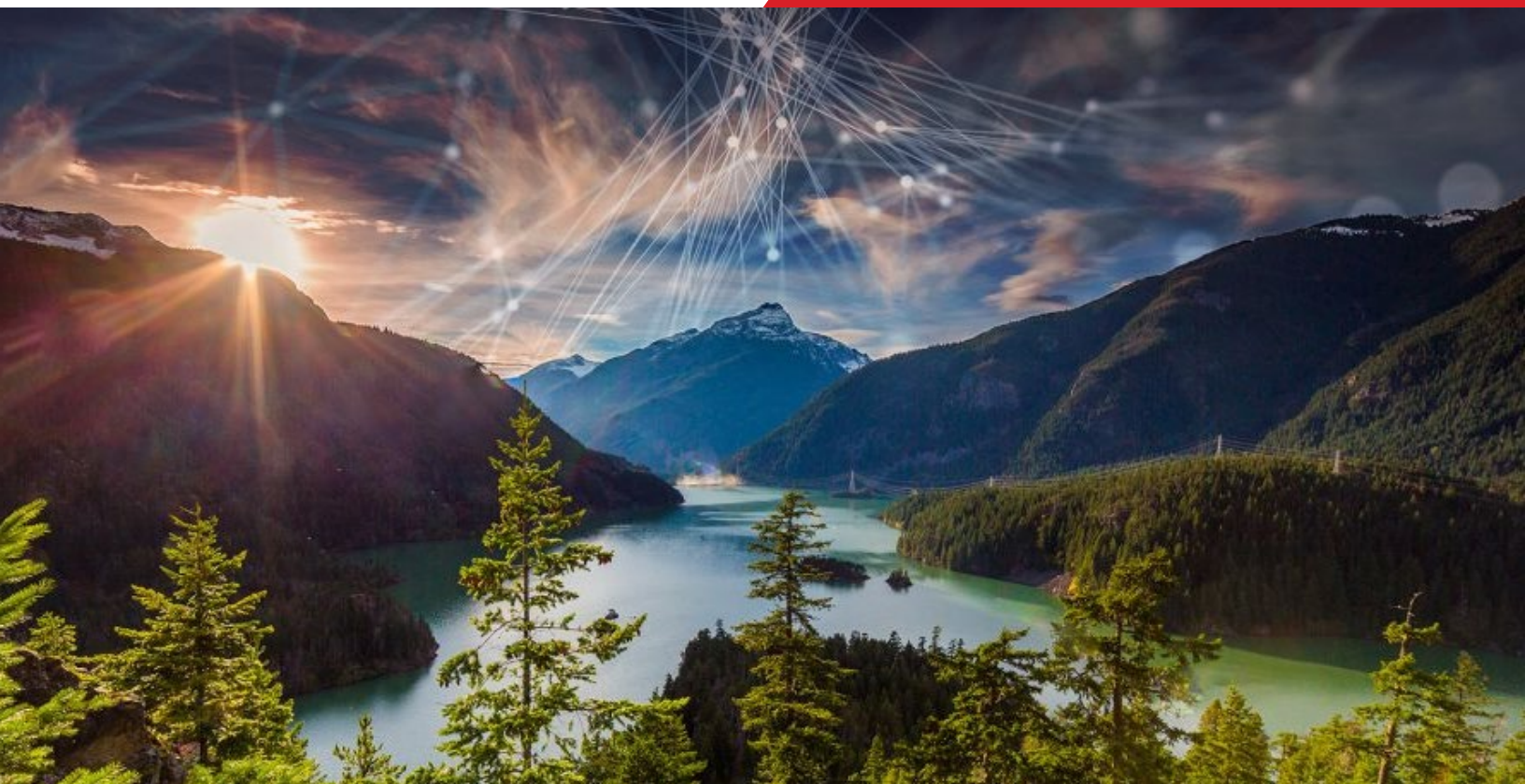
Permit and Application Expenses	Cost plus 10%
Per Diem (daily)	\$175.00
Hotel (\$200 cap)	Cost plus 10%
Airline Flight	Cost plus 10%
Car Rental	Cost plus 10%
Material Fees	Cost plus 10%
Mileage	Included in Per Diem

Unit Fees:

Utility Pole Data Collection & Application 1 to 10 poles	\$205.00
Utility Pole Data Collection & Application 11 to 100 poles	\$175.00
Field, Engineer, Design, Prints up to 2500 ft	\$2,710.00
Field, Engineer, Design, Prints 2501 ft -5000 ft	\$1.10
Field, Engineer, Design, Prints 5001 ft-25000 ft	\$0.95
Easement and Consent Acquisition	\$2,500.00
City / County RoW Permits	\$725.00
WSDOT Permit / Crossing	\$1,800.00
Railroad Utility Crossing Permits	\$2,400.00

Network Management Fees:

NOC : Core/Distribution	Per device	\$76.00
NOC : CPE	Per device	\$15.00
NOC : Carrier Edge	Per device	\$30.00
NOC : Business Gateway	Per device	\$6.00
NOC : Residential Gateway	Per device	\$2.50
NOC : Management Fee	Monthly	\$1,500.00
OSPI : License Fee	Annual	\$3,300.00
OSPI : Activation	Initial	\$500.00



Affiliate Membership Program Guideline

Follow-up Contact:

Claire Ward
Market Development and Communications Manager
(816) 519-2370
membership@noanet.net
11707 E. Sprague Ave, Ste 201
Spokane Valley, WA 99206

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“NoaNet’s mission is to leverage relationships and resources to develop and operate a world class open access information platform and network that enhances people’s lives and business opportunities in the State of Washington and facilitates member utility operations.”

A Vision for Washington State

In the digital age, having fast and reliable internet is crucial for ensuring equity and fostering economic development. Lack of access to such connectivity prevents community members from fully utilizing essential services that enhance their quality of life. Since 2001, NoaNet has been actively involved in strategic initiatives to enhance broadband access in Washington State. This is achieved through middle mile deployments, laying the foundation for community deployments and regional prosperity in the future.

We advocate for publicly owned, open-access broadband networks in Washington State and believe it is prudent to keep the infrastructure deployment resulting from taxpayer-funded grant programs in the public domain. This ensures that the infrastructure is appropriately maintained and developed according to local needs.

NoaNet formulated the Affiliate Program in 2022 with memberships initiated in 2023 to support grassroots efforts that empower Washington communities affected by digital inequity. These communities often struggle to access the connectivity needed to compete in today's digital economy. Through the Affiliate Program, we aim to enhance the engagement, power, and influence of these communities. By extending affiliate membership to other publicly owned organizations supporting broadband expansion, we hope to broaden the NoaNet conversation from our core membership group to encompass a more

statewide, holistic approach. This expansion will contribute to uplifting and ensuring visibility for diverse and persistently under-invested communities across the state.

Affiliate Membership Purpose

In pursuit of a shared mission to bridge the digital divide and uplift rural communities, the NoaNet Board of Directors, comprised of ten Owner/Member organizations, are in full support of the NoaNet Affiliate Membership Program. This initiative invites public benefit agencies, including Public Utility Districts, Ports, Municipalities, and others with a focus on rural public benefit broadband networks, to join the NoaNet family.

As an affiliate member, you become an integral part of the legacy dedicated to delivering cutting-edge broadband services to rural communities across Washington State. Joining hands with like-minded organizations, you will actively participate in events that inspire and drive rural investment.

NoaNet's affiliate members will enjoy exclusive access to organizational events, valuable resources, and a professional network—all without the obligation of organizational ownership. We believe that fostering these affiliate partnerships with other publicly-owned organizations, committed to narrowing the digital gap in our state, aligns seamlessly with NoaNet's overarching mission.

Vision and Purpose (continued)

Together, through the development of world-class telecommunications infrastructure, we aspire to not only enhance lives but also create abundant business opportunities throughout the State of Washington. Join us on this transformative journey as we connect communities, empower individuals, and cultivate a future where everyone thrives in the digital landscape. Welcome to the NoaNet family, where our collective vision propels us toward a brighter, more connected tomorrow.

NoaNet Core Values:

1	Open Access	Our open-access network is available on a non-discriminatory basis for competing businesses and service providers to deliver high-capacity broadband and voice services.
2	Public Benefit Broadband Networks	Community by community, NoaNet provides leading-edge solutions to expand broadband access in telemedicine, agriculture, education, public safety, and support rural economic development opportunities. We are committed to our service providers to deliver the best in industry broadband and over-the-top solutions to benefit their business and customers.
3	Owned by Rural Public Utility Districts	Public Utility Districts are not-for-profit community-owned utilities that provide electric, water, sewer, and wholesale telecommunications services to customers across Washington State. Like our owners, NoaNet is committed to excellent hometown customer service.
4	A Non-Profit Provider	All revenues from selling wholesale services in the open market are put back into the network to fund our mission and ensure fiscal sustainability. NoaNet does not collect tax dollars or subsidies from water or electrical ratepayers.
5	Public Safety Network	Next Generation 911 services are delivered over our statewide highly reliable emergency communications dispatch network. This represents a vital step in addressing the urgent need to improve communications for Washington State's public safety agencies.

History of NoaNet

Public Power Roots

Established on February 7th, 2000, by Greg Marney, then Assistant General Manager at Douglas PUD, NoaNet, the Northwest Open Access Network, emerged at a time when the I-5 corridor experienced rapid economic and technological growth, while opportunities in the East of the Cascades were diminishing. Recognizing the need for equitable access to affordable, reliable broadband, Greg spearheaded the investment in fiber optics, identifying it as the optimal strategic utility for real-time monitoring and control of utility infrastructure.

Wholesale Telecommunications Authority

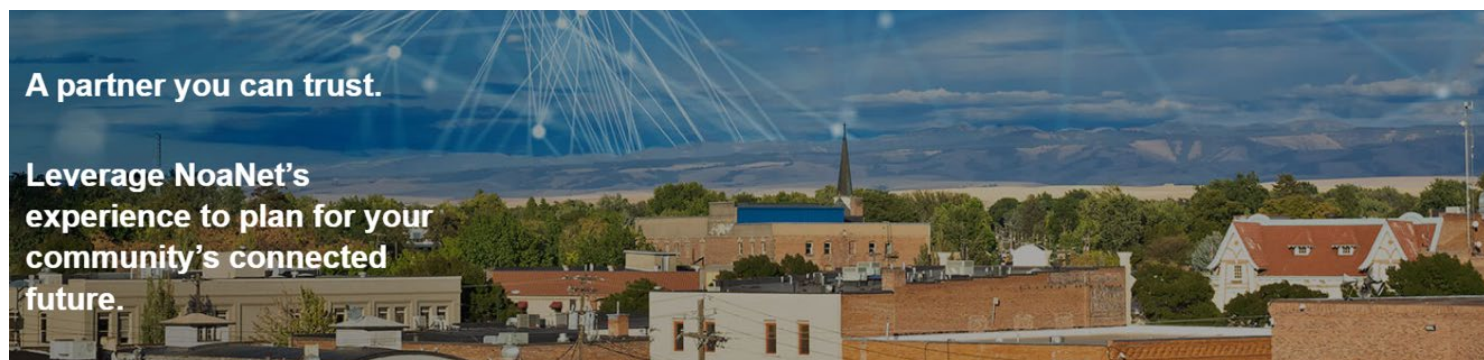
In 2000, PUDs were granted the authority to bridge the digital divide through wholesale telecommunications services, laying the foundation for community telecom and the birth of NoaNet. Despite other PUDs in the Washington PUD Association undertaking fiber infrastructure projects, affordability and reliability remained challenging. Serendipitously, the Bonneville Power Administration's Public Purpose Fiber Program provided an opportunity. Greg advocated for WPUDA to fund a startup telecom company, leading to the creation of NoaNet, focused on open access.

In less than a year, with six initial employees, NoaNet constructed 23 Points of Presence, implemented advanced technology, and became ready to serve customers. Today, NoaNet operates a fiber network exceeding 3,800 miles throughout Washington, connecting local PUDs, anchor institutions, and independent communication networks. The network spans all counties, linking diverse communities and businesses to advanced telecommunication services.

Statewide Efforts

Since 2020, NoaNet has been hosting Washington state's Next Generation 911 system, a testament to the trust placed in us for critical emergency communications. Additionally, NoaNet has collaborated with communities statewide in recent years, securing \$450 million in grants and loans to support rural and tribal broadband development. With the impending IIJA and BEAD programs on the horizon, the need for strong public partners has never been greater. As our region's premier wholesale broadband and telecom solutions provider for over two decades, we guide community partners through complex connectivity protocols. Understanding unique needs, we develop and implement state-of-the-art solutions, extending broadband to remote mountain communities and island towns through innovative problem-solving.

As a non-profit organization, every dollar earned by NoaNet is reinvested to advance broadband connectivity for Washington's communities, aligning with our mission to serve the people and communities of Washington with world-class telecommunications facilities and services. We take pride in our role as a trusted partner in the state's connectivity journey, contributing to the well-being and prosperity of Washington's residents and businesses.



Affiliate Program Guidelines

Perks of Affiliate Membership

- 1. Establish Relationships Across Washington State**
NoaNet, with ten owners/members and over 100 interconnected Internet Service Providers in Washington State, provides a unique platform to build valuable relationships with public-benefit network owners statewide.
- 2. Exclusive Access to NoaNet Events**
Priority Invitations to our exclusive events, such as TechFest and Workshops offering insights from professionals both in offices and the field, actively involved in deploying the networks that drive our organizations. NoaNet Members and Affiliate Members will be first in line to represent their organizations publicly in these events.
- 3. Advocacy with Political Strength**
Leverage the robust political and lobbying strength of NoaNet and its membership organizations to advocate for favorable public broadband policies and regulations.
- 4. Preferred Pricing and Positioning**
Enjoy preferred pricing and positioning for strategic support agreements through NoaNet's Network Coordinated Services. Benefit from prioritized contracting for Internet, VoIP Services, Virtual Storage-Compute, Outside Plant Support, GIS Services, Project Management and Engineering Support.
- 5. Display NoaNet Affiliate Logo**
Proudly showcase your affiliation by displaying the official NoaNet logo on your website, signaling your membership in the NoaNet community.
- 6. Feature on NoaNet Platforms**
Gain visibility through the NoaNet website with affiliate spotlight features, recognizing regional efforts. Additionally, find a dedicated spot on a static affiliates page, showcasing your commitment to advancing connectivity.
- 7. Access to the NoaNet Logo Wear Shop**
NoaNet recognizes that our employees, Directors, Members, and Affiliate Members are representees in our communities and has determined there is significant value to them proudly displaying the NoaNet logo. NoaNet encourages and facilitates the voluntary wearing of NoaNet logo branded gear by providing an annual allowance of \$120 (including tax and shipping) per calendar year. This stipend may be utilized by two (2) representatives of our affiliate members.

8. Yearly Strategic Development Meeting

Engage in yearly one on one meeting (in person or remote) with NoaNet business development staff. These sessions will provide a unique opportunity to delve into broadband development strategies tailored to your area.

Membership Dues

1. Payment Schedule

Dues are to be paid annually, due at the commencement of each calendar year. For members joining mid-year, a prorated rate will be assessed based on the month in which their membership becomes active.

2. Employee Count Determination

Employee counts for classification as a Level I or Level II organization are calculated based on the total number of employees across the entire organization. This assessment considers the collective employee count and does not focus on individual offices or locations within larger organizations.

3. Membership Tiers and Annual Fees

Level I (15 or fewer employees)

\$1000 annual fee

Level II (16 or more employees)

\$1500 annual fee

This transparent dues structure ensures equitable contributions from members based on organizational size and underscores our commitment to fairness and inclusivity within the NoaNet Affiliate Program.

Contact Information for Membership Inquiries

For detailed information on becoming an Associate Member, please reach out to our membership team at membership@noanet.net. We look forward to assisting you in exploring the benefits and opportunities associated with NoaNet's Affiliate Membership Program.



Affiliate Membership Application Form

ORGANIZATION INFORMATION

Organization: _____

Company Street Address: _____

Mailing address (if different from above): _____

Administrative Contact/Phone: _____

Description of organization (services offered, region served, # of customers, etc.):

PRIMARY MEMBER INFORMATION

Primary Contact Name: _____ Title: _____

Email: _____ Phone: _____

DUES LEVEL

____ LEVEL I: 15 or fewer employees.....\$1,000

____ Level II: 16+ employees.....\$1,500

LOGOS

Please email an electronic (.jpg or .png) version of your logo to membership@noanet.net for listing on the NoaNet Affiliate Members webpage.

SUBMISSION

To submit your application please email this sheet to membership@noanet.net and we'll contact you to coordinate dues payment.

FOR OFFICE USE ONLY

Membership Approved: _____ Date: _____

Payment Received: _____ Date: _____



NOANET[®]
Northwest Open Access Network

11707 E Sprague Avenue, Suite 201
Spokane Valley, WA 99206
(866) 662-6380
www.noanet.net

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.

Jerica Pascoe Digitally signed by Jerica Pascoe
Date: 2024.04.09 09:02:47 -07'00'

AUDITING OFFICER DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **15TH DAY OF APRIL 2024**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Check #'s	165565	TO	165724	\$	798,004.90
EFT #'s	6768	TO	6796	\$	1,840,331.58
Treasure Cash					
EFT #'S	454	TO	496	\$	1,056,035.52
Payroll Fund					
Check #'s	96190	TO	96200	\$	12,757.51
Direct Deposits	78706	TO	78958	\$	517,237.91

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



TO: City Council
FROM: Public Transit Advisory Committee
DATE: April 5, 2024
RE: Recommendation of Appointment

Deja Blanchard submitted an Application for Appointment to the Public Transit Advisory Committee (PTAC) on March 13, 2024 and was able to attend the March 16, 2024 PTAC meeting.

The subcommittee conducted her interview on April 5, 2024 at City Hall. Deja has committed to a two year term beginning April 2024 through April 2026.

The Public Transit Advisory Committee currently has two vacancies. Based on Deja's involvement with Central Washington Disability Resources and her passion for advocating for persons with disabilities, we highly recommend the City Council appoint Deja Blanchard to the Public Transit Advisory Committee.

From:
To:
Subject: [Ext] Online Form Submittal: Application for Appointment
Date: Wednesday, March 13, 2024 10:57:11 AM

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

Application for Appointment

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

Boards & Commissions Public Transit Advisory Committee

Have you attended a meeting for the board or commission you are applying to? No

Name of Applicant: deja Blanchard

Address

Mailing Address (If Different) Field not completed.

City ellensburg

State WA

Zip 98927

Email Address

Phone Number

Length of Residency in Kittitas County 18

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?	<i>Field not completed.</i>
---	-----------------------------

Occupation Status and Background:	Disability Specialist for Central Washington Disability Resources, years of experience working with disabilities-in particular autism. Worked in early childhood education for years serving the low-income populations. Also a part of the LGBTQ+ population
-----------------------------------	---

Organization Affiliations:	Recently Joined with Chief Deputy Darren to be a part of the EOC. I will be assisting with people with disabilities during emergency responses.
----------------------------	---

Why are you seeking appointment?	I would like to be a voice and advocate for the community with disabilities. I believe I have a unique perspective to contribute as a person with disabilities. I want to make sure this populations voice is heard and their needs are met.
----------------------------------	--

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	<i>Field not completed.</i>
----------------------	-----------------------------

Boards & Commissions	<i>Field not completed.</i>
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Email not displaying correctly? [View it in your browser.](#)

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	1	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	5	2	7	6	6	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	0	0	0	1	0	0 1-Ehs	0	1	0	0	0	2	1 (Tele)
APPLICANTS													
Deja Blanchard												1st	

Black Out Poetry & Open Mic Nights at Nuwave Gallery



Combining Poetry & Nature



Recent Events



Unity Park Groundbreaking

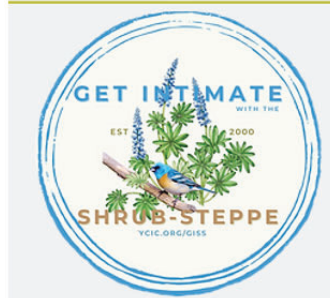


Radio Interview with Kama on 88.1

Walking Chapbook Poetry Project



Upcoming Events



Spring Sonnets: Poetry and Nature Walk on Saturday, May 11th at Noon. Sign up on KEEN's website.

Poetry Reading & Workshop

with Erica Reid

Thurs., May 16th
The INK
405 N. Main
Ellensburg
7 p.m.



The poster has a purple background. It includes the "Elensburg Arts Commission" logo and the "eCR" logo. A portrait of Erica Reid, a woman with brown hair wearing a blue patterned top, is on the left.



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Creative District Update
Submitted by: Kelle Vandenberg, Arts & Economic Development Director
Department: City Manager

Suggested Motion/Action:

This item is for discussion purposes only.

Background/Summary:

On February 8, 2024, Ellensburg received a unanimous vote by the ArtsWA Board of Commissioners, becoming the newest designated Certified Creative District in Washington state. Preparing for this certification began in 2021, with several community organizations collaborating to develop the Creative Industry Strategic Plan to support the arts and establish Ellensburg as a place where artists can live, work, and thrive. The organizations include the City of Ellensburg, Ellensburg Arts Commission, Laughing Horse Arts Foundation, Valley Theatre Company, Ellensburg Music Festival, Central Washington University, Ellensburg Downtown Association, Kittitas County Chamber of Commerce, CenterFuse, and the Ellensburg School District.

Previous Council Action:

Council adopted their Strategic Vision 2023-2028 in May 2022, which included a goal to expand the creative and entrepreneurial sector to retain and enhance the community character, under the umbrella of Economic Vitality.

Analysis:

Staff will provide an overview of the Creative District and highlight work plan initiatives ahead.

Financial Impact:

Through the 2023-2024 Biennial budget, Council approved a new position of Arts & Economic Development Manager to add capacity to local and regional economic development initiatives, prepare and submit the application for the Creative District, and facilitate creative sector expansion activities. Implementing the work of the Ellensburg Creative District will require some ongoing resources. The City was awarded a \$10,000 grant funding from ArtsWA to begin implementation of the workplan.

Budget Adjustment: No

Attachments:

1. Ellensburg-Certification-letter

2. Ellensburg Creative District Update

February 8, 2024

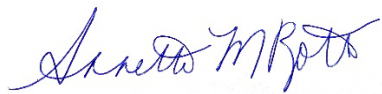
Kelle Vandenburg
Arts & Economic Development Manager
City of Ellensburg
501 N. Anderson
Ellensburg WA 98926

Dear Ms. Vandenburg:

We are pleased to let you know that the City of Ellensburg's application for the Ellensburg Creative District certification has been approved. Our review panel thought your application outlined Ellensburg's appeal well. Based on their recommendation, our board of commissioners voted unanimously to ratify your District's approval. Congratulations on becoming the newest Creative District in Washington State!

We are excited to begin this process with your community and are looking forward to supporting your success.

Best regards,



Annette M. Roth
Community Development Manager
Washington State Arts Commission
711 Capital Way South, Suite 600
Olympia, WA 98504
(360) 252-9982

Cc: Karen Hanan, Executive Director



The Ellensburg Creative District



Washington's Creative Economy Profile



The 2022 Defined Creative Economy includes:

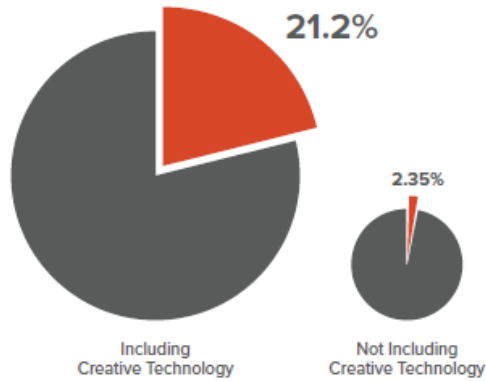
- Architecture and Living
- Creative Technology
- Culinary Arts and Beverage
- Cultural Institutions
- Design and Advertising
- Fashion
- Film, Television, and Radio
- Music, Performing Arts, and Visual Arts
- Publishing and Literary Arts



Washington's Creative Economy Profile

Share of GRP 2022

% of Total Gross Regional Product (GRP)

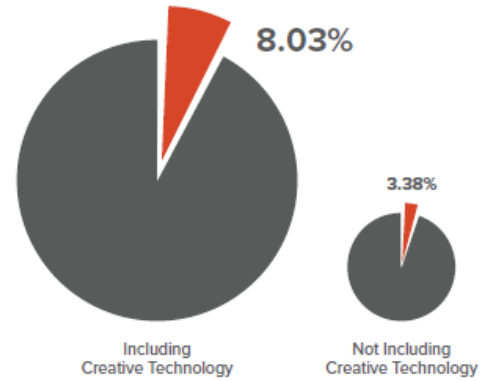


Creative Economy **All Other Sectors**



Share of State Jobs 2022

% of Total State Jobs



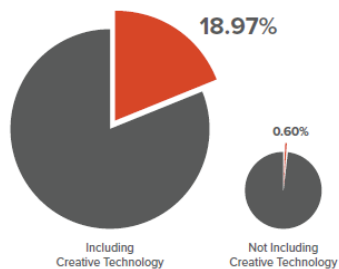
Creative Economy **All Other Sectors**

*Creative Economy Strategic Plan: Final Report

Washington's Creative Economy Profile

Share of Total Exports 2022

% of Total State Exports



Creative Economy **All Other Sectors**

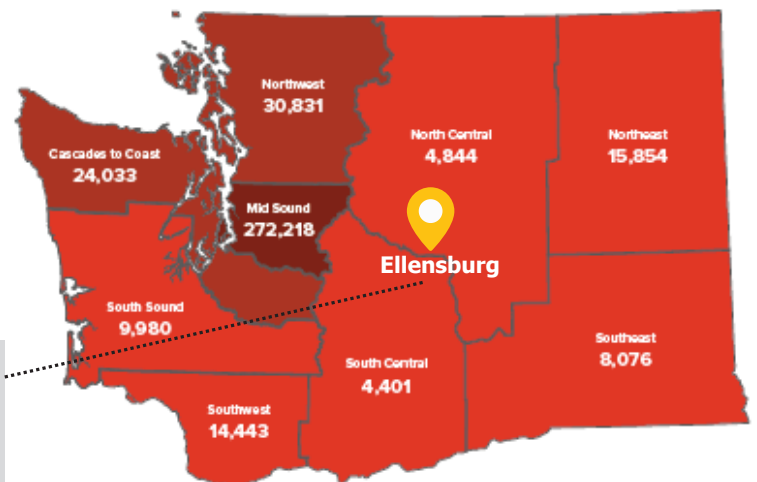
Ellensburg Creative Industry Jobs by Year

2016	1239
2017	1254
2018	1285
2019	1186
2020	1153



Creative Economy Jobs by Region 2022

Map subdivided into economic development regions

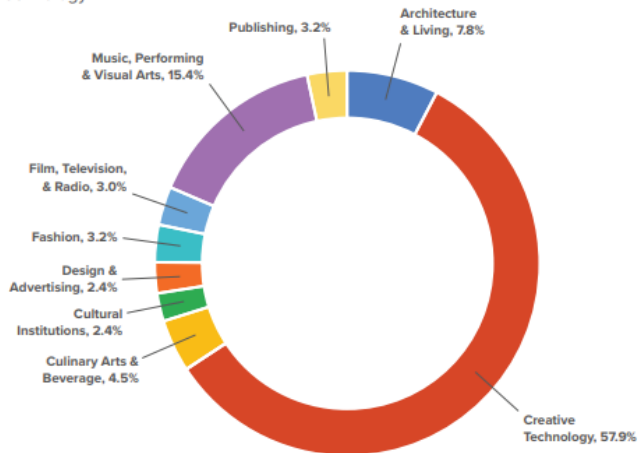


*Creative Economy Strategic Plan: Final Report

Washington's Creative Economy Profile

Creative Economy Employment by Sector 2022

Including Creative Technology



Washington State's Creative Economy Priorities:

- Equitable access to resources within the creative economy
- A robust creative talent pipeline
- Investments in a creative economy that contributes to livability
- Creative entrepreneurship and the creative workforce

*Creative Economy Strategic Plan: Final Report

Ellensburg Creative District

What is a Certified Creative District?

- Give communities the ability to turn cultural activities into economic growth.
- Supports and expands the creative industry.
- A tool to help create new innovative living-wage jobs within the creative sector.
- Celebrates community, cultural diversity, and history.
- An economic development tool that drives growth and strengthens the regional economy through program development, tourism, work-force training, and affordable housing/working space creation.



Governance Structure

Direct Governing Board of the Ellensburg Creative District

Organizational Subcommittee

Advisory Committee

Ellensburg City Council

Ellensburg Arts Commission

Ellensburg Arts & Cultural Alliance



Edmonds
Chewelah
Olympia
Langley
Twisp
Port Townsend
Tenino
Issaquah
Rainier Valley
Bainbridge
South Columbia
Moses Lake
Burien
Newport
Anacortes



Ellensburg Creative District

Partnerships



COMMUNITY THEATRE SINCE 1999



Ellensburg Business Development



Over the course of the last two years, the founding organizations of the Ellensburg Creative Industry Strategic Plan developed a 501(c)3 nonprofit alliance committed to the support and growth of the creative industry in Ellensburg.

This alliance will continue to work together to implement the initiatives of the creative industry strategic plan and strengthen Ellensburg's economy.



Ellensburg Creative District

District Map



Quadrant 1: Downtown

University Way from Main Street to Anderson Street down to Capitol Avenue. This quadrant features our downtown, performance spaces, classrooms, maker's space, creative businesses, restaurants, galleries, museums, breweries, tasting rooms, open markets, downtown parks, public art, and festival spaces.

Quadrant 2: Central Washington University

Nicholson Blvd from Wildcat Way to Alder Street down to University Way. This quadrant features galleries, museums, public art, art, science, and innovation education, culinary arts, design, film, creative writing, theatre, music, open public markets, cultural events and activities, theatres, and maker space.



Ellensburg Creative District

Scope of Work

Year 1: February 8, 2024 (day of designation) to June 30, 2024

Scope of Work:

- Establish an Ellensburg Creative District community/regional presence.
- Start to develop an Ellensburg Creative District Wayfinding Master Plan.
- Foster diversity and inclusion within leadership roles in the creative industry by actively engaging and empowering individuals from underrepresented communities, including Hispanic, Latinx, Native American, and LGBTQ+ communities, through action-based outreach initiatives.

Year 2: July 1, 2024 to June 30, 2025

Scope of Work:

- Begin implementation of Ellensburg Creative District regional marketing campaign.
- Continue to develop Wayfinding signage for district.
- Continue to foster diversity and inclusion within the creative industry that enhances the Ellensburg Creative District through implementation of initiatives aimed at building a broader diverse creative leadership, opportunities for cultural learning.
- Increase community resource pipelines to support, develop, and recruit artists and art businesses in the district to further expand the creative industry within Ellensburg and help drive economic growth.



Ellensburg Creative District

Next Steps

Develop Ellensburg Creative District Steering Committee:

- Build a team of doers that represent:
 - Cultural & Artistic Community Members
 - Youth Educators within Creative Industry Disciplines
 - Ellensburg Arts Commission
 - Ellensburg Arts & Cultural Alliance
 - CWU
 - Creative Industry Educational Representatives
 - Capitol Planners
 - Student Led Organizations
 - Marketing & Communications Team

Implementation of the Scope of Work Initiatives and Objectives:

- Identify subcommittee teams and divide work/assign objectives
- Review benchmarks/timelines for completing the scope of work
- Connect with regional/community partners to maintain full transparency in the development of the Ellensburg Creative District
- Establish set meeting dates/times
- Track progress of teams





Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: 2024 State Legislative Session Wrap-up
Submitted by: Heidi Behrends Cerniwey, City Manager
Department: City Manager

Suggested Motion/Action:

This item is for discussion purposes only.

Background/Summary:

For the past three years, the City Council has adopted legislative priorities to frame the City's interests on policy issues that may come before the State Legislature. The 2024 Washington State Legislative Session began January 8, 2024 and adjourned sine die on March 7, 2024. The City hired contract lobbyists, Josh Weiss and Hanna Jones of Gordon Thomas Honeywell, to help plan and prepare issue positions and to advocate for the City's interests during the 2024 Session. They will provide an update on issues and relevant bills at the meeting.

Previous Council Action:

The City's 2024 Legislative Priorities were adopted at the November 6, 2023, meeting. Lobbyists Josh Weiss and Hanna Jones provided a legislative update to the City Council at the study session on February 5, 2024.

Analysis:

On End-of-Session Report, a list of End of Session Bills, and Capital Projects from the 13th District are attached. At the meeting, Josh Weiss and Hanna Jones will provide an overview of the session.

Key 2024 Session accomplishments for the City include:

- Resolving Climate Commitment Act Conflict with Open Public Meetings Act: SB 6047 was signed into law by Governor Inslee on March 26, 2024. The bill eliminated a conflict between the Climate Commitment Act (CCA), which prohibits public sharing of information about allowance auction bidding and the Open Public Meetings Act (OPMA) which provides only narrow exemptions for executive sessions. SB 6047 provides transparency in government to allow staff to discuss allowance bidding in a protected executive session with City Council.
- Decarbonization Planning: The operating budget includes \$750,000 in Climate Commitment Act funding to help the City comply with the Act and make plans to meet the state's carbon reduction goals. The funding will not be available until January 1, 2025, and if the CCA is repealed by the voters this fall, the funding lapses. This contingency language was included in most new appropriations from the CCA.

- Ellensburg Community Fieldhouse: The City requested \$1.5 million to complete design and permitting of the new fieldhouse at Rotary Park to replace the destroyed racquet club. While we initially received a positive reaction from members of the 13th Legislative District, legislators received a grim forecast for Capital Budget resources in the supplemental year. The final Capital Budget included \$72,000 for the Ellensburg Community Fieldhouse. Members of the 13th District have subsequently expressed a commitment to working with the City in the upcoming '25-'27 Biennial Capital Budget to prioritize this project.

Financial Impact:

The City has a professional services agreement with Gordon Thomas Honeywell to provide lobbying services at a cost of \$3,500 per month.

Budget Adjustment: No

Attachments:

1. City of Ellensburg EOS Report
2. End of Session Bills
3. Capital Projects - 13th LD



City of Ellensburg

End-of-Session Report

April 4, 2024

Overview of the 2024 Legislative Session

The Washington State Legislature convened the 2024 Legislative Session for 60 days, starting January 8th and concluding March 7th. Democrats held strong majorities in both the House of Representatives, 58 to 40, and the State Senate, 29 to 20. Leading up to beginning of the Session, Democrats in the [House of Representatives](#) and [Senate](#) outlined their priorities for the 2024 session – investing in behavioral health, responding to climate change, increasing gun control, continuing housing efforts from 2023, and improving special education. As the Session progressed, the realities of session lasting a mere 60 days and being immediately followed by a challenging November 2024 election cycle quelled ambitions.

Democrats have had control over the Governor's Office and both chambers of the Legislature for several years and have adopted many policies that Republicans have objected to. In response, in 2023, conservative Republicans mobilized to collect the necessary signatures to file a historic number of initiatives to the Legislature - six. Each of the six initiatives push back on policies advanced by the Democrats in recent years including repealing the Climate Commitment Act, repealing the Capital Gains Tax, allowing taxpayers to opt-in to the payroll tax that funds the Long Term Care Act, increasing parental rights and access to K-12 curriculum and student records, prohibiting the state or local governments from enacting an income tax, and allowing police officers to engage in vehicular pursuits on more occasions. For each initiative, the Legislature could choose whether to 1) adopt the initiative; 2) adopt an alternative to appear on the November ballot alongside the initiative; or 3) take no action and allow the initiative to advance to the November ballot for voter consideration. Initiatives adopted by the Legislature can be amended by future legislatures with a simple majority vote. Initiatives approved by voters at the ballot can only be amended with a 2/3 vote of the Legislature for two years after approval.

The Legislature chose to adopt three of the initiatives as part of an overarching strategy to increase the odds that voters will reject the remaining three initiatives. The Legislature adopted the following three initiatives:

- [I-2111](#) (prohibiting income tax)
- [I-2081](#) (parental rights)
- [I-2113](#) (vehicular pursuits)

The Legislature did not take action the following three initiatives and they will appear on the November ballot:

- [I-2117](#) (repealing the Climate Commitment Act)
- [I-2109](#) (repealing the capital gains tax)
- [I-2124](#) (opt out of Washington's long-term care retirement program)

As the second year of the two-year legislative biennium, 1,105 bills introduced during the 2023 session that were not passed into law were carried over for consideration during the 2024 session. In addition to those bills that carried over, an additional 1,560 bills were introduced. Of these, the Legislature passed 376 bills into law. A session can sometimes be defined by what did not pass; this year, several significant policies did not get across the finish line including capping rent rates, lowering the blood-alcohol-content for drunk driving, increasing the real estate excise tax to fund housing, increasing the 1% cap on property tax levies to 3%, and more.

In addition to considering the Initiatives to the Legislature and proposed legislation, the Legislature adopted supplemental budgets, making changes to the 2023-25 biennial budgets adopted during the 2023 Legislative Session. See the budget summary section for more information on the adopted budgets.

One of the major challenges facing the Legislature was the Climate Commitment Act, or Washington State cap-and-trade system for carbon emissions. The Legislature approved the Act in 2022, and the first auctions under the program started in 2023 generating significantly more revenue than was forecasted. This excess in revenue was countered with Initiative-2117, proposing to repeal the Act. Legislators balanced this by allocating Climate Commitment Act funds to several projects and programs but making those appropriations contingent on voters rejecting Initiative-2117.

Following the conclusion of the 2024 Legislative Session, legislators will transition to focusing on the November 2024 elections. All members of the House of Representatives and roughly half the members of the State Senate will face re-election. The end of the 2024 session brought about several announcements of legislators that do not plan to seek re-election:

- Senator Sam Hunt (D-Olympia) has served in the Legislature since 2000; Rep. Jessica Bateman has announced that she will run for the Senate seat, creating an open House seat.
- Senator Andy Billig (D-Spokane) has served in the Legislature since 2010; Rep. Marcus Riccelli has announced that he will run for the Senate seat, creating an open House seat.
- Senator Karen Keiser (D-SeaTac) has served in the Legislature since 1995.
- Senator Mike Padden (R-Spokane Valley).
- Senator Lynda Wilson (R-Vancouver) has served in the Legislature since 2015; Rep. Paul Harris has announced that he will run for the Senate seat, creating an open House seat.
- Representative JT Wilcox (R-Yelm) has served in the Legislature since 2011.
- Representative Joel Kretz (R-Wauconda) has served in the Legislature since 2005.
- Representative Spencer Hutchins (R-Gig Harbor) has served in the Legislature since 2023.
- Representative and former Speaker of the House Frank Chopp (D-Seattle) has served in the Legislature since 1994.

There are also several legislators who have announced they plan to run for higher office, and as a result will not be seeking re-election to their positions:

- Senator Mark Mullet (D-Issaquah) is running for Governor. Rep. Bill Ramos plans to run for the position, leaving an open House seat.
- Senator Kevin Van De Wege (D-Sequim) is running for Commissioner for Public Lands. Rep. Mike Chapman (D-Port Angeles) plans to run for the position, leaving an open House seat.
- Representative Jacquelin Maycumber (R-Republic) is running for the 5th Congressional Seat.
- Representative Kelly Chambers (R-Puyallup) is running for Pierce County Executive.

Still yet, there are legislators who are running for a statewide position but if they are unsuccessful in winning those races will be able to return to the Senate to continue out the remainder of their term (two more years). If they are successful, an appointment process will occur after the November 2024 elections to fill their seats prior to the January 2025 Legislative Session.

- Senator Manka Dhingra (D-Redmond) is running for Attorney General.
- Senator Patty Kuderer (D-Bellevue) is running for the Office of Insurance Commissioner.
- Senator Emily Randall (D-Bremerton) is running for the 6th Congressional Seat.
- Senator Drew MacEwen (R-Shelton) is running for the 6th Congressional Seat.
- Senator Rebecca Saldana (D-Seattle) is running for Commissioner for Public Lands.

Look toward filing week, May 6-10 for more news about who is choosing to file for state legislative offices. Filing week will be followed by the August 6th primary election, and the November 5th general election.

Between legislative retirements and re-election efforts, the Legislature will see yet another rearranging of the deck chairs prior to the 2025 session. Following the November 5th general election, the Legislature will make new chair and committee assignments for the 2025-27 biennium.

Budget Highlights

Summary of 2024 Supplemental Budgets

The Legislature adopted 2024 supplemental budgets, which make mid-biennial budget adjustments to the 2023-35 budgets that were adopted in April 2023.

Operating Budget: The 2024 Supplemental Operating Budget (click [here](#), labeled “As Passed Legislature”) spends \$1.1 billion to maintain existing programs, and an additional \$1 billion to fund new policy expenditures. The existing programs with the largest increase in cost include Medicaid medical assistance, the Food Assistance Program, K-12 enrollment, and compliance with the *Trueblood* case judgment. The largest new policy expenditures occurred in education and behavioral health.

Capital Budget: The 2024 Supplemental Capital Budget (click [here](#), labeled “As Passed Legislature”) allocates \$1.3 billion in total funds, with \$130.6 million from debt limit bonds and \$1.2 billion from other resources including \$688.4 million in Climate Commitment Act accounts

and \$307.5 million from the Common School Construction Fund. Several of the appropriations are contingent on voters rejecting I-2117. The budget also does not appropriate revenue generated from the capital gains tax beyond November 2024.

Transportation Budget: The 2024 Supplemental Transportation Budget (click [here](#), labeled “As Passed Legislature”) spends a total of \$14.6 billion, including \$340 million from Climate Commitment Accounts, which are contingent on voters rejecting I-2117. Funds were predominantly spent on projects already scheduled to receive funding during the 2023-25 biennium. This spending reflects a 0.8 percent decrease in traditional transportation revenues from what was originally forecasted for 2023-25.

Workgroups/Studies Newly Established in the 2024 Budgets

Legal Financial Obligations Study: \$165,000 is allocated in the 2024 Supplemental Operating Budget (page 18) for the Washington State Center for Court Research of the Administrative Office of the Courts to continue the study on legal financial obligations charge by superior courts and courts of limited jurisdiction. Preliminary report is due November 30, 2024; final report is due by June 30, 2025.

Riparian Habitat: The 2024 Supplemental Operating Budget allocates an additional \$824,000 (page 27) to a 2023 task force on riparian habitat to convene a group of interested members of the Legislature to provide the task force with background information regarding recommendations submitted to the 2024 Legislature, and to support the development of implementation proposals. Report is due November 15, 2024.

Multijurisdictional Drug Task Forces: \$50,000 is appropriated (page 94) to coordinate three roundtables to review policies, regulations, and fiscal investments regarding multijurisdictional drug task forces. Report due June 30, 2025.

Manufactured and Mobile Home Park: \$250,000 is allocated to conduct a study on funding structures to preserve manufactured and mobile home communities and nonprofit or cooperatively run affordable housing projects. Report due June 30, 2025. (page 102 of the 2024 Supplemental Operating Budget).

Electrical Transmission Workforce: \$275,000 is allocated to convene an electrical transmission workforce needs workgroup and study to make recommendations on efforts to support the needs of Washington’s electrical transmission industry workforce. Preliminary report is due December 1, 2024; final report is due November 1, 2025. (page 129 of the 2024 Supplemental Operating Budget).

Distributed Solar: \$500,000 is allocated to the state Academy of Sciences to conduct a study to determine the value of distributed solar and storage in order to create recommendations and options for a methodology that utility regulators may use after the statutory 4% net metering threshold is met. Interim report due to the Utilities and Transportation Commission by June 30, 2025. (page 154 of the 2024 Supplemental Operating Budget).

Vehicular Pursuit Data Collection: \$400,000 is allocated to the Office of Financial Management to contract with a consultant to collect, review, and analyze data related to vehicular pursuits and to compile a report. The report must include recommendations to the Legislature on what data should be collected by law enforcement agencies throughout the state so that the Legislature and other policymakers have consistent and uniform information necessary to

evaluate policies on pursuits. The report is due June 30, 2025. (page 178 of the 2024 Supplemental Operating Budget).

Royalty Receipts for Local Business & Occupation Taxes: \$200,000 is allocated to the Office of Financial Management to conduct a study and provide a report to the Legislature on royalty receipts apportionment for local business taxes. Report is due to the Legislature by December 31, 2024. (page 188 of the 2024 Supplemental Operating Budget).

Broadband Universal Communications Report: \$75,000 is allocated to report on recommendations for updating the statutes pertaining to the universal communications services program. The report shall include the most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas. Report is due December 1, 2024. (page 204 of the 2024 Supplemental Operating Budget).

Earthquake and Tsunami Resilience: \$361,000 is allocated to conduct a study regarding statewide building code and construction standards pertaining to earthquake and tsunami resilience and recommendations for functional recovery of buildings and critical infrastructure directly following an earthquake. A preliminary report is due June 1, 2025, and a final report is due May 1, 2026. (page 208 of the 2024 Supplemental Operating Budget).

Active Transportation: \$50,000 is provided to WSDOT to examine the feasibility of creating a new budget program for the active transportation division. The feasibility must include estimated cost, staffing needs, time frame to establish the program, budget structure, and identification of staff and projects that would need to be transferred from other existing programs. The report is due December 1, 2024. (page 108 of the 2024 Supplemental Transportation Budget).

Transportation Planning Workforce Study: \$1 million is provided to the University of Washington's Washington State Transportation Center for several workforce training investments. Notably, \$81,000 is provided for the Center to conduct a statewide survey and analysis assessing workforce shortages for civil engineers, land surveyors, and related disciplines. An action plan and recommendations, developed with the House and Senate Transportation Committees, are due to the Legislature December 1, 2024. (page 4 of the 2024 Supplemental Transportation Budget).

Zero-Emissions Electric Vehicle Infrastructure: WSDOT is directed to provide a report to the Transportation Committees of the Legislature estimating current biennial and future carbon reduction impacts resulting from zero-emission electric vehicles and supply equipment infrastructure funded by legislative investments by June 30, 2025. (page 5 of the 2024 Supplemental Transportation Budget).

Project Delivery Streamlining Group: \$350,000 is provided for the Joint Transportation Committee and the Municipal Research and Services Center (MRSC) to convene a project delivery streamlining workgroup. The final report is due to the Legislature on June 30, 2025. (page 22-23 of the 2024 Supplemental Transportation Budget).

Road Usage Charge Next Steps: The Washington Transportation Commission completed a statewide road usage charge (RUC) pilot program, "Forward Drive," in 2023. \$250,00 is provided to the Commission to carry out engagement with Washington stakeholders on the results of the completed pilot program to inform next steps towards implementing a road usage charge. Recommendations must be submitted to the Legislature by December 1, 2024. (page 28 of the 2024 Supplemental Transportation Budget).

Speed Safety Camera Pilot Program: \$1 million is provided for WSDOT to develop an automated highway speed safety camera pilot program to test two to three traffic safety cameras on state highways. The goals of the pilot program are to test the technology, determine the impact on speeding behavior in testing areas and compile public responses to the use of traffic safety cameras on highways. WSDOT must work with WA State Patrol and the Traffic Safety Commission to develop the program including selection of the technology, placement of cameras, public notification and signage prior to entering the speed area, public outreach about the program and data collection. The pilot program may inform registered vehicle owners of the vehicle speed exceeding the limit and what the fine would have been, however no authority is given to issue citations. A progress report is due by September 30, 2024. (page 76 of the 2024 Supplemental Transportation Budget).

Wrong Way Driving: \$2 million is provided to the WA Traffic Safety Commission to identify locations in both urban and rural highway settings to install wrong-way driving prevention strategies. A report with any crash data or wrong-way violations that occur at the selected locations is due June 30, 2025. (page 76 of the 2024 Supplemental Transportation Budget).

Fish Barrier Injunction: No additional funding is provided for this purpose but to address programmatic cost increases associated with the federal fish barrier injunction, WSDOT is directed to analyze contracting methods, alternative bundling concepts and other options to manage costs. The department shall provide a report outlining recommendations by December 15, 2024. (page 61 of the 2024 Supplemental Transportation Budget).

Effective Dates

Unless otherwise noted, bills approved by the Legislature are effective 90 days from the adjournment of the legislative session. For 2024, that would make most bills effective June 6, 2024.

Legislative Priorities

Open Public Meetings and CCA Compliance

The City requested legislation to address the conflict between the Open Public Meetings Act (OPA) and the Climate Commitment Act (CCA) by allowing the governing body of a publicly owned utility to meet in executive session when discussing auction bidding information. Senator Warnick (R-13th LD) introduced [SB 6047](#) and Representative Ybarra (R-13th LD) introduced [HB 2173](#). Both bills received positive hearings and were viewed favorably by the Legislature. At the end of the day SB 6047 completed the legislative process and was signed into law by Governor Inslee.

A similar bill, [HB 2376](#), was introduced by Representative Eric Robertson (R-31st LD) which addressed the OPMA/CCA conflict, but made additional changes to the treatment of no-cost allowances for municipal gas utilities. This approach was not favored and after an initial hearing it did not move forward.

Ellensburg Community Fieldhouse

We requested \$1.5 million to complete design and permitting of the new fieldhouse at Rotary Park to replace the destroyed racquet club. While we initially received a positive reaction from

members of the 13th Legislative District, legislators received a grim forecast for Capital Budget resources in the supplemental year. Members of the Senate were told that they would only have \$300,000 available for projects in each district, and our delegation expressed these constraints to us early in session. The 13th District received a total of about \$730,000 in the final Capital Budget, \$70,000 of which was provided for the Ellensburg Community Fieldhouse.

Members of the 13th District have subsequently expressed a commitment to working with the City in the upcoming '25-'27 Biennial Capital Budget to prioritize this project.

CCA Compliance & Decarbonization Planning

The final [Operating Budget](#) provides \$750,000 in Climate Commitment Act funding to help the City comply with the Act and make plans to meet the state's carbon reduction goals (see page 153, section 130(41)). The funding will not be available until January 1, 2025 and if the CCA is repealed by the voters this fall, the funding lapses. This contingency language was included in most new appropriations from the CCA.

This appropriation was a huge win and a result of bi-partisan and bi-cameral support. Senator Warnick and Representative Ybarra were our champions, but we also received support from Senator Joe Nguyen (D-24th LD) the Chair of the Senate Environment, Energy & Technology Committee, Representative Beth Doglio (D-22nd LD) the Chair of the House Environment & Energy Committee, and Representative Joe Fitzgibbon (D-24th LD) the House Majority Leader. Building support on this request from these legislators gave us the opportunity to establish that Ellensburg is a solution-oriented City that is willing to work with members of both parties to solve problems. We look forward to building on this momentum in the future.

Additional Legislative Issues

Public Safety

The Legislature continues to grapple with how best to balance police accountability with public safety. Within the Democrat caucus, some legislators want to advance more police accountability and reform measures while others would prefer to modify previously enacted reforms and invest in hiring more law enforcement personnel. This divide was pronounced during the 2023 session but became more entrenched during the 2024 session with the emergence of a bi-partisan, bi-cameral public safety caucus led by moderate Democrats. With the tension between these factions, only modest public safety proposals passed into law this session.

Initiative 2113 (Vehicular Pursuits): Initiatives to the Legislature are proposed changes to state law sponsored by the people of Washington. [House Bill 1054](#) from the 2021 session established a statewide standard for when police officers can engage in vehicular pursuits which included what factors must be considered when determining to engage in a pursuit and banning firing a weapon upon a moving vehicle unless necessary to prevent imminent threat. [Senate Bill 5352](#) from the 2023 session made further changes to the statute, expanding the list of eligible reasons to engage in a pursuit under the reasonable suspicion evidentiary threshold, direction as to when to end the pursuit and a requirement that the pursuing officer must have completed emergency vehicle operators' course. [Initiative-2113](#) allows an officer to engage in a vehicular pursuit if they have reasonable suspicion to believe the driver has violated the law. The initiative makes no other changes to the vehicular pursuits law.

With passage of the initiative, the Legislature did not move forward [House Bill 2390](#), sponsored by Representative Clyde Shavers (D-10th LD), which would have created a new crime for attempting to elude a police vehicle.

Law Enforcement Recruitment & Retention: Law enforcement advocates, including the Washington Association of Sheriffs and Police Chiefs, advocating for increased funding to hire law enforcement officers. [House Bill 2231](#) proposed providing cities and counties with a credit against the state sales tax to fund officers, while [House Bill 2211/Senate Bill 6076](#) would have authorized cities and counties to councilmanically increase the sales tax to fund public safety. While introduced, none of these proposals advanced significantly through the legislative process. Even more modest proposals, such as [Senate Bill 6242](#), permanently eliminating the 25% city/county cost share for sending officers to the Basic Law Enforcement Academy did not advance. However, this change was temporarily funded in the budget and is in effect July 1, 2024 through June 30, 2025. During the 2023 session, the Legislature established regional academies to augment the Burien Criminal Justice Training Commission. In 2024, the Legislature provided further direction to expedite the siting and development of facilities by changing the location of a regional facility from Skagit County to Snohomish County.

Basic Law Enforcement Academy Donations: [Senate Bill 6301](#), sponsored by Senator John Lovick (D-44th LD), allows the Criminal Justice Training Commission (CJTC) to accept donated money or properties for the purpose of carrying out CJTC's statutory purposes.

Flexibility for Hiring Law Enforcement Officers: [Senate Bill 6157](#), sponsored by Senator John Lovick (D-44th LD), allows Deferred Action for Childhood Arrivals (DACA) residents to apply for civil service and law enforcement positions. Agencies who hire DACA recipients are protected from liability for breach of contract if there is a change in federal law related to DACA recipients. [House Bill 1530](#), sponsored by Representative Julio Cortes (D-38th LD), allows law enforcement agencies to hire lawful permanent residents. [Senate Bill 5424](#), sponsored by Senator John Lovick (D-44th LD), allows law enforcement officers to work part-time hours. The 2024 Supplemental Operating Budget allocates \$99,000 to the Department of Retirement Systems for the implementation of Senate Bill 5424 (page 185 of the Supplemental Operating Budget).

Police Accountability Efforts: Police accountability advocates continued to push for measures to hold police accountable for their actions. Several bills from the 2023 session carried over for consideration in the 2024 session but did not pass into law, including [House Bill 1579](#), establishing independent prosecutions to align with the new Office of Independent Investigations that was established in 2021. Also, [House Bill 1445](#), authorizing the Attorney General's Office to bring actions against local law enforcement agencies for violations of the law and [House Bill 1025](#), establishing a civil cause of action for officer misconduct. The Legislature did approve two noteworthy accountability bills:

Did Not Advance: In addition, several Legislators continued to push policies to decriminalize certain actions, including jay walking ([Senate Bill 5383](#)), and dismissal of misdemeanors following completion of court ordered conditions ([House Bill 1994](#)). While the Legislature considered these proposals, neither advanced out of their chamber of origin.

Emphasis Efforts for Specific Crimes: The Legislature considered specific bills to address noteworthy areas of emphasis, including [Senate Bill 5160](#), regarding retail theft. Legislation related to catalytic converters, graffiti, and others made it across the finish line:

Catalytic Converters: [House Bill 2153](#), sponsored by Representative Cindy Ryu (D-32nd LD), deters the theft of catalytic converters by establishing new felony and gross misdemeanor crimes for trafficking, processing, selling, or offering to sell stolen catalytic converters. To determine if selling a catalytic converter is stolen or not, VIN numbers can be written on catalytic converters before a legal sale if the buyer requests it. Only licensed scrap processors are allowed to disassemble or de-can a catalytic converter. The Washington State Patrol is required to conduct periodic inspections of licensed purchases of catalytic converters that have been removed from vehicles. The 2024 Supplemental Transportation Budget allocates \$46,000 (page 37) to the Washington State Patrol for the implementation of the bill.

Speed Safety Camera Systems: [SB 6115](#), sponsored by Senator Curtis King (R-14th LD), is Department of Transportation (WSDOT) request legislation. The bill modifies the administration, penalty structure, and enforcement of speed safety camera system violations in state highway work zones. It requires the WSDOT to make a website to educate the public about the speed safety camera system. The WSDOT is also required to conduct a public awareness campaign to inform the public of the use of speed safety camera systems during the 30-day period after the first speed safety camera system is put in place and requires speed safety camera systems to be processed in the same manner as parking infractions generally. The 2024 Supplemental Transportation Budget allocates \$38,000 to implement this bill (page 49).

Organized Retail Crime: The 2024 Supplemental Operating Budget allocates \$1,000,000 for a pilot program to respond to organized retail crime. A report due June 15, 2025. (page 103 of the 2024 Supplemental Operating Budget).

DNA Testing: \$500,000 is allocated for local jurisdictions to conduct DNA testing for unidentified remains and for those remains that failed to yield a CODIS match. The purpose of this funding is to provide sufficient funding to eliminate the backlog of unidentified remains awaiting testing. (page 654 of the 2024 Supplemental Operating Budget).

Opioid/Fentanyl: Both political parties acknowledged the growing fentanyl crisis in Washington State and passed legislation particularly targeted at young populations. Republicans proposed making use of fentanyl in public illegal, essentially reversing last session's work in response to the *Blake* supreme court decisions; however, the proposal, [House Bill 2002](#), was never scheduled for a public hearing.

Drug Task Forces: \$2.7 million is allocated to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne Memorial Justice Assistance Grant Program. (page 94 of the 2024 Supplemental Operating Budget). An additional \$50,000 is appropriated to coordinate three roundtables to review policies, regulations, and fiscal investments regarding multijurisdictional drug task forces. A report is due June 30, 2025.

Opioid Overdose Reversal Medication in Schools: [Senate Bill 5804](#), sponsored by Senator Patty Kuderer (D-48th LD), requires all schools to carry one set of opioid overdose reversal medication and adopt related policies. Reversal medication must be added to each school's first aid kit, and it instructs schools to include at least one location of the medication on the school's emergency map. Schools are also required to adopt an opioid-overdose policy. The 2024 Supplemental operating Budget allocates \$745,000 to the Department of Health for the purchase of naloxone and fentanyl test

strips, for distribution to high schools and public institutions of higher education. The Department is encouraged to expand existing bulk purchasing and distribution arrangements with educational service districts. (page 489 of the 2024 Supplemental Operating Budget).

Opioid Prevention Education: [House Bill 2112](#), sponsored by Representative Greg Nance (D-23rd LD), requires public and private institutes of higher education to provide opioid and fentanyl prevention education and awareness information to students. Higher education institutions must also provide naloxone and fentanyl strips, along with training for staff and residence halls on usage. The 2024 Supplemental Operating Budget allocates \$412,000 (page 771), \$232,000 (page 793), \$232,000 (page 804), \$95,000 (page 807), \$22,000 (page 811), \$97,000 (page 822), and \$122,000 (page 828) for the implementation of this bill.

Opioid Education Campaign: [Senate Bill 5906](#), sponsored by Senator Lynda Wilson (R-17th LD), requires the Department of Health (DOH) to develop an ongoing drug overdose campaign, and to conduct a feasibility study for an opioid overdose prevention hotline. The 2024 Supplemental Operating Budget allocates \$2.6 million (page 495-496) to implement this bill and [House Bill 1956](#).

Fentanyl Education: [House Bill 1956](#), sponsored by Representative Mari Leavitt (D-28th LD), directs the Secretary of Health to develop, implement, and maintain a statewide drug overdose prevention awareness campaign. The Office of the Superintendent of Public Instruction (OSPI) is required to develop, update, and distribute substance use prevention and awareness materials to schools. The OSPI must also update educational learning standards to include knowledge related to opioids and other life-threatening drug use. The 2024 Supplemental Operating Budget allocates \$2.6 million to this bill and [Senate Bill 5906](#) (page 495-496), \$334,000 (page 675), \$125,000 (page 712), and \$75,000 (page 743) for the implementation of this bill.

Child Opioid Exposure: [Senate Bill 6109](#), sponsored by Senator Claire Wilson (D-30th LD), establishes that a determination of imminent risk of physical harm to a child may include endangerment with high-potency synthetic opioids from a parent or guardian. Courts are required to give great weight to the lethality of and public health guidance regarding high-potency synthetic opioids during certain stages of child welfare proceedings where the court is determining whether a child should be removed from a parent. The 2024 Supplemental Operating Budget allocates \$479,000 (page 20), \$1,108,000 (page 23), \$156,000 (page 25), \$384,000 (page 496), \$3,490,000 (page 540), \$3,179,000 (page 562), and \$1,600,000 (page 562) for the implementation of this bill.

Community Treatment: \$4.25 million is allocated for grants to community providers to increase opioid treatment program services, and new or additional funding is allocated for a large number of community treatment facilities that will provide opioid treatment (pages 23-26 of the 2024 Supplemental Capital Budget).

Naloxone Vending Machines: \$900,000 is allocated to purchase dispensing machines for distribution of naloxone, fentanyl test strips, and other public health supplies. (page 417 of the 2024 Supplemental Operating Budget).

Community-Based Teams: \$1.5 million is allocated to establish high-intensity community-based teams serving people with opioid use disorder. The Health Care Authority is directed to prioritize funding to augment existing field-based teams funded

with federal state opioid response grants. (page 415 of the 2024 Supplemental Operating Budget).

Naloxone for First Responders: \$1.25 million is allocated to the Department of Health to purchase a dedicated supply of naloxone for first responders across the state. (page 462 of the 2024 Supplemental Operating Budget). An additional \$400,000 is allocated to provide increased support for EMS and fire departments in their opioid prevention efforts, including naloxone, leave-behind programs, overdose response communication, and staffing costs for community-based paramedics serving as navigators for education, resource, and follow-up supports. (page 487 of the 2024 Supplemental Operating Budget).

Naloxone for Public Libraries: \$133,000 is allocated to the Department of Health to maintain a supply of naloxone for public libraries. (page 490 of the 2024 Supplemental Operating Budget).

Courts/Public Defenders/Prosecutors: Leading up to session, counties – especially those in Eastern Washington – indicated a challenge in recruiting public defenders and prosecutors. In response, legislators introduced a variety of ideas including incrementally increasing the state's contribution to public defense costs over time ([Senate Bill 5773](#)) and creating a state program to assist local governments with public defense costs ([House Bill 2202](#)). These are just two of the many proposals that did not advance, below are those that did pass the Legislature.

Public Defense: [Senate Bill 5780](#), sponsored by Senator Nikki Torres (R-15th LD), expands training opportunities for public defense. The bill directs the Office of Public Defense to administer a law student rural public defense program, expand capacity for its defense training academy program, and directs the Criminal Justice Training Commission to provide a similar program for prosecutors and the administration of a law student rural public prosecution program. The 2024 Supplemental Operating Budget allocates \$611,000 (page 23) and \$694,000 (page 433) to implement this bill.

The 2024 Supplemental Operating Budget allocates \$442,000 (page 22) for the Office of Public Defense to administer a public defense recruitment program. The program should engage with students at colleges and law schools; provide technical assistance and training to public defense and offer recruitment strategies.

Office of Public Defense: [House Bill 1911](#), sponsored by Representative Jamila Taylor (D-30th LD), amends the statute prohibiting the Office of Public Defense (OPD) from providing direct representation of clients by allowing managing and supervising attorneys within the OPD to provide limited, short-term coverage of initial client consultations if contracted counsel is not available to provide the consultation services. The bill also allows OPD to coordinate with law schools to place law clerks, externs, and interns with OPD contracted counsel, and allows OPD to provide pro bono legal services.

Court Reorganizations: [House Bill 2034](#), sponsored by Representative Cheney (R-18th LD), requires counties and cities to provide the Administrative Office of the Courts (AOC) with notice of court reorganizations and amends portions of the [RCW 3.50](#) relating to municipal courts. Newly established municipal courts must wait six months after the notice of intent to create a new court is sent to the Office before having jurisdiction over any matter. A notice of intent to terminate a court must be sent to the office six months in advance of the termination date.

Legal Financial Obligations Study: \$165,000 is allocated in the 2024 Supplemental Operating Budget (page 18) for the Washington State Center for Court Research of the

Administrative Office of the Courts to continue the study on legal financial obligations charge by superior courts and courts of limited jurisdiction. Preliminary report is due November 30, 2024; final report is due by June 30, 2025.

Jails: In the 2021-23 Operating Budget, a Joint Legislative Task Force on Jail Standards was established to make recommendations on statewide minimum jail standards, over right, and other policy changes to ensure jail conditions meet state and federal constitutional and statutory standards and restore a statewide authority to set minimum jail standards and inspect jails. [Senate Bill 6189](#) was introduced as a result of recommendations from the Task Force. The bill would have created a Jail Oversight Board within the Office of the Governor to monitor jails, investigate and receive complaints, and maintain a statewide jail reporting system. The bill did not advance forward, and generally speaking, very little legislation impacting jails passed into law.

Local Government Cost Recovery for Court Community Supervision Orders: \$270,000 is allocated to contract with a third-party expert to examine jail rates needed by local governments to recover the cost of housing individuals under the jurisdiction of the Department of Corrections who have violated the conditions of their court community supervision order. Report is due October 1, 2024 (page 509 of the 2024 Supplemental Operating Budget).

Tribal Warrants: [Senate Bill 6146](#), sponsored by Senator Manka Dhingra (D-45th LD), establishes a process for state law enforcement officers to enforce tribal arrest warrants and a process for detention facilities to notify tribal authorities when the release of the person under a tribal arrest warrant is imminent. The 2024 Supplemental Operating Budget allocates \$15,000 (page 499), \$90,000 (page 509), and \$3,000 (page 511) to the implementation of this bill.

Fire: The following are fire-related bills enacted during the 2024 Legislative Session:

Firefighter Safety Funding: [Senate Bill 5886](#), sponsored by Senator John Braun (R-20th LD), is Department of Labor and Industries agency-request legislation. The bill allows the Department of Labor and Industries to grant funds to employers of firefighters participating in the Firefighter Injury and Illness Reduction Grant Program to participate in assessments or training related to safety culture or other safety intervention activities.

Electric Vehicle Fires: [Senate Bill 5812](#), sponsored by Senator Jeff Wilson (R-19th LD), directs the Washington State Patrol to work with the Department of Ecology to conduct a study on electric vehicle fires. The 2024 Supplemental Operating Budget allocates \$76,000 (page 594), and \$89,000 (page 655) for the implementation of this bill.

First Responder Wellness: [HB 2311](#), sponsored by Representative Lauren Davis (D-32nd LD), requires the Criminal Justice Training Commission (CJTC) to create a task force on first responder wellness and develop a 40-hour training program and peer support network. The CJTC will establish and administer a grant program for funding the implementation of peer support counseling programs within the state. The bill also amends statutory provisions to allow testimonial privilege during peer support group meetings. The 2024 Supplemental Operating Budget allocates \$1.38 million to implement this bill (page 434).

Study on Occupational Disease Presumptions on Volunteer Firefighters: \$50,000 is allocated to conduct a study on the extension of duty-related occupational disease

presumptions to participate in the voluntary firefighters relief and pension system. Report due June 30, 2025. (page 210 of the 2024 Supplemental Operating Budget).

Study of Post-Traumatic Stress Disorder: \$200,000 is allocated to the Department of Labor and Industries and to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. Report is due June 30, 2025. (page 448 of the 2024 Supplemental Operating Budget).

Wildfire Treatment: \$10 million is allocated to forest treatments in areas where they have the greatest potential to prevent wildfires and protect air quality. This funding is contingent on voters rejecting I-2117. (page 635 of the 2024 Supplemental Operating Budget).

Emergency Management: The following are emergency-management related bills enacted during the 2024 Legislative Session:

Earthquake and Tsunami Resilience: \$361,000 is allocated to conduct a study regarding statewide building code and construction standards pertaining to earthquake and tsunami resilience and recommendations for functional recovery of buildings and critical infrastructure directly following an earthquake. A preliminary report is due June 1, 2025 and a final report is due May 1, 2026. (page 208 of the 2024 Supplemental Operating Budget)

Emergency Management Plans: [Senate Bill 6164](#), sponsored by Senator Keith Wagoner (R-39th LD), requires local organizations that produce a local comprehensive emergency management plan to include a communication plan and expeditious notifications to residents at risk during hazardous materials spills. The bill limits communication and public meetings to only Type 1 and Type 2 hazardous spills. The Department of Ecology is also required to provide the public meetings, rather than the local emergency management organization.

Behavioral Health

Leading up to the 2024 Legislative Session, a federal court fined Washington State \$100 million for its failure to comply with a settlement agreement associated with the *Trueblood* court decision. The 2024 Supplemental Operating Budget reflects paying that fine and continuing to invest in behavioral health by a total of \$660 million. The Legislature also considered ways to increase the behavioral health care workforce by expanding services and training for co-responders as outlined in [House Bill 2245](#). Although this bill did not advance, the legislature passed the following bills pertaining to the behavioral health care system.

Crisis Relief Center Model: [Senate Bill 5853](#), sponsored by Senator Manka Dhingra (D-45th LD), allows 23-hour Crisis Relief Centers (CRCs) to serve children. This model of care was approved for adults in the 2023 session with the passage of [Senate Bill 5120](#). The bill requires 23-hour CRCs that treat child and adult clients to have separate entrances, internal entrances, spaces, and treatment areas with no contact between the children and adult clients. The Department of Health is directed to create licensure and certification rules for CRCs that provide services to children. The 2024 Supplemental Operating Budget allocates \$134,000 for the implementation of Senate Bill 5853 (page 493).

Substance Use Disorder Treatment: [Senate Bill 6228](#), sponsored by Senator Manka Dhingra (D-45th LD), requires health plans to authorize at least 14 days of inpatient or residential substance use disorder treatment on the first utilization review, and at least seven days on subsequent reviews. In an effort to increase behavioral health care providers, the bill caps certification fees for substance use disorder professionals (SUDPs) and SUDP trainees at \$100 until July 1, 2029. The 2024 Supplemental Operating Budget allocates \$195,00 (page 195), \$611,00 for fiscal year 2025 and \$462,000 solely for implementing this bill (page 424), \$175,000 (page 495), and \$214,000 for fiscal year 2025 (page 793).

Coordination Between BH-ASOs: [Senate Bill 6251](#), sponsored by Senator Manka Dhingra (D-45th LD), allows behavioral health administrative service organizations (BH-ASOs) to serve as the primary system coordinators within each of the ten regional service areas and convene regional partners and stakeholders to develop protocols for coordination of the behavioral health crisis response and suicide prevention system. It requires 988 contact hubs to enter data-sharing agreements with regional crisis lines that include real-time information sharing. The 2024 Supplemental Operating Budget allocates \$282,000 for fiscal year 2025 and \$253,000 solely for this bill's implementation (page 424), and \$2.2 million (page 495).

Extending Liability Protections: [House Bill 2088](#), sponsored by Representative Tina Orwall (D-33rd LD), is request legislation by the Health Care Authority. This bill extends liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams and applies to responders transporting patients to behavioral health services. Individuals will have immunity when acting in good faith within the scope of the individual's employment responsibilities.

Siting of Behavioral Health Facilities: Funding is allocated to retain a behavioral health facility siting administrator to coordinate the development of effective behavioral health housing options and provide technical assistance in siting facilities. (page 115 of the 2024 Supplemental Operating Budget).

Olympic Heritage Behavioral Health Campus: The Capital Budget provides \$30 million for the purchase of the Olympic Heritage Behavioral Health Facility, and \$25 million is provided for modernization. (page 87 of the 2024 Supplemental Capital Budget). In the Operating Budget, \$134 million is allocated to operate 72 beds and three wards in the facility. \$1.25 million is allocated to conduct a study on the future long-term uses of the Olympic heritage behavioral health campus. (page 175 of the 2024 Supplemental Operating Budget).

State Behavioral Health Facilities: \$20 million is allocated to operate an additional 30 beds at Western State Hospital. \$9.3 million is allocated to operate an additional 8 beds at Eastern State Hospital. (page 244 of the 2024 Supplemental Operating Budget). An additional \$800,000 in capital funding is provided for rapid bed capacity at the Maple Lane facility. (page 88 of the 2024 Supplemental Capital Budget).

Adolescent Facility: \$15 million is allocated to the Department of Social and Human Services to operate a staff secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental, intellectual disabilities, for autism spectrum disorder and may also have a mental health or substance use diagnosis. Youth shall enter the facility by their own consent or the consent of their guardian. A preliminary report is due November 1, 2024

and a final report is due June 30, 2025. (page 259 of the 2024 Supplemental Operating Budget).

Trueblood Fines: \$100 million is allocated to pay the court order filed July 7, 2023 issued in the case of Trueblood which requires the department to pay all fines. (page 244 of the 2024 Supplemental Operating Budget).

Community Based Behavioral Health Beds: \$48 million additional is provided for specific facilities in communities across the state. (page 23 of the 2024 Supplemental Capital Budget).

Trueblood Phase 3 Facility: \$10 million is provided for a crisis stabilization facility to comply with Trueblood Phase 3 implementation. (page 45 of the 2024 Supplemental Capital Budget).

Study on Housing and Health Care: \$250,000 is allocated to complete a gap analysis of the existing housing and health care system and provide a report. Report is due December 1, 2024 (page 305 of the 2024 Supplemental Operating Budget).

Mobile Methadone Services: Funding is allocated from the opioid abatement settlement account to provide service support subsidies to all mobile methadone units. A report is due December 1, 2024 identifying options and related costs to continue operating mobile medication units. Page 394 of the 2024 Supplemental Operating Budget).

Recovery Navigator Services: \$2.5 million is allocated to expand recovery navigator program services. (page 400 of the 2024 Supplemental Operating Budget).

Housing and Homelessness

The 2023 Legislature made historic investments in housing and homelessness programs. The 2024 Legislature built on those investments:

Homeless Housing Programs: \$34 million is allocated to local governments for homeless housing programs and services. (page 99 of the 2024 Supplemental Operating Budget).

Housing Assistance: \$23,688,000 is allocated for housing assistance, including long-term rental subsidies, permanent supportive housing, and low and no barrier housing beds for unhoused individuals. Priority must be given to individuals with a mental health disorder, substance use disorder, or other complex conditions; individuals with a criminal history; and individuals transitioning from behavioral health treatment facilities or local jails (page 62 of the 2024 Supplemental Operating Budget).

Emergency Housing Assistance: \$2 million is allocated for grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Funds distributed in coordination with the Governor's Office. (page 94 of the 2024 Supplemental Operating Budget).

Calculating Average Median Household Income: \$250,000 is allocated to the Department of Commerce to evaluate alternative methods for calculating average median household income. Report is due June 30, 2025. (page 108 of the 2024 Supplemental Operating Budget).

Housing Trust Fund: \$11 million is provided in the Supplemental Capital Budget for affordable housing projects through the Housing Trust Fund. This is in addition to the \$170 million provided in the biennial budget. (page 12 of the 2024 Supplemental Capital Budget).

\$8.5 million is provided for affordable housing projects that serve intellectual or developmental disabilities, in addition to the \$25 million provided last session (page 13 of the 2024 Supplemental Capital Budget).

Mobile Home Park Cooperative Grants: \$10 million is provided for grants to the Northwest Cooperative Development Center to provide grants for the acquisition and preservation of mobile of manufactured home cooperative communities. This is in addition to the \$4 million provided last session. In addition, \$3.5 million additional funding is provided to the Center for cooperatives to complete capital improvement processes. This section of the Capital Budget also includes over \$31 million additional dollars for community-specific projects. (page 15 of the 2024 Supplemental Capital Budget).

Emergency Shelters: \$20 million is appropriated to acquire, renovate, and prepare property for rapid conversion into enhanced emergency shelters, permanent supportive housing, transitional housing, permanent housing, youth housing, tiny homes or other shelter. \$40 million was provided last session. (page 16 of the 2024 Supplemental Capital Budget).

Affordable Housing Repair Grants: \$5 million additional funding is provided for urgent repair grants for affordable housing projects. This is in addition to \$25 million provided in the biennial budget. (page 17 of the 2024 Supplemental Capital Budget).

While the Legislature considered several bold policies, such as [House Bill 2114](#), capping rent increases, and [House Bill 2276](#), generating increased revenue through changes to the state real estate excise tax, legislators chose to proceed forward with a more subdued approach. Even more modest proposals including [House Bill 2270](#), proposing to create a Department of Housing separate from the current Department of Commerce; [Senate Bill 5334](#), authorizing cities to impose a 10% tax on short term rentals; [House Bill 2353](#), allowing all counties and cities to utilize the multifamily tax exemption program; and [Senate Bill 6030](#) extending an accessory dwelling unit (ADU) property tax exemption currently available in King County to all counties, did not advance.

Below are those proposals that did pass into law:

Extreme Weather Events: [House Bill 1012](#), sponsored by Representative Mari Leavitt (D-28th LD), provides resources for local governments to provide services during extreme weather events. The Military Department can also purchase temporary shelters to loan out to political subdivisions when assisting with extreme weather events. The 2024 Supplemental Operating Budget allocates \$1.5 million for the implementation of this bill (page 207).

Multiunit Residential Buildings Definition: [Senate Bill 5792](#), sponsored by Senator Mike Padden (R-4th LD), excludes buildings with 12 or fewer units that are no more than three stories from the definition of multiunit residential building if one story is utilized for above or below ground parking, or retail space. The bill is intended to address the condominium construction deficit.

Manufactured/Mobile Homes: [Senate Bill 6059](#), sponsored by Senator Noel Frame (D-36th LD), updates notification requirements for notices of opportunity to compete to purchase a mobile home park or a manufactured community. It removes restrictions for tenants who receive assistance from an outside source that exceeds the maximum amount of assistance to which a person is entitled under the Relocation Coordination Programs. The Department of Commerce will also be notified of park closures or conversions.

Affordable Housing /.09 Funds: [House Bill 1987](#), sponsored by Representative Low (R-39th LD), clarifies that rural county sales tax dollars (.09 funds) can be used for land banking and that funds may be used by non-profit providers to construct workforce housing.

Housing Affordability Tax Incentives: [Senate Bill 6175](#), sponsored by Senator Yasmin Trudeau (D-27th LD), establishes a local option sales and use tax deferral for projects that convert commercial buildings to residential purposes and dedicate 10% of the units to households making 80% of the area median income or less. The bill also clarifies that commercial/non-residential buildings being converted to residential under the Multifamily Property Tax Exemption program. The 2024 Supplemental Operating Budget allocates \$54,000 for fiscal year 2025 to implement this bill (page 103).

Affordable Homeownership Unit Development: [Senate Bill 6173](#), sponsored by Senator T'wina Nobles (D-28th LD), allows local jurisdictions to use revenue from the affordable and supportive housing sales and use tax for housing and services for people whose income is at or below 80% of the median income of the local jurisdiction that imposes the tax. This is applicable only if the affordable housing development is for owner occupied properties.

Housing Authorities: [House Bill 1890](#), sponsored by Representative Emily Alvarado (D-34th LD), allows legislative authorities that have created housing authorities prior to June 5, 2024, to form joint housing authorities composed of two or more city governments without county authorization.

Workforce Housing Accelerator: [House Bill 1892](#), sponsored by Representative Mari Leavitt (D-28th LD), creates the Workforce Housing Accelerator Revolving Loan Fund Program within the Department of Commerce. The Department of Commerce will administer loans to eligible organizations to assist with the development of housing for low-income households.

Property Tax Exemptions for Nonprofits: [House Bill 2012](#), sponsored by Representative Chipalo Street (D-37th LD), allows voter-approved levy lid lifts, and certain city and county funds as qualifying funding sources for a project to receive the nonprofit housing property tax exemption.

Land Use Regulations

The 2023 Legislature approved a slew of bills preempting local governments on land use. The 2024 Legislature introduced many bills to continue that trend, but many of them failed to get across the finish line, including [House Bill 2160](#) regarding transit-oriented development, [House Bill 1245](#) requiring lot splitting, [House Bill 2252](#) allowing businesses in residential areas, and [House Bill 2474/House Bill 2113](#) requiring Commerce approval of local housing development regulations. The Legislature approved several more modest proposals that still contained preemption of local land use:

Siting of Permanent Supportive Housing and Emergency Shelter: The Legislature considered but did not advance [House Bill 2474/House Bill 2113](#) requiring Commerce approval of local housing development regulations. Instead, \$600,000 is allocated for the Department of Commerce to provide technical assistance in planning for and siting permanent supportive housing and emergency housing facilities, including providing dispute resolution services. The Department is tasked with providing a report by March 1, 2025 on which local governments received funding and resolution status for disputes resolved. (page 117 of the 2024 Supplemental Operating Budget).

Residential Parking: [Senate Bill 6015](#), sponsored by Senator Sharon Shewmake (D-42nd LD), requires cities and counties to allow certain parking configurations to satisfy parking requirements for residential development. For example, the bill states that a city cannot require parking to be enclosed or require a garage or carport, and that parking spaces that count towards minimum parking requirements can be enclosed or unenclosed. Tandem parking must be allowed to count toward parking minimums, and a city may not require parking spaces to be greater than 8 feet by 20 feet, except for parking for individuals with disabilities. It also specifies that the existence of non-conforming gravel surfacing in existing designated parking areas may be used to meet local parking standards for buildings with six parking spaces or less. Additionally, cities may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible. All requirements related to parking do not apply within a one-mile radius of the SeaTac airport. To implement this bill, the 2024 Supplemental Operating Budget allocates \$57,000 for fiscal year 2025 (page 119).

Co-Living Housing Bill: [House Bill 1998](#), sponsored by Representative Mia Gregerson (D-33rd LD), requires cities and counties to adopt regulations or controls to allow co-living housing. The bill requires cities and counties to allow co-living housing on any lot within an Urban Growth Area that allows at least six multifamily residential units. Additionally, a city or county may not treat a sleeping unit in co-living housing as more than one-half of a dwelling unit for purposes of calculating fees for sewer connections unless the city or county makes a finding, based on facts, that the connection fees should exceed the one-half threshold.

Middle Housing: [House Bill 2321](#), sponsored by Representative Jessica Bateman (D-22nd LD), modifies certain provisions of the 2023 middle housing policies. The bill requires that cities with a population of at least 25,000 must allow six of the nine types of middle housing. Cities with less than 25,000 people can choose the number of middle housing types that meet minimum density requirements. The bill also allows middle housing to be built on lots where a portion of the lot is a critical area. Finally, middle housing densities only apply around bus rapid transit stops once construction of those stops has begun. Areas designated as sole-source aquifers by the United States Environmental Protection Agency on islands in the Puget Sound from the density requirements. To implement this bill the 2024 Supplemental Operating Budget allocates \$213,000 for fiscal year 2025 (page 118).

Residential Housing Regulations: [House Bill 2071](#), sponsored by Representative Davina Duerr (D-1st LD), concerns residential housing regulations. The bill directs the State Building Code Council to convene two technical advisory groups: one to recommend changes to apply the Washington State Residential Code to multiplex housing, and another to recommend changes needed to the International Building Code (IBC) to allow dwelling units with less than 190 square feet. Additionally, the Office of Regulatory and Innovation Assistance is directed to develop an optional standard energy code plan set that meets or exceeds all energy code regulations for residential housing, subject to the international residential code. The 2024 Supplemental Operating Budget allocates \$225,000 (page 31) and \$180,00 (page 215) for the implementation of this bill.

In addition to those preemptory bills, there are several land use related bills that the Legislature approved to assist local governments:

Urban Growth Area Swaps: [Senate Bill 5834](#), sponsored by Senator Shelly Short (R-7th LD) relates to urban growth areas (UGAs). The bill allows counties to conduct a “UGA

swap” during the annual review of a comprehensive plan if the county determines that patterns of development have created pressure in areas that exceed the available and developable lands within the UGA. Specific language is included addressing tribal consultation, critical areas, and requiring a two-year waiting period if the swap includes areas designated as agricultural, forest, or mineral resource lands of long-term commercial significance. The 2024 Supplemental Operating Budget allocates \$16,000 for fiscal year 2024 and \$46,000 for fiscal year 2025 for implementation of this bill (page 119).

Wildland Urban Interface Fix: [Senate Bill 6120](#), sponsored by Senator Kevin Van De Wege (D-24th LD), is a “fix” to address concerns with past legislation. The bill changes the Wildland Urban Interface Code to make necessary fire safety updates in the state building code standards. The bill requires a revised map of areas at greatest risk of wildland fire, instead of the wildland urban interface which applies much more broadly. Further, it also allows counties, cities, and towns to complete their own map of areas at greatest risk of wildfire when applying these fire safety codes, so long as substantially similar criteria is applied. Counties, cities, and towns issuing commercial and residential building permits in areas identified as high risk or very high risk on the map must only apply the fire safety code considerations in these areas. The State Building Code Council may not adopt more restrictive fire safety requirements than what is included in statute. Finally, the Department of Natural Resources is required to develop a method by which local governments may update the wildfire hazard map and the wildfire risk map. The bill contains an emergency clause and takes effect immediately. The 2024 Supplemental Operating Budget allocates \$307,000 for fiscal year 2025 to implement this bill (page 636).

Environmental and Land Use Appeals: [House Bill 2039](#), sponsored by Representative Joe Fitzgibbon (D-34th LD), modifies the process for direct review by the court of appeals for decisions issued by environmental boards that relate to clean energy projects. The bill extends, without expiration, the current process for direct review by the court of appeals for decisions issued by the environmental boards that do not relate to clean energy projects. Finally, it authorizes the consolidation of appeals arising out of the same projects when certain criteria are met, and it modifies the jurisdiction of the pollution control hearings board to hear appeals arising from specified environmental laws.

State Building Code Council: [Senate Bill 6291](#), sponsored by Senator Lynda Wilson (R-17th LD), is bi-partisan legislation establishing criteria and altering the process for adopting statewide amendments to the state building code. The bill requires that the State Building Code Council (Council) adopt amendments on a 3-year cycle, in line with their existing 3-year model code adoption cycle. Substantive amendments may only be made once during the update cycle and must meet one of the following criteria: necessary to preserve public health, safety, or welfare; clarifies the intent or application of the state building code; necessary for consistency with federal laws or regulations; directed by the Legislature; corrects errors or omissions; eliminates an obsolete or conflicting regulation. The Council may not adopt amendments that differ substantially from the version of an amendment that is publicly heard. An interim code cycle may only be initiated to consider amendments that correct errors and omissions or eliminate obsolete, conflicting, or redundant regulations. Emergency amendments may be made when necessary to preserve public health, safety, or welfare, or for consistency with state or federal laws or regulations. The Council cannot act on emergency amendments at the meeting in which it is introduced. Additionally, the bill makes several changes to

Council membership and organization, including clarifying that ex officio members do not count towards quorum, for purposes of calling special meetings, or voting thresholds. The bill also allows the Council to appoint technical advisory groups to review petitions for statewide amendments.

Integration of Special Purpose Districts into the Growth Management Act: \$250,000 is allocated to convene a task force to make recommendations to integrate water, sewer, school, and port districts into the Growth Management Act (GMA). Preliminary report due June 30, 2025; final report due December 1, 2025. (page 117 of the 2024 Supplemental Operating Budget).

Permitting Workforce: \$25,000 is allocated to the state board for community and technical colleges to collaborate with a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to design and implement training programs to accelerate the hiring of city and county permit technicians. (page 770 of the 2024 Supplemental Operating Budget).

Environment & Natural Resources

The Legislature continued its interest in issues relating to environmental protection and natural resource management. They did not pass [House Bill 2049](#) which would have placed new requirements on packaging producers to participate and fund the collection and management of products through producer responsibility organizations, or [Senate Bill 6143](#), that would have required cities and counties to update critical area ordinances and ensure their consistency with new salmon conservation and restoration guidelines developed by the Department of Fish and Wildlife

Notable items that did pass include:

Organic Material Management Systems: [House Bill 2301](#), sponsored by Representative Beth Doglio (D-22nd LD), makes various changes related to organic material management. The bill creates and modifies existing grant programs for projects and programs that reduce food waste, policy implementation, and compost products. Organic material collection requirements in certain jurisdictions and certain businesses are modified. Bin colors for solid waste collection services must be standardized across local governments. The bill also makes technical changes and changes to product labeling. To implement this bill the 2024 Supplemental Operating Budget allocates \$106,000 (page 58), \$1.645 million (page 592), \$1.335 million (page 592), and \$3.176 million (page 644). These investments are contingent upon voters rejecting I-2117.

Nutrient Trading: \$410,00 is allocated to implement the recommendations from the Department of Ecology's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials (page 589 of the 2024 Supplemental Operating Budget)

Fish Barrier Removal: \$22 million for culvert replacement projects is provided in the supplemental Capital Budget which is in addition to the \$48 million appropriated in the biennial budget (page 103). These resources are provided from the Climate Commitment Act (CCA) and are null and void if the CCA is repealed.

Salmon Recovery Funding Board Projects: An additional \$25 million is provided through the supplemental Capital Budget, but is null and void if the CCA is repealed (page 99).

Community Forest Projects: Two additional community forest projects receive \$5.77 million in the supplemental Capital Budget (page 101). The funding is null and void if the CCA is repealed.

PFAS Cleanup: \$5 million is provided for three separate projects to remediate the impact of PFAS on drinking water supplies. (pages 57, 89, and 97 of the 2024 Supplemental Capital Budget).

Health Equity Zones: \$304,000 is allocated to support health equity zones, as defined in RCW 43.70.595, in identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. This funding is contingent on voters rejecting I-2117.

Water Right Mapping: \$206,000 is allocated to develop a statewide web map tool to integrate the Department's water resources management database. The web map must provide the public with an interactive online mapping system focused on water resource data that enables users to access, visualize, and use improved water data. (page 591 of the 2024 Supplemental Operating Budget)

Groundwater Modeling: \$400,000 is allocated to develop a groundwater modeling publication to provide consistency in the Department's evaluation of groundwater models submitted for water right permitting actions and ensure continued transparency to water right applicants. (page 593 of the 2024 Supplemental Operating Budget).

Municipal Water Conservation Statute: \$298,000 is allocated to the Ruckelshaus Center to evaluate and recommend actions to increase the effectiveness of the state's municipal water conservation statute. Recommendations may be informed by best practices in other states. Report is due June 30, 2025. (page 803 of the 2024 Supplemental Operating Budget).

Carbon & Energy

Much of the climate and energy policy discussion this session was overshadowed by the looming possibility of the Climate Commitment Act (CCA) being repealed if [Initiative 2117](#) is approved by voters in November. Revenues generated by the CCA in the first half of the biennium are invested in a variety of programs and projects that reduce carbon emissions. Most notably, \$150 million is allocated to provide public and private electric utilities with funding to provide bill credits for low-income and moderate-income residential electricity customers to help with the clean energy transition in the amount of \$200 per household by September 15, 2024 (page 148 of the Supplemental Operating Budget). The budget also includes investments that are made with projected CCA revenue that are contingent on Initiative-2117 failing.

A number of notable bills relating to climate policy and renewable energy were debated but did not survive to final passage, including: [House Bill 2051](#) reducing emissions from small engines; [House Bill 1433](#) concerning energy labeling on residential buildings; [House Bill 2117](#) relating to aerial firefighting near wind energy projects; and [House Bill 2042](#) and [House Bill 2429](#) that both would have addressed various aspects of permitting renewable energy projects by the Energy Facility and Site Evaluation Council.

A number of significant measures did pass:

Linking Washington's Carbon Market: [Senate Bill 6058](#), sponsored by Senator Joe Nguyen (D-34th LD), directs the Department of Ecology to facilitate linkage of Washington's carbon market with the California and Quebec carbon market. The intent of linkage is to create a bigger market and theoretically bring down the carbon emission auction prices, leading to lower fuel costs. The earliest the linkage could be facilitated is 2025. The bill takes effect on January 1, 2025, only if Initiative 2117 (I-2117) is not approved by a vote of the people in the 2024 general election. If I-2117 is approved by a vote of the people in the 2024 general election, this act is null and void. To implement the bill, the 2024 Supplemental Operating Budget allocates \$73,000 (page 58), and \$1.8 million—contingent upon voters rejecting I-2117 (page 592).

Clean Buildings: [House Bill 1976](#), sponsored by Representative Mary Fosse (D-38th LD), relates to changing the incentive structure for tier 1 and tier 2 buildings. The Department of Commerce may provide incentives greater than the base incentive payment for upgrading tier 1 and tier 2 buildings under the Early Adoption Incentive Program to owners of buildings that comply with the State Energy Performance Standard.

Agricultural and Forestry Biomass: [Senate Bill 6121](#), sponsored by Senator Kevin Van De Wege (D-24th LD), defines flame cap kiln in the Washington Clean Air Act (Act) and includes the combustion of natural vegetation in portable flame cap kilns as an activity for which certain agencies may permit agricultural or silvicultural burning under the Act, subject to certain limitations. The 2024 Supplemental Budget allocates \$145,000 to implement this bill (page 592).

Solar Consumer Protections: [House Bill 2156](#), sponsored by Representative Kristine Reeves (D-30th LD), is request legislation from the Department of Commerce that provides solar consumer protections. These include requirements for licensing and installation contracts over \$1,000 dollars and enforcement under the Consumer Protection Act.

Natural Gas Transition: [House Bill 1589](#), sponsored by Representative Beth Doglio (D-22nd LD), was one of the most controversial bills to pass the Legislature. Requested by Puget Sound Energy, the bill allows the investor owned utility to apply to the Utilities and Transportation Commission to combine the rate bases of their electric and natural gas utilities. The purpose of this would be to transition natural gas customers to electric service.

Heat Pumps: [Senate Bill 5973](#), sponsored by Senator Marko Liias (D-21st LD), prohibits Homeowner Associations (HOAs) from adopting restrictions or prohibiting the installation of heat pumps. An HOA must pay a civil penalty up to \$1,000 if they violate this prohibition.

Thermal Energy Networks: [House Bill 2131](#), sponsored by Alex Ramel (D-40th LD), promotes the establishment of thermal energy networks. The bill allows gas and most electric utilities to own or operate non-emitting thermal energy networks. Authorizes a gas company or combination utility to combine gas operations and networks into a single rate base with approval from the Utilities and Transportation Commission (UTC) and allows a gas company's obligation to serve to include providing thermal energy through a network, subject to UTC approval. The 2024 Supplemental Operating Budget allocates \$2,000 (page 4), \$272,000 (page 153), and \$62,000 (page 204) to implement the bill. These investments are contingent upon voters rejecting Initiative 2117.

Promoting Fusion Technology: [House Bill 1924](#), sponsored by Representative Clyde Shavers (D-10th) LD, clears the way for the positive treatment of fusion energy in the event it becomes technologically feasible in the near future. Fusion energy is included in the definition of “clean energy”, establishes a work group concerning the permitting, siting and licensing of facilities, and requires that the consideration of fusion energy be included in the state energy strategy. The 2024 Supplemental Budget allocates \$24,000 (page 154) to implement this bill. This investment is contingent upon voters rejecting Initiative 2117.

Facility Decarbonization Grants: \$14.5 million is allocated to provide grants to local governments, public higher education institutions, school districts, tribal governments, and state agencies to ease energy and operational costs.

Implementation of Green House Gas Emission Subelements of Comprehensive Plans: \$10 million is allocated for programs, services, or capital facilities included in greenhouse gas emission reduction subelements required by HB 1181, approved during the 2023 legislative session. (page 114 of the 2024 Supplemental Operating Budget).

Securing Grant Opportunities: \$3.5 million is allocated to the Department of Commerce to develop a web portal for grant opportunities related to energy, climate, and clean technology. An additional \$5 million is allocated to assist entities in access federal tax incentives and grants. \$4.5 million is provided to assist entities in authoring grant applications, and to provide support for federal grant reporting for entities that receive federal grants. An additional \$2 million is allocated to the Office of Financial Management to build a grant writing, tracking, and management database for the state acquisition of federal funds, and to support development of state strategies for successfully bringing specific types of federal funding to Washington. This funding is contingent on voters rejecting I-2117. (pages 144-146 and page 179 of the 2024 Supplemental Operating Budget).

Clean Energy Permitting: \$600,000 is allocated to Department of Commerce to establish a grant program for cities and counties to establish permitting processes that rely on the online automated permit processing software developed by the national renewable energy laboratory and that applies to any combination of the following permitting: solar, energy storage, electric vehicle charging infrastructure, or other similar clean energy applications included within the suite of capabilities of the online automated permit processing software. This funding is contingent on voters rejecting I-2117. (page 150 of the 2024 Supplemental Operating Budget).

Compliance with Tier 1 and Tier 2 Buildings: \$4 million is provided to the Association of Washington Cities and \$4 million to the Washington State Association of Counties to assess current energy performance for tier 1 and tier 2 covered buildings and provide cost estimates for upgrades. (page 4 of the 2024 Supplemental Capital Budget).

Clean Building Grants: \$45 million is provided for grants for tier 1 covered buildings and public buildings. The appropriation is null and void if the CCA is repealed. (page 68 of the 2024 Supplemental Capital Budget).

Green Jobs and Infrastructure Catalytic Funds: \$24 million is provided for grants to entities, including local governments, to help communities meet their energy and climate change regulatory requirements, bring additional investment to the State, and help develop advanced workforce. This funding lapses if the CCA is repealed. (page 47 of the 2024 Supplemental Capital Budget).

Clean Energy Community Decarbonization: \$50 million is appropriated for grants to entities, including local governments, for planning, design, and implementation of capital projects and clean energy technologies that reduce greenhouse gas emissions in vulnerable, overburdened, and tribal communities. This funding lapses if the CCA is repealed. (page 49 of the 2024 Supplemental Capital Budget).

Solar Deployment and Battery Storage: \$38 million is provided for grants to increase solar development and installation of battery storage in community buildings (including local government buildings) to enhance grid resilience and provide backup power or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. This funding is null and void if the CCA is repealed. (page 49 of the 2024 Supplemental Capital Budget).

Community Electric Vehicle Charging Infrastructure: \$105 million is appropriated for the development of community electric vehicle charging infrastructure, including local governments. This funding is void if the CCA is repealed. (page 59 of the 2024 Supplemental Capital Budget).

Energy Audits: \$3.5 million is allocated to provide and facilitate access to energy assistance programs, including incentives, energy audits, and rebate programs to retrofit homes and small businesses. This funding is contingent on voters rejecting I-2117. (page 147 of the 2024 Supplemental Operating Budget).

Clean Energy Ambassadors: \$3 million is allocated for the Department of Commerce to establish a Washington Clean Energy Ambassadors program that offers education, planning, technical assistance, and community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access. This funding is contingent on voters rejecting I-2117. (page 148 of the 2024 Supplemental Operating Budget).

Sewer Heat Recovery Programs and Pilots: \$150,000 is allocated for grants to conduct up to three feasibility studies that will investigate the expansion of sewer heat recovery programs and pilots. This funding is contingent on voters rejecting I-2117. (page 152 of the 2024 Supplemental Operating Budget).

Embodied Carbon Building Code Study: \$250,000 is allocated to the State Building Code Council to conduct a study on embodied carbon used in the building codes. Recommendations shall be provided for language addressing embodied carbon for potential adoption by the council. Report is due December 1, 2024. This funding is contingent on voters rejecting Initiative 2117. (page 215 of the 2024 Supplemental Operating Budget).

Carbon Dioxide Removal: \$300,000 is allocated to contract with a third party to conduct a study of the extent to which carbon dioxide removal is needed to meet Washington's emission reduction targets. The study must include recommendations on policies to grow Washington's carbon dioxide removal capacity, including compliance market development and government procurement policies. An interim report is due November 30, 2024 and a final report is due June 30, 2025. This funding is contingent on voters rejecting Initiative 2117. (page 589 of the 2024 Supplemental Operating Budget).

Agricultural Fuel Exemption under the Climate Commitment Act: \$30 million is allocated to provide payments to support farm fuel uses and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the Climate

Commitment Act. This funding is contingent on voters rejecting I-2117. (page 651 of the 2024 Supplemental Operating Budget).

General Government

The Legislature considered several proposals that would have broadly changed how local governments do business. Many of those proposals, including: [House Bill 1932](#), allowing local agencies to transition to even-year elections; [House Bill 1990](#), would have established a statewide aerial imagery service available to local governments; [Senate Bill 6232](#), and [House Bill 2307](#), attempting to assist agencies in managing public records; and [Senate Bill 5924](#) mandating access to personnel records, and more were considered but did not get across the finish line. However, several proposals did get across the finish line:

Match Act: [House Bill 1870](#), sponsored by Representative Stephanie Barnard (R-8th LD) promotes economic development for local communities by requiring the Department of Commerce to assist local communities with federal grant applications and creating a resource guide for federal grant applicants. The bill is null and void unless funded in the budget. The 2024 Supplemental Operating Budget allocates \$500,000 to implement this bill (page 131).

Public Comment Notice: [House Bill 1105](#), sponsored by Representative Shelley Kloba (D-1st LD), requires that whenever a public agency is mandated by law to provide notice that it is soliciting written public comment, the notice must specify the first and last date by which such public comment must be submitted. A public agency that violates the public comment notice requirements is subject to a civil penalty of \$500 for the first violation and \$1,000 for any subsequent violation, but no member of the agency is personally liable for a violation.

Transportation

Following another year of record-breaking traffic fatalities, the Legislature continued to prioritize traffic safety policies and investments. One of the major policies in this arena, lowering the allowable blood alcohol concentration from .08 to .05 ([Senate Bill 5002](#)) did not receive further consideration in the second year of the biennium. There were several bills related to the use of automated traffic safety cameras and while one did pass, described below, many did not ([House Bill 1807](#), [House Bill 2485](#)). Aside from traffic safety, the major focus for transportation was balancing the biennial budget given the significant cost increases to mega projects throughout the state. Below are highlights from the supplemental budget and transportation related bills that passed the legislature.

Automated Traffic Safety Cameras: [House Bill 2384](#), sponsored by Representative Brandy Donaghy (D-44th LD), allows cities and counties expanded authority to use automated traffic safety cameras (school zone cameras, red-light cameras, speed cameras, and bus lane enforcement cameras). Additionally, cameras are authorized to be used on state routes within the city that are classified as city streets, and in work zones on city streets and county roads. All revenue generated by each authorized camera remains with the local government. In cities with a population of 10,000 or more, all revenues generated from the cameras must be used for traffic safety purposes, and a proportionate share of the revenue must be spent in census tracts with household incomes in the lowest quartile and in areas that experience above average rates of injury crashes. In cities with a population less than 10,000, such revenue must be informed by

the Department of Health's environmental health disparities map. Cities currently utilizing revenue from red-light cameras and school-zone cameras are exempt from these requirements and may continue to spend revenue consistent with purposes outlined in an existing ordinance. Only trained and authorized civilian employees are to review and issue infractions to automated school bus safety camera violations. Additionally, to review traffic camera violations an employee must be a civilian employee who works for the law enforcement agency, public works, or transportation department, and must be sufficiently trained and certified by peace officers or traffic engineers. Individuals on public assistance are also able to receive a 50% reduction in a fine resulting from an infraction captured by a camera. The 2024 Supplemental Operating Budget allocates \$560,000 to implement the bill (page 19).

Fish Barrier Adoption: [House Bill 2045](#), sponsored by Representative Kevin Waters (R-17th LD), authorizes local governments and the Washington State Department of Transportation to enact Adopt-A-Fish Passage programs for the purpose of fish barrier removal. To the extent feasible, local governments must coordinate donations with any grant applications for state funding of fish barrier removal with the goal of expediting the removal of fish passage barriers.

Alternative Uses for Rights-of-Way: \$500,000 is provided for WSDOT to explore alternative uses of the state's rights-of-way to address climate change, equitable communications, renewable energy generation, electrical transmission and distribution projects, broadband projects, and more. (page 60 of the 2024 State Transportation Budget).

Federal Fund Exchange Pilot Program: \$7.5 million is provided for a federal funds exchange pilot to allow local governments to exchange their federal funds with state funds at a rate of 95 cents to 1 dollar. The legislature intends to evaluate the effectiveness of this program in the 2025 session. (pages 124-125 of the 2024 Supplemental Transportation Budget).

Highway Encampments: An additional \$2 million is provided for WSDOT to address the risks to safety and public health associated with homeless encampments on state owned rights-of-way and encampment cleanup. (page 68 of the 2024 Supplemental Transportation Budget).

Multiagency Permit Program: \$150,000 is provided for WSDOT to hire a liaison position within the local program multiagency permit program to enhance the programs capabilities, with an emphasis on multiagency agreements that streamline, prioritize and expedite project level and programmatic permits and approvals. WSDOT is directed to review the current multiagency permit program practices and provide a report with recommendations to the legislature by December 1, 2024. (page 109 of the 2024 Supplemental Transportation Budget).

Traffic Safety Investments: The Legislature makes several investments to understand and mitigate driving behaviors and conditions that result in traffic safety incidents. Highlights include \$200,000 to the Traffic Safety Commission to develop a law enforcement light metering pilot program to measure lighting in locations where serious injury or fatalities have occurred; \$300,000 for the Traffic Safety Commission to purchase telematics data on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in select geographical areas prone to crashes, with an annual report summarizing the data from June 30, 2025 to June 30, 2027. \$1 million is provided to the Traffic Safety Commission to supplement existing funding for impaired driving and

other enforcement, with a focus on high visibility enforcement and indigenous knowledge-informed tribal traffic safety support. A report on these outcomes is due back to the Legislature by December 1, 2025. (pages 13-14 of the 2024 Supplemental Transportation Budget).

Truck Parking: Parking for semi-trucks near ports and warehouse facilities is a growing challenge. \$14.1 million is provided for WSDOT to develop and implement a technology based truck parking availability system along the I-5 corridor. The final report for this work is due to the legislature by December 1, 2024. Further, the legislature allocated \$1 million for the design of the I-5 Fort Lewis Weigh Station and SR 906 Phase 3 truck parking improvements. The budget also indicates legislative intent to provide \$4.95 million in the 25-27 biennium for additional truck parking improvements based on WSDOT and the freight mobility strategic investment board's recommendations. (page 127 of the 2024 Supplemental Transportation Budget).

Infrastructure

Infrastructure issues that weren't related to housing or transportation didn't receive much attention from the Legislature in 2024. Sewage treatment plants were the target of [House Bill 2290](#) which would have imposed a fee for any wastewater discharges into Puget Sound, but this did not move forward. Other items that did pass included:

Prompt Payment: [Senate Bill 6040](#), sponsored by Senator Javier Valdez (D-46th LD), requires the Capital Projects Advisory Review Board (CPARB) to review the extent to which prompt pay statutes meet the needs of small businesses, particularly women and minority-owned businesses. The review must also consider a requirement that within ten days of payment, the prime contractor and each higher tier subcontractor must make payment to its subcontractor until the small business or women, or minority-owned business has received payment. CPARB must present findings and recommendations to the Legislature on or before November 1, 2024. The bill takes effect on July 1, 2024.

Study of Public Works Contracts: \$175,000 is allocated to the municipal research and services center (MRSC) to conduct a public works study. The study shall evaluate the application of public works requirements, including prevailing wage and apprentice utilization, on publicly funded construction, including those supported in part or in whole with state funds, the granting or loaning of public dollars, and tax deferrals or reimbursements. A report is due June 30 2025. (page 449 the 2024 Supplemental Operating Budget).

Study of Registered Apprenticeship Programs: \$75,000 is allocated to the Department of Labor and Industries to survey registered apprenticeship programs and assimilate data that documents the fee structure and contractual elements of partnerships between the various registered apprenticeship programs and community and technical college system. A report is due November 15, 2024. (page 449 of the 2024 Supplemental Operating Budget).

Broadband Equity, Access, and Deployment Grants: The 2024 Supplemental Capital Budget provides over \$95 million in additional funding as match for federal funding through the BEAD program in the Infrastructure Investment and Jobs Act. (page 4).

Wastewater Treatment Plant Capacity: \$250,000 is allocated to the Washington State Association of Local Public Health Officials (WSALPHO) to conduct an analysis of current wastewater treatment capacity to treat and dispose of septage in Washington; and future wastewater treatment infrastructure needs to accommodate development

growth using on-site septage systems. Report is due June 30, 2025. (page 591 of the 2024 Supplemental Operating Budget).

Water Utility Study: \$300,000 is allocated to assess the need for and feasibility of a statewide low-income assistance program for water utility customers. The study must include, but is not limited to, a summary of existing low-income assistance, a review of low-income populations water utility service cost burden, and recommendations for the design of a statewide drinking water and wastewater utility assistance program. The report is due June 30, 2025. (page 488 of the 2024 Supplemental Operating Budget).

Ellensburg – 2024 Session

All Bills Monitored and Supported/Opposed

Passed Legislature

Bill #	Abbrev. Title	Short Description	Sponsor	Position
SHB 1870	Local comm. federal funding	Promoting economic development by increasing opportunities for local communities to secure federal funding.	Barnard	
HB 1976	Incentives/energy upgrades	Changing the incentive structure for tier 1 and tier 2 buildings.	Fosse	
HB 1987	Public facilities tax use	Concerning the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities.	Low	
ESHB 1998 (SSB 5901)	Co-living housing	Concerning co-living housing.	Gregerson	
ESHB 2131 (SB 6138)	Thermal energy networks	Promoting the establishment of thermal energy networks.	Ramel	
SHB 2156 (SSB 6256)	Solar consumer protections	Providing solar consumer protections.	Reeves	
EHB 2199	CCA tax exemptions	Creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act.	Orcutt	
E2SSB 5258 (Inactive) (HB 1298)	Condos and townhouses	Increasing the supply and affordability of condominium units and townhouses as an option for homeownership.	Shewmake	
2SSB 5780	Public defense & prosecution	Expanding training opportunities for public defense.	Torres	
SSB 5834	Urban growth areas	Concerning urban growth areas.	Short	
SSB 5919 (SHB 2069)	Biogenic carbon dioxide	Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing.	King	
SSB 6047 (SHB 2173)	OPMA executive sessions/CCA	Concerning executive sessions by publicly owned natural gas utilities under the open public meetings act in order to comply with the climate commitment act.	Warnick	Support
E2SSB 6058 (2SHB 2201)	Carbon market linkage	Facilitating linkage of Washington's carbon market with the California-Quebec carbon market.	Nguyen	
SSB 6115 (ESHB 2356)	Speed safety cameras	Concerning speed safety camera systems.	King	
ESB 6120	Wildland urban interface	Concerning the Wildland Urban Interface Code.	Van De Wege	

SSB 6301 (HB 2475)	Basic law enf. academy	Concerning basic law enforcement academy.	Lovick	
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Did Not Pass Legislature

Bill #	Abbrev. Title	Short Description	Sponsor	Position
HB 1006 (Dead)	Drug testing equipment	Expanding access to drug testing equipment.	Orwall	
2SHB 1025 (Dead)	Police/private actions	Creating a private right of action for harm from violations of the state Constitution or state law by peace officers.	Thai	
SHB 1026 (Dead)	Local gov. design review	Concerning local government design review.	Walen	
HB 1053 (Dead)	Vehicular pursuits	Concerning vehicular pursuits.	Robertson	
2SHB 1078 (Dead)	Urban forest management	Concerning urban forest management ordinances.	Duerr	
SHB 1080 (Dead)	Body worn cameras	Concerning body worn cameras.	Taylor	
HB 1099 (Dead)	Public works wages	Requiring certain wages in public works contracts to be at least the prevailing wage in effect when the work is performed.	Berry	
SHB 1111 (Dead)	Housing benefit districts	Concerning housing benefit districts.	Ryu	
HB 1135 (Dead) (SB 5452)	Impact fee use	Authorizing impact fee revenue to fund improvements to bicycle and pedestrian facilities.	Slatter	
HB 1149 (Dead) (SSB 5202)	Housing/capital expenditures	Reducing homelessness in Washington state through capital expenditures for programs that address housing insecurity.	Tharinger	
HB 1166 (Dead)	Water quality trading prog.	Improving climate resiliency through the development of a water quality trading program for recipients of national pollutant discharge elimination system general permits.	Dye	
E2SHB 1167 (Dead)	Residential housing	Concerning residential housing regulations.	Duerr	
HB 1178 (Dead) (SB 5446)	Firearms/local government	Concerning local government authority to regulate firearms.	Hackney	
HB 1215 (Dead) (SB 5266)	Riparian areas	Concerning the protection and restoration of riparian areas.	Chapman	
ESHB 1245 (Dead) (SSB 5364)	Lot splitting	Increasing housing options through lot splitting.	Barkis	
HB 1252 (Dead)	Impact fee deferrals	Concerning impact fee deferrals.	Bateman	
HB 1296 (Dead)	Local permit review	Concerning consolidating local permit review processes.	Peterson	

(2SSB 5290)				
HB 1298 (Dead) (E2SSB 5258)	Condos and townhouses	Increasing the supply and affordability of condominium units and townhouses as an option for homeownership.	Hutchins	
HB 1343 (Dead)	Rent relief & housing	Providing local governments with options to grant rent relief and preserve affordable housing in their communities.	Kloba	
HB 1350 (Dead)	Multifamily unit conversion	Expanding the multifamily tax exemption program to include converting existing multifamily units.	Walen	
SHB 1351 (Dead) (SB 5456)	Minimum parking requirements	Prohibiting the imposition of minimum parking requirements except under certain circumstances.	Reed	
SHB 1363 (Dead) (ESB 5352)	Vehicular pursuits	Concerning vehicular pursuits.	Rule	
SHB 1381 (Dead)	Salmon-safe communities	Concerning salmon-safe communities.	Dye	
ESHB 1387 (Dead)	Law enf. applicant pool	Requiring the criminal justice training commission to establish a program to recruit and train a pool of applicants who may be employed by certain law enforcement agencies in the state.	Ramos	
HB 1401 (Dead)	Housing permit process	Allowing cities and counties to create a simple, standardized housing permit process for affordable housing units in areas designated for housing.	Jacobsen	
HB 1402 (Dead)	Urban growth boundaries	Adjusting urban growth boundaries to account for situations where property owners have not developed property as expected in comprehensive plans and development regulations.	Jacobsen	
HB 1403 (Dead)	Water & sewage system access	Making it possible for more properties to have access to water, storm drains, and sanitary sewage systems.	Goehner	
HB 1415 (Dead)	Controlled sub. possession	Making the knowing possession of a controlled substance a gross misdemeanor offense under criminal violations of Title 69 RCW.	Maycumber	
2SHB 1445 (Dead)	Law enf. misconduct	Concerning law enforcement and local corrections agency misconduct through investigations and legal actions.	Hansen	
HB 1446 (Dead) (SSB 5361)	Law enf. officers/increase	Incentivizing cities and counties to increase employment of commissioned law enforcement officers.	Stokesbary	
SHB 1449 (Dead)	Project permits/reports	Amending reporting requirements for the project permit application processing timeline.	Alvarado	

HB 1467 (Dead)	Property infill/GMA	Concerning infill for properties uniquely situated between boundaries and existing development.	Barkis	
HB 1476 (Dead) (SB 5289)	Impact fees/law enforcement	Concerning allowing the use of impact fees for law enforcement.	Shavers	
2SHB 1492 (Dead)	State v. Blake relief	Providing relief for persons affected by State v. Blake.	Simmons	
SHB 1513 (Dead) (SB 5572)	Traffic safety	Improving traffic safety.	Street	
HB 1517 (Dead) (ESSB 5466)	Transit-oriented development	Promoting transit-oriented development.	Reed	
HB 1519 (Dead)	Local project review	Concerning local project review.	Barkis	
2SHB 1586 (Dead)	Vehicular pursuits work grp.	Requiring the criminal justice training commission to establish a work group and grant program related to vehicular pursuits.	Goodman	
SHB 1596 (Dead)	Affordable housing incentive	Providing local governments with options to increase affordable housing in their communities.	Kloba	
HB 1611 (Dead)	Local government permitting	Concerning local government permitting.	Reed	
HB 1625 (Dead) (SB 5615)	Rent controls/local gov.	Enabling local governments to plan and adopt programs to stabilize and control rents.	Pollet	
2SHB 1628 (Dead)	Real estate excise tax	Increasing the supply of affordable housing by modifying the state and local real estate excise tax.	Chopp	
HB 1649 (Dead)	Prejudgment interest	Concerning prejudgment interest.	Hackney	
SHB 1650 (Dead)	Cannabis prohibitions	Requiring voter approval for local government prohibitions on cannabis businesses.	Wylie	
HB 1670 (Dead)	Property tax limit factor	Raising the limit factor for property taxes.	Ormsby	
HB 1689 (Dead) (SB 5636)	Forest practices in cities	Concerning forest practices in cities.	Doglio	
HB 1723 (Dead) (SSB 5651)	GMA/equity and env. justice	Concerning equity and environmental justice in the growth management act.	Duerr	
SHB 1735 (Dead)	GMA/net ecological gain	Adding net ecological gain as a voluntary element of comprehensive plans under the growth management act.	Lekanoff	
HB 1813 (Dead)	Community transition facs.	Establishing a moratorium on the siting and use of secure community transition facilities.	Griffey	
HB 1832 (Dead)	Vehicle per mile charge	Implementing a per mile charge on vehicle usage of public roadways.	Fey	

HB 1878 (Dead)	State employee seniority	Preserving seniority for state employees who are reemployed.	Low	
HB 1908 (Dead)	Utility project assistance	Supporting the clean energy transition by providing a framework for financial assistance to utility-scale emission-reducing electricity generation or storage projects.	Barnard	
HB 1965 (Dead) (SB 5918)	CCA allowance allocation	Concerning the allocation of allowances under chapter 70A.65 RCW, the Washington climate commitment act.	Chapman	
HB 2027 (Dead) (SB 5905)	Law enf. certification	Concerning certification, background checks, and training requirements for sheriffs, police chiefs, marshals, reserve officers, and volunteers.	Doglio	
HB 2042 (Dead) (SB 5992)	Water supply/energy sites	Requiring applicants seeking energy facility site certification for an energy facility that generates electricity using renewable resources to provide evidence of an adequate water supply for the project.	Corry	
2SHB 2113 (Dead)	GMA housing element	Concerning compliance with the housing element requirements of the growth management act.	Bateman	
HI 2117 (Dead) (SI 2117)	Carbon tax credit trading	Concerning carbon tax credit trading.		
SI 2117 (Dead) (HI 2117)	Carbon tax credit trading	Concerning carbon tax credit trading.		
HB 2158 (Dead)	Urban growth area boundaries	Expanding urban growth area boundaries for residential development.	Connors	
SHB 2173 (Dead) (SSB 6047)	Natural gas utilities/OPMA	Concerning executive sessions by publicly owned natural gas utilities under the open public meetings act in order to comply with the climate commitment act.	Ybarra	Support
2SHB 2201 (Dead) (E2SSB 6058)	Carbon market linkage	Facilitating linkage of Washington's carbon market with the California-Quebec carbon market.	Doglio	
HB 2211 (Dead) (SB 6076)	Criminal justice local tax	Granting local taxing authority to fund criminal justice.	Stearns	
HB 2234 (Dead)	Low-income energy assistance	Concerning energy assistance for low-income households.	Ybarra	
SHB 2250 (Dead) (SB 6156)	Local elections	Increasing representation and voter participation in local elections.	Gregerson	
HB 2253 (Dead) (SB 6113)	Community solar	Concerning fair access to community solar.	Hackney	
SHB 2258 (Dead)	Regional 911 funding	Providing funding for municipalities participating in the regional 911 emergency communications system.	Ormsby	

HB 2307 (Dead)	Public records reviews	Limiting vexatious claims by modifying administrative and judicial review processes for public records requests and responses.	Schmick	
SHB 2336 (Dead)	Suitability of lands	Assessing the suitability of lands in Washington for agricultural and renewable energy purposes.	Morgan	
HB 2343 (Dead)	Property owners/projects	Concerning reimbursement by property owners for street, road, and water or sewer projects.	Donaghy	
HB 2353 (Dead)	Residential targeted areas	Promoting affordable housing in unincorporated areas within urban growth areas of counties.	Nance	
ESHB 2356 (Dead) (SSB 6115)	Speed safety cameras	Concerning speed safety camera systems.	Fey	
HB 2359 (Dead)	Vehicle impounds	Concerning vehicle impounds.	Peterson	
HB 2376 (Dead)	CCA public entity oblig.	Concerning the regulatory obligations of certain public entities, including municipal gas utilities, under the climate commitment act.	Robertson	Support
SHB 2390 (Dead) (SB 6200)	Eluding & resisting arrest	Concerning penalties related to eluding police vehicles and resisting arrest.	Shavers	
HB 2472 (Dead)	Mental health/matching funds	Providing state matching funds for programs supported by the county sales and use tax for chemical dependency, mental health treatment, and therapeutic courts.	Hutchins	
ESHB 2474 (Dead)	Transitional housing siting	Concerning compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing.	Peterson	
HB 2475 (Dead) (SSB 6301)	Basic law enf. academy	Concerning basic law enforcement academy.	Lekanoff	
HB 2480 (Dead)	Recreational use liability	Addressing the liability of owners or others in possession of land and water areas for injuries to recreational users.	Klicker	
ESB 5022 (Dead)	Drug testing equipment	Exempting fentanyl testing equipment from the definition of drug paraphernalia.	Muzzall	
SB 5034 (Dead)	Vehicular pursuits	Concerning the authority for a peace officer to engage in a vehicular pursuit.	Padden	
SB 5035 (Dead)	Controlled sub. possession	Concerning possession of controlled substances.	Padden	
SB 5059 (Dead)	Prejudgment interest	Concerning prejudgment interest.	Kuderer	
SSB 5094 (Dead)	Water system plans/climate	Adding a climate resilience element to water system plans.	Rolfes	
SB 5117 (Dead) (HB 1404)	State building code council	Reforming the state building code council, its operations and procedures, and its statutory authority.	Wilson	

SSB 5118 (Dead)	Multifamily property tax ex.	Concerning modifying the multifamily property tax exemption to promote development of long-term affordable housing.	Kuderer	
SSB 5190 (Dead) (E2SHB 1110)	Middle housing	Increasing middle housing in areas traditionally dedicated to single-family detached housing.	Trudeau	
SSB 5202 (Dead) (HB 1149)	Housing/capital expenditures	Reducing homelessness in Washington state through capital expenditures for programs that address housing insecurity.	Trudeau	
SSB 5203 (Dead) (E2SHB 1181)	Climate change/planning	Improving the state's response to climate change by updating the state's planning framework.	Lovelett	
SSB 5235 (Dead) (HB 1276)	Accessory dwelling units	Concerning accessory dwelling units.	Shewmake	
SB 5247 (Dead) (2SHB 1176)	Climate-ready communities	Developing opportunities for service and workforce programs to support climate-ready communities.	Nobles	
SB 5289 (Dead) (HB 1476)	Impact fees/law enforcement	Concerning allowing the use of impact fees for law enforcement.	Shewmake	
SSB 5303 (Dead)	Public works trust account	Creating the public works assistance revolving account.	Mullet	
ESSB 5334 (Dead)	Affordable housing funding	Providing a local government option for the funding of essential affordable housing programs.	Lovelett	
SSB 5361 (Dead) (HB 1446)	Law enf. officers/increase	Incentivizing cities and counties to increase employment of commissioned law enforcement officers.	Holy	
SB 5404 (Dead)	Cannabis revenue/local gov.	Increasing cannabis revenue distributions to local governments.	Wagoner	
SB 5456 (Dead) (SHB 1351)	Minimum parking requirements	Prohibiting the imposition of minimum parking requirements except under certain circumstances.	Frame	
ESSB 5466 (Dead) (HB 1517)	Transit-oriented development	Promoting transit-oriented development.	Liias	
SB 5467 (Dead) (HB 1613)	Controlled sub. possession	Encouraging treatment for possession of certain counterfeit drugs or controlled substances.	Salomon	
SB 5473 (Dead)	Project permit timelines	Concerning project permit timelines.	Gildon	
SSB 5533 (Dead)	Model vehicle pursuit policy	Concerning the creation of a model vehicle pursuit policy.	Lovick	
SB 5572 (Dead) (SHB 1513)	Traffic safety	Improving traffic safety.	Valdez	

SSB 5609 (Dead)	Housing approval	Establishing housing approval requirements that will eliminate Washington's housing shortage.	Braun	
SB 5611 (Dead) (2SHB 1578)	Wildland fire safety	Improving community preparedness, response, recovery, and resilience to wildland fire health and safety impacts in areas of increasing population density, including in the wildland urban interface.	Wagoner	
SB 5615 (Dead) (HB 1625)	Rent controls/local gov.	Enabling local governments to plan and adopt programs to stabilize and control rents.	Valdez	
SB 5618 (Dead)	Local property tax limit	Increasing the local property tax revenue growth limit.	Kuderer	
SB 5624 (Dead)	Substance use recovery serv.	Implementing the recommendations of the substance use recovery services advisory committee.	Dhingra	
SB 5636 (Dead) (HB 1689)	Forest practices in cities	Concerning forest practices in cities.	Hunt	
SSB 5651 (Dead) (HB 1723)	GMA/equity and env. justice	Concerning equity and environmental justice in the growth management act.	Lovelett	
2SSB 5730 (Dead)	Vehicle residences/impound	Concerning impounds of vehicles used as residences.	Fortunato	
SSB 5770 (Dead)	Property tax	Providing state and local property tax reform.	Pedersen	
SB 5773 (Dead)	Public defense services	Concerning public defense services.	Torres	
SB 5781 (Dead)	Law student rural PD program	Establishing a law student rural public defense program.	Torres	
SB 5782 (Dead)	Right to counsel services	Evaluating the provision of right to counsel services.	Torres	
SB 5826 (Dead)	Utility bills/CCA charges	Requiring customer charges to be listed on utility billing statements if the charges are a result of implementing the Washington climate commitment act.	MacEwen	
SB 5833 (Dead) (HB 2034)	Court reorganization notices	Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations.	Torres	
SB 5844 (Dead)	Dilapidated RV disposal	Creating a dilapidated recreational vehicle disposal program.	Muzzall	
SSB 5901 (Dead) (ESHB 1998)	Co-living housing	Concerning co-living housing.	Salomon	
SB 5905 (Dead) (HB 2027)	Law enf. certification	Concerning certification, background checks, and training requirements for sheriffs, police chiefs, marshals, reserve officers, and volunteers.	Lovick	
SB 5918 (Dead) (HB 1965)	CCA allowance allocation	Concerning the allocation of allowances under chapter 70A.65 RCW, the Washington climate commitment act.	Van De Wege	

SB 5959 (Dead) (ESHB 2384)	Traffic safety cameras	Concerning automated traffic safety cameras.	Liias	
SB 5992 (Dead) (HB 2042)	Water supply/energy sites	Requiring applicants seeking energy facility site certification for an energy facility that generates electricity using renewable resources to provide evidence of an adequate water supply for the project.	Warnick	
SB 6076 (Dead) (HB 2211)	Criminal justice local tax	Granting local taxing authority to fund criminal justice.	Keiser	
SB 6113 (Dead) (HB 2253)	Community solar	Concerning fair access to community solar.	Lovick	
SB 6143 (Dead)	Salmon habitat planning	Concerning local salmon habitat recovery planning in critical areas.	Salomon	
SB 6153 (Dead)	Peace officer hiring & cert.	Concerning peace officer hiring and certification.	Kuderer	
SB 6156 (Dead) (SHB 2250)	Local elections	Increasing representation and voter participation in local elections.	Nobles	
ESB 6167 (Dead)	Local government procurement	Concerning local government procurement rules.	Hasegawa	
SSB 6189 (Dead)	Jail system	Concerning transparency, public safety, and independent oversight of the city, county, and regional jail system in Washington state.	Saldana	
SB 6200 (Dead) (SHB 2390)	Eluding & resisting arrest	Concerning penalties related to eluding police vehicles and resisting arrest.	Lovick	
SSB 6232 (Dead)	Public records portal pilot	Establishing a pilot common public records portal.	Wilson	
SB 6242 (Dead)	Law enforcement training	Concerning law enforcement training.	Mullet	

Capital Budget -- 2024 Supplemental
As Passed Legislature (03/06/2024)
Total Appropriated Funds (TOT-A)
Includes Alternative Finance Projects
Supplemental Changes Only
(Dollars in Thousands)

	New Appropriations
Total 13th Legislative District	26,269
Central Washington University	
Science Building Carbon Reduction	4,509
Secondary Geothermal Module	12,464
Community & Technical College System	
CBPS SBCTC Statewide: Utility Submeters for Clean Buildings Act # %	101
Department of Commerce	
2023-25 Clean Energy Fund Program #	
Biogenic Carbon Dioxide Electrolysis	1,500
2023-25 Dental Capacity Grants #	
Moses Lake Community Health Center	72
2025 Local and Community Projects #	
Columbia Basin Rodeo Association Bleachers	258
Ellensburg Community Fieldhouse	72
KVH Surgical Services Clinic Remodel	100
Port of Quincy Business & Event Center Upgrade	309
Department of Ecology	
2023-25 Columbia River Water Supply Development Program #	
Odessa - OGWRP EL 22.1 pipeline turnouts	5,500
Department of Natural Resources	
Revitalizing Trust Land Transfers #	
Moses Lake Dunes	600
Public Schools	
2023-25 Small District & Tribal Compact Schools Modernization #	
PG Easton	21
PG Thorp	29
Recreation and Conservation Office	
2023-25 Brian Abbott Fish Barrier Removal Board #	
Coleman Creek at SM 4.7	734

Capital Budget -- 2024 Supplemental
As Passed Legislature (03/06/2024)
Total Appropriated Funds (TOT-A)
Includes Alternative Finance Projects
Supplemental Changes Only
(Dollars in Thousands)

* Project funded through alternative financing.
\$ Reflects funding for entire project, however funds will be spent in multiple locations. The amounts listed are not specific to a single location.
For those projects with sub-project detail, only those components associated with the specified location are displayed.
% Amounts associated with Minor Works projects for this location are preliminary and actual spending may vary due to changes in scope and costs.



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Ellensburg Police Department - 2024 Community Survey Results
Submitted by: Eliann Carr, Crime and Intelligence Analyst
Department: Police

Suggested Motion/Action:
Informative Presentation

Background/Summary:

The Ellensburg Police Department developed an ongoing project to determine factors that are known to inhibit crime to apply evidence-based practice for enhancing the safety of our community. The survey results are used to assess areas instrumental towards the safety and cohesion of our community. Staff will present the findings from the initial 2024 survey results, which are attached to this report.

Previous Council Action:
None

Analysis:

Results of the survey indicate a strong trust and validation by the community for the Ellensburg Police Department and provide areas of growth that will enhance the relationship shared between the community and its police officers. The data supporting these findings will be reviewed by staff during presentation of the report.

Financial Impact:
None

Budget Adjustment: No

Attachments:

1. 2024 EPD Survey Results
2. Survey Key
3. 2024 Community Interest Supporting Comments

Ellensburg Police Department

2024 Community Survey



Collection Process

Demographics

Crime & Safety

Police-Community
Interaction

Community Interests

Collection Process

SURVEY SOURCE	ETHICAL APPROVAL	COLLECTION PERIOD	FORMAT
Survey: Police & Community-Interaction Survey Author: Rosenbaum, D., University of Illinois, Chicago (Retired) Number of Questions: 92 Augmentation: Qualitative questions were added to explore specific community interests.	EPD partnered with CWU, submit application for research through CWU-Institutional Review Board (IRB) under exempt status Approved: January 3, 2024 Valid Through: January 2, 2027	Open: January 4, 2024 Closed: January 31, 2024	Electronic was available in English and Spanish, accessible through QR Code Paper versions were available in English and Spanish at: - City Hall - Police Department - Library - HopeSource - Cold Weather Shelter

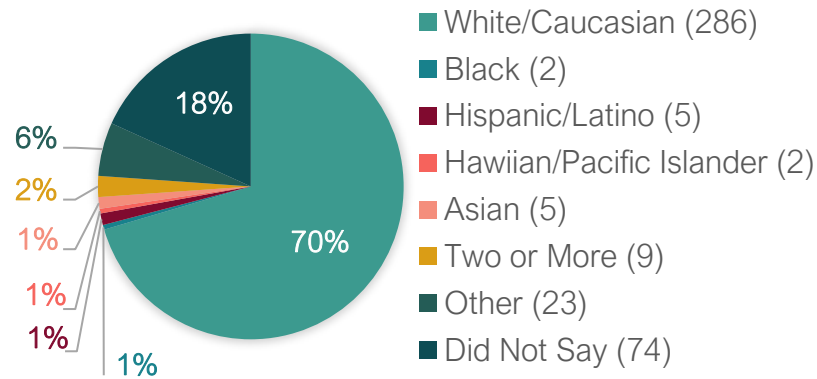
INCOMPLETE RESPONDENTS	TOTAL PARTICIPANTS	TOTAL COMMENTS
12 <i>* Either did not complete the survey or were not at least 18 years of age</i>	406	876

Demographics

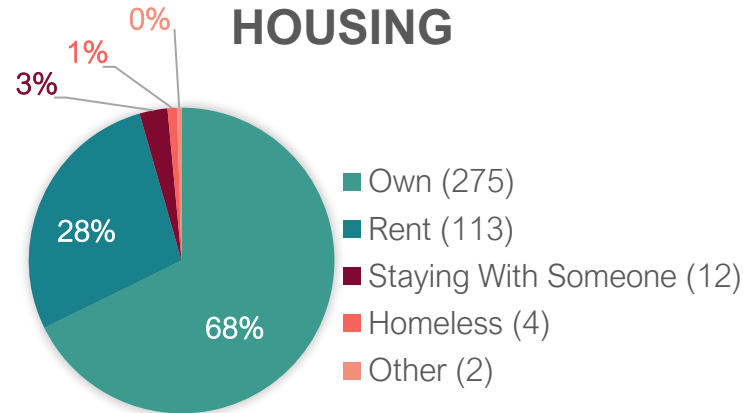
MINORITY
REPRESENTATION

14%

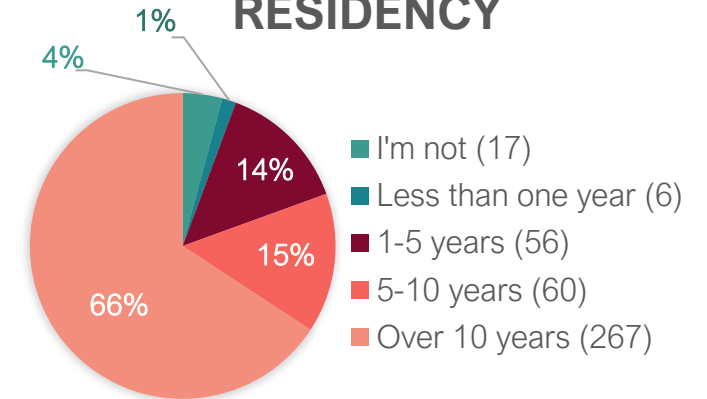
ETHNICITY



HOUSING



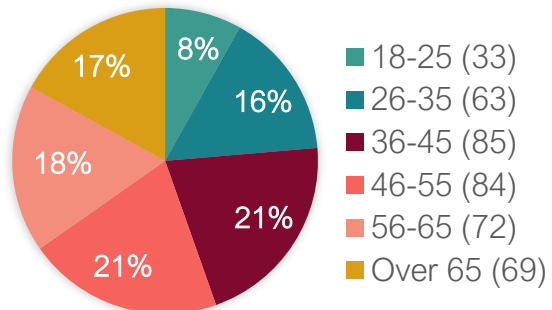
RESIDENCY



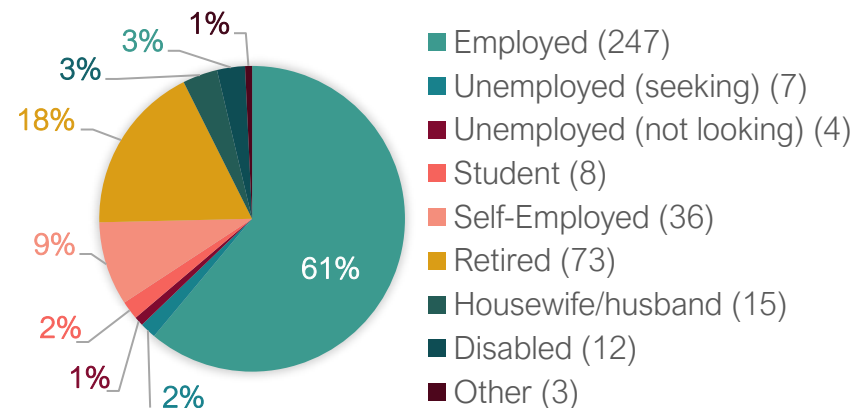
* Matches Ellensburg 2020 Census Data with 99% accuracy

** No one identified as Native American

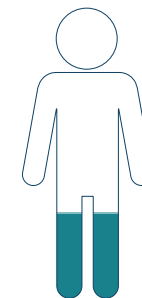
AGE RANGE



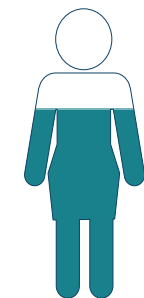
EMPLOYMENT



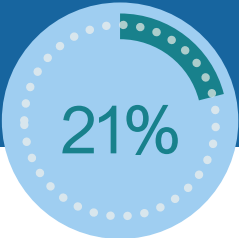
31%



66%



* 3% Chose not to disclose



FEELINGS OF SAFETY

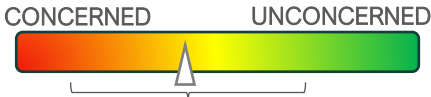
Safety in Ellensburg



Neighborhood Safety



OVERALL CRIME



* RANGE: lowest 1.257 to highest 2.404
** PARAMETERS: 1 (concerned) to 3 (unconcerned)

Top 10 Most Concerning Crimes

Drug Abuse



Child Abuse



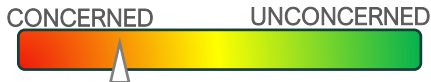
Driving Under the Influence



School Safety



Child Sexual Predators/
Internet Safety



Domestic Violence



Burglaries/Theft
(Auto)



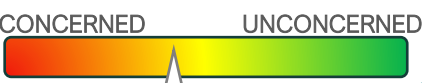
Burglaries/Theft
(Residential)



Homeless- or Transient-Related
Problems



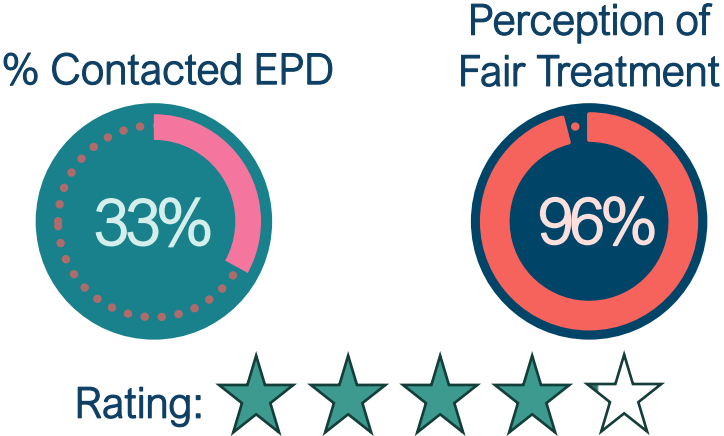
Sexual Assault/Rape



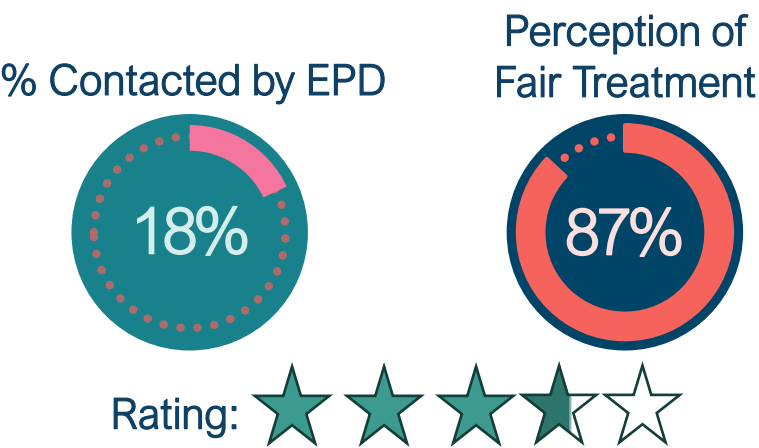
Police-Community Interaction

COLLABORATION WITH COMMUNITY

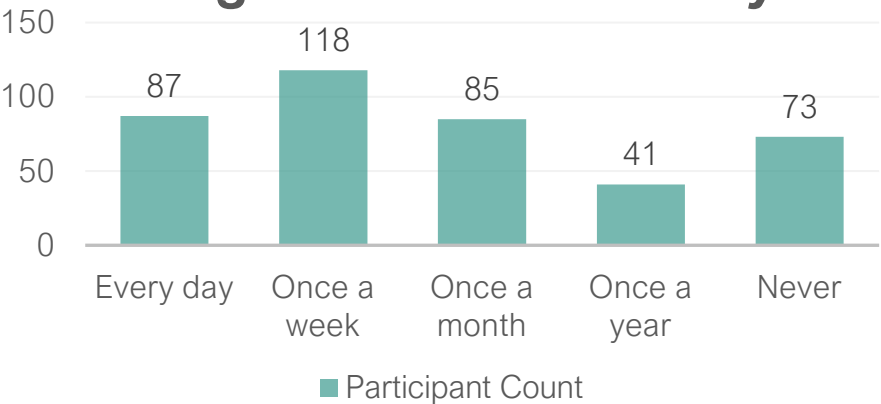
Self-Initiated Contact with EPD



EPD-Initiated Contact



Neighborhood Visibility



Police-Community Interaction

LEGITIMACY & TRUST

Trust Toward EPD



* RANGE: lowest 1.268 to highest 1.275

** PARAMETERS: 1 (highly trustworthy) to 5 (highly untrustworthy)

Top 3 Responses

I would work with the Ellensburg Police to identify a person who committed a crime in my neighborhood



If I saw a crime happening in my neighborhood, I would call the Ellensburg Police to report it



I think I would be treated fairly by Ellensburg Police



Bottom 3 Responses

* Although rated lower than others, these results show exceptionally high community trust in the EPD

The Ellensburg Police do not use race and ethnicity when deciding whether to stop someone



The relationship between the Ellensburg Police and the people of this city is very good



Ellensburg Police treat people respectfully regardless of their mental health status



Police-Community Interaction

PERFORMANCE RATING

- Provide general education on EPD responsibilities and current crime trends in Ellensburg
- Communicate with victims to keep them informed
- Maintain vigilance over indicators that proceed more significant crime trends
- Increase visible presence in areas of concern

COMMUNITY-RAPPORT

- Dispel misinformation pushed by traditional and social media
- Share with the community strategies to address current and future crime trends
- Educate public on EPD methods to engage with individuals believed to have mental health challenges

(MORE ON SLIDE 9)

Top 5 Character Descriptions

1. Professional
2. Respectful
3. Friendly
4. Caring
5. Honest

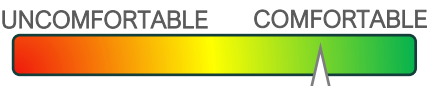


MENTAL HEALTH (MH)

MH Responsiveness



Intervention Support

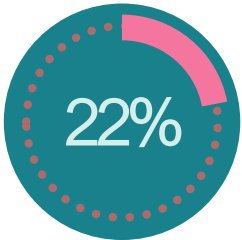


Respect Toward MH

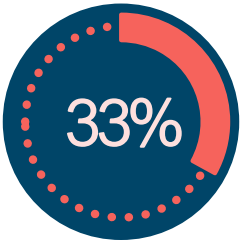


MH Impact on Police Interaction

SELF



FAMILY MEMBER



Suggested Action

- Continued awareness training—responsiveness and referral
- Grow collaborative agency support to improve resources

** Refer to comments (q-r) on Community Interest Supporting Comments handout*

Community Interest

Community-Rapport Building

- **Redefine patrol officers as community diplomats:**
 - Seek opportunities for integration, beyond policing actions and calls for service
 - Develop community-rapport professional development training
- **Public transparency:**
 - Develop regular distribution of community interest topics: inform and educate
 - Grow EPD social-media footprint
 - Report on crime without stigmatizing those who have not been convicted
- **Follow-Up Procedures**
 - Incorporate follow-up protocol with identified victims after a crime, not just information seeking
 - Make community contact in areas of public-visible crimes

** Refer to comments (a-p) on Community Interest Supporting Comments handout*

Homelessness

- **Community Education:**
 - Dispel stigmatization that homelessness causes crime or is caused by mental health diagnosis
 - Inform public on what are chargeable crimes (being homeless is not a crime):
 - Panhandling
 - Public encampments
 - Loitering

** Comments about homelessness were not made by participants who identified as homeless*

** Refer to comments (s-u) on Community Interest Supporting Comments handout*

Community Interest

Child/Youth Concerns

- **Strengthen community awareness about issues that impact children and adolescents:**
 - Internet exploitation
 - Cyber-bullying
 - Mental health concerns
 - Gang recruitment/association
 - Drug abuse
- **Destigmatize reporting of crimes against children:**
 - Publicly communicate resources for individuals associated with crimes against children
- **Grow School-Police Collaboration:**
 - Public report from School Resource Officer on observations and needed awareness concerns
 - Incorporate “Handle With Care” program to facilitate further collaboration with schools

** Refer to comments (v-w) on Community Interest Supporting Comments handout*

Thank You

Dr. Eliann Carr

carre@ci.ellensburg.wa.us

<https://ci.ellensburg.wa.us/779/Police>

Ellensburg Police Department

Community Survey Key

MEASURE	OPERATIONAL DEFINITION	INDICATOR QUESTIONS	SCORE TYPE	REPORTING TYPE
DEMOGRAPHICS				
Minority Representation	Participant's association with a minority group (type not specified).	Q6	Yes/No	Percentage
Ethnicity	Descriptive statement identifying the ethnic association of the participation.	Q5	Fill In The Blank	Pie Chart
Housing	Identification of an individual's current housing status.	Q7	Multiple Choice (Select One)	Pie Chart
Residency	Time length of residency in Ellensburg.	Q1	Multiple Choice (Select One)	Pie Chart
Age Range	Identification of an individual's age within bracketed groups.	Q2	Multiple Choice (Select One)	Pie Chart
Employment	Identification of an individual's current employment status.	Q8	Multiple Choice (Select One)	Pie Chart
Sex	Self-identification of a participant's biological differentiation between male and female.	Q3	Multiple Choice (Select One)	Image Shading
CRIME & SAFETY				
Safety - Ellensburg	Reported level of safety within the city of Ellensburg.	Q12	Likert Scale (Safe-Unsafe)	Temperature Gauge
Safety - Neighborhood	Reported level of safety within a participant's neighborhood.	Q11	Likert Scale (Safe-Unsafe)	Temperature Gauge
Overall Crime	Aggregated score of participant's reported level of concern for different types of crime .	Q14a, Q14b, Q14c, Q14d, Q14e, Q14f, Q14g, Q14h, Q14i, Q14j, Q14k, Q14l, Q14m, Q14n, Q14o, Q14p, Q14q, Q14r, Q14s, Q14t, Q14u, Q14v, Q14w, Q14x, Q14y, Q14z, Q14aa, Q14bb	Likert Scale (Concerned-Unconcerned)	Temperature Gauge
Crime Exposure	Identification of whether a participant or a person in the participant's household was a victim to a crime in Ellensburg over the past year.	Q15	Yes/No	Percentage
POLICE & COMMUNITY INTERACTION				
Self-Initiated Contact With EPD	If an individual reported self-initiated contact with the Ellensburg Police Department, the individual rated whether they were treated fairly and his/her overall satisfaction with the experience.	Q17	Yes/No Fair/Unfair Star Satisfaction	Percentage Star Satisfaction
EPD-Initiated Contact	If an individual reported self-initiated contact with the Ellensburg Police Department, the individual rated whether they were treated fairly and his/her overall satisfaction with the experience.	Q18	Yes/No Fair/Unfair Star Satisfaction	Percentage Star Satisfaction

Ellensburg Police Department

Community Survey Key

Neighborhood Visibility	Report of how often an individual has seen the Ellensburg Police in their neighborhood.	Q16	Likert Scale (Time Based)	Bar Graph
Legitimacy & Trust	Perception of the Ellensburg Police Department regarding community member's willingness to work with the police to resolve conflict; respect of citizens; quality of service; and decision making.	Q20a, Q20b, Q20c, Q20d, Q20e, Q20f, Q20g, Q20h, Q20i, Q20j, Q20k, Q20l, Q20m, Q20n	Likert Scale (Agree-Disagree)	Temperature Gauge
Performance Rating	Ellensburg Police Department rating on officer's ability to fight crime; collaborate with community members; willingness to share information with the public; and acceptance toward complaints against police officers.	Q21a, Q21b, Q21c, Q21d, Q21e, Q21f	Likert Scale (Satisfied-Dissatisfied)	Letter Grade
Community Rapport	Community familiarity with individuals on the Ellensburg Police force regarding transparency with the public on operations within the department and conduct with in the community and knowledge of the individuals who are part of the Ellensburg Police force.	Q22, Q23, Q24, Q25	Yes/No	Letter Grade
MENTAL HEALTH				
MH Impact on Interaction - Self	Determination of whether an individual's Mental Health concerns would impact an interaction with the Ellensburg Police Department.	Q10,	Yes/No	Percentage
MH Impact on Interaction - Family Member	Determination of whether the Mental Health concerns of an individual's family member would impact an interaction with the Ellensburg Police Department.	Q9	Yes/No	Percentage
MH Intervention Support	Willingness to request assistance from Ellensburg Police Department to assist in a mental health crisis.	Q19	Likert Scale (Comfortable-Uncomfortable)	Temperature Gauge
MH Responsiveness	Perception of the Ellensburg Police Department's ability to respect and understanding when responding to a community member's Mental health concerns.	Q21e	Likert Scale (Satisfied-Dissatisfied)	Temperature Gauge
Respect Toward MH	Perception of respect Ellensburg Police Officer's respect toward an individual's Mental Health Status.	Q20l	Likert Scale (Agree-Disagree)	Temperature Gauge

Community Interest Supporting Comments

COMMUNITY RAPPORT

- a. That, as a citizen, I don't want to be scared of them. I don't want my family members and friends to be treated as criminals before their innocence is established...I am grateful to those officers who have taken the time to know themselves, their biases, their preordained beliefs - and their awareness to not let those things get in the way of peaceful service to the people. Thank you for asking our citizens to be heard. (P25)
- b. Education! Stop treating people like they are criminals when they are not. Listen to the question before answering. Educate, not intimidate! Share on social media posts about what you can and cannot do, what is the law? (P33)
- c. A small positive interaction goes a very long way. I've had those experiences and will remember them very prominently. (P65)
- d. A majority of the officers are very friendly, and respectful. I always appreciate when outside working in the yard an officer stops to say Hi or visit for a moment. I believe just taking a couple minutes to visit with an officer is a moment to open the lines of communication. It also allows for community members to have a conversation with an officer that they always wanted to have but never had the opportunity. (P113)
- e. Remember that even though a neighborhood is considered *low crime* the residents still need a police presence! (P206)
- f. Laughing and mocking citizens who've made bad choices SHOULD be unacceptable. (P245)
- g. Please be more transparent with the community. You guys seem to keep a lot of reports about crime hidden. Post arrests and crime activity on your Facebook. Dont keep it hidden from us. Makes me feel unsafe. (P269)
- h. I would like to see the culture of EPD shift a bit. Overall the organization does great things; but there have been several instances where it seems officers are 'hunting' stats. I appreciate proactive police work, and that EPD is high visibility. I and others in my area would like to see the culture become one more of community caretaking, not just being out there fighting crime. (P286)
- i. That at the core of most people is goodness. I understand this can be really hard to assume in your line of work, but if you begin to expect the worse in everyone you will only see what you are expecting and miss the opportunities to celebrate/embrace all that is good in humanity. (P290)
- j. Neighborhood meetings with police officers helping with information about crimes affecting people in the neighborhood. Neighbors are more likely to help police when they know the people who are victims of crime. (P333)

2024 Community Survey

- k. Be more open minded and less judgmental. Honestly try to gain a new, educated, un-biased, more compassionate perspective and have better attitudes and opinions of individuals in the community who are “undesirables”. Take a better look at what happens to individuals after arrest and prosecution and the effects it has on them, eg; Did the consequence given do anything to reduce “re-offending” and lower recidivism rates? Were the consequences effective long term? Or were they just a temporary solution to a permanent problem only pro-longing additional crimes with greater severity to be committed upon release? What can we do better to lower rates of re-offending and recidivism? Are there better preventative measures we can take? How can we help the community maintain a better mental health state to help prevent crisis, drug use, etc. to begin with, before crimes are committed? What ways can we invite such individuals and encourage those struggling with mental health disorders and substance abuse issues to seek help for themselves prior to committing a crime as a result of such disorders? How better can we educate community youth about trauma, emotional maturity, and mental health well-being and encourage youth in our community to seek healthy outlets and safe, effective, non-judgmental guidance from trusted adults and peers for emotional distress and trauma to better keep them from becoming involved in drugs and crime? What can we provide our youth as far as places to be active and have good, clean, fun such as arcade, trampoline park, indoor playground/play center, water park, aquarium, activity center, etc? (P334)
- l. Out reach to organization / groups that have speaker programs... ask to be on their speaker schedule (P349)
- m. Where once a community familiar with each other would police the small stuff, a larger community with a level of anonymity will not. (P350)
- n. Get out of their cars and walk more, get acquainted with residents and be visible once in a while, not by being in a car driving by folks. (P364)
- o. Continue to be proactive with visibility in and around the community and to speak at public forums regarding crime prevention. (P379)
- p. Maybe actually helping residents who have to call all the time because of theft, vandalism, speeding, property damage, hit and run instead of just taking a report and never following up or bothering to listen to residents would help... The City Manager and City Planners need to work with the Police to address these issues because infrastructure and traffic routing (like the stupid revision on N Main and Dean Nicholson that has UNSAFELY INCREASED CAR TRAFFIC AND SPEED) directly lead to ongoing problems. (P392)

Mental Health

- q. To take people's mental health into consideration and help them get the mental health treatment instead of sending them to jail if they can visibly see there is something more serious going on. Maybe have people get a psych evaluation and then transferred to either mental hospital or into mental health treatment, instead of locking them up. Some people just need a helping hand and not everyone is a "lost cause". We need to work together to support and improve each other. (P308)

2024 Community Survey

- r. That a lot of people who live here can't move or get access to proper mental health care. Most of the mental health is taken care of by comprehensive mental health and they don't take Medicare. Not everyone has Medicaid. (P333)

Homelessness

** Comments about homelessness were not made by participants who identified as homeless*

- s. I am for helping people but helping people is not true help if all we give is permission for them to have free reign. (P28)
- t. I am unsettled about the uptick of homeless floating around town. A couple of businesses are concerned about finding people sleeping in their doorways when opening their shops in the morning and locking up after workday. (P160)
- u. Quit allowing the homeless to take over our community. Sleeping on the sidewalks downtown. Especially with drug abuse or mental health problems they are unpredictable and irrational. Not fair for business owners or their staff to have to deal with these people. Most are not from here. (P233)

Child/Youth Concerns

- v. Tackle all of the issues at the schools. Its concerning how “funny” they think it is to joke about weapons and school shootings when they run rampant in this country. MANY innocent lives have been shed from this issue and these entitled kids continue to relentlessly bully others and make jokes about awful events...THE SCHOOLS NEED HELP. The high school and elementary are a little better off but the Middle school runs rampant with bullying, fighting, and worrying behavior. In my SO many years as a student and now substitute in the ESD, I have never seen a worse year at the middle school as I have this year. Its really changed my perspective of how I view this community because they have to learn that behavior and toxic opinions somewhere (most likely from hatred spewed at home or neglecting to monitor social media use at all!) (P39)
- w. That there are gangs- boys and girls age 12 and up that try to get kids in...They also have guns and have the kids do dirty work for them. The older gang members need to be arrested- the younger kids fall into peer pressure and get in over their heads listening to them. Selling drugs and going to Yakima and assaulting other kids over stupid reasons...The police should go to assemblies at schools more often and even encourage the kids to look into becoming a servant of the law- juvenile citizen patrol or ride with officers for a day (P74)



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Public Hearing for Adoption of Resolution 2024-08 to Surplus a City-owned Parking Lot at 6th and N. Pearl Street and Approval of Sale by Exchange of Properties with 1102 Parking, LLC (Public Comment Opportunity)

Submitted by: Kelle Vandenberg, Arts & Economic Development Director

Department: City Manager

Suggested Motion/Action:

Move to adopt Resolution 2024-08, declaring as surplus the City's parking lot at 6th Avenue and N. Pearl Street, and authorizing the Mayor and/or City Manager to sign documents necessary to effectuate the exchange of the City's parking lot for 1102 Parking, LLC's parking lot at 7th and N. Pearl Street.

Background/Summary:

In 2023, the City was approached by 1102 Parking, LLC to consider an exchange agreement between 1102 Parking, LLC and the City of Ellensburg. The property to be exchanged includes the parking lot on 6th Avenue and N. Pearl Street currently owned by the City of Ellensburg and the parking lot on the corner of 7th Avenue and N. Pearl Street, currently owned by 1102 Parking, LLC. This agreement is for an equal exchange, i.e., no cost to either party. The acquired by exchange lot at 7th Avenue and Pearl is 0.329 acres, larger than the existing City lot on 6th Avenue and Pearl. Additionally, the parking lot on 7th Avenue and Pearl recently had new asphalt surfacing and 1102 Parking, LLC will remove existing gate/fencing for public accessibility.

Previous Council Action:

In 2011, the City Council accepted the quit claim deed for Parcel No. 136933, commonly known as the "Old Courthouse Parking Lot".

Analysis:

The City has operated the parking lot at 6th Avenue and N. Pearl Street since shortly after it was acquired from Kittitas County in 2011. As shown in Exhibit 1, there are 31 parking stalls provided in the City's lot. Exhibit 1 also shows that the parking lot owned by 1102 Parking, LLC located one block away at 7th Avenue and N. Pearl Street has 47 parking stalls. The proposed exchange of parking lots will therefore benefit the City by increasing the number of available downtown parking stalls significantly at no additional cost to the City. The proposed agreement would benefit Hotel Windrow by relocating hotel parking to 6th Avenue and N. Pearl Street, directly behind the hotel, offering guests and visitors a higher level of convenience.

Financial Impact:

As noted, the properties are being exchanged by the parties at no cost. There will be some minor costs associated with escrow closing.

Budget Adjustment: No

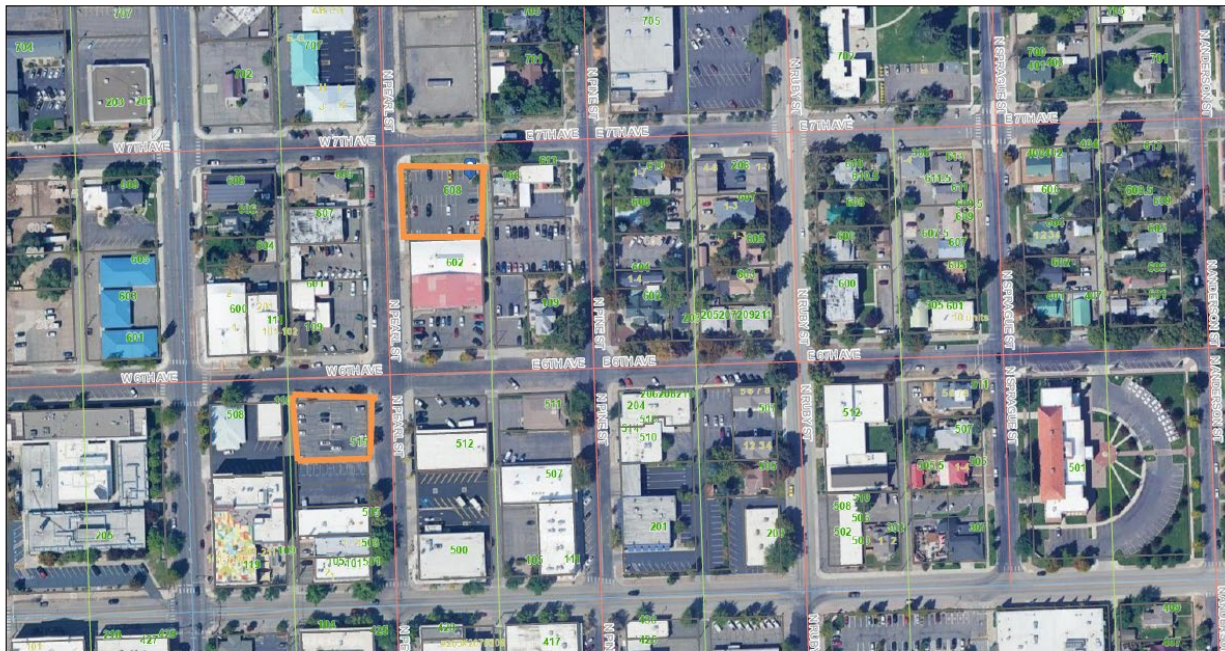
Attachments:

1. Exhibit 1 - Parcel comparison
2. Resolution 2024-08 - Surplus of 6th and Pearl Parking Lot and Exchange Agreement with 1102 Parking, LLC



EXHIBIT 1

PARKING LOT DETAILED			
Acquired by Exchange Agreement	1102 Parking, LLC (Hotel Windrow)	The City of Ellensburg	
Property in Question:	7th and Pearl Street (Hotel Windrow)	6th and Pearl Street	(The City of Ellensburg)
	Parcel ID: 736933	Parcel ID:	136933
	Map Number: 17-18-02050-0301	Map Number:	17-18-02050-0709
	Recorded Area: 14,163.00	Recorded Area:	0
	Owner: 1102 Parking, LLC.	Owner:	The City of Ellensburg
	Mailing Address: 502 N. Main Street Ellensburg WA 98926	Mailing Address:	501 N. Anderson Street Ellensburg WA 98926
	Number of lots: 47	Number of lots:	31
	Assessed Value: \$205,000.00		



1/19/2024, 9:32:43 AM

Road Classifications — Override 1 SubAddresses Retired

— Road — Road Names — Active — City Limits

— Major Arterial — Addresses — Urban Growth Area

— Alley — County Parcels — Active — Parcels

1:2,257

0 0.02 0.04 0.07 mi

0 0.03 0.06 0.12 km

COE GIS, Google Maps

RESOLUTION NO. 2024-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, declaring the City-owned real property known as the “6th and N. Pearl Street parking lot” as surplus to the City of Ellensburg’s needs, and to dispose of the property by authorizing the Mayor and City Manager to execute an Agreement for the Acquisition through Exchange of Properties and other related documents for the exchange of properties owned by the City of Ellensburg (“City”) and 1102 Parking, LLC (“1102 Parking”).

WHEREAS, the City owns a parking lot located at southwest corner of 6th Avenue and N. Pearl Street, which is approximately .28 acres in size, identified by the Kittitas County Assessor’s Office as Parcel No. 136933, and legally described as follows:

TOWN EBURG ORIG. N 40' OF LOT 9; ALL OF LOT 10 BLOCK 7; and

WHEREAS, the 6th Avenue and N. Pearl Street parking lot was acquired by the City of Ellensburg (“City”) by quit claim deed from Kittitas County in 2011, and is located in the City of Ellensburg; and

WHEREAS, 1102 Parking, LLC owns a parking lot located at southeast corner of 7th Avenue and N. Pearl Street, which is approximately .329 acres in size, identified by the Kittitas County Assessor’s Office as Parcel No. 736933, and legally described as follows:

TWN EBURG; ORIGINAL ADD. LOTS 1 & 2 EXC. THE S. 8 1/2 OF LOT 2; BLOCK 3 (SURV. B28/P209); and

WHEREAS, the City and 1102 Parking, LLC are desirous of exchanging each party’s parking lot with the other party, and have therefore agreed to sell each of their respective parking lots to the other party by exchange of the parcels; and

WHEREAS, public notice of the City Council’s April 15, 2024 public hearing to consider adoption of this Resolution was first published and mailed to nearby property owners in accordance with the provisions of ECC 2.06.080(A)(2); and

WHEREAS, the exchange of parking lots between the City and 1102 Parking, LLC will result in the City gaining approximately 16 additional downtown parking stalls over the existing number of parking stalls at the City’s 6th Avenue and N. Pearl Street parking lot; and

WHEREAS, the City and 1102 Parking, LLC jointly commissioned an appraisal of each party’s parking lot property in November 2023, and the proposed exchange of properties between the City and 1102 Parking, LLC would be for parcels of approximately equal market value; and

WHEREAS, the City Council hereby finds the 6th Avenue and N. Pearl Street parking lot to be surplus to the City's needs and no longer required for municipal purposes based on acquiring the 1102 Parking, LLC parking lot at 7th Avenue and N. Pearl Street, and that disposition of said property shall be through a Purchase and Sale by Exchange of Property Agreement consistent with Chapter 2.06 ECC and will best serve the common public benefit;

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

Section 1. The “Whereas” provisions set forth above are hereby incorporated in this Resolution as findings in support of the actions authorized in this Resolution.

Section 2. The real property consisting of a parking lot at the southwest corner of 6th Avenue and N. Pearl Street is hereby declared surplus to the City of Ellensburg’s needs and is no longer required for providing municipal services.

Section 3. The property identified in this Resolution will be disposed of through special disposition as authorized by ECC 2.06.202(C), which shall specifically be accomplished by exchange of property with 1102 Parking, LLC for an approximately equivalent value parcel located directly at the southeast corner of 7th Avenue and N. Pearl Street.

Section 4. The Mayor and/or City Manager are hereby authorized to execute an agreement for the purchase and sale by exchange with 1102 Parking, LLC, for the subject parcels, attached hereto as Exhibit 1 and incorporated by reference herein. The Mayor and City Manager are also authorized to execute all other documents necessary to complete the exchange of the property as set forth herein.

ADOPTED by the City Council of the City of Ellensburg this 15th day of April, 2024.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT 1

AGREEMENT FOR THE PURCHASE AND SALE OF REAL ESTATE THROUGH EXCHANGE OF PROPERTY

between

CITY OF ELLENSBURG

and

1102 PARKING, LLC

THIS AGREEMENT is made and entered into this ___ day of April, 2024, by and between the City of Ellensburg, a Washington municipal corporation (“City”) and 1102 Parking, LLC, a Washington limited liability corporation (“1102 Parking”) (the City and 1102 Parking may also hereinafter be referred to as singularly as “Party” or collectively as “Parties”), who hereby agree as follows:

1. Purchase by Exchange of Properties. The Parties each agree to acquire by exchange with the other Party, the properties described below, together with all rights, title, interests, privileges, easements and rights of way appurtenant to the real property (including without limitation, all mineral, oil and gas and other subsurface rights, development rights, air rights, and water rights) being acquired.

1.1. The 1102 Parking Property. The City agrees, concurrent with 1.2 below, to purchase by exchange and 1102 Parking agrees to sell by exchange, on the terms set forth in this Agreement, one parcel approximately 0.329 acres in size described as parcel number 736933 and located in the City of Ellensburg, Kittitas County, Washington, and more particularly described in Exhibit A (“1102 Parking Property”).

1.2. The City Property. 1102 Parking agrees, concurrent with 1.1 above, to purchase by exchange and the City agrees to sell by exchange, on the terms set forth in this Agreement, one parcel approximately 0.28 acres in total size described parcel number 136933 and located in the City of Ellensburg, Kittitas County, Washington, and more particularly described in Exhibit B (“City Property”).

1.3. Property Values. The parties agree that based on an appraisal of each property conducted by Barnes and Company, Incorporated in November 2023, the market value of each Party’s property that is the subject of this Agreement is approximately equivalent, and that each Party is receiving full and fair value for their Property through this exchange.

1.4. Scrivener’s Errors. In the event of an error in the legal description, the parties agree that either party or a scrivener may correct the error.

1.5. Laws and Rights. It is understood that the sale and conveyance to be made pursuant to this Agreement shall be subject to any and all applicable federal, state and local laws,

orders, rules and regulations.

1.6. Conveyance. The real property described in Section 1.1 shall be conveyed by 1102 Parking to the City, and concurrently the real property described in Section 1.2 shall be conveyed by the City to 1102 Parking, each conveyance by statutory warranty deed subject only to the permitted exceptions and free and clear of all encumbrances and defects that interfere with each Party's intended use of the properties. The fully executed Deeds shall be delivered to each Party at closing.

1.7. City Property Declared to be Surplus to the City's Needs. The City warrants that its City Council has declared as surplus to the City's needs regarding the property identified in 1.2 above, and that in declaring the property surplus it has followed the required legal procedures for so doing.

2. Conditions Precedent to Sale and Exchange. This Agreement is made and executed by the Parties hereto subject to the following conditions precedent.

2.1. Executed Contract. The "Executed Contract Date" is the date that both Parties have signed this Agreement. If the Agreement is signed on different days, the Executed Contract Date is the date of the last signing party. Both Parties must sign this Agreement within fifteen (15) days of approval from the City Council. If signatures are not received by both parties within fifteen (15) days, this Agreement shall immediately terminate and be without any further force and effect, and without further obligation of either party to the other.

2.2. Title Review. Prior to or within fifteen (15) days after the Executed Contract Date, each Party shall order from AmeriTitle title company, Ellensburg, WA, (the "Title Company") a preliminary title report on its property being exchanged, and copies of all documents referred to therein.

2.3. Mortgages/Other Monetary Liens. The closing of this transaction is contingent upon approval of this Agreement and the conveyance of the Property contemplated herein by 1102 Parking's mortgage company/financial institution or other lender holding a monetary lien on the Property, if any, in a form and to an extent satisfactory to the City in the City's sole absolute discretion.

2.4. Due Diligence. Upon execution of this Agreement by both Parties, each Party is granted a due diligence period until and including thirty (30) days after the Executed Contract Date. Said due diligence period may be extended an additional thirty (30) days upon written notice delivered to the other Party. Each Party may conduct, at its own expense, a full review of legal, title, environmental, archaeological and any other related issues regarding the Property being acquired. If the results of said review are unsatisfactory in that Party's sole absolute discretion, that Party may, at its option, elect to terminate this Agreement by giving the other Party written notice of termination prior to the end of the due diligence period. In the event of termination by a Party under this section, this Agreement shall immediately terminate and be without any further force and effect, and without further obligation of either Party to the other.

3. Closing. On or before the date of closing, each Party shall deliver to the Title Company the Deed for its respective property being exchanged, placing it in escrow.

3.1. Condition of Title. Title to the respective properties is to be free of all encumbrances and defects. Rights reserved in federal patents or state deeds, building or use restrictions general to the area, building or zoning regulations or provisions, utility easements, other easements not inconsistent with each Party's intended use, and oil and/or mineral rights shall not be deemed encumbrances or defects.

3.2. Title Insurance. Each selling party shall, as of the date of closing, provide the purchasing party with a standard owner's policy of title insurance insuring the purchasing party's title to the property being exchanged, subject only to the issuer's standard printed exceptions and exceptions reflecting real estate taxes and assessments for the current year and easements, restrictions, reservations, and mineral rights of record. Each Party hereto, in its capacity as seller, shall bear the cost of the title insurance it is providing under the terms of this paragraph.

3.3. Closing Costs. Each Party hereto shall pay for one-half of any closing costs, including escrow fees, transfer taxes and assessments (if any), and deed stamps. Each party shall pay its own attorney fees and other expenses incurred by it.

3.4. Closing Date. The closing date of this transaction shall be on or before _____, 2024. "Closing" means the date on which all documents, including the respective statutory warranty deeds, are recorded. This transaction shall be closed through an escrow that is to be held by AmeriTitle. Each party shall execute and deliver on a timely basis all escrow instructions, deeds, and other documents reasonably necessary to close this transaction.

3.5. Possession. Exclusive possession of the City's Property and 1102 Parking's Properties shall be delivered to the other Party at Closing, free and clear of all tenants and others in possession.

4. Covenants, Representations and Warranties.

4.1. Selling Party's Covenants. Each Party, acting as "Selling Party" for the exchange of its respective Property through acquisition by the other Party through exchange of the Property, hereby covenants and agrees as follows:

4.1.1. From the date of this Agreement through the closing date, the Selling Party shall not make any material alterations to the Property or to any of the licenses, permits, legal classifications or other governmental regulations relating to the Property, nor enter into any leases or agreements pertaining to the Property without the other Party's prior written consent, except as identified in subsection 6 below.

4.1.2. During the contract period, Selling Party shall not voluntarily cause to be recorded any encumbrance, lien, deed of trust, easement or the like against the title to the Property without the other Party's prior written consent.

4.1.3. Selling Party shall remove all disapproved exceptions including all monetary liens affecting the Property prior to closing.

4.1.4. During the contract period, Selling Party will operate and maintain the Property in a manner consistent with Selling Party's past practices relative to the Property and so as not to cause waste to the Property.

4.2. Selling Party's Representations and Warranties. Selling Party hereby makes the following representations and warranties to the other Party, each of which shall be true on the date hereof and on the date of closing. Selling Party shall immediately provide the other Party with written notice of any event which would make any representation or warranty set forth below incorrect or untrue, and upon receipt of such notice, the other Party may elect to terminate this Agreement. Upon that Party's election to terminate, this Agreement shall be without any further force and effect, and without further obligation of either party to the other.

4.2.1. Selling Party has full power and authority to enter into and carry out the terms and provisions of this Agreement and to execute and deliver all documents which are contemplated by this Agreement, and all actions of Selling Party necessary to confer such authority upon the persons executing this Agreement and such other documents have been, or will be, taken, inclusive of obtaining the consent and approval to this Agreement and to any conveyance instrument required herein by any person or persons holding a monetary lien interest in the Property. Consummation of this transaction will not breach any agreement to which Selling Party is a party. The other Party shall have no obligation to pay any funds prior to, at, or following closing to any third party, including any person or persons holding a monetary lien interest in the Property.

4.2.2. Selling Party has not received any written notice from any governmental authorities or regulatory agencies that eminent domain proceedings for the condemnation of the Property are pending or threatened.

4.2.3. Selling Party has not received any written notice of pending or threatened investigation, litigation or other proceeding before a governmental body or regulatory agency which would materially and adversely affect the Property.

4.2.4. Selling Party has not received any written notice from any governmental authority or regulatory agency that Selling Party's use of the Property is in violation of any applicable zoning, land use or other law, order, ordinance or regulation affecting the Property.

4.2.5. No special or general assessments have been levied against the Property except those disclosed in the Preliminary Title Report and Selling Party has not received written notice that any such assessments are threatened.

4.2.6. Selling Party is not a "foreign person" for purposes of Section 1445 of the Internal Revenue Code.

4.2.7. Selling Party consists of a municipal corporation or a single limited liability

corporation as previously identified herein, owning the Property, which is otherwise subject to no unrecorded leases, easements, encumbrances or other agreements affecting the Property except as shown on the Preliminary Title Report.

4.2.8. To the knowledge of Selling Party: (a) the Property has, during its ownership, been operated in compliance with all Federal and/or state laws and regulations concerning pollution/environmental hazards/contaminants, and that the Property is currently free of any such pollution/environmental hazards/contaminants; (b) any business it has operated on the Property has disposed of its waste, if any, in accordance with all applicable statutes, ordinances and regulations; and (c) it has no actual notice of any pending or threatened action or proceeding arising out of the current condition of the Property or any currently alleged violation of environmental, health or safety statutes, ordinances or regulations.

4.3. Buyer's Representations and Warranties. Each Party, acting as "Buyer" of for the acquisition through exchange of the Selling Party's respective Property, hereby makes the following representations and warranties to Selling Party, each of which shall be true on the date hereof and on the date of closing:

4.3.1. Buyer has full power and authority to enter into and carry out the terms and provisions of this Agreement and to execute and deliver all documents which are contemplated by this Agreement, and all actions of Buyer necessary to confer such authority upon the persons executing this Agreement and such other documents have been, or will be, taken.

4.4. Survival of Covenants. The covenants, representations, and warranties contained in Section 4 of this Agreement shall survive the delivery and recording of the Deed from the Selling Party to the Buyer.

5. Default. If either party defaults (that is, fails to perform the acts required of it), in its contractual performance herein, the non-defaulting party may seek specific performance of the terms of this Agreement, damages or rescission.

6. Miscellaneous Provisions

6.1. Removal of Improvements. 1102 Parking shall remove from its property, on or before thirty (30) days from the execution of this agreement but no later than five (5) business days prior to the closing date, the electric vehicle charging station and equipment, the fencing around the property, access gate to the property, and video surveillance cameras.

6.2. Time of the Essence. Time is of the essence of every provision of this Agreement.

6.3. Enforcement and Attorney's Fees. In the event of litigation or if this Agreement is otherwise placed with an attorney for action to enforce this agreement, the prevailing party shall be awarded all reasonable attorney's fees, litigation costs, and other expenses incident to enforcement of rights hereunder, whether in arbitration, at trial, on appeal, or in a bankruptcy proceeding.

6.4. Assignment. Neither this Agreement nor any rights arising under it may be assigned or mortgaged by either Party without the prior written consent of the other Party, and any attempt to transfer this Agreement or any rights or interests arising hereunder, by operation of law or otherwise, without such consent shall be void and of no force and effect.

6.5. Waiver. Failure of either Party at any time to require performance of any provision of this Agreement shall not limit the Party's right to enforce the provision. Waiver of any breach of any provision shall not be a waiver of any succeeding breach of the provision or a waiver of the provision itself or any other provision.

6.6. Applicable Law / Venue. This Agreement shall be governed by the laws of the state of Washington. Venue of any action brought to enforce the terms of this Agreement shall be in Kittitas County Superior Court.

6.7. Modification. No part of this Agreement may be modified without the express written consent of both Parties.

6.8. Survival. All representations, warranties and obligations of the parties hereto, in their capacities as selling parties, shall survive the closing date and delivery of the respective deed contemplated in this Agreement and be fully enforceable thereafter.

6.9. **Notices**. Any notice or demand required or permitted to be given under the terms of this Agreement shall be in writing. Notice may be served upon the other Party by personal delivery (including delivery by written electronic transmission) or by certified, registered or express United States mail, or Federal Express or other commercial courier, postage prepaid, addressed as follows:

TO 1102 PARKING:

Steve Townsend
Partner

1102 Parking, LLC
steve@iseburg.com

TO CITY OF ELLENSBURG:

Heidi Behrends Cerniwey
City Manager
501 N. Anderson St.
Ellensburg, WA 98926
cerniweyh@ellensburgwa.gov

6.10. Severability. If any provision of this Agreement is determined to be invalid or unenforceable, that provision and the remainder of this Agreement will continue in effect and be enforceable to the fullest extent permitted by law. Furthermore, it is the intention of the Parties to this Agreement that if any provision of this Agreement is capable of two constructions, one of which would render the provision void, and the other of which would render the provision valid, then the provision will have the meaning that renders the provision valid.

Exhibit A
Legal Description of 1102 Parking's Property

TWN EBURG; ORIGINAL ADD. LOTS 1 & 2 EXC. THE S. 8 1/2 OF LOT 2; BLOCK 3
(SURV. B28/P209)

Exhibit B
Legal Description of City's Property

TOWN EBURG ORIG. N 40' OF LOT 9; ALL OF LOT 10 BLOCK 7



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Ordinance 4940 (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 Supplemental Budget Ordinance 4940.

Background/Summary:

The proposed ordinance 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 other 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, and subsequently adopted Ordinance 4934 on December 18, 2023. Council regularly reviews and approves additional budget adjustments as part of its ongoing review and approval of contracts and purchases.

Council held a public hearing and conducted first reading of Ordinance 4940 at the April 1, 2024 regular Council meeting.

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 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 2024 ending fund balances within required fund balance thresholds.

Of the proposed additional expenditure authority of approximately \$13.5 million, approximately \$12.6 million is carryforward of unspent budget from 2023. This includes approximately \$1.3 million of expenditure and expected grant revenue in the Arterial Street and Street funds various continuing projects; \$900,000 in the city general fund for the FISH food bank grant revenue and expenditure; \$4.6 million from state & local fiscal recovery funds (SLFRF) for Unity Park and the Anderson Sewer projects; \$1.6 million in the Light Utility fund for continuing projects; \$2.7 million in continuing projects from the Sewer Department; \$1.2 million in continuing projects from our Internal Service Funds; and \$288,000 from Water Construction - all previously approved by council. Other items, approved by Council since the Mid-Biennial Review supplemental budget was adopted in December 2023, include Resolution 2024-04 adopting a pay plan for an IT Business Analyst, and the Finance Department adding one FTE to the Utility Billing Department. Also included in the proposed ordinance is the addition of a \$50,000 grant awarded from the Department of Commerce for Coordinating Low-Income Housing Planning (CLIHP), and the \$4,500 expenditure for the Arbor Day tree project.

In addition to the above carry forwards, there have been a few more items added to the Supplemental Budget since the first reading at the April 1st Council meeting. For ease of identification, these items have been highlighted in the attached Tables 1, and are also enumerated below:

1) Community Development Department Historic Preservation budget error correction - the originally adopted 2023-2024 budget included \$10,000 less budget for Historic Preservation each year than intended, with discussion of the funding included in Council's budget approval process, but the amount was not included in the formal budget tabulation;

2) Increasing expenditure authority in the General Fund by \$21,000 to fund Legislative Advocacy services through the end of 2024;

3) Update the 2024 Grants Fund budget to reflect project funding status for COVID-19 related federal assistance by carrying forward previously adopted budget and reflecting bid award for Unity Park, and updating the transfer amount to Sewer Utility Fund for the Anderson Sewer project;

4) Increase revenue and expenditures in the Art Acquisition Fund to reflect the awarded Creative District Grant of \$10,000;

5) Update the Information Technology Internal Service Fund 2024 budget to reflect currently approved staffing levels, including the transfer of the Financial Applications Specialist (reclassified as IT Business Analyst) from the Finance Department Budget approved by Council in July 2023, and funding two intern positions for the summer -- totaling \$17,367 from 2023 vacancy savings.

6) Budgeting an additional \$31,688 in the Risk Management Internal Service Fund to maintain expenditure authority for risk management payments below the deductible. The adopted budget has already accommodated payments related to repairing water damage from frozen pipes at City Hall and the Police Department earlier this year.

Financial Impact:

The proposed ordinance amends the Biennial Budget increasing budgeted 2024 expenditures by \$13,530,860, revenues by \$4,640,264 and beginning fund balance by

\$20,082,792. The effect of these amendments on the budgeted 2024 ending fund balance is an increase of \$11,192,196.

Budget Adjustment: No

Attachments:

1. Table 1- 2023-2024 Supplemental Budget Items by Fund (Second Reading)
2. Table 2- 2024 Summary of Budget Adjustments
3. 4940 - 2023-2024 Supplemental Budget
4. Exhibit A& B 2023-2024 All Funds as Amended

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

Fund / Item	2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
General Fund				
Administration				
Beginning Fund Balance Adjustment	\$2,180,258	\$0	\$0	\$2,180,258
DEI Commission Program Support	\$0	\$0	\$738	-\$738
Rental Charges for General Facilities	\$0	\$0	\$370	-\$370
FISH USDA Grant2	\$0	\$900,000	\$900,000	\$0
Legislative Advocacy	\$0	\$21,000	\$21,000	\$0
Administration Total	\$2,180,258	\$921,000	\$922,108	\$2,179,150
Finance				
Customer Service Employee Staffing	\$0	\$79,263	\$0	\$79,263
Rental Charges for General Facilities	\$0	\$0	\$448	-\$448
Business Analyst Savings to IT Department	\$0	\$0	-\$99,299	\$99,299
Customer Service	\$0	\$0	\$75,824	-\$75,824
Finance Total	\$0	\$79,263	-\$23,027	\$102,290
Police				
Firing Range Rental Revenue	\$0	\$3,200	\$0	\$3,200
Vest Grant Revenue	\$0	\$1,200	\$0	\$1,200
Rental Charges for General Facilities	\$0	\$0	\$490	-\$490
Police Total	\$0	\$4,400	\$490	\$3,910
Public Works				
Waste Mgmt Contract Review	\$0	\$0	\$16,000	-\$16,000
Rental Charges for General Facilities	\$0	\$0	\$389	-\$389
Public Works Total	\$0	\$0	\$16,389	-\$16,389
Community Development				
Rental Charges for General Facilities	\$0	\$0	\$214	-\$214
Historic Preservation	\$0	\$0	\$14,000	-\$14,000
Community Development Total	\$0	\$0	\$14,214	-\$14,214
Parks				
Rental Charges for General Facilities	\$0	\$0	\$1,615	-\$1,615
Parks Total	\$0	\$0	\$1,615	-\$1,615
Library				
Rental Charges for General Facilities	\$0	\$0	\$710	-\$710
Library Total	\$0	\$0	\$710	-\$710
General Fund Total	\$2,180,258	\$1,004,663	\$932,499	\$2,252,422
Budgeted General Sub-Funds				
Art Acquisition	\$23,216	\$10,000	\$10,000	\$23,216
Economic Development Investments	\$34,750	\$0	\$0	\$34,750
Fire Relief & Pension	\$90,158	\$0	\$0	\$90,158
SLFRF-Grants				
Beginning Fund Balance Adjustment	\$2,357,856	\$0	\$0	\$2,357,856
SLFRF-allocate to Unity Park	\$0	\$0	\$2,656,516	-\$2,656,516
SLFRF-allocate to Anderson Sewer	\$0	\$0	\$1,993,407	-\$1,993,407
SLFRF-Grants Total	\$2,357,856	\$0	\$4,649,923	-\$2,292,067

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

Fund / Item	2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
Hal Holmes Trust	\$21,065	\$0	\$0	\$21,065
Library Trust	\$16,903	\$0	\$0	\$16,903
Sales Tax	-\$15,273	\$0	\$0	-\$15,273
Budgeted General Sub-Funds Total	\$2,528,675	\$10,000	\$4,659,923	-\$2,121,248
Special Revenue Funds				
Arterial Street				
Beginning Fund Balance Adjustment	-\$913,098	\$0	\$0	-\$913,098
DOE Grant -Gateway II-Vantage HWY	\$0	\$527,800	\$0	\$527,800
Helena, Brick Rd. & Gateway II costs	\$0	\$0	\$1,017,800	-\$1,017,800
Brick Road Grant Revenue	\$0	\$40,000	\$0	\$40,000
Pfenning Road Shared Use Pathway-Grant & Expenditure	\$0	\$361,000	\$361,000	\$0
STBG-Helena Avenue Improvements-Grant	\$0	\$450,000	\$0	\$450,000
Traffic Control Devices - Other Improvements	\$0	\$0	-\$270,000	\$270,000
Arterial Street Total	-\$913,098	\$1,378,800	\$1,108,800	-\$643,098
CATV Capital	\$66,951	\$0	\$0	\$66,951
CATV Operations & Maintenance	\$5,387	\$0	\$0	\$5,387
Criminal Justice	\$750,938	\$0	\$0	\$750,938
Drug	\$18,307	\$0	\$0	\$18,307
Affordable Housing				
Beginning Fund Balance Adjustment	\$654,457	\$0	\$0	\$654,457
Low-income Housing Planning grant (CLIHP)	\$0	\$50,000	\$0	\$50,000
Affordable Housing Total	\$654,457	\$50,000	\$0	\$704,457
Lodging Tax	\$75,810	\$0	\$0	\$75,810
Park Acquisition	\$105,806	\$0	\$0	\$105,806
Street				
Budget Threshold Reconcile	\$0	\$0	-\$88,000	\$88,000
Beginning Fund Balance Adjustment	\$807,576	\$0	\$0	\$807,576
Chip Seal & Street Preservation	\$0	\$0	\$241,000	-\$241,000
Training for Street Dept Employees	\$0	\$0	\$15,000	-\$15,000
Street Total	\$807,576	\$0	\$168,000	\$639,576
Traffic Impace Fees				
Beginning Fund Balance Adjustment	\$86,607	\$0	\$0	\$86,607
Engineering Admin-professional services	\$0	\$0	-\$9,750	\$9,750
Traffic Impace Fees Total	\$86,607	\$0	-\$9,750	\$96,357
Ellensburg Public Transit				
Beginning Fund Balance Adjustment	-\$288,627	\$0	\$0	-\$288,627
Transit-Customer Service Employee Staffing	\$0	\$0	\$73	-\$73

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

Fund / Item	2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
Rental Charges for General Facilities	\$0	\$0	\$39	-\$39
Ellensburg Public Transit Total	-\$288,627	\$0	\$112	-\$288,739
Special Revenue Funds Total	\$1,370,114	\$1,428,800	\$1,267,162	\$1,531,752
Debt Service Funds				
Capital Improv. Debt	\$998	\$0	\$0	\$998
Debt	\$1,600	\$0	\$0	\$1,600
LID Guarantee Fund	\$6,723	\$0	\$0	\$6,723
Debt Service Funds Total	\$9,321	\$0	\$0	\$9,321
Capital Projects Funds				
Capital Imprv Bond Projects	\$60,304	\$0	\$0	\$60,304
Field House	\$1,258,644	\$0	\$0	\$1,258,644
Recreation Facilities	\$9,182	\$0	\$0	\$9,182
Sidewalk Improvements	\$9,557	\$0	\$0	\$9,557
GF Cap Projects	\$116,203	\$0	\$0	\$116,203
Capital Projects Funds Total	\$1,453,890	\$0	\$0	\$1,453,890
Enterprise Funds				
Gas Utility Fund				
Beginning Fund Balance Adjustment	\$22,566	\$0	\$0	\$22,566
CCA Compliance	\$0	\$0	-\$452,000	\$452,000
Gas-Customer Service Employee Staffing	\$0	\$0	\$15,354	-\$15,354
Rental Charges for General Facilities	\$0	\$0	\$78	-\$78
Legislative Advocacy	\$0	\$0	\$10,500	-\$10,500
Gas Utility Fund Total	\$22,566	\$0	-\$426,068	\$448,634
Light Utility Fund				
Beginning Fund Balance Adjustment	\$5,472,181	\$0	\$0	\$5,472,181
Land Purchase for Electrical Substation	\$0	\$0	\$500,000	-\$500,000
Light-Customer Service Employee Staffing	\$0	\$0	\$31,764	-\$31,764
Canyon Rd I-90 Crossing & Mtn View System Upgrade	\$0	\$0	\$1,050,000	-\$1,050,000
Foster Plat Refund	\$0	\$0	\$545,980	-\$545,980
Rental Charges for General Facilities	\$0	\$0	\$165	-\$165
Legislative Advocacy	\$0	\$0	\$10,500	-\$10,500
Light Utility Fund Total	\$5,472,181	\$0	\$2,138,409	\$3,333,772
Stormwater				
Beginning Fund Balance Adjustment	\$55,906	\$0	\$0	\$55,906
Storm-Customer Service Employee Staffing	\$0	\$0	\$382	-\$382
Rental Charges for General Facilities	\$0	\$0	\$73	-\$73
Arbor Day Tree Giveaway	\$0	\$0	\$4,500	-\$4,500
Stormwater Total	\$55,906	\$0	\$4,955	\$50,951
Stormwater Bond	\$79,130	\$0	\$0	\$79,130
Sewer Utility				
Beginning Fund Balance Adjustment	\$802,106	\$0	\$0	\$802,106
Clarifier and Aerator Contract Design-Kennedy Jenks	\$0	\$0	\$92,210	-\$92,210
Anderson Sewer Main Extension	\$0	\$0	\$2,605,798	-\$2,605,798
Anderson Sewer project transfer from SLFRF		\$1,993,407		\$1,993,407
Sewer-Customer Service Employee Staffing	\$0	\$0	\$13,037	-\$13,037

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

Fund / Item	2024			
	Beg. Fund Balance	Revenues	Expenditures	Impact to Ending Fund Balance
Sewer Utility Total	\$802,106	\$1,993,407	\$2,711,045	\$84,468
Telecom				
Beginning Fund Balance Adjustment	\$132,632	\$0	\$0	\$132,632
Telecom-Customer Service Employee Staffing	\$0	\$0	\$24	-\$24
Telecom Total	\$132,632	\$0	\$24	\$132,608
Water Utility				
Beginning Fund Balance Adjustment	\$1,984,586	\$0	\$0	\$1,984,586
Water Telemetry Work	\$0	\$0	\$2,600	-\$2,600
Customer Service Employee Staffing	\$0	\$0	\$18,629	-\$18,629
Admin Adjustment for Water Bond Fund	\$0	\$0	\$15,000	-\$15,000
Water Utility Total	\$1,984,586	\$0	\$36,229	\$1,948,357
Water Construction				
Beginning Fund Balance Adjustment	\$600,868	\$0	\$0	\$600,868
Admin Adjustment for Water Bond Fund			-\$15,000	\$15,000
Craigs Hill pressure Zone Project Timing	\$0	\$0	\$888,588	-\$888,588
Water Construction Total	\$600,868	0	\$873,588	-\$272,720
Enterprise Funds Total	\$9,149,975	\$1,993,407	\$5,338,182	\$5,805,200
Internal Service Funds				
General Facilities				
Beginning Fund Balance Adjustment	\$449	\$0	\$0	\$449
Rental Charges for General Facilities	\$0	\$4,785	\$0	\$4,785
General Facilities Total	\$449	\$4,785	\$0	\$5,234
GIS				
Beginning Fund Balance Adjustment	\$157,810	\$0	\$0	\$157,810
GIS infrastructure migration	\$0	\$0	\$100,000	-\$100,000
GIS Total	\$157,810	\$0	\$100,000	\$57,810
Health Insurance				
Beginning Fund Balance Adjustment	\$401,002	\$0	\$0	\$401,002
Health Insurance Total	\$401,002	\$0	\$0	\$401,002
IT				
Beginning Fund Balance Adjustment	\$1,424,515	\$0	\$0	\$1,424,515
Capital Replacements	\$0	\$0	\$297,154	-\$297,154
IT Business Analyst Position	\$0	\$198,609	\$198,609	\$0
IT Intern	\$0	\$0	\$17,368	-\$17,368
IT Server replacements	\$0	\$0	\$219,301	-\$219,301
IT Training and Travel	\$0	\$0	\$18,300	-\$18,300
Licensing and deferred cost increase	\$0	\$0	\$18,076	-\$18,076
Network repairs and maintenance	\$0	\$0	\$163,453	-\$163,453
Rental Charges for General Facilities	\$0	\$0	\$195	-\$195
IT Total	\$1,424,515	\$198,609	\$932,456	\$690,668
Risk Management				
Beginning Fund Balance Adjustment	\$570,820	\$0	\$0	\$570,820
Risk Management Deductible	\$0	\$0	\$31,688	-\$31,688
Risk Management Total	\$570,820	\$0	\$31,688	\$539,132
Shop				
Beginning Fund Balance Adjustment	\$835,963	\$0	\$0	\$835,963
Machinery & Equipment	\$0	\$0	\$253,951	-\$253,951
Modular Office Space for Bldg Maintenance	\$0	\$0	\$15,000	-\$15,000
Shop Total	\$835,963	\$0	\$268,951	\$567,012
Internal Service Funds Total	\$3,390,559	\$203,394	\$1,333,095	\$2,260,858
Grand Total	\$20,082,792	\$4,640,264	\$13,530,860	\$11,192,196

Table 2				
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	\$2,180,258	\$1,004,663	\$932,499	2,252,422
Budgeted General Sub-Funds				
Art Acquisitions	23,216	10,000	10,000	23,216
Economic Development	34,750	0	0	34,750
Fire Relief & Pension Trust	90,158		0	90,158
Hal Holmes Trust	21,065			21,065
Library Trust	16,903			16,903
Sales Tax	-15,273			-15,273
SLFRF Grants	2,357,856	0	4,649,923	-2,292,067
Total Budgeted General Sub-Funds	2,528,675	10,000	4,659,923	-2,121,248
Special Revenue Funds:				
Affordable Housing	654,457	50,000	0	704,457
Arterial Street	-913,098	1,378,800	1,108,800	-643,098
CATV Capital	66,951			66,951
CATV Ops. and & Maint.	5,387			5,387
Criminal Justice	750,938	0	0	750,938
Drug	18,307			18,307
Ellensburg Public Transit	-288,627	0	112	-288,739
Lodging Tax	75,810	0	0	75,810
Park Acquisitions	105,806	0	0	105,806
Street	807,576	0	168,000	639,576
Traffic Impact Fee	86,607		(9,750)	96,357
Total Special Revenue Funds	1,370,114	1,428,800	1,267,162	1,531,752
Debt Service Funds				
Capital Imprv. Debt	998		0	998
2010 Maintenance Bond	1,600		0	1,600
LID Guarantee Fund	6,723			6,723
Total Debt Service Funds	9,321	0	0	9,321
Capital Project Funds				
Capital Imprv. Bond Projects	60,304			60,304
Field House	1,258,644	0	0	1,258,644
Recreation Facilities	9,182	0	0	9,182
Sidewalk Improvements	9,557	0	0	9,557
GF Cap Projects	116,203	0	0	116,203
Total Capital Project Funds	1,453,890	0	0	1,453,890
Enterprise Funds				
Gas	22,566	0	-426,068	448,634
Light	5,472,181		2,138,409	3,333,772
Sewer	802,106	1,993,407	2,711,045	84,468
Stormwater	55,906	0	4,955	50,951
Stormwater Bond	79,130		0	79,130
Telecommunications	132,632		24	132,608
Water	1,984,586	0	36,229	1,948,357
Water Construction	600,868		873,588	-272,720
Total Enterprise Funds	9,149,975	1,993,407	5,338,182	5,805,200
Internal Service Funds				
General Facilities	449	4,785	0	5,234
GIS Fund	157,810	0	100,000	57,810
Health Insurance	401,002	0	0	401,002
IT Fund	1,424,515	198,609	932,456	690,668
Risk Management	570,820	0	31,688	539,132
Shop & Equipment	835,963	0	268,951	567,012
Total Internal Service Funds	3,390,559	203,394	1,333,095	2,260,858
Grand Total	\$20,082,792	\$4,640,264	\$13,530,860	\$11,192,196

ORDINANCE NO. 4940

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 AND ORDINANCE NO. 4934 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, the City Council approved Ordinance No 4923, which adopted amendments to the biennial budget for fiscal years 2023-2024; and

WHEREAS, the City Council approved ordinance No. 4934, which adopted amendments to the 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 duly noticed public hearing regarding the revisions to the 2023-2024 biennial budget on April 1, 2024; and

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 and Ordinance 4934, 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 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 15th day of April, 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. 4940 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4940 was published as required by law.

Beth Leader, City Clerk

Ordinance 4940- 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 4940 - 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	4,698,886	\$20,443,359	\$21,780,262	3,361,983	
Budgeted General Sub-Funds					
Art Acquisitions	56,853	61,000	69,000	48,853	
Economic Development	640,412	0	0	640,412	
Fire Relief & Pension Trust	805,323	190,737	255,986	740,074	
Hal Holmes Trust	174,693	10,500	10,000	175,193	
Library Trust	337,106	7,500	8,800	335,806	
Sales Tax	3,224,008	6,515,811	8,770,693	969,126	
SLFRF Grants	4,838,185	0	4,838,185	0	
Total Budgeted General Sub-Funds	10,076,580	6,785,548	13,952,664	2,909,464	
Special Revenue Funds:					
Affordable Housing	2,412,282	870,406	682,500	2,600,188	
Arterial Street	827,102	5,390,276	5,370,547	846,831	
CATV Capital	66,951	0	0	66,951	
CATV Ops. and & Maint.	109,136	100,198	110,529	98,805	
Criminal Justice	2,819,826	1,556,822	2,262,175	2,114,473	
Drug	28,425	3,100	5,000	26,525	
Ellensburg Public Transit	3,868,733	4,248,756	2,495,941	5,621,548	
Lodging Tax	1,320,169	687,000	366,066	1,641,103	
Park Acquisitions	253,108	102,261	0	355,369	
Street	1,921,139	3,017,122	3,778,331	1,159,930	
Traffic Impact Fee	452,962	372,387	632,634	192,715	
Total Special Revenue Funds	14,079,833	16,348,328	15,703,723	14,724,438	
Debt Service Funds					
Capital Imprv. Debt	362,380	562,327	563,326	361,381	
2010 Maintenance Bond	87,815	187,003	188,003	86,815	
LID Guarantee Fund	147,508	0	0	147,508	
Total Debt Service Funds	597,703	749,330	751,329	595,704	
Capital Project Funds					
Capital Imprv. Bond Projects	404,141	0	0	404,141	
Field House	4,877,900	0	0	4,877,900	
Recreation Facilities	389,182	380,000	760,000	9,182	
Sidewalk Improvements	555,127	422,053	586,000	391,180	
GF Cap Projects	116,203	0	0	116,203	
Total Capital Project Funds	6,342,553	802,053	1,346,000	5,798,606	
Enterprise Funds					
Gas	3,053,638	12,881,248	13,288,567	2,646,319	
Light	14,716,469	21,752,965	26,560,516	9,908,918	
Sewer	8,075,685	8,916,520	12,315,830	4,676,375	
Stormwater	1,275,032	3,768,287	3,657,841	1,385,478	
Stormwater Bond	79,130	0	0	79,130	
Telecommunications	431,946	410,324	372,413	469,857	
Water	7,413,751	6,555,464	8,166,753	5,802,462	
Water Construction	1,883,660	0	1,883,588	72	
Total Enterprise Funds	36,929,311	54,284,808	66,245,508	24,968,611	
Internal Service Funds					
General Facilities	34,051	635,209	557,717	111,543	
GIS Fund	435,666	309,244	468,844	276,066	
Health Insurance	1,229,031	3,047,821	2,703,393	1,573,459	
IT Fund	2,108,472	2,987,109	3,864,035	1,231,546	
Risk Management	1,736,766	688,102	1,240,711	1,184,157	
Shop & Equipment	9,873,720	2,812,252	3,149,688	9,536,284	
Total Internal Service Funds	15,417,706	10,479,737	11,984,388	13,913,055	
Grand Total	\$88,142,572	\$109,893,163	\$131,763,874	\$66,271,861	



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Resolution 2024-09 Authorizing Grant Submittal to the Recreation and Conservation Office (Public Comment Opportunity)

Submitted by: Brad Case, Parks & Recreation Director

Department: Parks & Recreation

Suggested Motion/Action:

Move to adopt Resolution 2024-09 allowing the City to apply for grant funds through the Recreation and Conservation Office (RCO) to build tennis courts at Mt. View Park.

Background/Summary:

This project is for the development of 6 tennis courts at Mt. View Park, a 7-acre city-owned park facility. Within the city of Ellensburg there are only 8 outdoor tennis courts which are located on the campus of Central Washington University (CWU). By comparison, 20 years ago there were 26 public tennis courts in Ellensburg.

The 6 courts at Mt. View Park will be the only public tennis courts in Ellensburg and will provide a space for community drop in play, youth and adult tennis lessons, and use by the Ellensburg School District through their intralocal facility use agreement with the City. ESD use could include the high school tennis team, physical education classes at Ellensburg High School and a middle school tennis program which was previously offered when there were four courts at Morgan Middle School.

The Recreation and Conservation Office provides funding opportunities for the development, acquisition and restoration of outdoor recreation facilities. In order to apply for RCO funding, the applicant must adopt a resolution showing support of a grant application from the elected council or commission.

Previous Council Action:

N/A

Analysis:

In 2002 there were 26 tennis courts in Ellensburg: 10 courts on the CWU campus, 8 courts at Ellensburg High School, 4 courts at Morgan Middle School, 1 court at Mt. View Park, and 3 indoor courts at the Ellensburg Racquet & Recreation Center.

Except for the 8 courts at CWU, all the above-mentioned courts no longer exist. The courts at Ellensburg High School were closed due to settling issues that resulted in large cracks forming in the courts and forcing the district to close courts due to their unsafe condition. The courts at Morgan Middle School were removed when the school was remodeled in 2017. On

December 2, 2022, the two remaining courts at the Ellensburg Racquet & Recreation Center were lost in a building fire.

The Mt. View Park tennis courts will be built where the east soccer field is located. We currently have over 25 park acres dedicated to soccer fields which more than meet our soccer field needs. By converting this area of the park to tennis courts, we are addressing a need within our park system. The Mt. View Park tennis courts are reflected in the Mt. View Park conceptual plan which was adopted by Council as a part of the 2016-22 City of Ellensburg Park, Recreation and Open Space Plan Update.

Grant funding would be available July 1, 2025.

Financial Impact:

The estimated cost to develop six tennis courts is \$550,000. The city will have a 50% match requirement for the project that could come from either Park Impact Fee or Real Estate Excise Tax funds. In addition, we will continue to have discussions with the Ellensburg School District about assisting with project funding.

Budget Adjustment: No

Attachments:

1. Mountain View Park Master Plan
2. Resolution 2024-09 -RCO Grant Applicant Authorization

Legend

- | | |
|---|--|
| 1 Remove shrubs, landscape restoration | 7 Parking, 238 stalls +/- |
| 2 Shelter restoration & pavement repair | 8 Tennis Courts (6, lighted) |
| 3 Picnic tables on concrete pads | 9 Park Identification Sign |
| 4 Play Plaza | 10 Turf/Open Space Restoration |
| 5 Community Center | 11 Vegetative & Block Wall Wind Screen |
| 6 Climbing Wall | 12 Tennis Shelter & Plaza |

Ellensburg Park, Recreation & Open Space Plan

Mt. View Park

Concept Master Plan



AJO Consulting
Robert W. Droll, Landscape Architect, PS

14053 06/04/15



Applicant Resolution/Authorization

Organization Name (sponsor) _____

Resolution No. or Document Name _____

Project(s) Number(s), and Name(s) _____

This resolution/authorization authorizes the person(s) identified below (in Section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project(s) for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS, grant assistance is requested by our organization to aid in financing the cost of the Project(s) referenced above;

NOW, THEREFORE, BE IT RESOLVED that:

1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project(s)."
2. Our organization authorizes the following persons or persons holding specified titles/positions (and subsequent holders of those titles/positions) to execute the following documents binding our organization on the above projects:

Grant Document	Name of Signatory or Title of Person Authorized to Sign
Grant application (submission thereof)	
Project contact (day-to-day administering of the grant and communicating with the RCO)	
RCO Grant Agreement (Agreement)	
Agreement amendments	
Authorizing property and real estate documents (Notice of Grant, Deed of Right or Assignment of Rights if applicable). These are items that are typical recorded on the property with the county.	

The above persons are considered an "authorized representative(s)/agent(s)" for purposes of the documents indicated. Our organization shall comply with a request from the RCO to provide documentation of persons who may be authorized to execute documents related to the grant.

3. Our organization has reviewed the sample RCO Grant Agreement on the Recreation and Conservation Office's WEB SITE at: <https://rco.wa.gov/wp-content/uploads/2019/06/SampleProjAgreement.pdf>. We understand and acknowledge that if offered an agreement to sign in the future, it will contain an indemnification and legal venue stipulation and other terms and conditions substantially in the form contained in the sample Agreement and that such terms and conditions of any signed Agreement shall be legally binding on the sponsor if our representative/agent enters into an Agreement on our behalf. The Office reserves the right to revise the Agreement prior to execution.
4. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative(s)/agent(s) have full legal authority to act and sign on behalf of the organization for their assigned role/document.
5. Grant assistance is contingent on a signed Agreement. Entering into any Agreement with the Office is purely voluntary on our part.
6. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the Agreement, the characteristics of the project, and the characteristics of our organization.
7. Our organization further understands that prior to our authorized representative(s)/agent(s) executing any of the documents listed above, the RCO may make revisions to its sample Agreement and that such revisions could include the indemnification and the legal venue stipulation. Our organization accepts the legal obligation that we shall, prior to execution of the Agreement(s), confer with our authorized representative(s)/agent(s) as to any revisions to the project Agreement from that of the sample Agreement. We also acknowledge and accept that if our authorized representative(s)/agent(s) executes the Agreement(s) with any such revisions, all terms and conditions of the executed Agreement shall be conclusively deemed to be executed with our authorization.
8. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
9. [for Recreation and Conservation Funding Board Grant Programs Only] If match is required for the grant, we understand our organization must certify the availability of match at least one month before funding approval. In addition, our organization understands it is responsible for supporting all non-cash matching share commitments to this project should they not materialize.
10. Our organization acknowledges that if it receives grant funds managed by the Office, the Office will pay us on only a reimbursement basis. We understand reimbursement basis means that we will only request payment from the Office after we incur grant eligible and allowable costs and pay them. The Office may also determine an amount of retainage and hold that amount until all project deliverables, grant reports, or other responsibilities are complete.
11. [for Acquisition Projects Only] Our organization acknowledges that any property acquired with grant assistance must be dedicated for the purposes of the grant in perpetuity unless otherwise agreed to in writing by our organization and the Office. We agree to dedicate the property in a signed "Deed of Right" for fee acquisitions, or an "Assignment of Rights" for other than fee acquisitions (which documents will be based upon the Office's standard versions of those documents), to be recorded on the title of the property with the county auditor. Our organization acknowledges that any property

acquired in fee title must be immediately made available to the public unless otherwise provided for in policy, the Agreement, or authorized in writing by the Office Director.

12. [for Development, Renovation, Enhancement, and Restoration Projects Only–If our organization owns the project property] Our organization acknowledges that any property owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant in perpetuity unless otherwise allowed by grant program policy, or Office in writing and per the Agreement or an amendment thereto.
13. [for Development, Renovation, Enhancement, and Restoration Projects Only–If your organization DOES NOT own the property] Our organization acknowledges that any property not owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant as required by grant program policies unless otherwise provided for per the Agreement or an amendment thereto.
14. [Only for Projects located in Water Resources Inventory Areas 1-19 that are applying for funds from the Critical Habitat, Natural Areas, State Lands Restoration and Enhancement, Riparian Protection, or Urban Wildlife Habitat grant categories; Aquatic Lands Enhancement Account; or the Puget Sound Acquisition and Restoration program, or a Salmon Recovery Funding Board approved grant] Our organization certifies the following: the Project does not conflict with the Puget Sound Action Agenda developed by the Puget Sound Partnership under RCW 90.71.310.
15. This resolution/authorization is deemed to be part of the formal grant application to the Office.
16. Our organization warrants and certifies that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises and obligations set forth herein.

This resolution/authorization is signed and approved on behalf of the resolving body of our organization by the following authorized member(s):

Signed _____

Title _____ Date _____

On File at: _____

This Applicant Resolution/Authorization was adopted by our organization during the meeting held:
(Local Governments and Nonprofit Organizations Only):

Location: _____ Date: _____

Washington State Attorney General's Office

Approved as to form Brian Toller 2/13/2020
Assistant Attorney General Date

You may reproduce the above language in your own format; however, text may not change.



Meeting Date: April 15, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Follow-up Items for Council Discussion
Submitted by: Heidi Behrends Cerniwey, City Manager
Department: City Manager

Suggested Motion/Action:

This item is for discussion purposes only. Council may provide direction to staff for future actions.

Background/Summary:

Several items presented to the City Council during Public Comment on Non-Agenda Items or brought up by members of the Council during previous meetings have not been considered by the full Council. This item provides a framework for discussion of unfinished or new business that may be considered at a future meeting:

- Public Participation - Town Hall
- Naming Alleyways of Ellensburg
- Utility Rates for Churches Update

Previous Council Action:

None.

Analysis:

This item is for discussion purposes only.

Financial Impact:

None at this time.

Budget Adjustment: No

Attachments:

None



MANAGER'S REPORT

DATE: April 15, 2024

To: Ellensburg City Council

FROM: Heidi Behrends Cerniwey, City Manager

1. Grant Award Notification

Public Works and Utilities Department recently applied for a complete streets funding opportunity with the Transportation Improvement Board (TIB) for public improvement projects. The City was awarded \$500,000 from TIB for this program which will be used to fill in sidewalk gaps on the north side of 15th Ave from Columbia Street to Bluegrass Lane and on the east side of Alder Street from 1st Ave to 3rd Ave. Reconstruction of sidewalk curb ramps at multiple locations to Americans with Disabilities Act (ADA) standards is also included. The project is planned for Summer 2024 construction with a total estimated cost of \$588,000, including a City match of \$88,000.

2. Mountain View/Willow/Bull Road Work

You may have noticed City crews excavating four holes recently at the intersection of Mountain View, Willow, and Bull Road. What were our City crews doing? They were excavating locations for the future signal pole locations at this intersection and putting in the future signal base forms. City Engineering staff did this proactively because there are a number of potential underground conflicts (utilities). Staff can now provide the signal design consultant exact locations of these bases so that the future contractor can order signal poles and mast arms with the correct dimensions. Now that the preliminary work is done, our team can coordinate for a few utility relocations prior to the actual signal project. This work will reduce the need for future change orders on the project. Signal construction will likely take place in 2025 or 2026.

3. 2024 Historic Preservation Month

The Landmarks and Design Commission, in conjunction with the Kittitas County Historic Museum, are hosting the annual Historic Preservation Awards on May 4th from 4-6 pm at the Museum. This event is free to the public and will include a presentation honoring the 135th anniversary of the great fire and how that impacted the Ellensburg Downtown, highlights of new and historic mural projects around the county, and the presentation of the 2024 preservation awards. In addition to this event, the museum and LDC will be hosting a community scavenger hunt that will last all month, highlighting historic sites and structures throughout the downtown.

4. Field Mapping the City's storm system

A consultant, Evergreen H2O is working closely with City staff to collect stormwater system data around the community. The team will be working in different locations throughout the spring and summer. The group is mapping public right-of-way (ROW) storm systems and Central Washington University's campus.

5. What does the future hold for Reed Park?

Now that the City Council adopted the Reed Park Master Plan, what's next? First, the project will require funding. Once funding is secured for at least the first phase of the project, then the City

would commence design and permitting for the project. The City is required to follow its own rules for permitting, which would include a pre-application meeting, site development permit, critical area review, and State Environmental Policy Act (SEPA) review prior to construction. During the design and permitting process (which can take a year or more), there are several opportunities for public participation. The American Legion will be an important neighbor and partner to any future phase of development and City leadership is committed to working collaboratively to create a successful project. In the meantime, City and County representatives are working together to resolve the parcel ownership and further analyze the hillside to mitigate long-term sloughing of the hillside.

6. Roberts Rules of Order Training for Boards & Commissions

During the months of April (and some of May) our City Attorney's Office will be providing training for all of the City's Advisory Boards & Commissions on Roberts Rules of Order. Members of the community are welcome to attend. Check individual meeting agendas or call the City Manager's office to confirm schedule.

7. Arbor Day Events and Downtown Cleanup on April 20

The City will be partnering with Central Washington University's Student Leadership, Involvement and Community Engagement (SLICE) program to conduct a park cleanup and tree planting event at Irene Rinehart Riverfront Park from 10 a.m. to 12 p.m. on Saturday, April 20, 2024, to honor Arbor Day. There will be groups planting trees along a section of the Riverfront trail, as well as cleaning up trash and picking up pet waste. The Ellensburg Downtown Association will also be hosting the semi-annual Downtown Cleanup on April 20 from 10 a.m. to 1:00 p.m.

8. Sleep Center Site Analysis Meeting Scheduled for April 19

The expanded Joint Ad Hoc Committee on Homelessness will host a meeting to review proposals for potential parcels to site a future sleep center. The meeting, which will be available on Zoom and in person (with limited seating) on Friday, April 19, 2024, beginning at 3:30 p.m. to review all valid proposals for locations. The Committee will make a recommendation for a site (or sites) for the City Council to consider at their May 6, 2024, meeting. A meeting agenda will be posted by April 17.

9. City Council Retreat Scheduled for April 27

A 2024 Council Retreat is planned for Saturday, April 27, 2024, from 8:00 a.m. to 3:00 p.m. and will occur at IOOF Lodge, 307 ½ N Pine Street Ellensburg, WA 98926. Members of the public are welcome to attend.

10. City Priorities Poll Open Until May 8

Ellensburg Residents & Businesses: Take a [quick poll](#) to share your top priorities for the City of Ellensburg over the next five years. The poll will close at 5 p.m. on May 8, 2024. Results of this poll will provide a general snapshot (non-scientific data point) of public opinion for decision-makers as they develop plans for future projects and programs. The City of Ellensburg Priorities Poll is available at the following address: <https://fs19.formsite.com/ellensburg/citypriorities/index>

11. AWC Hosts "Why inclusion is important for cities" Workshop in Ellensburg April 30

The Association of Washington Cities (AWC) invites city elected officials and staff from the cities of Ellensburg, Kittitas, Roslyn, and Cle Elum to a workshop to explore the basics of inclusion and its relevance to city government. The workshop will be held on Tuesday, April 30, 2024, from 6 – 7:30 p.m. at Ellensburg City Hall, 501 N Anderson St, Ellensburg, WA 98926. Registration is available through the AWC website.