

COUNCIL AGENDA

Monday, May 16, 2022



Ellensburg City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at ectv2.com or on YouTube at ECTV Ellensburg. Members of the public may attend City Council meetings either in person in the City Council Chambers, 501 N Anderson Street, Ellensburg, WA 98926 or by registering to attend remotely via video conference.

The Study Session will take place in the City Council Chambers, 501 N Anderson Street, Ellensburg, WA 98926. No public comment will be accepted. The meeting is available to livestream on YouTube at ECTV Ellensburg.

To attend the city council meeting virtually register here:
https://us02web.zoom.us/webinar/register/WN_R1KYQkbFQbeckALHAO3dYw

AMERICANS WITH DISABILITIES ACT

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. Please furnish the ADA Coordinator with your request in sufficient time for the City to provide a reasonable accommodation. A Request for Accommodation form may be obtained on the first floor of City Hall or by calling the City of Ellensburg ADA Coordinator at (509) 962-7222 or email ADAAccordinator@ci.ellensburg.wa.us.

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. You may also attend by phone, only, and listen to the meeting by following the registration instructions under “Remote testimony during the meeting,” below. Once you register, you will be sent a meeting invite with a phone number for the meeting.

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

SUBMISSION OF WRITTEN COMMENTS

- **Written comments submitted in advance of meeting**
Submit written comments by mail to Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or via email to: cityclerk@ci.ellensburg.wa.us. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.
- **Comments for public hearings**
Written comments must be received by the City Clerk by 5 p.m. on the meeting date. Comments can either be mailed to Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or sent via email to: cityclerk@ci.ellensburg.wa.us. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.

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. Register for the meeting at: https://us02web.zoom.us/webinar/register/WN_R1KYQkbFQbeckKALHAO3dYw Once registered, you will receive an email with the meeting link and phone number (for those who wish to call into the meeting).
2. **Join the meeting early**, as you may need to download the app in advance to participate. Once you've joined the meeting, your camera and microphone will be muted until you are recognized by the Mayor to speak.
3. Please note that there may be several items on the City Council Agenda that will precede the agenda item you wish to address.
4. **The Mayor will identify the agenda item** and ask if anyone wishes to speak on the matter.
5. Any interested person may provide comments: 1) under Item 7 on non-agenda items, or 2) on any listed agenda items. If you wish to speak, you must:
 - a) **Raise your “virtual hand”** in the corner of Zoom application on the computer screen or press *9 on your phone. Raising your hand signals the moderator that you wish to speak.
 - b) **Wait to be called upon by the Mayor** using your name, e-mail, or phone number used to log in to the teleconference.
6. **Please state your name, address, 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, address, and whether you are representing only yourself or others.
- ◆ Each speaker's comments are to be limited to 3 MINUTES.
- ◆ Submit 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).

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:

- ◆ 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.
- ◆ Please state your name, address, and whether you are representing only yourself or others.
- ◆ Please limit your comments to 5 MINUTES.
- ◆ Submit written comments to the City Clerk.

**CITY OF ELLENSBURG
COUNCIL AGENDA
Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And virtually via Zoom
Monday, May 16, 2022
6:00 PM – Study Session
7:00 PM - Regular Meeting**

Study Session

Recreation Facilities Discussion

Pledge of Allegiance

1. Call to Order and Roll Call

2. Proclamations

2.A Lemonade Day 2022 Proclamation 8
[Lemonade Day 2022](#)

2.B National Provider Appreciation Day 9
[National Provider Appreciation Day](#)

3. Awards and Recognitions

4. Approval of Agenda

5. Consent Agenda

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

5.A Approve Minutes of May 2, 2022 Regular Meeting 10
[5-2-22 Regular Meeting Minutes](#)

5.B Approve Minutes of the May 2, 2022 Study Session 15
[5-2-22 Study Session Minutes](#)

5.C Acknowledge Minutes of Boards and Commissions 16

[DEI Commission 2-8-22](#)
[Environmental Commission 1-19-22](#)
[Landmarks & Design Commission 3-15-22](#)
[Landmarks & Design Commission 4-5-22](#)
[Landmarks & Design Commission 4-19-22](#)
[Lodging Tax Advisory Committee Minutes 4-6-22](#)
[Planning Commission 3-10-22](#)
[Planning Commission 3-24-22](#)

5.D [Approve University Way Banner Request for CWU Annual Spring Fashion Show](#) 33
[Fashion Show Banner Request](#)

5.E [Accept Resignation of Lathan Wedin from the Landmarks and Design Commission](#) 34
[Lathan Wedin Resignation](#)

5.F [Revised Grant Agreement with the Washington State Department of Ecology \(DOE\) for the "Ellensburg Aquifer Storage and Recovery \(ASR\) Feasibility Study](#) 35
[Water Resources Yakima Basin Integrated Planning Agreement](#)

5.G [Approve May 16, 2022 Voucher Listing](#) 68
[5-16-22 Voucher Listing](#)

6. **Petitions, Protests, and Communications**

6.A [2021 Ellensburg Police Department Annual Report](#) 69
[2021 Annual EPD Report](#)

6.B [Board and Commission Appointments](#) 91
[B and C Agenda Report Chart 5-16-22](#)
[Applications for Appointment and Reappointment](#)
[Arts Commission Recommendation](#)
[DEI Commission Recommendation](#)
[Environmental Commission Recommendation Memo](#)
[P & R Adams Appointment Memo](#)
[P & R Zentner Appointment Memo](#)
[Sr. Citizens Advisory Commission Recommendation](#)

6.C [Letter to Council from the Diversity, Equity and Inclusion \(DEI\) Commission](#) 119
[DEI Memo To Council May 16, 2022](#)

6.D [Historic Preservation Awards](#) 120
[Preservation Month Letter 2022](#)

7. **Citizen Comment on Non-agenda Issues**

8. **Business Requiring Public Hearings**

8.A [Closed Record Public Hearing \(legislative\) for Application P22-036, for a supplemental P-R Rezone from P-R to I-L, submitted by City of Ellensburg](#) 122

Resolution Supplemental P-R Rezone
 Exhibit 1. zoning map
 Exhibit 2. Preliminary BLA Survey
 Exhibit 3. Future Land Use Map
 Exhibit 4. ORD. 4627 - 2012 Comp Plan Amendments
 Exhibit 5. Certificate of Mailing
 Exhibit 6. Affidavit of Publication
 Exhibit 7. Affidavit of Posting
 Exhibit 8. PW Comments
 Exhibit 9. Signed DNS
 Exhibit 10 a. Land Use Application Cover Page
 Exhibit 10 b. Project Narrative
 Exhibit 10 c. Map of rezone
 Exhibit 11. Affidavit of Publication
 Exhibit 12. Affidavit of Posting

- 8.B Public Hearing for first reading of an ordinance amending portions of Chapter 3.12 of the Ellensburg City Code (Sign Code) 162
 Sign Code Ordinance (First Reading)
 CC Legal Notice Sign Ord 5.16.22
- 8.C Public hearing (legislative) to Adopt a Resolution Amending the City's Six-Year Transportation Improvement Plan (TIP) for 2022-2027; Revising a State Budget Funded Project and Updating the Extents of Projects. 173
 Ellensburg Helena Ave Improvements
 Six-Year TIP Amendment Resolution 2022

9. Introduction and Adoption of Ordinances and Resolutions

- 9.A Ordinance 4886 - 2021-2022 Supplemental Budget 180
 Table 1 - Items by Fund
 Table 2 - Summary of Budget Adjustments by Fund
 Ordinance 4886 - 2021-2022 Supplemental Budget
 Exhibits A & B - 2021-2022 Supplemental Budget
- 9.B Second reading of Ordinance 4887 pertaining to zoning and land use regulations, amending Chapter 2.30 and Chapter 14.04 and Title 15 Land Development Code, Chapters 15.130, 15.280, 15.300, 15.310, 15.320 and amending area wide zoning boundary maps 192
 4887 - 2022 Land Development Code Ordinance
- 9.C Ordinance 4888 - Increasing City Manager Contracting Authority, Amending Chapter 1.06 of the Ellensburg City Code 260
 Ordinance 4888 - Chapter 1.06 City Manager and Assistant City Manager
- 9.D Ellensburg City Council Strategic Vision 2023-2028 266
 Resolution 2022-XX Ellensburg City Council Strategic Vision 2023-2028
- 9.E Amended Pay Plan Resolution for Fiscal Year 2022 271

10. Unfinished Business

11. New Business

12. Miscellaneous

12.A Manager's Report 275
[5-16-22 Manager's Report](#)

12.B Councilmembers' Reports

13. Executive Session

13.A Per RCW 42.30.110 (g), to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public.

14. Adjournment

Next Ord. 4889
Next Res. 2022-16



PROCLAMATION

LEMONADE DAY 2022

WHEREAS, Lemonade Day is good for kids, good for the business community, and good for Ellensburg. The Kittitas County Chamber of Commerce, along with many other local companies, organizations and individuals, are joining forces to bring this innovative program to Ellensburg, and;

WHEREAS, Lemonade Day is a free community-based program dedicated to teaching children how to start, own, and operate their own business through the simple and time-honored act of building and running a lemonade stand, and

WHEREAS, Lemonade Day provides youth with free educational materials and support, thanks to local sponsors. The young entrepreneurs who participate in the program earn money and are taught to "spend a little, save a little and share a little," donating a portion of their profits to any local charity of their choice; and

WHEREAS, Lemonade Day is more than just a day. The event celebrates learning and the future of Ellensburg on August 20, 2022. During Lemonade Day, every citizen is encouraged to support the endeavors of our young entrepreneurs by purchasing a cup of lemonade from a participant or cheering them on via social media; and

WHEREAS, the City of Ellensburg salutes and commends the sponsors, organizers and, above all, the participants of this innovative program, and extends best wishes for a successful and rewarding observance.

NOW THEREFORE, we, the City Council of the City of Ellensburg, do hereby proclaim Saturday, August 20, 2022, as "Lemonade Day" in Ellensburg, Washington.

Dated this 16th day of May, 2022.

Nancy Lillquist
Mayor

Attest: _____
City Clerk



City of Ellensburg

PROCLAMATION

NATIONAL PROVIDER APPRECIATION DAY

WHEREAS, cities, counties and organizations nationwide are recognizing Child Care Providers on this day; and

WHEREAS, over half the children under the age of six nationwide are estimated to spend some time in a nonparental care arrangement on a weekly basis, which provides critical enrichment opportunities and nurtures development for children of all backgrounds and is a vital building block of our state economy; and

WHEREAS, the COVID-19 pandemic continues to create tremendous hardship for Child Care Providers and the families of Washington who depend on them, forcing providers to risk their health and financial stability to remain open throughout shifting COVID-19 health guidance; and

WHEREAS, Child Care Providers continue to provide essential high-quality early learning experience to Washington's children in the face of irregular and long hours, high turnover rate in child care businesses, and increasing stressful working conditions due to the impact of burnout, COVID-19, and other workforce-related complications; and

WHEREAS, our future depends on the quality of the early childhood experiences provided to young children today; support for high-quality child care represents a worthy commitment to our children's future.

NOW, THEREFORE, we, the City Council of the City of Ellensburg, hereby proclaim May 6, 2022, as Provider Appreciation Day in the City of Ellensburg and urge all citizens to recognize Child Care Providers for their important work.

DATED this 16th day of May, 2022.

Nancy Lillquist
Mayor

Attest: _____
City Clerk



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Regular Meeting

May 2, 2022

7:00 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And Virtually via Zoom

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Goodloe

1. Call to Order and Roll Call

Roll Call Present: Rich Elliott, Nancy Goodloe, Nancy Lillquist, David Miller, Monica Miller, Bruce Tabb, Adam Winn

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Executive Assistant Gigstead, Finance Director Pascoe, Sr. Financial Analyst/Budget Officer Basset, Interim Community Development Director Ayling, HR Director Young and approximately eight members of the public

Others present virtually via Zoom: three members of the public

2. Proclamations

2.A. National Day of Prayer Proclamation.

Frank Johnson read the proclamation.

Councilmember Elliott moved to Approve the Mayor's signature on the proclamation.

Motion Approved 6-0 (Councilmember Monica Miller abstained).

2.B. National Public Works Week

Councilmember Elliott read the proclamation.

Councilmember David Miller moved to Approve the Mayor's signature on the proclamation. **Motion Approved 7-0.**

2.C. Arts Education Month

Jerry Dougherty, Arts Commission Member, read the proclamation.

Councilmember Elliott moved to Approve the Mayor's signature on the proclamation.

Motion Approved 7-0.

2.D. Jewish American Heritage Month

Bethany Kharrazi read the proclamation.

Councilmember Goodloe moved to Approve the Mayor's signature on the proclamation. **Motion Approved 7-0.**

2.E. Asian American/Native Hawaiian and Pacific Islander (AANHPI) Heritage Month
Dr. Chong Eun Ahn read the proclamation.

Councilmember David Miller moved to Approve the Mayor's signature on the proclamation. **Motion Approved 7-0.**

2.F. Bicycle Month Proclamation
Councilmember Winn read the proclamation.

Councilmember Elliott moved to Approve the Mayor's signature on the proclamation. **Motion Approved 7-0.**

2.G. National Historic Preservation Month 2022
Amy McCoy, Landmarks & Design Commission Chair, read the proclamation.

Councilmember Elliott moved to Approve the Mayor's signature on the proclamation. **Motion Approved 7-0.**

3. Awards and Recognitions

4. Approval of Agenda

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

5. Consent Agenda

5.A. Approve Minutes of April 18, 2022 Regular Meeting

5.B. Acknowledge Minutes of Boards and Commissions

5.C. Extension Agreement with Clearwater Studios, LLC for Public Access Cable Television Management and Production Services

5.D. Project Acceptance - RFQ 2020-18 - Annual Substation Inspection and Testing

5.E. Approve May 2, 2022 Voucher Listing

Councilmember Tabb moved to Approve the Consent Agenda as presented. **Motion Approved 7-0.**

6. Petitions, Protests, and Communications

7. Citizen Comment on Non-agenda Issues

Pat Kelleher, 6530 Wilson Creek Rd, speaking for himself, spoke regarding Cora Street traffic issues and the Ida Nason Aronica Elementary boundary line adjustment.

8. Business Requiring Public Hearings

8.A. Closed Record Hearing (quasi-judicial) to Consider a Resolution to Approve Application for Preliminary Plat Approval (P21-157) Submitted by Tyler Glahn, Crytly Enterprises Inc., Owner – Katie Meadows Plat

The Mayor opened the public hearing. Jamey Ayling, Interim Community Development Director, presented information in the staff report.

With no comments or questions from the public or council, the Mayor closed the public hearing.

Councilmember Tabb moved to Approve adoption of Resolution 2022-14, approval of the Application for Preliminary Plat approval for Katie Meadows Subdivision. **Motion Approved 7-0.**

8.B. Public Hearing - 2021-2022 Supplemental Budget Ordinance

The Mayor opened the public hearing. Keith Bassett, Sr. Financial Analyst/Budget Officer, presented information in the staff report.

With no comments or questions from the public or council, the Mayor closed the public hearing.

Councilmember Elliott moved to Approve first reading of Ordinance 4886 for the 2021-2022 Supplemental Budget Ordinance. **Motion Approved 7-0.**

8.C. Proposed Amendments to Ellensburg City Code (ECC) Pertaining to Zoning and Land Use Regulations, Amending Chapter 2.30 and Chapter 14.04 and Title 15 – Land Development Code, Chapters 15.130, 15.280, 15.300, 15.310, 15.320 and Amending Area Wide Zoning Boundary Maps

The Mayor opened the public hearing. Jamey Ayling, Interim Community Development Director, presented information in the staff report.

James Rivard, 113 W 10th Avenue, attending remotely, spoke about his submitted comments.

Councilmember Goodloe requested clarification on museums in residential zones.

Councilmember David Miller asked about the Planning Commission public hearing.

With no additional comments or questions from the public or council, the Mayor closed the public hearing.

Councilmember Elliott moved to Approve first reading of Ordinance 4887 for the proposed Land Development amendments to the Ellensburg City Code. **Motion Approved 7-0.**

9. Introduction and Adoption of Ordinances and Resolutions

9.A. Increasing City Manager Contracting Authority, Amending Chapter 1.06 of the Ellensburg City Code

Keith Bassett, Sr. Financial Analyst/Budget Officer, presented information in the staff report.

Councilmember Elliott moved to Approve first reading of Ordinance 4888 increasing the City Manager's purchasing/contracting authority. **Motion Approved 7-0.**

9.B. Resolution - 2022 Policy Update - Holidays

Lisa Young, HR Director, presented information in the staff report.

Councilmember Elliott moved to Approve adoption of Resolution 2022-15 establishing Juneteenth as a City holiday. **Motion Approved 7-0.**

10. Unfinished Business

11. New Business

11.A. 2022 First Quarter Financial Status and Investment Reports

Jerica Pascoe, Finance Director, presented information in the reports.

Councilmember Elliott moved to Accept the 2022 First Quarter Financial Status and Investment Reports. **Motion Approved 7-0.**

12. Miscellaneous

12.A. Manager's Report

The City Manager reviewed the report. It was requested a public hearing be set for the Six Year Transportation Plan for 2022-2027.

Councilmember Tabb moved to set a public hearing for the Six Year Transportation Improvement Plan on May 16, 2022. **Motion Approved 7-0.**

It was requested a study session be set for July 5, 2022 from 5:30 pm to 6:45 pm to provide training to Council and board and commission members.

Councilmember Elliott moved to set a study session on July 5, 2022 from 5:30 pm to 6:45 pm for Government Meetings training. **Motion Approved 7-0.**

It was requested a study session be set for May 16, 2022 to continue discussion of park facilities.

Councilmember Elliott moved to set a study session on May 16, 2022 at 6:00 pm to continue discussion of park facilities. **Motion Approved 7-0.**

The City Manager reminded Council that due to the Juneteenth Holiday, the second Council meeting in June will be held on Tuesday, June 21, 2022.

12.B. Councilmembers' Reports

- Councilmember Elliott reported on the HopeSource Board and gave an update on the Health Network, which he will serve as Council representative.
- Councilmember Goodloe participated in DEI Committee member interviews and attended Utility Advisory Committee, DEI subcommittee and Homelessness & Affordable Housing Committee meetings. She also attended the Moses Lake Sleep Center tour.
- Councilmember David Miller participated in Arts Commission member interviews and KCCOG and Finance Committee meetings. He requested an excused absence from the June 21, 2022 meeting.

Councilmember Tabb moved to excuse Councilmember David Miller from the June 21, 2022 meeting. **Motion Approved 7-0.**

- Councilmember Monica Miller attended two cultural arts planning meetings and the short course on Planning. She reminded Council of activities on May 14th for Heritage Preservation Day.
- Councilmember Tabb attended a Public Transit Advisory Committee meeting, reported on the County Homelessness & Affordable Housing Committee, attended the Moses Lake Sleep Center tour, and the TIP steering committee.
- Councilmember Winn participated in an Environmental Commission member interview.
- Mayor Lillquist attended an Economic Summit, the Arbor Day Event, Utility Advisory Committee meeting and Leadership Kittitas County Alumni event.

13. Executive Session

14. Adjournment

Meeting adjourned at 8:46 pm

Mayor

ATTEST: _____
City Clerk



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Study Session

May 2, 2022

6:00 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And virtually via Zoom

Study Session

The meeting was called to order at 6:00 pm

All Councilmembers present

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Executive Assistant Gigstead, Finance Director Pascoe, Kittitas Valley Event Center Director, Kady Porterfield; County Commissioner, Brett Wachsmith; Kittitas County Solid Waste and Maintenance Facilities Director, Patty Stacey; and Rodeo Board Members Carl Jensvold and Brian Twardoski

Kittitas Valley Event Center Improvements

City Manager presented information concerning the request for funding for the Event Center improvement project.

Kady Porterfield distributed additional information to Council and reviewed information on the project. Carl Jensvold reviewed information concerning the Ellensburg Rodeo's use of the facility.

Council asked questions of the presenters.

Adjournment

Meeting adjourned at 6:49 pm

Mayor

ATTEST:

City Clerk



DIVERSITY, EQUITY & INCLUSION COMMISSION (DEI)
February 8, 2022 Regular Meeting
(3:00 to 4:30 p.m.) Remote Meeting via Zoom & Council Conference Room

Members Present: Tylene Carnell, Daniel Amos, Kandee Cleary, Teresa Divine, Mayra Colazo, and Nancy Goodloe (chair)

Members Absent: Sara Omrani

Also present: Nicole Klauss, Public Information Officer (Recording Secretary); Monica Miller, City Council Member; and 3 members of the public.

1. CALL TO ORDER / INTRODUCTIONS

Chair Nancy Goodloe called the meeting to order at 3:00 p.m. New commission members Mayra Colazo and Teresa Divine introduced themselves. The rest of the commission also provided introductions.

2. APPROVAL OF MINUTES FROM January 11, 2022 MEETING

Motion: Commissioner Tylene Carnell moved to amend the minutes to reflect a change from the word Mexican to LatinX. Commissioner Daniel Amos moved to accept the motion. Commissioner Cleary seconded. There was no further discussion, and all voted in favor of the amendment to the motion; motion passed.

Motion: Commissioner Carnell moved to approve the January 11, 2022 minutes as amended. Commissioner Amos seconded. There was no discussion, and all voted in favor of the motion; motion passed.

3. CWU DEI UPDATES

Commissioner Kandee Cleary provided updates on the DEI work CWU has been focusing on including:

1. A workforce diversity plan
2. WA SB 5227, a bill relating to diversity, equity, inclusion, and antiracism training at institutions of higher education
3. Equity scorecard
4. Creating a community for BIPOC faculty and staff.

The commission asked about groups to partner with on campus. Cleary said the new director of the Diversity and Equity Center could be one partner. Others could be the Brooks Library and Dean Rebecca Lubas or the Museum of Culture and Environment.

4. LAND ACKNOWLEDGMENT UPDATE

Klauss provided an update on the land acknowledgment process and shared the subcommittee's document with examples of use. The commission recommended adding a line to the memo that shows the document can be used by the public and that there should be a tie into why it's being used.

5. REVIEW MARCH PROCLAMATIONS

Chair Goodloe talked about the two proclamations planned for March, Irish-American Heritage Month and Women's History Month. Goodloe asked members to provide local names for recognition via email.



6. REVIEW SUBCOMMITTEES AND WORK PLAN

Klauss reviewed the DEI Commission's work plan and subcommittees.

Commissioner Divine and Commissioner Colazo will join the community engagement subcommittee. Colazo said she would also like to learn more about the listening tour based on her schedule.

7. SUBCOMMITTEE REPORTS

Commissioner Amos is working to set up a listening tour with the Latter-Day Saints group.

8. COMMISSIONER REPORTS

Chair Goodloe talked about a Race Unity Day event being held on May 22 at Unity Park, hosted by the Interfaith Alliance of Kittitas County. It hasn't gotten a lot of traction in terms of attracting a lot of people. Goodloe asked commissioners to get in touch with their communities and encourage attendance at the event. Last year the City Council did a proclamation for Race Unity Day. Commissioner Colazo expressed interest in joining the Race Unity Day event planning committee.

Commissioner Amos asked for the Japanese American War Heroes Exhibit to be added as an agenda item at the next meeting.

9. STAFF REPORT

Klauss provided the staff report:

- New Council Member, Monica Miller
- Animal Shelter Survey is open until 5 p.m. this Friday
- City newsletter monthly, will add members to the list.
- Will update DEI Commission contact list and send out to members
- Asked for items for the agenda for next month.

10. PUBLIC COMMENT

Chair Goodloe called for public comment.

Paula McMinn, 2000 N. Alder St., shared information from the National Institute for Occupational Health & Safety about lead statistics.

Theresa Plue, 140 Woodhouse Loop, wanted clarification from Commissioner Cleary about CWU's Diversity and Equity Center (DEC) and asked if she would be welcome there on campus. Cleary said yes, the DEC's mission is to welcome everybody to campus and make them feel like they belong.

Commissioner Carnell said she would like to look four, five, six months ahead at opportunities coming up. MLK Day was a missed opportunity. Other commissioners agreed about looking ahead.

The meeting adjourned at 4:22 p.m.



Respectfully Submitted by
Nicole Klauss
Recording Secretary
Drafted: 2/11/22
Approved: 3/9/22

ELLENSBURG ENVIRONMENTAL COMMISSION

**January 19, 2022 Regular Meeting
(5:15 p.m. to 6:49 p.m.)
Hybrid Meeting In-Person and Zoom**

Members Present: Christina Wollman, Kristine Steinkoenig, Steve Luten, Andrea Sledge, Daphne Condon, and Ravin Harlin

Members Absent:

Also present: Nancy Lillquist, Council Liaison; Council Member Winn; Monica Miller; and Laura Wilson, Planner

CALL TO ORDER

Commissioner Wollman called the meeting to order at 5:25 p.m.

AGENDA

The agenda was acknowledged with no changes.

ELECT CHAIRPERSON

Mrs. Wilson explained ECC 1.60.240 Election of Officers and if Commissioner Wollman served as chairperson for another year, the commission would need to elect a vice-chair. If another commission member was voted in as chairperson, Commissioner Wollman would assume the vice-chair role.

Commissioner Wollman stated she would be willing to continue as the Environmental Commission chairperson unless another commissioner wanted the position. Commissioner Sledge nominated Commissioner Wollman for Environmental Commission Chairperson. The commission voted in favor of the nomination.

Commissioner Luten nominated Commissioner Condon as vice-chairperson. Commissioner Condon informed the group she would be moving out of Ellensburg in a couple of months and didn't feel it would be appropriate to accept the nomination. Commissioner Sledge nominated Commissioner Luten for vice-chairperson. Commissioner Luten accepted the nomination. The commission members voted in favor of the nomination.

NEW BUSINESS

P21-131 N Airport Road Rezone and Development-SEPA

Council Members Lillquist and Winn recused themselves and left the discussion.

Mrs. Wilson presented the Airport Road Rezone and Development SEPA. The project is located at 2307 N Airport Road. It involves a rezone from R-S to R-H, construction of two apartment buildings with a total of 73 units, and approximately 100 parking spaces. The applicant will be required to extend and connect the eastern portion of E Idaho Street to the western portion of E Idaho Street. This connection will cross over Mercer Creek and the critical areas associated with the creek. The applicant will not be placing any buildings or parking areas within the creek buffer or wetland area.

There was a brief discussion on the difference between recommendations that mitigated the environmental impact of a development and recommendations that would be considered environmentally friendly but not necessarily mitigated a direct impact.

Motion

Commissioner Wollman moved the Environmental Commission recommend the city require no net loss of floodplain storage. Commissioner Sledge seconded the motion. Commissioner Wollman explained the

meaning of no net loss. The motion passed with all in favor.

Motion

Commissioner Sledge moved the Environmental Commission recommend the applicant install Level 2 car charging stations or contract with a private provider to provide Level 2 or fast charging car charging stations. Commissioner Condon seconded the motion. The motion passed with all in favor.

Motion

Commissioner Sledge moved the Environmental Commission recommend the applicant consider installing infrastructure which would later allow the addition of solar panels and/or rooftop wind turbines to supplement the city's electrical service. Commissioner Condon seconded the motion. The motion passed with all in favor.

Motion

Commissioner Wollman moved that the Environmental Commission recommend the city require the applicant prepare a long-term management plan for the streams, wetland, and associated buffers. Commissioner Sledge seconded the motion. The motion passed with all in favor.

BICYCLE ADVISORY

Council Member Lillquist reported on the progress regarding Bike Month in May. She spoke with several groups and organizations. Some ideas included a group ride to Renslow Trestle from downtown Ellensburg; information displays about the reconnection of the Palouse to Cascade trail on Alder Street; and a social media 'Bike to Work' competition. She reported the Chamber of Commerce was interested in hosting a breakfast in their parking lot on 'Bike to Work' day. The Evergreen Bike Club was interested in hosting a bike rodeo. Commissioner Condon also provided updates that Recycle Bike Shop was interested and had ideas about a group ride on 7th Avenue, hosting a bicycle maintenance station, or hosting a bike-in outdoor movie night. Commissioner Harlin offered to contact Internal Order of Oddfellows for support. Their organization often has free repaired bicycles that may be available at the Bike Rodeo. Council Member Lillquist stated there would be a planning meeting on January 24th and anyone interested can attend.

STAFF UPDATE/DISCUSSION ITEMS

Mrs. Wilson explained that in March 2018, the EC discussed developing education material that explained sustainable building practices. Commissioners determined priorities at that time which were energy, water, natural resources, transportation, plants/vegetation, light/glare, animals, and air, however the materials were not developed. Staff would like to revisit the EC commissioner's priorities to determine the needs and goals of the commission members and how they might be accomplished. She asked if the commission would like to know more about various city code sections to have a better understanding of what items are already required in city code, state code, or building code. There was consensus to begin with having various staff provide explanation on the code requirements that is within their purview.

ADJOURNMENT- The meeting adjourned at 6:49 pm.

Respectfully Submitted by
Laura Wilson
Recording Secretary (Drafted 2/9/2022)



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Landmarks & Design, Regular Meeting

March 15, 2022

5:45 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present- In Person: Darren Reid

Roll Call Present-Via Zoom: Amy McCoy, Dorothy Stanley, Marty Blackson, Lathan Wedin

Absent: Zane Kanyer

Also present in person: Stacey Henderson, Senior Planner – Historic Preservation; Kirsten Sackett, Community Development Director; Fred Redmon- LDC Applicant; Tami Izzi- Applicant, Sadie Thayer, Director of the Kittitas County Historical Museum.

Also present remotely via Zoom: Monica Miller- Council Liaison; Zach Deffinbaugh- Applicant

2. Approval of Agenda

Commissioner Blackson moved to Approve the Agenda. Commissioner Stanley seconded.
Motion Approved 5-0.

3. Approval of the Minutes

3.A. Approve Minutes of the February 1, 2022 Regular Meeting

Commissioner Stanley moved to Approve the Minutes as presented. Commissioner Reid seconded.

Motion Approved 5-0.

4. Introductions

4.A. Introduction of Monica Miller- council liaison, and Fred Redmon- possible new commission member

5. New Business

5.A. (P22-022) Public Hearing for Consideration of a Certificate of Appropriateness (COA) to replace 3 exterior signs with new signs, at 100 W 3rd Ave, Parcel ID #917033

Commissioner McCoy opened the public hearing. There were no appearance of fairness issues.

Planner Henderson shared screen and presented the application information in the staff report. The Applicant, Zach Deffinbaugh, had nothing to add to the report and will be happy to comply with the condition to not illuminate their signs after 10 PM.

There were several questions about the way they will be attached to the building. Commissioner McCoy opened the floor to public comment-there was no public in attendance.

Commissioner Blackson read the findings of fact as outlined in the staff report and made a motion that the Certificate of Appropriateness (COA) be **granted** by the Commission for the proposed installation of 3 new exterior signs on the building addressed as 100 W. 3rd Ave, with one condition:

1. That the sign is only illuminated from dusk until 10 pm.

Commissioner Stanley seconded. No discussion. **Motion Approved 5-0.**

5.B Elections for new Landmarks & Design Commission Chair and Vice-chair.

Commissioner McCoy nominated herself for Chair and Darren Reid seconded. **Motion approved 5-0.**

Dorothy Stanley nominated Darren Reid for Vice-chair. Commissioner Blackson seconded. Commissioner Reid accepted the nomination. **Motion approved 5-0**

5.C Update on current projects from Kittitas County Historical Museum.

Sadie Thayer, Director of the Kittitas County Historical Museum shared an update on work and events occurring at the museum. They are relaunching their guided walking tours of the downtown, history based, and art history focused. They are also in the beginning stages of a major restoration project for the museum building, located at 114 E. 3rd Ave. She provided an update on the progress, and said that she will be making a formal request to City Staff for a Letter of Support to be issued by the Landmarks & Design Commission.

5.D. Historic Preservation award for John Graff-discussion

Senior Planner Henderson said that Commissioner Stanley is nominating the Graff's restoration of their home for a state preservation award. Commissioner Stanley said that she has filled out the award forms for this house and will be sending it into DAHP.

5:E. Historic Preservation Month-Planning and Discussion

Commissioner Reid said he would be pulling together a meeting between the EDA, Historic museum and the historic district neighborhood. He has been reaching out

people within the historic districts. The neighborhood yard sale is happening on the 14th of May and he has got a few homes to open up for a historic home tour the same day as the neighborhood yard sale. He also said he would like to offer things for the kids to do- such as a scavenger hunt or coloring contest. He is seeking for ideas from the Commissioner members and offering opportunities for volunteers. Fred Redmond said that he would be interested in working on this project as a community member. Sadie Thayer is also willing to help.

Planner Henderson said she had included information about how to conduct the historic preservation awards this year. She talked through the process and asked the Commissioners for feedback. She also explained to them how they could use the mapping tool on BeHeard Eburg to have the public nominate their favorite buildings in Ellensburg for a "People's Choice" award. Reid said that the EDA could help promote that idea. The Commissioner's asked Henderson to work on that project and bring more information back to the next LDC meeting.

6. Old Business

7. Citizen Comment

8. Staff Update/Discussion Items

8A. Historic District Survey Update

9. Commission Representative Update

9.A EDA Update- Commissioner Reid said that they had a community volunteer fair that was attended by over 200 people in the CWU downtown space. They will hold two per year, and the next one will take place on CWU's campus. The holiday market that took place in Gard Vintner's was a success so they will open up for that once a week. He said that he has also been named as the Vice-Chair of the EDA board. In addition, approval was granted for a new part-time employee for the EDA.

10. Adjournment

Meeting adjourned at 6:17 pm

Respectfully Submitted,

Stacey Henderson
Drafted: 3/24/2022
Approved: 3/31/2022



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Landmarks & Design, Regular Meeting

April 5, 2022

5:45 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present- In Person: Darren Reid

Roll Call Present-Via Zoom: Dorothy Stanley, Marty Blackson, Zane Kanyer

Absent: Lathan Wedin, Amy McCoy

Also present in person: Jamey Ayling, Planning Manager; Kirsten Sackett, Community Development Director; Delana Carr – Applicant; Fred Redmon, community member

Also present remotely via Zoom: Monica Miller- Council Liaison

2. Approval of Agenda

Commissioner Stanley moved to Approve the Agenda. **Motion Approved 4-0.**

3. Approval of the Minutes

3.A. Approve Minutes of the March 15, 2022 Regular Meeting

Vice-Chair Reid moved to Approve the Minutes as presented. **Motion Approved 5-0.**

4. New Business

A. (P22-035) Public Hearing for Consideration of a Certificate of Appropriateness (COA) for the approval of proposed signage on the exterior of the storefront windows and awning at 416 N Pine St.

Vice-Chair opened the public hearing. There were no appearance of fairness issues.

Planning Manager Ayling presented the application information in the staff report. The Applicant, Delana Carr, had nothing to add to the report.

Commissioner Reid opened the floor to public comment. There were no comments from the public and the commission had no questions for the applicant or staff. Vice-Chair Reid closed the public hearing. The Commission found the request to be reasonable.

Commissioner Kanyer read the findings of fact as outlined in the staff report and made a motion that the Certificate of Appropriateness (COA) be **granted** by the LDC for the proposed vinyl signage on the storefront windows and awning at 416 N. Pine St., with **no conditions**:

Commissioner Stanley seconded. No discussion. **Motion Approved 5-0.**

5.B Historic Preservation Month – Accept Nominations

Planning Manager Ayling shared two nominations submitted by Commissioner Stanley – 506 N Walnut, and 600 West University Way. Stanley explained her rationale for nominating the structures. Ayling explained that the commissioners could also make additional nominations. He said that a vote on the nominations would be taken at the April 19 meeting. He also said that Historic Preservation Planner Henderson was working out some details with the GIS department to putting together the People's Choice Awards.

Vice-Chair Reid said that he wanted to nominate the Graff home, but Stanley said that it was acknowledge last year. Reid also suggested on the commercial side – the 4th and Pine property which currently houses Divine Wellness for 2021 renovation work. He also suggested nominating tenants that enhance the spaces they go into, not just the property owners. He suggested Berkshire Hathaway on Kittitas, who made their building look pretty great. He also recommended the idea of nominating individuals who are important in forwarding the work of historic preservation. He said he would recommend Mollie Edson for her work on the LDC, and for the work on the 420 building and others in the downtown. Kanyer said he agreed with all three suggestions.

Ayling said that any nominations should be submitted to Senior Planner Henderson within the next week so that the information can be included in the next LDC packet.

There was discussion about putting yard signs or some sort of recognition of the award recipients. Ayling said that Henderson was working on that right now and would have information available at the next meeting.

5. Old Business

6. Citizen Comment

None.

7. Staff Update/Discussion Items

8. Commission Representative Update

8.A EDA Update- Commissioner Reid provided information about the work being planned for historic preservation month. This included historic home tours on May 14. He also provided additional dates including: 5/1-5/16 – Art Contest for Kids, 5/14 – Historic District neighborhood garage sale and home tour, and 5/19 Historical Museum and EDA Pub Crawl.

Also with the EDA, there is a downtown clean up this month, along with a Girls Night Out, and a Make Music night.

9. Adjournment

Meeting adjourned at 6:18 pm

Respectfully Submitted,

Stacey Henderson

Drafted: 4/5/2022

Approved: 4/14/2022



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Landmarks & Design, Regular Meeting

April 19, 2022

5:45 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present- In Person: Darren Reid, Fred Redmon

Roll Call Present-Via Zoom: Dorothy Stanley, Amy McCoy

Absent: Lathan Wedin, Marty Blackson, Zane Kanyer

Also present in person: Stacey Henderson, Senior Planner – Historic Preservation;
Kirsten Sackett, Community Development Director

Also present remotely via Zoom: Monica Miller- Council Liaison

2. Approval of Agenda

Commissioner Stanley moved to approve the agenda. **Motion Approved 4-0.**

3. Approval of the Minutes

3.A. Approve Minutes of the April 5, 2022 Regular Meeting

Commissioner Stanley moved to approve the minutes as presented. **Motion Approved 4-0.**

Senior Planner Henderson introduced Fred Redmond as the most recently approved member of the Landmarks & Design Commission, as approved by City Council on Monday, April 18, 2022.

4. New Business

A. Nomination of LDC representative to attend Unity Park stakeholder group meeting.

Senior Planner Henderson shared that Parks & Recreation Director Brad Case is moving forward with the master planning effort for Unity Park downtown. They have identified three stakeholder groups to help with the effort, one of which would be comprised of various city commission members. She said that he is seeking a representative from the LDC to participate on the stakeholder group. She opened the floor to discussion. Darren

Reid and Fred Redmon both expressed interest. Fred Redmon was selected by the LDC members to represent their interests at the meeting.

B. Historic Preservation Month

Commissioner Reid said a group had met to represent interests of LDC, EDA and downtown businesses.

Historic pub crawl on the 19th is scheduled but sold out. The Museum hopes to host more throughout the year.

Monica Miller is helping assist the Art Gallery to promote a “Draw your favorite building” coloring contest.

a. Final decision on historic preservation award recipients.

The Commission nominated the following structures and people for recognition:

- Collin Condit and his late wife Margaret
- Mollie Edson
- Single family residential
- Multifamily
- Commercial retail
- Tenant Improvement

b. Review of award sign design

Senior Planner Henderson shared two mock-ups for the award design. She said the branding itself was approved by the Public Information Officer. The Commissioners preferred Sign Option 1 which included pictures.

c. Review of draft historic preservation month website page and survey.

Senior Planner Henderson shared the BeHeardEburg page for historic preservation. It lists all of the dates of programs occurring, along with information about the awards, and a way to vote for favorite structures, histories and traditions in town. It's a GIS mapping exercise labeled “Mapping Memories in Ellensburg”.

She said it also included a survey to vote for favorite buildings in Ellensburg. The Commission decided not to move forward with the survey for this year.

d. Additional planning and discussion.

- i. Proclamation to be read at City Council meeting May 2**
Chairwoman McCoy offered to read the proclamation.

- ii. Award Presentations to be presented May 16
The Commission will decide who will present during their meeting of May 3.

5. Old Business

6. Citizen Comment

None.

7. Staff Update/Discussion Items

Next meeting- May 3
Open Public Meeting Act Training- Amy and Dorothy

Senior Planner Henderson brought up the topic of streateries. She explained that they were originally intended as temporary structures, but City Council has extended their approval and the City Manager is working with a subcommittee to determine how to allow them to move forward. A draft ordinance is currently under review, which states that the LDC would create a pre-approved palette of compatible colors and materials to utilize for evaluating new streateries. It wouldn't require a COA for approval, but the LDC would review and make a recommendation to the Community Development Director.

8. Commission Representative Update

None.

9. Adjournment

Meeting adjourned at 6:52 pm

Respectfully Submitted,

Stacey Henderson
Drafted: 4/19/2022
Approved: 5/3/2022



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Lodging Tax Advisory Committee, Regular Meeting

April 6, 2022

2:00 pm

**Council Conference Room, 501 N. Anderson Street
Ellensburg, WA 98926
And remotely via Zoom**

1. Call to Order and Roll Call.

Roll Call Present: Adam Winn (remote), Steve Townsend, Sarah Beauchamp, and Marie Smith (remote).

Absent: Lacie Dawson and Jim Nale

Others present: Laurie Gigstead, Executive Assistant, and Matt Anderson, Director of Tourism.

A. Introduction of Sarah Beauchamp. Sarah was introduced. Council appointed her to the vacant receiver position on March 21, 2022.

2. Minutes of the March 2, 2022 meeting.

Marie Smith moved to approve minutes as written. **Motion approved. 4-0**

3. Correspondence and Public Comment Period. None.

4. Unfinished Business.

A. Budget/Financials Review.

Reviewed and acknowledged.

B. Tourism Report.

Matt gave a brief overview of February 2022 analytics. He played a YouTube video to introduce Lemonade Day. A new campaign that will launch the first week of May and run through August 20, 2022. The target group is children in grades 3-5 to teach them about running a business. The Chamber will be requesting that Council adopt a Proclamation for Lemonade Day.

Matt noted that the COVID pandemic has increased outdoor recreation and the County has contracted with the Chamber for more direct messaging geared towards outdoor enthusiasts. He played a YouTube video titled "Adventure Pledge Colorado". The Chamber's campaign is call "Plan to Play Pact". Participants that agree to the pact will be eligible for discounts at local businesses and venues.

5. New Business.

Other: Adam advised that Council discussed parking issues for large events in the downtown area and suggested including public parking information on event fliers and advertising. Matt said when they push events through MyEllensburg and social media they could note best places to park, and he will make this suggestion to the downtown associations as well.

The next meeting is scheduled for May 4, 2022 at 2:00 p.m. With no further business, the meeting was adjourned at 2:22 p.m.

Laurie Gigstead
Recording Secretary

Drafted: 04/07/2022

Approved: 05/04/2022



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes Planning Commission, Regular Meeting

March 10, 2022

5:30 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present In-Person: Fred Padjen, George Bottcher, Beverly Heckart

Roll Call Present-Via Zoom: Ed Harrel, Sigrid Davison, Sathy Rajendran, Geraldine O'Mahony

Absent:

Also present in person: Jamey Ayling, Planning Manager; Rich Elliot Council Liaison(virtual); Josh Hackney, Central Washington Disability Resources (CWDR) and Mayra Calazo CWDR Director (virtual)

2. Approval of Agenda

Commissioner Heckart moved to Approve the Agenda as amended. **Motion Approved 7-0.**

3. Approval of the Minutes

3.A. Approve Minutes of the February 10, 2022 Regular Meeting

Commissioner Heckart moved to Approve the Minutes with the corrections noted. **Motion Approved 7-0.**

4. New Business

5. Unfinished Business

6. Citizen Comment

Josh Hackney from CWDR introduced himself and his director Mayra Colazo to the commission. Director Colazo commented that she and her group are very interested in the role the Planning Commission plays in helping people in Ellensburg with disabilities and looks forward to working with the commission in the future. Commissioner Bottcher shared with them the link on the city website that allows citizens to be notified about things the city is doing and get all of the meeting notices. Chair Padjen commented that he will keep people with disabilities in the forefront when making decisions in the future.

7. Staff Update

a. Discussion on permitted use table ECC 15.310.040 "permitting temporary shelters"

Planner Ayling introduced the topic and directed the commission to the information he sent to prep for the meeting. Discussion followed about where the temporary shelters listing be added to the residential use table and where it should be permitted in our current zones.

b. Discussion and prioritization of Housing Action Plan Strategies

Planner Ayling shared the strategies section of the Adopted HAP. With the grant funding the commission has decided on four strategies to work on. Ayling wanted to know what other strategies the commissioners want to work on next. After discussion of all the strategies that were listed in the HAP the commissioners decided on prioritizing the following:

1. # 8 Preserving income restricted affordable housing developments
2. #10 Research and Implement financial strategies that construct new affordable housing units.
3. # 3 which includes encouraging the amnesty of ADU's so they can be allowed if already constructed.
4. # 11 & 12 Support relocation assistance and continue community outreach and education
5. # 13 Build a partnership with DEI by having a joint commission meeting

There was discussion of adding another strategy- #15- encourage more MHP development.

8. Commission Representative Update

9. Adjournment

Drafted: 03/15/2022

Approved:03/24/22

University Way Banner Request Form

Contact Person: Andrea Eklund

Phone Number: 253-347-9273

Name of Event/Program: Fashion Show Banner

Banner Dates: Hang Banner: May 31, 2022 Take Banner Down: June 6, 2022



* Example of a correctly made banner.

- ✓ This Banner is a **maximum of 35' x 52"** and a **minimum of 24' x 48"** with **3" turnback that will allow steel cable to be strung through it, and no grommets.** We recommend that wind flaps be cut into the banner to prevent wind damage. (Additional fees may apply, if CWU provides the services of adding wind flaps to your banner).
- ✓ I have contacted the City of Ellensburg for approval to hang this banner on the above dates. City of Ellensburg, Phone 509-962-7204, Fax 509-962-7130.
- ✓ I have contacted CWU Scheduling Services for a cost estimate and to reserve the banner poles. Phone 509-963-1321, Fax 509-963-1894.

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

	Annual Spring Fashion Show Saturday 3pm & 7pm Milo Smith Theatre in McConnel Hall Presented by the Apparel, Textiles & Merchandising Program featuring Original Student Designs Apparel Merchandising Major • Fashion Marketing Specialization • Apparel Design Minor • Apparel Merchandising Minor	 
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* If your banner does not meet specifications, we will be unable to process your request.*

City of Ellensburg approved by: _____ Date: _____

Disapproval/Reasons: _____

CWU Student Union Operations approved by: _____ Date: _____

For more information please contact CWU Student Union Operations & Scheduling Services at 509-963-1321.
The CWU scheduling center will not be held responsible for any weather related damage that occurs to your banner.

Lathan Wedin
300 Range View Road
Ellensburg, WA 98926

May 05, 2022

Stacey Henderson M.S.
Senior Planner – Historic Preservation
City of Ellensburg Community Development
501 North Anderson
Ellensburg, WA 98926

Dear Stacey:

It is with regret that I tender my resignation from the City of Ellensburg Landmarks and Design Commission, effective immediately.

I am grateful for having had the opportunity to serve on the board of this fine organization for the past fifteen months, and I offer my best wishes for its continued success.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Lathan Wedin
Architect



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Revised Grant Agreement with the Washington State Department of Ecology (DOE) for the "Ellensburg Aquifer Storage and Recovery (ASR) Feasibility Study."

Submitted by: Derek Mayo Public Works & Utilities

Recommended Action or Motion: Staff recommends City Council authorize staff to execute the attached revised "Ellensburg Aquifer Storage and Recovery Feasibility Study" with the DOE, which replaces the previous agreement approved by Council.

Background/Summary: Staff previously received a small \$20,000 grant from DOE to perform a pre-feasibility study to review the potential of Aquifer Storage and Recovery (ASR) for the Ellensburg aquifer. This study found potential benefits for our area, with the benefits also potentially reaching the Yakima Basin. Based on the pre-feasibility findings, staff submitted a request to complete the design and permitting for a pilot test ASR project (ASR Feasibility Study).

Previous Council Action: Council previously approved the DOE grant agreement for the "Ellensburg Aquifer Storage and Recovery Feasibility Study", at the March 7th, 2022 regular meeting. After approval from Council, staff received a request to revise the grant agreement language that was provided by DOE. Council also approved a contract with Coho Water Resources to complete the work associated with this ASR Feasibility Study at the March 7, 2022 regular meeting.

Analysis: After Council approval of the grant agreement for this project, staff was contacted by DOE stating the grant agreement previously provided by DOE was not accepted on their end and needed to be revised. City staff worked closely with DOE and have now been provided a revised grant agreement that is before Council for consideration and approval. The overall scope of the project and grant agreement have not changed with this revised grant agreement, but the agreement better outlines project requirements, scheduling, permitting, and

subsequent DOE reporting.

Financial Impact:

No fiscal impact. Council previously approved the supplemental budget adjustments as apart of the approval of the previous grant agreement approval on March 7, 2022.

Attachments:

[Water Resources Yakima Basin Integrated Planning Agreement](#)



Agreement No. WRYBIP-2123-EllePW-00028

WATER RESOURCES YAKIMA BASIN INTEGRATED PLANNING AGREEMENT

BETWEEN

THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

AND

CITY OF ELLENSBURG

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

GENERAL INFORMATION

Project Title:	Ellensburg Aquifer Storage and Recovery Feasibility Study
Total Cost:	\$300,000.00
Total Eligible Cost:	\$300,000.00
Ecology Share:	\$300,000.00
Recipient Share:	\$0.00
The Effective Date of this Agreement is:	03/01/2022
The Expiration Date of this Agreement is no later than:	12/31/2023
Project Type:	Yakima Basin Integrated Planning

Project Short Description:

This study will evaluate the feasibility of implementing an Aquifer Storage and Recovery (ASR) project and benefits to the Yakima Basin Integrated Plan (YBIP). The specific ASR project goals are to secure municipal water supply and improve seasonal groundwater flow to the Yakima River. The study will present an ASR feasibility analysis, make project recommendations, and prepare components of WAC 173-157, and a draft groundwater reservoir permit application.

Project Long Description:

The ASR Prefeasibility Study performed 2021 (project grant WRYBIP-2123-EllePW-00022), identified the opportunity to implement a City of Ellensburg ASR project under the Yakima Basin Integrated Plan (YBIP). A future ASR project could benefit YBIP by increasing Total Water Supply Availability (TWSA), securing municipal water supply, and improving aquatic habitat, resulting from changes in aquifer conditions and seasonal return flows to the

Agreement No: WRYBIP-2123-EllePW-00028
Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
Recipient Name: CITY OF ELLENSBURG

Yakima River. The City has most of the infrastructure already in place for ASR, including a source of recharge water (“City Wells”, a Ranney-type well) and municipal well candidates for ASR conversion. As recommended in the ASR Prefeasibility Study, the RECIPIENT will conduct an ASR feasibility study to identify a future project.

The ASR feasibility study will use a programmatic approach to assess the technical, operational, regulatory, and cost requirements to implement a future ASR project in the City of Ellensburg municipal water system. This includes a technical evaluation of source water availability, the groundwater storage reservoir, and an engineering evaluation to determine the feasibility of incorporating and operating ASR in the municipal water system. The study will present injection, storage, and recovery targets, along with levels of benefit to YBIP and the City.

The study will conduct an engineering evaluation to incorporate ASR operations in the municipal water distribution system. The study will evaluate the existing infrastructure for ASR use, including the source water well (City Wells) located adjacent to the Yakima River and production wells in the system for ASR conversion. The study will also consider the option of constructing a new dedicated ASR well. The distribution system will be evaluated for ASR operations and will address the engineering feasibility of conveying, injecting, and recovering ASR water for municipal use. This includes identifying additional infrastructure needs in the system.

The study will begin collecting the required information to satisfy WAC 173-157, in anticipation of submitting a future ASR reservoir application. The study will provide an operation plan and monitoring plan reflecting a full-scale project application approach. It is expected that the feasibility study will rely largely on existing information, but additional data collection will be needed. The RECIPIENT will assemble existing information, identify data gaps, and prepare a technical memorandum for Ecology review, prior to submitting a QAPP for data collection. This process will require meetings with Ecology to discuss regulatory data requirements.

A component of the study is the evaluation of water quality compliance with WAC 173-200. The RECIPIENT will perform a water analysis based on Ecology guidelines. If constituents of concern are identified, the RECIPIENT will complete an All Known Available and Reasonable Treatment (AKART) analysis and identify a compliance approach, such as water treatment or a recommendation for an Overriding Consideration of Public Interest (OCPI) pathway.

The RECIPIENT will complete a project feasibility analysis and submit a draft and final ASR Feasibility Study report for Ecology review and comment. The finding of the study will be presented to the YBIP Groundwater Storage Subcommittee. Data collected under the approved QAPP will be uploaded into the Ecology EIM system.

Overall Goal:

The overall goal of this project is to complete a ASR Feasibility Study, propose a recommended ASR project (if feasible), and address the regulatory components of a WAC 173-157 reservoir permit application. The study will evaluate the benefits to the YBIP and the City and provide the engineering economics and associated costs to advance a recommended ASR project.

Agreement No: WRYBIP-2123-EllePW-00028
Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
Recipient Name: CITY OF ELLENSBURG

RECIPIENT INFORMATION

Organization Name: CITY OF ELLENSBURG

Federal Tax ID: 91-6001245

UEI Number: SFRMWQVG79M5

Mailing Address: 501 North Anderson St
Ellensburg, WA 98926

Physical Address: 501 North Anderson St
Ellensburg, Washington 98926

Organization Email: morrowj@ci.ellensburg.wa.us

Contacts

Agreement No: WRYBIP-2123-EllePW-00028

Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study

Recipient Name: CITY OF ELLENSBURG

Project Manager	Derek Mayo City Engineer 501 North Anderson Street Ellensburg, Washington 98926 Email: mayod@ci.ellensburg.wa.us Phone: (509) 962-7232
Billing Contact	Michelle Dufault P.W. Operations Analyst 501 N. Anderson Street Ellensburg, Washington 98926 Email: dufaultm@ci.ellensburg.wa.us Phone: (509) 962-7234
Authorized Signatory	Derek K Mayo City Engineer 501 North Anderson Street Ellensburg, Washington 98926 Email: mayod@ci.ellensburg.wa.us Phone: (509) 962-7232

Agreement No: WRYBIP-2123-EllePW-00028

Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study

Recipient Name: CITY OF ELLENSBURG

ECOLOGY INFORMATION

Mailing Address: Department of Ecology
Office of the Columbia River
PO BOX 47600
Olympia, WA 98504-7600

Physical Address: Office of the Columbia River
300 Desmond Drive SE
Lacey, WA 98503

Contacts

Project Manager	Chris Duncan 1250 W Alder St. Union Gap, Washington 98903-0009 Email: cdun461@ecy.wa.gov Phone: (509) 454-4242
Financial Manager	Carrol Johnston PO Box 47600 Olympia, Washington 98504-7600 Email: CARR461@ecy.wa.gov Phone: (360) 764-3453
Technical Advisor	Chris Duncan 1250 W Alder St. Union Gap, Washington 98903-0009 Email: cdun461@ecy.wa.gov Phone: (509) 454-4242

Agreement No: WRYBIP-2123-EllePW-00028
Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
Recipient Name: CITY OF ELLENSBURG

AUTHORIZING SIGNATURES

RECIPIENT agrees to furnish the necessary personnel, equipment, materials, services, and otherwise do all things necessary for or incidental to the performance of work as set forth in this Agreement.

RECIPIENT acknowledges that they had the opportunity to review the entire Agreement, including all the terms and conditions of this Agreement, Scope of Work, attachments, and incorporated or referenced documents, as well as all applicable laws, statutes, rules, regulations, and guidelines mentioned in this Agreement. Furthermore, the RECIPIENT has read, understood, and accepts all requirements contained within this Agreement.

This Agreement contains the entire understanding between the parties, and there are no other understandings or representations other than as set forth, or incorporated by reference, herein.

No subsequent modifications or amendments to this agreement will be of any force or effect unless in writing, signed by authorized representatives of the RECIPIENT and ECOLOGY and made a part of this agreement. ECOLOGY and RECIPIENT may change their respective staff contacts without the concurrence of either party.

This Agreement shall be subject to the written approval of Ecology's authorized representative and shall not be binding until so approved.

The signatories to this Agreement represent that they have the authority to execute this Agreement and bind their respective organizations to this Agreement.

Washington State
Department of Ecology

CITY OF ELLENSBURG

By: _____

By: _____

G. Thomas Tebb, L.Hg., L.E.G.

Date

Derek K Mayo

Date

Office of the Columbia River

City Engineer

Director

Template Approved to Form by
Attorney General's Office

Agreement No: WRYBIP-2123-EllePW-00028
Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 1 **Task Cost: \$0.00**

Task Title: Project Administration/Management

Task Description:

A. The RECIPIENT will administer the project. Responsibilities will include, but not be limited to: maintenance of project records; submittal of requests for reimbursement and corresponding backup documentation, progress reports and recipient closeout report (including photos); compliance with applicable procurement, contracting, and interlocal agreement requirements; application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items.

B. The RECIPIENT must manage the project. Efforts will include: conducting, coordinating, and scheduling project activities and assuring quality control. Every effort will be made to maintain effective communication with the RECIPIENT's designees; the DEPARTMENT; all affected local, state, or federal jurisdictions; and any interested individuals or groups. The RECIPIENT must carry out this project in accordance with any completion dates outlined in this agreement.

Task Goal Statement:

Properly managed project that meets agreement and Ecology administrative requirements.

Task Expected Outcome:

- * Timely and complete submittal of requests for reimbursement, quarterly progress reports and recipient closeout report.
- * Properly maintained project documentation

Recipient Task Coordinator: Derek Mayo

Project Administration/Management

Deliverables

Number	Description	Due Date
1.1	Progress Reports	
1.2	Recipient Closeout Report	06/30/2023

Agreement No: WRYBIP-2123-EllePW-00028
 Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
 Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 2 **Task Cost: \$50,000.00**

Task Title: DATA ASSEMBLY AND COLLECTION

Task Description:

The RECIPIENT will assemble and review existing hydrogeologic data available from published sources and records to be used to satisfy WAC 173-157 and complete the feasibility analysis. A technical memorandum summarizing the existing data and data gaps will be submitted to Ecology, prior to submitting project QAPPs for data collection. The RECIPIENT will meet with Ecology to discuss the regulatory data requirements to satisfy WAC 173-157. It is recognized that additional testing and data collection may be required to satisfy WAC 173-157, which may be beyond the scope of this study and will be identified for data collection in subsequent project phases.

The RECIPIENT will prepare a QAPP to begin collection of hydraulic groundwater data related to the hydrogeological conceptual model. A separate QAPP will be prepared to collect water quality data to characterize source water quality, background target aquifer water quality to address WAC 173-200 and geochemical compatibility. Data collection will begin when the RECIPIENT receives a signed and approved QAPP from Ecology.

Task Goal Statement:

The goal is to assemble and evaluate existing data for the project, identify data gaps, and prepare a technical memorandum. A meeting(s) will be held with Ecology to discuss existing data, data gaps, and data collection needs to satisfy WAC 173-157. Prepare two QAPPs for project data collection. Data collection when begin when the RECIPIENT receives a signed and approved QAPP from Ecology.

Task Expected Outcome:

A technical memorandum summarizing existing data and data gaps related to satisfying WAC 173-157. Meet with Ecology to discuss existing data, data gaps, and regulatory data collection needs. Prepare two project QAPPs and submitted to Ecology for review and approval.

Recipient Task Coordinator: Derek Mayo

DATA ASSEMBLY AND COLLECTION

Deliverables

Number	Description	Due Date
2.1	Technical memorandum of existing data, data gaps, and additional data needs to satisfy WAC 173-157.	06/30/2022
2.2	Meeting(s) with Ecology, dates TBD.	
2.3	A signed and approved QAPP for hydraulic groundwater data collection.	06/30/2022
2.4	A signed and approved QAPP for water quality data collection.	09/30/2022

Agreement No: WRYBIP-2123-EllePW-00028
 Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
 Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 3 **Task Cost: \$40,000.00**

Task Title: CONCEPTUAL HYDROGEOLOGIC MODEL

Task Description:

The task will develop a conceptual model of the hydrogeologic system to evaluate the feasibility of implementing ASR and to satisfy WAC 173-157. The conceptual model will rely on existing data assembled and data collection under Task 2. It is recognized that additional testing and data collection may be required to satisfy WAC 173-157, which may be beyond the scope of this study and will be identified for data collection in subsequent project phases. The purpose for developing the conceptual model is to describe the hydrogeology and to identify target aquifer zone for storage and recovery. The conceptual model will detail hydraulic parameters, aquifer conditions, groundwater gradients to evaluate the behavior and changes in the groundwater system expected from a proposed ASR project. The hydrogeologic conceptual model includes characterizing the behavior of groundwater water quality (Task 6) in the target aquifer, geochemical compatibility, and down-gradient changes. The conceptual model will be used to estimate rates and volumes for injection, recovery, storage capacity, and return flow to the Yakima River. It will be used to evaluate the potential for environmental impacts (Task 7). It will also serves as a basis for development of a groundwater model, if groundwater modeling methods are used to evaluate proposed ASR operations in the target aquifer.

Task Goal Statement:

Develop a conceptual model of the hydrogeologic system and characterize the target aquifer for ASR. Estimate groundwater storage and recovery capacities, rate of movement, storage loss and return flow to the Yakima River. The conceptual hydrogeologic model will also be used to characterize water quality behavior, assessing geochemical compatibility and aquifer changes, and other potential environmental impacts.

Task Expected Outcome:

Report a conceptual model of the hydrogeological system and aquifer target zone for ASR. Report groundwater storage estimates, injection and recovery quantities, the rate of groundwater movement, and return flow to the Yakima River. Report the water quality behavior, assessing geochemical compatibility, and changes in the target aquifer. The task will be reported in the draft and final ASR feasibility study report.

Recipient Task Coordinator: Derek Mayo

CONCEPTUAL HYDROGEOLOGIC MODEL

Deliverables

Number	Description	Due Date
3.1	Draft ASR Feasibility Study Report (to be delivered under Task 10)	
3.2	Final ASR Feasibility Study Report (to be delivered under Task 10)	

Agreement No: WRYBIP-2123-EllePW-00028
Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 4 **Task Cost:** \$10,000.00

Task Title: LEGAL FRAMEWORK AND WATER RIGHTS

Task Description:

The task will describe the legal framework and water rights available, and the need for water rights changes to implement a future ASR project, in accordance with WAC 173-157-140. If water right changes are anticipated for a future ASR project, the permitting pathway and process requirements will be detailed. The task will be reported in the draft and final ASR feasibility study report.

Task Goal Statement:

The goal of this task is to present the legal framework, identify available water rights, and the need for water rights changes to implement a future ASR project, in accordance with WAC 173-157-140.

Task Expected Outcome:

Report the legal framework, existing water rights, and the need for water rights changes to implement a future ASR project, in accordance with WAC 173-157-140. The task will be reported in the draft and final ASR feasibility study report.

Recipient Task Coordinator: Derek Mayo

LEGAL FRAMEWORK AND WATER RIGHTS

Deliverables

Number	Description	Due Date
4.1	Draft ASR Feasibility Study Report (to be delivered under Task 10)	
4.2	Final ASR Feasibility Study Report (to be delivered under Task 10)	12/31/2022

Agreement No: WRYBIP-2123-EllePW-00028
Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 5 **Task Cost:** \$60,000.00

Task Title: ENGINEERING EVALUATION OF MUNICIPAL WATER SYSTEM

Task Description:

An engineering evaluation will be performed to determine the feasibility of incorporating ASR operations into the City municipal water system. The task will evaluate feasibility of conveying, injecting and recovering ASR water for municipal use. The task will perform hydraulic modeling of the distribution system as needed, identify additional infrastructure needs, and consider ASR operations under Washington Department of Health public water system requirements.

The task will evaluate the City Wells for ASR source water production and existing municipal production wells for ASR conversion and use. The evaluation will consider well construction and condition, identify injection and production capacities, infrastructure retrofit needs and associated costs. The task will include other well operational considerations, such as the potential for biological and physical well fouling, well flushing, rehabilitation requirements, and water disposal. The task will also evaluate the option of adding a dedicated ASR well to the City municipal water system and the associated costs and benefits.

The ASR engineering evaluation will consider the current and future water needs and locations within the municipal water distribution system. The engineering evaluation will be used, in conjunction with other study components to develop municipal groundwater injection and recovery targets.

Task Goal Statement:

The goal of this task is to perform an engineering evaluation and determine the feasibility of incorporating ASR operations into the City municipal water system. The engineering evaluation will assess the distribution system for ASR operations, retrofit of existing wells for ASR use, additional infrastructure needs, and municipal water use and locations in the system. The engineering evaluation study will consider construction of a new dedicated ASR well and the associated cost and benefits. The engineering evaluation will help establish operational ASR injection, storage and recovery targets.

Task Expected Outcome:

Report the engineering feasibility of implementing ASR in the City municipal water system and help establish groundwater injection and recovery targets. The task will be reported in the draft and final ASR feasibility report.

Recipient Task Coordinator: Derek Mayo

ENGINEERING EVALUATION OF MUNICIPAL WATER SYSTEM

Deliverables

Number	Description	Due Date
5.1	Draft ASR Feasibility Study Report (to be delivered under Task 10)	

Agreement No: WRYBIP-2123-EllePW-00028

Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study

Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 6

Task Cost: \$35,000.00

Task Title: WATER TREATMENT EVALUATION

Task Description:

The task will determine source water quality and background water quality in the target aquifer, in accordance with Ecology guidelines. The task includes an analysis of geochemical compatibility, water-water and rock-water interactions, and evaluating the potential for metal leaching or other adverse reactions, which may impact aquifer water quality and ASR operations. The water quality evaluation will be used to identify constituents of concern and compliance with WAC 173-200 and the Ecology groundwater antidegradation policy. If constituents of concern are identified, the RECIPIENT will complete an All Known Available and Reasonable Treatment (AKART) analysis. The AKART analysis may be included in the appendix of the draft and final ASR feasibility study report for Ecology review. The task includes presenting a compliance approach, such as implementing water treatment or pursuing a recommendation of Overriding Consideration of Public Interest (OCPI).

The water quality and geochemical compatibility will be further evaluated to identify additional treatment needs related to ASR operations in the municipal water system. This also includes changes in disinfection practices and disinfection byproducts, which may result from implementing ASR. If water treatment is anticipated, a technical memorandum will be prepared describing water quality conditions, constituents of concern, and a recommended treatment approach with associated costs.

Task Goal Statement:

The goal of this task is to determine source water quality and background water quality in the target aquifer. Perform a geochemical compatibility analysis and evaluate the potential for aquifer water quality changes. Identify constituents of concern and compliance with WAC 173-200 and the Ecology groundwater antidegradation policy. If constituents of concern are identified, an AKART analysis will be performed. The RECIPIENT will present an anticipated compliance pathway to satisfy WAC 173-200. The task will further evaluate ASR operational water treatment needs in the municipal water system.

Task Expected Outcome:

Report source water quality, background water quality in the target aquifer, geochemical compatibility analysis, and constituents of concern. Complete an AKART analysis if needed, and identify the anticipated compliance pathway to satisfy WAC 173-200. Report operational water quality concerns and identify water treatment needs. If water treatment is proposed, a water treatment technical memorandum will be completed. Report the task in the draft and final ASR feasibility study report.

Agreement No: WRYBIP-2123-EllePW-00028

Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study

Recipient Name: CITY OF ELLENSBURG

Recipient Task Coordinator: Derek Mayo**WATER TREATMENT EVALUATION****Deliverables**

Number	Description	Due Date
6.1	Water Quality and Treatment Technical Memorandum, as needed.	09/30/2022
6.2	Draft ASR Feasibility Study Report (to be delivered under Task 10).	
6.3	Final ASR Feasibility Study Report (to be delivered under Task 10).	

Agreement No: WRYBIP-2123-EllePW-00028
 Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
 Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 7 **Task Cost:** \$25,000.00

Task Title: EVALUATE POTENTIAL IMPACT/ENVIRONMENTAL ASSESSMENT

Task Description:

The task will perform an assessment of potential impacts to the surrounding environment to evaluate the feasibility of implementing ASR, in accordance with WAC 173-157-150. This assessment will build on the conceptual hydrogeology model developed in Task 3. The environmental assessment will consider water level and water quality changes in the groundwater system, local land use, areas of contamination, surface water bodies, natural hazards, and other requirements listed in WAC 173-157-150.

If potential impact are identified, the task will consider alternative actions to prevent environmental impacts or potential mitigation measures. The evaluation will be incorporated into the ASR feasibility analysis.

Task Goal Statement:

Conduct an environmental assessment and evaluate potential environmental impacts of a future ASR project to satisfy WAC 173-157-150. Identify the potential impacts and the need for potential mitigation measures, as part of the ASR project feasibility analysis.

Task Expected Outcome:

Report the environmental assessment and evaluation of potential impacts in the draft and final ASR feasibility study report.

Recipient Task Coordinator: Derek Mayo

EVALUATE POTENTIAL IMPACT/ENVIRONMENTAL ASSESSMENT

Deliverables

Number	Description	Due Date
7.1	Draft ASR Feasibility Study Report (to be delivered under Task 10).	
7.2	Final ASR Feasibility Study Report (to be delivered under Task 10)	

Agreement No: WRYBIP-2123-EllePW-00028
 Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
 Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 8 **Task Cost:** \$10,000.00

Task Title: OPERATION PLAN

Task Description:

A draft ASR operation plan will be developed for a recommended full-scale project, if shown to be feasible. The operation plan, at a minimum, will include the informational requirements listed in WAC 173-157-130. It is recognized that additional testing and data collection may be required to satisfy WAC 173-157-130 and elements may be identified for completion in subsequent project phases.

The operation plan will describe the ASR system components, configuration, and operation with seasonal timing. The task includes describing source water availability, quantity, and timing in relation to the legal framework. Proposed injection well(s) and injection rates and quantities, aquifer storage amounts and durations, recovery well(s) rates and quantities for municipal use, and aquifer return flow estimates and timing to the Yakima River. The rates and quantities listed in the operational plan may be target amounts developed in this feasibility study. The operational plan may also describe the implementation phases to a full-scale ASR project.

The ASR operation plan will include water treatment methods at the points of injection and recovery, if recommended. The operational plan also will include maintenance plans, such as well flushing, rehabilitation and water disposal, along with permit requirements, if needed.

Task Goal Statement:

The goal is to develop a draft ASR operation plan for a full-scale project in accordance with WAC 173-157-130.

Task Expected Outcome:

Complete a draft ASR operational plan for a recommended full-scale project in accordance with WAC 173-157-130. Report in the draft and final ASR feasibility study report.

Recipient Task Coordinator: Derek Mayo

OPERATION PLAN

Deliverables

Number	Description	Due Date
8.1	Draft ASR Feasibility Study Report (to be delivered under Task 10).	
8.2	Final ASR Feasibility Study Report (to be delivered under Task 10).	

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Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study

Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 9

Task Cost: \$10,000.00

Task Title: MONITORING PLAN

Task Description:

A draft monitoring plan will be developed for a recommended full-scale ASR project, if shown to be feasible. A monitoring plan will be developed to satisfy WAC 173-157-170 and monitoring activities related to WAC 173-200 compliance. It is recognized that additional testing and data collection may be required before submitting a final monitoring plan to satisfy WAC 173-157-170 and elements may be identified for completion in subsequent project phases.

The draft monitoring plan will detail the monitor network (based on the hydrologic conceptual model) and methods to monitor hydraulic and water quality conditions in the target aquifer. The plan also includes monitoring of municipal water system ASR operations, such as source water diversions, injection and recovery for both hydraulic and water quality conditions. The monitor plan should consider implementation needs, such as infrastructure, QAPP, analytical and reporting requirements.

Task Goal Statement:

Develop a draft monitoring plan to satisfy WAC 173-157 for a proposed full-scale ASR project.

Task Expected Outcome:

Complete a draft ASR operational plan for a recommended full-scale project in accordance with WAC 173-157-130. Report in the draft and final ASR feasibility study report.

Recipient Task Coordinator: Derek Mayo**MONITORING PLAN****Deliverables**

Number	Description	Due Date
9.1	Draft ASR Feasibility Study Report (to be delivered under Task 10).	
9.2	Final ASR Feasibility Study Report (to be delivered under Task 10).	

Agreement No: WRYBIP-2123-EllePW-00028
 Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
 Recipient Name: CITY OF ELLENSBURG

SCOPE OF WORK

Task Number: 10 **Task Cost: \$60,000.00**

Task Title: ASR FEASABILITY ANALYSIS AND REPORTING

Task Description:

The task will assemble the technical information and complete an ASR feasibility analysis with associated costs and benefits to YBIP and the City. At the conclusion of the feasibility analysis, the RECIPIENT may recommend an ASR project. A project recommendation will include a draft full-scale ASR operation plan (Task 8), a draft full-scale project ASR monitoring plan (Task 9), and describe project implementation phases. A project recommendation will include injection and recovery target rates and amounts, and provide seasonal return flow estimates to the Yakima River, along with project costs and the unit costs of project water.

The task includes preparing a draft and final ASR feasibility study report. Ecology will review and comment on the draft ASR feasibility report and changes will be incorporated into the final ASR feasibility study report. The final ASR feasibility study report will be available for review by the YBIP Groundwater Storage Subcommittee. At the completion of the study, the findings will be presented to the YBIP Groundwater Storage Subcommittee. Data collected under the approved QAPP will be uploaded into the Ecology EIM system.

Task Goal Statement:

The goal is to assemble technical data and information to complete an ASR feasibility analysis, make a recommendation towards a future ASR project and complete a draft and final ASR feasibility study report. The study report appendices may include an AKART analysis and a draft groundwater reservoir application.

Task Expected Outcome:

The task will submit a draft and final ASR feasibility study report. The project findings will be presented to the YBIP Groundwater Storage Subcommittee at a date to be determined (TBD). Data collected under the approved QAPP will be uploaded into the Ecology EIM system.

Recipient Task Coordinator: Derek Mayo

ASR FEASABILITY ANALYSIS AND REPORTING

Deliverables

Number	Description	Due Date
10.1	Draft ASR Feasibility Study Report.	
10.2	Project presentation to the Groundwater Subcommittee, TBD.	
10.3	Final ASR Feasibility Study Report.	
10.4	Documentation of uploaded project data into Ecology EIM System.	

Agreement No: WRYBIP-2123-EllePW-00028
Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
Recipient Name: CITY OF ELLENSBURG

BUDGET

Funding Distribution EG220480

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

Funding Title: 21-23 Yakima River Basin Water Supp Funding Type: Grant
Funding Effective Date: 03/01/2022 Funding Expiration Date: 12/31/2023

Funding Source:

Title: State Building Construction Account

Fund: FD

Type: State

Funding Source %: 100%

Description: Grants for the purpose to assess, plan, and develop projects under the Yakima River Basin Integrated Water Resource Management Plan or for any other actions designed to provide access to new water supplies within the Yakima River basin or any other actions to support the seven elements of the Yakima Basin Integrated Plan.

Approved Indirect Costs Rate: Approved State Indirect Rate: 0%

Recipient Match %: 0%

InKind Interlocal Allowed: No

InKind Other Allowed: No

Is this Funding Distribution used to match a federal grant? No

Agreement No: WRYBIP-2123-EllePW-00028

Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study

Recipient Name: CITY OF ELLENSBURG

21-23 Yakima River Basin Water Supp	Task Total
Project Administration/Management	\$ 0.00
DATA ASSEMBLY AND COLLECTION	\$ 50,000.00
CONCEPTUAL HYDROGEOLOGIC MODEL	\$ 40,000.00
LEGAL FRAMEWORK AND WATER RIGHTS	\$ 10,000.00
ENGINEERING EVALUATION OF MUNICIPAL WATER SYSTEM	\$ 60,000.00
WATER TREATMENT EVALUATION	\$ 35,000.00
EVALUATE POTENTIAL IMPACT/ENVIRONMENTAL ASSESSMENT	\$ 25,000.00
OPERATION PLAN	\$ 10,000.00
MONITORING PLAN	\$ 10,000.00
ASR FEASABILITY ANALYSIS AND REPORTING	\$ 60,000.00

Total: \$ 300,000.00

Agreement No: WRYBIP-2123-EllePW-00028

Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study

Recipient Name: CITY OF ELLENSBURG

Funding Distribution Summary**Recipient / Ecology Share**

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
21-23 Yakima River Basin Water Supp	0.00 %	\$ 0.00	\$ 300,000.00	\$ 300,000.00
Total		\$ 0.00	\$ 300,000.00	\$ 300,000.00

AGREEMENT SPECIFIC TERMS AND CONDITIONS

N/A

SPECIAL TERMS AND CONDITIONS**GENERAL FEDERAL CONDITIONS**

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

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

1. The RECIPIENT/CONTRACTOR, by signing this agreement, certifies that it is not suspended, debarred, proposed for debarment, declared ineligible or otherwise excluded from contracting with the federal government, or from receiving contracts paid for with federal funds. If the RECIPIENT/CONTRACTOR is unable to certify to the statements contained in the certification, they must provide an explanation as to why they cannot.
2. The RECIPIENT/CONTRACTOR shall provide immediate written notice to ECOLOGY if at any time the RECIPIENT/CONTRACTOR learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
3. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact ECOLOGY for assistance in obtaining a copy of those regulations.
4. The RECIPIENT/CONTRACTOR agrees it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under the applicable Code of Federal Regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
5. The RECIPIENT/CONTRACTOR further agrees by signing this agreement, that it will include this clause titled "CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY EXCLUSION" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
6. Pursuant to 2CFR180.330, the RECIPIENT/CONTRACTOR is responsible for ensuring that any lower tier covered transaction complies with certification of suspension and debarment requirements.

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 Project Title: Ellensburg Aquifer Storage and Recovery Feasibility Study
 Recipient Name: CITY OF ELLENSBURG

7. RECIPIENT/CONTRACTOR acknowledges that failing to disclose the information required in the Code of Federal Regulations may result in the delay or negation of this funding agreement, or pursuance of legal remedies, including suspension and debarment.
8. RECIPIENT/CONTRACTOR agrees to keep proof in its agreement file, that it, and all lower tier recipients or contractors, are not suspended or debarred, and will make this proof available to ECOLOGY before requests for reimbursements will be approved for payment. RECIPIENT/CONTRACTOR must run a search in <http://www.sam.gov> and print a copy of completed searches to document proof of compliance.

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

REQUIREMENTS:

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

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

- Receives more than \$30,000 in federal funds under this award.
- Receives more than 80 percent of its annual gross revenues from federal funds.
- Receives more than \$25,000,000 in annual federal funds.

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

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

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

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

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

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

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Recipient Name: CITY OF ELLENSBURG

GENERAL TERMS AND CONDITIONS

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

GENERAL TERMS AND CONDITIONS

For DEPARTMENT OF ECOLOGY GRANTS and LOANS

06/24/2021 Version

1. ADMINISTRATIVE REQUIREMENTS

- a) RECIPIENT shall follow the "Administrative Requirements for Recipients of Ecology Grants and Loans – EAGL Edition." (<https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.html>)
- b) RECIPIENT shall complete all activities funded by this Agreement and be fully responsible for the proper management of all funds and resources made available under this Agreement.
- c) RECIPIENT agrees to take complete responsibility for all actions taken under this Agreement, including ensuring all subgrantees and contractors comply with the terms and conditions of this Agreement. ECOLOGY reserves the right to request proof of compliance by subgrantees and contractors.
- d) RECIPIENT's activities under this Agreement shall be subject to the review and approval by ECOLOGY for the extent and character of all work and services.

2. AMENDMENTS AND MODIFICATIONS

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

3. ACCESSIBILITY REQUIREMENTS FOR COVERED TECHNOLOGY

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

4. ARCHAEOLOGICAL AND CULTURAL RESOURCES

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

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

RECIPIENT shall:

- a) Contact the ECOLOGY Program issuing the grant or loan to discuss any Cultural Resources requirements for their project:
 - Cultural Resource Consultation and Review should be initiated early in the project planning process and must be completed prior to expenditure of Agreement funds as required by applicable State and Federal requirements.

* For state funded construction, demolition, or land acquisitions, comply with Governor Executive Order 21-02, Archaeological and Cultural Resources.

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Recipient Name: CITY OF ELLENSBURG

- For projects with any federal involvement, comply with the National Historic Preservation Act of 1966 (Section 106).
- b) If required by the ECOLOGY Program, submit an Inadvertent Discovery Plan (IDP) to ECOLOGY prior to implementing any project that involves field activities. ECOLOGY will provide the IDP form.

RECIPIENT shall:

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

5. ASSIGNMENT

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

6. COMMUNICATION

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

7. COMPENSATION

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

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j) RECIPIENT must submit within thirty (30) days after the expiration date of this Agreement, all financial, performance, and other reports required by this Agreement. Failure to comply may result in delayed reimbursement.

8. COMPLIANCE WITH ALL LAWS

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

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

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

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

9. CONFLICT OF INTEREST

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

10. CONTRACTING FOR GOODS AND SERVICES

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

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

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

11. DISPUTES

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

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

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The decision of ECOLOGY from an appeal will be final and conclusive, unless within thirty (30) days from the date of such decision, the RECIPIENT furnishes to the Director of ECOLOGY a written appeal. The decision of the Director or duly authorized representative will be final and conclusive.

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

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

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

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

12. ENVIRONMENTAL DATA STANDARDS

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

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

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

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

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

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

13. GOVERNING LAW

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

14. INDEMNIFICATION

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

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

15. INDEPENDENT STATUS

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

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16. KICKBACKS

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

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

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

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

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

18. ORDER OF PRECEDENCE

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

19. PRESENTATION AND PROMOTIONAL MATERIALS

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

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

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

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

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

20. PROGRESS REPORTING

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- a) RECIPIENT must satisfactorily demonstrate the timely use of funds by submitting payment requests and progress reports to ECOLOGY. ECOLOGY reserves the right to amend or terminate this Agreement if the RECIPIENT does not document timely use of funds.
- b) RECIPIENT must submit a progress report with each payment request. Payment requests will not be processed without a progress report. ECOLOGY will define the elements and frequency of progress reports.
- c) RECIPIENT shall use ECOLOGY's provided progress report format.
- d) Quarterly progress reports will cover the periods from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Reports shall be submitted within thirty (30) days after the end of the quarter being reported.
- e) RECIPIENT must submit within thirty (30) days of the expiration date of the project, unless an extension has been approved by ECOLOGY, all financial, performance, and other reports required by the Agreement and funding program guidelines. RECIPIENT shall use the ECOLOGY provided closeout report format.

21. PROPERTY RIGHTS

- a) Copyrights and Patents. When the RECIPIENT creates any copyrightable materials or invents any patentable property under this Agreement, the RECIPIENT may copyright or patent the same but ECOLOGY retains a royalty free, nonexclusive, and irrevocable license to reproduce, publish, recover, or otherwise use the material(s) or property, and to authorize others to use the same for federal, state, or local government purposes.
- b) Publications. When the RECIPIENT or persons employed by the RECIPIENT use or publish ECOLOGY information; present papers, lectures, or seminars involving information supplied by ECOLOGY; or use logos, reports, maps, or other data in printed reports, signs, brochures, pamphlets, etc., appropriate credit shall be given to ECOLOGY.
- c) Presentation and Promotional Materials. ECOLOGY shall have the right to use or reproduce any printed or graphic materials produced in fulfillment of this Agreement, in any manner ECOLOGY deems appropriate. ECOLOGY shall acknowledge the RECIPIENT as the sole copyright owner in every use or reproduction of the materials.
- d) Tangible Property Rights. ECOLOGY's current edition of "Administrative Requirements for Recipients of Ecology Grants and Loans," shall control the use and disposition of all real and personal property purchased wholly or in part with funds furnished by ECOLOGY in the absence of state and federal statutes, regulations, or policies to the contrary, or upon specific instructions with respect thereto in this Agreement.
- e) Personal Property Furnished by ECOLOGY. When ECOLOGY provides personal property directly to the RECIPIENT for use in performance of the project, it shall be returned to ECOLOGY prior to final payment by ECOLOGY. If said property is lost, stolen, or damaged while in the RECIPIENT's possession, then ECOLOGY shall be reimbursed in cash or by setoff by the RECIPIENT for the fair market value of such property.
- f) Acquisition Projects. The following provisions shall apply if the project covered by this Agreement includes funds for the acquisition of land or facilities:
 - 1. RECIPIENT shall establish that the cost is fair value and reasonable prior to disbursement of funds provided for in this Agreement.
 - 2. RECIPIENT shall provide satisfactory evidence of title or ability to acquire title for each parcel prior to disbursement of funds provided by this Agreement. Such evidence may include title insurance policies, Torrens certificates, or abstracts, and attorney's opinions establishing that the land is free from any impediment, lien, or claim which would impair the uses intended by this Agreement.
- g) Conversions. Regardless of the Agreement expiration date, the RECIPIENT shall not at any time convert any equipment, property, or facility acquired or developed under this Agreement to uses other than those for which assistance was originally approved without prior written approval of ECOLOGY. Such approval may be conditioned upon payment to ECOLOGY of that portion of the proceeds of the sale, lease, or other conversion or encumbrance which monies granted pursuant to this Agreement bear to the total acquisition, purchase, or construction costs of such property.

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22. RECORDS, AUDITS, AND INSPECTIONS

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

All records shall:

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

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

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

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

23. RECOVERY OF FUNDS

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

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

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

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

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

24. SEVERABILITY

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

25. STATE ENVIRONMENTAL POLICY ACT (SEPA)

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

26. SUSPENSION

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

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27. SUSTAINABLE PRACTICES

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

- a) Sustainable practices may include such activities as: use of clean energy, use of double-sided printing, hosting low impact meetings, and setting up recycling and composting programs.
- b) Purchasing may include such items as: sustainably produced products and services, EPEAT registered computers and imaging equipment, independently certified green cleaning products, remanufactured toner cartridges, products with reduced packaging, office products that are refillable, rechargeable, and recyclable, 100% post-consumer recycled paper, and toxic free products.

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

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

28. TERMINATION

a) For Cause

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

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

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

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

b) For Convenience

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

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

In the event of termination or suspension, ECOLOGY will reimburse eligible costs incurred by the RECIPIENT through the effective date of termination or suspension. Reimbursed costs must be agreed to by ECOLOGY and the RECIPIENT. In no

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event shall ECOLOGY's reimbursement exceed ECOLOGY's total responsibility under the Agreement and any amendments. If payments have been discontinued by ECOLOGY due to unavailable funds, the RECIPIENT shall not be obligated to repay monies which had been paid to the RECIPIENT prior to such termination.

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

c) By Mutual Agreement

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

d) In Event of Termination

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

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

29. THIRD PARTY BENEFICIARY

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

30. WAIVER

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

End of General Terms and Conditions

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.

 5/9/2022
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 **16TH DAY OF MAY 2022**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Claims Fund				Total Amounts
Check #'s	157398	TO	157530	\$ 442,370.47
EFT #'s	5479	TO	5505	\$ 638,618.47

Payroll Fund				Total Amounts
Check #'s	95717	TO	95723	\$ 4,664.67
Direct Deposits	67424	TO	67659	\$ 409,450.25

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: 2021 Ellensburg Police Department Annual Report

Submitted by: Ken Wade Police

Recommended Action or Motion: N/A

Background/Summary: The Ellensburg Police Department has released its 2021 Annual Report to the public and City Council for review. The Police Department has a long history of producing an annual report to inform our community what we do on an annual basis. Additionally, the annual report highlights individual employee achievement, community-policing initiatives and provides a transparent look into departmental operations and activities. When the FBI - NIBRS information is published later this year, we will provide a crime report comparing historical crime statistic for the city of Ellensburg.

Previous Council Action: NA

Analysis: **Department awards** - Officer Christian Alviar was selected as the 2021 Officer of the Year, an award selected by officers and sergeants in the department. This award looks at the overall contributions an officer made towards policing in the Ellensburg community. Also, the Chief's Award went to Code Enforcement Officer Theresa Jones. The Chief's Award looks at those who went above and beyond in their service to the department and the community.

Chief Comments: This past year we have proven our resilience as we focused on the impacts fentanyl and other drugs had on our community, the challenges of police reform legislation and the strength of our partnerships within the community. Drugs had a tragic impact in our community with the death of six residents, each under 30 years old. As a department we take the victimization of our community seriously. During 2021 we arrested five individuals for controlled substance homicide, and we continue to investigate

the others. The legislative changes brought by the 2021 session provided many challenges as we tried to make sense of terms with no legal definitions, conflicting guidance from legislative committees' and finger-pointing. One of the bright spots was the close work with our community partnerships. These organizations work tirelessly to combat substance abuse disorder, mental and physical health, victim assistance and housing the homeless. I am very proud of the work each of these organizations contribute to our community and the services they provide to those in need.

And I want to personally thank the council for their support and the Kittitas County Board of Commissioners for passage of the 1/10 of one percent sales tax, which will serve as the foundation for combating the effects of mental health and substance abuse disorder in our community.

Response to Resistance: The Washington State Legislature introduced and subsequently passed HB 5259, which created a standardized tracking and reporting process. Although the statewide reporting to the Attorney General will not begin until 2022, we decided to report our 2021 data in this format for consistency and to be used to compare with others. Of the 13 categories of force, we reported in two categories for an overall total of 2 incidents which is a 50% reduction from our 2020 report. Of the force used, one involved applying a Taser and one instance where officers used a part of their body to physically strike a person. To put this into context, of the 16,350 calls we responded to in 2021, we used reportable force 2 times (.01%). In 2021 officers were assaulted five times, one requiring medical attention. In all incidents there were no serious injuries, hospitalizations, or deaths.

Complaints: The Ellensburg Police Department accepts all complaints involving any member of the department and complaints about the department itself. During 2021, the department received 16 complaints, which included three (3) driving, three (3) response to resistance and 10 job performance complaints. Each complaint is shared with the involved employees, investigated, and reviewed by the administration for violations of policy or law. At the conclusion of each investigation, the findings are shared with the complainant and employee. Of those complaints filed in 2021,

there was one (1) founded driving complaint, two (2) founded job performance complaints, and the remaining 13 complaints were either exonerated or unfounded. We learn from every contact and we adjust to better serve our community.

The **patrol division's** primary responsibilities are responding to calls for police services, investigations, proactive crime reduction, school security and traffic enforcement. They are the public face and the largest division of the department. Even though there were some COVID restrictions in place, patrol officers still handled 16,350 calls, an increase of 1,208 or 8% over the 15,142 calls handled in 2020. Officers also conducted 3,162 traffic stops which is a 26% increase over 2020. This brings us back to pre-pandemic levels. We also hired a new patrol officer, Officer Nate Rawson, a CWU Criminal Justice graduate from Okanogan County. Although this hire brought us up to being fully staffed at 29 commissioned officers, Officer Rawson was in training status at the criminal justice training academy and not on active patrol.

The **detective division** is responsible for significant investigations, follow-up investigations and proactive criminal investigations such as drug trafficking and gang crimes. During 2021 they handled 179 general investigations and 52 anti-crimes investigations for a total of 231 cases, an increase of 48 (26%) investigations over 2020. 2021 also brought with it an increase of controlled substance homicide deaths with four (4) individuals being arrested.

Code Enforcement plays a vital role in our quality of life and in keeping our community healthy. Code's efforts continued to be effected by the COVID restrictions throughout 2021. Additionally, with the change to 3-hour parking in the historic downtown from the previous 2-hour limit, violations/enforcement have decreased from previous years. In February we hired Addison Hall, a CWU student working on her bachelor's degree, as a new code enforcement officer. She brings with her an energetic personality and a fresh perspective on code issues.

Animal Control's primary responsibility are animal complaints and sheltering in Ellensburg and by contract, shelter services for Kittitas County. This last year, the shelter took in

approximately 459 animals, transferring 273 to animal adoption agencies, adopted 19 animals locally, and worked with patrol officers in handling 437 animal complaints.

The **Reserve Program** started the year with 10 reserves and ended with 5. Several left the program due to the legislative changes passed during the 2021 session, while another left when he was transferred by the military to his new assignment. We are very fortunate that those that remained are an outstanding group of dedicated professionals. In total, the reserves volunteered 1,075 hours in 2021.

The **Records Division** is the face of the department and often the first contact community members have with the police department. We are extremely fortunate to have such a great hard-working group, dedicated to the department and to providing outstanding customer service. The responsibilities of the records division are to enter warrants, conduct backgrounds for pistol transfers, enter court orders, track, and process police reports, manage body-worn-video footage, and handle public disclosure. Last year we were fortunate to hire Cammie Dixon-Ricard as records clerk. She has jumped right in and now manages our child restraint program and child safety posts to social media.

The **School Resource Officer** (SRO) is a partnership between the Ellensburg School District and police department. It provides an important connection between the students, school, and police department to ensure a safe and protected learning environment. The Fall of 2021 marked the beginning of the final school year for Officer Druktenis. She has done an outstanding job and will be greatly missed. Her replacement, beginning this September, will be Officer Lucas Anderson. Officer Anderson will build on the relationships and continue our work assisting the students and staff with safety and support related matters.

Training is another topic often discussed with regards to police reform. Although the COVID restrictions created challenges for in-person training, we were still able to average 73 hours of training. We were able to resume our specialized training program and in July we received training in police relations with the LGBTQ community, taught by Seattle Police Officer Jim

Ritter (retired). We partnered with CWU Police to bring this training to Ellensburg and all commissioned officers and deputies in Kittitas County were invited. Jim is a retired Seattle police Officer and was the first full-time LGBTQ Liaison officer, responsible for responding to a variety of LGTBQ community concerns. In 2014, Jim created the SPD SAFE PLACE Initiative. This was a first of its kind program to assist victims of LGTBQ hate crimes and student bullying. This training was very well received. Officers also received training on de-escalation, mental health, substance abuse disorder, Traumatic Brain Injury (TBI), homeless legal issues, Crisis Intervention, officer wellness, gang investigations, Leading an Ethical Protector Culture, and many other topics. Our total training as a department was 2,327 hours.

Community Involvement. With the relaxing of COVID 19 restrictions, we were able to participate in several of our community engagement programs in 2021. The citizen's academy was held in the fall with 10 participants. As the name implies, the citizens academy was developed to give community members a look at their police department by participating in classroom training and practical events which highlight the complexity of police work. We were fortunate to receive a Washington State Traffic Safety (WSDOT) grant to sponsor training for child safety seat technicians. The police department was able to train three staff members and several out of area technicians on the proper inspection and installation of child safety seats. Our annual National Night Out, "Eat with the Heat" barbeque was another success. This event is focused on child safety and involves our partner emergency service providers and others in our community. In December, police department staff participated in the Shop with a Cop and Firefighter event. This event is focused on the kids and begins with a hearty breakfast prepared by the Kittitas Valley Rescue staff and afterwards, a drawing for bicycles is held. Each bike comes with a helmet fitted to the winner. The event moves to the Bi-Mart parking lot where Santa makes an appearance and pictures are taken. Each shopper has a law enforcement or firefighter partner to assist with their shopping spree.

Captain Hansberry - was awarded the inaugural Washington State Special Olympics, 2021 Hall of Fame Award. This award

goes to just one law enforcement employee in the state who has shown a sustained commitment to the Special Olympics. Captain Hansberry was presented the award and honored during the November conference of the Washington Association of Sheriffs and Police Chiefs (WASPC). Captain Hansberry is the Region 6 coordinator which encompasses Kittitas, Yakima, and Klickitat Counties. We are very proud of Dan's commitment to the Special Olympics and the enthusiasm he brings to the planning and events. There are more than 97,000 law enforcement members that carry the "Flame of Hope" annually. The flame symbolizes courage and celebration of diversity. During 2021, the Ellensburg Police Department participated in the torch run, held in the Upper County and sponsored by the Cle Elum Police Department, and in a Special Olympics podcast where we provided a video tour of the department to these amazing athletes and their families.

In summary, in 2021 were able to meet the needs of our community in more than just an enforcement capacity. We will continue our service to the community and look for ways to improve and to continue to build trust in our community.

Financial Impact:

None

Attachments:

[2021 Annual EPD Report](#)

2021

**ELLENSBURG POLICE DEPARTMENT
ANNUAL REPORT**

MISSION

The Ellensburg Police Department's Mission is to provide our community with efficient, effective and ethical police services through relationships with our public, businesses and educational communities, and law enforcement partners.



community by providing excellence in professional law enforcement through our commitment to transparency, compassion and honor of our service.

VISION

Our vision is to protect our citizens and improve the quality of life for all of those in our

GOALS & OBJECTIVES

- To reduce crime and improve traffic safety within our community.
- To provide quality community services.
- To provide leadership and resources.
- To build trust within our community.

officer of the year

Officer of The Year Award goes to Officer Christian Alviar. Officer Alviar's dedication to public safety and the mission of the Ellensburg Police Department is unsurpassed. Officer Alviar has made gang awareness a personal project and created a pamphlet as well as a very informative presentation for citizens he delivered at Morgan Middle School. Officer Alviar continues to build numerous key relationships throughout the community in an effort to improve safety awareness through his role as a Traffic Safety Officer and as a certified child car seat technician.



chief's award

This past year officers worked to adjust to the ever-changing enforcement environment. As we crawled back to some semblance of normalcy, we wanted to ensure a balanced approach to enforcement regarding the parking and nuisance codes, seeking compliance over enforcement when appropriate.

It was also during this time, that the department hired one full-time and an additional part-time code enforcement officer, each requiring extensive training in their duties and responsibilities.

It is because of her hard work and dedication to the Ellensburg community that I honor Theresa Jones with the 2021 Chief's Award. Theresa is a dedicated employee who contributed to the department and the community in so many positive ways.

The Chief's Award is given to an individual or organization that have contributed to the community through their relationship/partnership with the police department.



Department faced several challenges in 2021

To the Honorable Mayor, Ellensburg City Council and the Ellensburg Community I present the 2021 Ellensburg Police Department Annual Report

This past year we have proven our resiliency as we focused on the impacts fentanyl and other drugs had on our community, the challenges of police reform legislation and the strength of our partnerships within the community.

Drugs had a tragic impact in our community with the death of six residents, each under the age of 30. And we are aware of several other residents who have lost family or friends to drugs outside of Kittitas County. Changes brought about by the 2021 legislature and Washington Supreme Court regarding drug possession and consumption concern us. As a department we take the victimization of our community very seriously. During 2021, we arrested five people for controlled substance homicide and we continue to investigate others. Arresting those who dump this poison on our residents is a priority for this department.

As mentioned earlier the 2021 session of the Washington State Legislature brought with it a host of reforms focused on policing. Whether it was a less-lethal tool, the amount of force used to effect an arrest, the reporting of the force or a large variety of other legislation, the bottom line was decisions were being made



based on emotion and not proven practices. We were left trying to untangle and make sense out of terms with no definitions, conflicting guidance and finger pointing.

The two highpoints of 2021 was the hard work and commitment to the health and safety of Ellensburg by the entire police department and working closely with our community partners. These organizations work tirelessly to combat substance

abuse disorder, mental and physical health, victim assistance and homelessness. We are very proud of these organizations and want to thank each of them for the service they provide to our community and to those in need.

We are also appreciative of the actions taken by the Kittitas County Commissioners for implementing the 1/10th of one percent sales tax to help combat mental health and substance abuse disorder. This is an important step in the right direction as we continue our efforts to improve our community's health while we reduce the victimization of our citizens.

Thank you for the opportunity to serve this wonderful community and we look forward to serving the city of Ellensburg.

A handwritten signature in black ink, appearing to read 'Ken Wade'.

Chief Ken Wade,
Ellensburg Police Department

Minimal use of force incidents by officers reported

Washington State law requires each law enforcement agency to report individual incidents where an officer employed by the agency used force and:

A fatality occurred in connection with the use of force; EPD had none

Great bodily harm occurred in connection with the use of force; EPD had none

Substantial bodily harm occurred in connection with the use of force; EPD had none

A law enforcement officer:

Discharged a firearm at or in the direction of a person; EPD had none

Pointed a firearm at a person; EPD had none

Used a chokehold or vascular neck restraint; EPD had none

Used an electronic control weapon including, but not limited to, a Taser, against a person; EPD had one (1)

Used oleoresin capicum spray against a person; EPD had none

Discharged a less lethal shotgun or other impact munitions at or in the direction of a person; EPD had none

Struck a person using an impact weapon or instrument including, but not limited to, a club, baton, or flashlight; EPD had none

Used any part of their body to physically strike a person; including, but not limited to, punching, kicking, slapping, or using closed fists or feet; EPD had one (1)

Used a vehicle to intentionally strike a person or vehicle; EPD had none

Deployed a canine by releasing it from the physical control of the law enforcement officer or had under the law enforcement officer's control a canine that bites a person; EPD had none

Engaged in a vehicle pursuit; EPD had none

In addition to the state's reporting requirements, the department has its own more stringent reporting system that accounts for any level of force or display of force used by an officer. A shift supervisor completes a full investigation into each reported incident using a software program called SmartForce. This reporting system meets state and federal use of force reporting standards and provides data analysis, including an early warning matrix. The early warning matrix is used to analyze officer complaints, use of force, officer involved collisions and vehicle pursuits.

review of complaints

The department received 16 complaints in 2021. There were three driving complaints, three response to resistance and 10 job performance complaints. Each complaint was shared with the involved employee, investigated and reviewed by the administration for violations of policy or law. At the conclusion of each investigation the findings are shared with the complainant. Of those complaints filed there was one founded driving complaint, two founded complaints involving job performance and 13 complaints which were unfounded. We learn from every contact and we make adjustments to better serve the community. The Ellensburg Police Department accepts all complaints involving any member of the department and complaints about the department itself.

Patrol officers provide many levels of service

There are 21 officers assigned to the Patrol section. When fully staffed, 20 of these officers are assigned to four patrol squads with five officers on each squad. Patrol squads work a 12-hour shift ranging from 7a.m. to 7p.m. or 7p.m. to 7a.m. It's important to point out that this is an optimum staffing schedule but due to vacancies, vacation, training and sick leave, full staffing levels are not always realized. An operations captain oversees the Patrol section and works closely with the sergeants toward achieving the department's goals and objectives. A full-time school resource officer is assigned to the Patrol section and supplements the day shift squads when school is not in session.

Patrol officers provide several layers of service to the community and include investigating crime scenes, participating in community outreach programs and conducting traffic enforcement. Their duties include patrolling



around local schools and neighborhoods and responding to a variety of calls for service ranging from noise complaints to family violence. The basic nature of an officer's job is both the most exciting and most dangerous since they never know what their next dispatched call or encounter will be. They must be always alert for their safety and the safety of the community they serve while at the same time being an

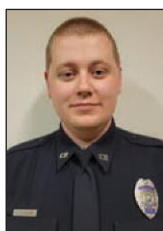
approachable servant to the citizens of Ellensburg. Patrol officers can't be the solution for every need in the community but they are often the first resource to respond to a crisis or need within the community. Officers have embraced the "We Are You" motto to emphasize that we are a part of and from the community they serve. Officers shop where you shop, their kids go to school with your kids, participate in similar social functions and are as committed as you are to providing a safe community to raise your family in.

2021 Patrol Statistics

Calls for Service: 16,350
Reports Written: 4,903
Traffic Stops: 3,162
Traffic Tickets: 736

Top Three Calls for Service:
Check Welfare (892)
Suspicious Circumstances (797)
Citizen Assist (457)

new hire



Nate Rawson was hired as a patrol officer in August of 2021. Nate was a long-time EMT working with several ambulance providers. He also was a volunteer firefighter in the Okanogan Valley where he was born and raised. Nate came to EPD as a reserve police officer. He is married and making his way through his first full year as a patrol officer.



Ellensburg Police Department detectives are from left Sgt. Cameron Clasen, Ryan Shull, Derek Holmes, John Bean and Ryan Potter.

Detective unit sees surge in illegal drug use

The Detectives division continues to excel in the area of spotting criminal trends and responding to them to help in prevention and harm to community members.

In early 2021 officers and detectives saw an increase in drug overdoses within the community. In response anti-crime detectives initiated cases on those believed to be involved in the sale and distribution of counterfeit oxycodone.

In May of 2021, the first overdose death occurred. This was to be the first of six who died due to a drug overdose. Investigators continued

to address the problem from two fronts. Anti-crime detectives aggressively pursued distribution and sale networks while other detectives investigated the resulting deaths as homicides. Charges were successfully brought against four people in three separate cases. Those arrested were charged with Controlled Substance Homicide and related crimes.

In 2021 detectives handled 179 cases and 52 anti-crime investigations. They continue to be aggressive in their pursuit of those involved in drug sales while doing their best for the victims.

Officers enforce quality-of-life issues for city

Code Enforcement consists of two limited commissioned officers who are entrusted with enforcing nuisance and parking ordinances throughout the City of Ellensburg.

Parking in the downtown area and Residential Parking Zones (RPZ) near Central Washington University are the main parking concerns for Code Enforcement. Officers monitor these areas for parking violations to ensure that both residents near CWU and patrons at businesses in the historic downtown can park without having to deal with congested parking in those areas. Other parking issues include parking too close to fire hydrants, stop signs and crosswalks along with parking in no-park



zones and abandoned vehicles.

In addition to parking, Code Enforcement enforces other quality of life issues like tall grass and weeds, snow removal and proper garbage disposal. The purpose of doing so is to create and maintain a safe and healthy environment for the residents in the City of Ellensburg. Code Enforcement officers either receive complaints of poten-

tial violations from residents within city limits or by patrolling the city and finding them themselves.

If you have any nuisance or parking concerns please contact Code Enforcement at (509) 962-7282 or email at parking@ci.ellensburg.wa.us, Monday through Friday 8 a.m. to 5 p.m.

2021 code enforcement Statistics

RPZ Time: 236 Hours

RPZ Warnings: 283

RPZ Tickets: 388

Downtown Time: 630 Hours

Downtown Warnings: 818

Downtown tickets: 748

Parking Time: 747 Hours

Parking Complaints: 137

Parking Warnings: 1,641

Parking Tickets: 670

Code Complaints: 137

Code Warning: 292

Code Tickets: 8

Proactive Nuisance Calls: 435

new hire



Addison Hall was hired in February of 2021 as a part-time code enforcement officer. She is a Central Washington University student working on her bachelor's degree. She moved to a full-time position in June of 2021 after a resignation opened a position. Addison has been a good addition to the code office. As an interesting and helpful note, Addison studies American Sign Language at CWU.

Animal Shelter keeps pace with changing times

The Ellensburg Animal Shelter and its staff have been providing services since 1974. Over that time many changes have been seen and change continues to be a theme as we always look to improve services and efficiency for the public dollar.

Since the mid-2000s the shelter has taken measures to prevent euthanasia when possible. That has been a successful undertaking and will continue to be a point of pride. In 2021, the shelter handled approximately 459 intakes



of animals. Shelter staffing is three full-time employees made up of one shelter manager and two animal control officers, and two part-time employees who assist with shelter care. In 2021, the shelter staff took delivery of a specially outfitted van for carrying out the animal control function. Additionally, staff ordered a set of quarantine kennels to have the ability to isolate animals with infectious disease to prevent spread to other animals.

2021 animal control Statistics

Complaints: 437
Adopted: 19

Euthanized: 6
Transferred: 273



The Ellensburg Animal Shelter received a new van specifically equipped to help staff with their animal control duties.



Reserve officers must participate in at least 24 hours of training per year in addition of monthly hourly requirements.

Reserve Officers an asset to community, schools

In 2021, the Ellensburg Police Department Reserve Program was affected by the Covid-19 virus as most programs were. The virus made meeting more difficult, but our dedicated volunteers still managed to get their hours in and help serve this community for at least 16 hours per month.

The Reserve Program currently has five volunteer officers. They take part in all of the same activities that full time officers do. The Ellensburg Police Department Reserve Program is lucky to have several Ellensburg School District employees who volunteer in the program. These volunteer officers are able to connect with students at school and work in conjunction with the School Resource Officer to safely monitor our schools and give students a friendly and known face to build community

police relations.

The Reserve Program requires a minimum of 24 hours of training for each officer throughout the year in addition to their monthly hourly requirements. This year our reserves took part in a 24-hour patrol tactics class put on by instructor Sgt. Brett Koss. This training meets the standards for I-940. This training primarily focuses on de-escalation, using time distance and shielding and better serving our community members who are in crisis in the safest possible means.

The Reserve Program is also a great source for new officers. Our department has many full-time officers who were prior reserves. Our most recent officer came from the program and another officer was hired by a separate agency this year.

2021 reserves Statistics

Total Officers at the start of 2021: 10
Total Officers at the end of 2021: 5

Total Hours Worked: 1,075

Records clerks have several duties, help public

When entering the Ellensburg Police Department, whether to file a report with an officer or fill out a public records request, the first person you will see is a records clerk. The Records Department is made up of four full-time records clerks and one Records Supervisor.

As your first point of contact with the department, records clerks will direct you to the appropriate forms, departments or officers to best assist you whether by phone, e-mail or in person. Every record, report, ticket or docu-



ment handled or generated by the police department will make its way to Records. Records clerks are then responsible for data entry, transcription of recordings, dissemination of confidential information and gathering and reporting statistics.

Clerks also fulfill public disclosure requests, concealed pistol license applications and processes parking ticket payments. Information to the National Incident Based

Reporting System (NIBRS) is submitted monthly for further crime analysis.

2021 records Statistics

Concealed Pistol Licenses: 285
Firearms Processed: 958
Warrants Entered: 482

Court Orders Entered: 126
Public Disclosure Requests: 1,305
Reports Processed: 4,903

new hire



Cammie Dixon is the newest member of the Records Department. Her background includes more than 18 years of experience in the childcare industry. She has embraced the law enforcement profession and recently became certified as a Child Passenger Safety Technician. Cammie loves camping, riding her side-by-side and most importantly, being a grandma. Welcome Cammie!

Officer fosters safety, trust among area students

Fall 2021 marked the beginning of the final school year for Officer Stephanie Druktenis as the Ellensburg School District's School Resource Officer.

Druktenis has worked closely with schools in our community to foster a safe and educational working relationship with the staff, students and community. She has additional after school responsibilities that include working closely with Reserve Officers to ensure school related athletic events and activities remain safe and



fun for all that attend.

Druktenis has made many lasting connections over her years in the schools with children kindergarten through 12th grade. School resource officers perform many daily functions which include traffic enforcement around school campuses, classroom involvement such as presentations to older students or reading with the younger ones, assisting students in accessing mental health or other resources, crime prevention and enforcement actions when needed.



Officer Druktenis has built several lasting relationships with students in the Ellensburg School District. 2021 marked the last year she will be the school resource officer.

Department stays ahead of mandated training

Despite the difficulties of Covid-19, Ellensburg Police Department staff averaged 73 hours of training last year.

A highlight of that training was a multi-agency event conducted by retired Seattle police officer Jim Ritter. Curriculum included officer encounters with the LGBTQ+ community, focusing on their perspectives and how to best meet the needs of the members of that community. Officers appreciated Ritter's approach and learned valuable information about how to best approach LGBTQ+ victims as well as other victims of hate crimes. More information about Ritter can be found at www.jsritterassociatesllc.com.

The department also concluded its legislative



mandate under I-940, well ahead of the 2028 deadline. Officers received 24 hours of a patrol tactics course which included time management, space and shielding as well as first aid and mental health concerns. For information about officer training and the Community Safety Act go to www.cjtc.wa.gov/letcsa/about-letcsa.

Additionally Officer Daniel Ashby was added to the Motors Division following a demanding two-week school. Motors officers continue to focus their work on locations with high frequency of traffic-related complaints and location where collision data reveals a traffic safety problem. Ashby and the rest of the Motors Division will be back on the streets this spring.



Officers participate in a variety of training scenarios throughout the year including classroom work and hands-on teaching events.

Community learns through fun, hands-on course

In October the Ellensburg Police Department was able to host its annual Citizen's Academy. The popular course was canceled in 2020 due to the pandemic.

The Citizen's Academy is just that: classes for citizens of our community regarding the Ellensburg Police Department, our mission and policing in general. This year's class was hosted by Det. Jason Brunk and was made up of 10 students.

The class met three hours, one day a week for



six weeks. Some of the class topics included police use of force, types of calls, day in the life of a patrol officer, traffic and DUI enforcement, mental health issues, a presentation by a corrections officer from the Kittitas County Jail, detectives and investigations, range day, hands-on scenarios and of course a graduation party. This class was a great opportunity for members of this community to learn how their department

operates and enforces the laws.

Child car seat technicians offer parents assistance

Ellensburg Police Department now has three certified Car Seat Technicians. Officer Christian Alviar, Records Specialist Danielle Bertschi and Records Specialist Cammie Dixon each took a four-day class — eight hours the first three days and a clinic on day four — to become certified. In September,



a car seat clinic was hosted at the police department with the help of Washington State Patrol Trooper Chance Forman. A total of 18 car seats were inspected in four hours. During the months of October, November and December eight checks were performed and four seats were given to families in need.

Yearly barbeque is a popular community event

Eat With the Heat Barbecue and National Night Out continue to be a fun and successful evening put on by the Ellensburg Police Department. This year's event as always was held on the first Tuesday of August and was held at Memorial Park.

EPD provided a hamburger and hot dog barbecue that was free to the public. Utopia supported the event by donating frozen yogurt which is always a big hit. The food line looked a little different this year due to Covid restrictions, but we were able to talk some able bodied people into assisting us this year, such as the new city manager, Heidi Behrends Cerniwey as well as the assistant city manager and city attorney, Terry Weiner.



This year's static displays included items from the department, Kittitas County Sheriffs Office, Washington State Patrol, Central Washington University Police Department, Washington Department of Fish and Wildlife and the Department of Natural Resources. Other vendors included ASPEN, Youth Services of Kittitas County, CASA, Kittcom, KVH, 7-11 as well as vintage cars brought to the event by Central

Valley Rodders.

Fingerprint and DNA kits were provided to families at no cost. A car seat inspection booth was added this year for those with questions about car seat safety or who wanted to have their seat inspected by car seat technicians.



Left: Community members enjoy a free meal, informative displays and the chance to talk with officers during the National Night Out and Eat with the Heat Barbecue.

Right: Kittitas Valley Fire and Rescue Deputy Chief Rich Elliott and Detective Ryan Potter fingerprint a youngster for his parents' records during the annual event.

Hansberry recognized for dedication to event

At the Washington Association of Sheriffs and Police Chiefs fall conference, Ellensburg Police Capt. Dan Hansberry was presented with the inaugural Washington State Special Olympics — 2021 Hall of Fame Award. This award is given to one law enforcement officer in Washington State for their long-term service and commitment to the Special Olympics the Law Enforcement Torch Run. Capt. Hansberry is the Region 6 coordinator (Yakima, Klickitat and Kittitas counties) and has facilitated many fundraising events and activities supporting the Special Olympics athletes. We are very proud of dedication and compassion Capt. Hansberry has devoted to these wonderful athletes.

The Kittitas County Law Enforcement com-



munity has provided many years of support to the Special Olympics Law Enforcement Torch Run and we look forward to our continued service to this outstanding cause.

The mission of the Law Enforcement Torch Run is to raise awareness and funds for the Special Olympics movement. Known as Guardians of the Flame, law enforcement members and Special Olympics athletes carry the “Flame of Hope” into Opening Ceremonies of local competitions. They also carry it into Special Olympics State, Provincial, National, Regional and World Games. There are more than 97,000 law enforcement members that carry the “Flame of Hope” annually. The flame symbolizes courage and celebration of diversity.



Members of the Ellensburg Police Department, Cle Elum Police Department and the community participated in the 2021 Torch Run.

Shop with a Cop, Firefighter is a holiday favorite

Held every December, the Shop with a Cop and Firefighter's event pairs underprivileged and at-risk children with a law enforcement officer or firefighter for a shopping spree leading up to Christmas. The hope is that this experience of shopping for toys alongside Kittitas County's finest will instill in each child a positive experience with law enforcement which will carry into



their adolescence and adulthood.

Participants are treated to a hearty breakfast before heading to BiMart for some holiday shopping. While there they get to see Santa and have pictures with him and the officer or firefighter he or she was paired with for the event.

But the highlight is the chance to personally shop for gifts for family members and friends.



The annual Shop with a Cop and Firefighter pairs a police officer or firefighter with a child who is treated to a shopping trip for seasonal gifts. The heartwarming event is a popular one.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Board and Commission Appointments

Submitted by: Laurie Gigstead City Manager Department

Recommended Action or Motion:

1. Conduct introductions of the new applicants; and
2. Consider appointments.

Background/Summary: There are five new applicants and five current members applying for reappointment to various positions on the boards and commissions. The new applications and applications for reappointment were forwarded to the staff members assigned to each board or commission to process for consideration of appointment.

The five new applicants have been invited to the May 16, 2022 Council meeting for introductions.

The following members whose terms expire May 31, 2022, are not seeking reappointment: Laura Bobovski, Arts Commission; Ali Burton and Dan Witkowski, Parks and Recreation Commission; and Beverly Heckart, Planning Commission.

Previous Council Action: N/A

Analysis: As directed by Council, the applicants for appointment and reappointment have completed the preliminary process of attending a meeting and an interview. The new applications and applications for reappointment are attached to the agenda report.

Appointment recommendation memorandums are attached from the Arts Commission, DEI Commission, Environmental Commission, Parks and Recreation Commission, and Senior Citizens Advisory Commission. See a breakdown of the recommendations below:

- **Arts Commission** is recommending appointment of Courtney Blackstock, Gwen Budnik and Cassandra

Town.

- **DEI Commission** is recommending appointment of Alex Mandujano.
- **Environmental Commission** is recommending appointment of Jean Marie Linhart.
- **Parks and Recreation Commission** is recommending appointment of Jacqueline Adams and Nick Zentner.
- **Senior Citizens Advisory Commission** is recommending appointment of Ed Sendelbach.

There has been a delay in the application process for the Planning Commission. Sathy Rajendran has applied for reappointment but the interview process has not been completed. The recommendation from the Planning Commission will be presented at the June 6, 2022 Council meeting.

Financial Impact: N/A

Attachments:

B and C Agenda Report Chart 5-16-22
Applications for Appointment and Reappointment
Arts Commission Recommendation
DEI Commission Recommendation
Environmental Commission Recommendation Memo
P & R Adams Appointment Memo
P & R Zentner Appointment Memo
Sr. Citizens Advisory Commission Recommendation

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	Senior Citizens Advisory Commission	Utility Advisory Committee
MEMBERS	7	7	3	7	9	7	7	7	7	7	7	7	7	7
Residency Requirements	Y	N	Y	Y	N	Y	Y	Y	N	Y	Y	N	N	Y
Current Members within City Limits	6	1	3	6	5	6	6	5	3	5	7	7	3	7
Current Members Outside City Limits	1	5	0	1	4	0	1	2	3	2	0	0	2	0
Current Members Outside but in UGA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VACANCIES	0	1	0	0	0	1	0	0	1	2	0	0	2	0
Terms Expiring 5/31/22		3		1							2		1	
APPLICANTS														
Gwen Budnik		Re-App												
Cassandra Town		Re-App												
Courtney Blackstock		1 st												
Sara Omrani				Re-App										
Alex Mandujano				1 st										
Jean Marie Linhart						1 st								
Jacqueline Adams										1 st				
Nick Zentner										1 st				
Sathy Rajendran											Re-App			
Ed Sendelbach													Re-App	

Laurie Gigstead

From: noreply@civicplus.com
Sent: Monday, March 14, 2022 3:23 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Reappointment

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 Reappointment

Application for Reappointment

For volunteering to serve on a Board or Commission

Name of Board or Commission	Arts Commission
Current Term Expires	May 31 of current year
First Name of Member	Gwen
Last Name of Member	Budnik
Address 1	
Address 2	Field not completed.
City	Ellensburg
State	WA
Zip	98926
Phone Number	
Email Address	
I am requesting to be considered for reappointment for another ____ year term.	4
Why are you seeking reappointment?	Because I have only been on the Commission for 6 months and am set to take over the First Friday Art Walk from Laura Bobovski. She has been training me for the past month and

when she leaves at the end of May, I am poised to take over for her.

I have thoroughly enjoyed my short tenure over the past few months and would like to have the chance to improve and expand the FFAW now that the Covid restrictions have lifted. I have many ideas that I'd like to run past the Commission and am proud to have a chance to help the City of Ellensburg influence the arts in a positive and creative way for the public.

Thank you for considering me and giving me a chance to work for the City and the public.

Gwen Budnik

Type your name as your
electronic signature

Gwen Budnik

Date

3/14/2022

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Friday, March 25, 2022 5:29 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Reappointment

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 Reappointment

Application for Reappointment

For volunteering to serve on a Board or Commission

Name of Board or Commission	Arts Commission
Current Term Expires	May 31 of current year
First Name of Member	Cassandra
Last Name of Member	Town
Address 1	
Address 2	Field not completed.
City	Ellensburg
State	WA
Zip	98926
Phone Number	
Email Address	
I am requesting to be considered for reappointment for another ____ year term.	4
Why are you seeking reappointment?	I love being an Ellensburg Arts Commissioner! In my time with the Commission thus far, I have been involved with many projects that have helped the EAC to be better organized and

better positioned in the community. I have been working on the ECCAP Design Team and am excited to help bring a city-wide arts and culture strategic plan to fruition. I'm excited to help craft the plan and then look forward to the implementation phase and connecting those goals back to the EAC's work and better serving our community. I also helped launch the first ever Poet Laureate for the City of Ellensburg - the Commission has just selected very worthy candidate who's term is a three year term. I would love to continue to work as a Commissioner to help support and deepen this program - maybe even expand it from just poetry to the literary arts. I have also just begun to work with the City on an interactive map to feature the City's Art Collection - this project has a ton of potential to not only engage our own citizens and connect them more deeply with local art and artists, but could also be an economic/tourism driver and I look forward to exploring this more fully if my appointment is confirmed.

The arts and artists are the keys to vibrant, thriving communities. The arts are the lens through which I look to solve any challenging issue. Have transportation issues? How can the arts help? Have issues with crime? How can the arts help? The arts are woven into the very fabric of the human existence - the arts help us tell our stories, connect with one another - the arts are our universal language. :)

Thank you in advance for your consideration!

Sincerely,

Cassandra Town

Type your name as your electronic signature	Cassandra Town
Date	3/25/2022

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Tuesday, December 14, 2021 10:13 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

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	Arts Commission
Have you attended a meeting for the board or commission you are applying to?	No
Name of Applicant:	Courtney Blackstock
Address	
Mailing Address (If Different)	Field not completed.
City	Ellensburg
State	WA
Zip	98926
Email Address	
Phone Number	
Length of Residence in Ellensburg	3 months
Do you live within the city limits?	Yes
If applying for the Sr. Citizens' Advisory Board, are	No

you at least 55 years of age?

Occupation Status and Background:	Administrative Assistant at Invenergy. I have been an admin assistant for the past 3 years, 2 years working at a private jet company, 6 months working for a real estate company in West Seattle, and then 6 months working for Salvation Army in Seattle.
-----------------------------------	--

Organization Affiliations:	N/A
----------------------------	-----

Why are you seeking appointment?	I would love to be involved in this wonderful community more while seeking and inspiring local artist.
----------------------------------	--

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	Landmarks and Design Commission
----------------------	---------------------------------

Boards & Commissions	Parks and Recreation Commission
----------------------	---------------------------------

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Laurie Gigstead

From: noreply@civicplus.com
Sent: Thursday, March 31, 2022 8:22 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Reappointment

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 Reappointment

Application for Reappointment

For volunteering to serve on a Board or Commission

Name of Board or Commission	Diversity, Equity, and Inclusion
Current Term Expires	May 31 of current year
First Name of Member	Sara
Last Name of Member	Omrani
Address 1	
Address 2	Ellensburg
City	Wa
State	98926
Zip	
Phone Number	
Email Address	
I am requesting to be considered for reappointment for another ____ year term.	3
Why are you seeking reappointment?	I am seeking reappointment so I can continue to contribute to Ellensburg centering diversity, equity, and inclusion in all realms. My focus is mainly on building strong and resilient

communities that are not hospitable to bigotry. (More information upon request, or see original application)

Type your name as your
electronic signature

Sara Freeman Omrani

Date

3/31/2022

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Monday, January 3, 2022 10:13 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

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	Diversity, Equity, and Inclusion
----------------------	----------------------------------

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

Name of Applicant:	Alex Mandujano
--------------------	----------------

Address	
---------	--

Mailing Address (If Different)	Field not completed.
--------------------------------	----------------------

City	Ellensburg
------	------------

State	WA
-------	----

Zip	98926
-----	-------

Email Address	
---------------	--

Phone Number	
--------------	--

Length of Residence in Ellensburg	28 years
-----------------------------------	----------

Do you live within the city limits?	Yes
-------------------------------------	-----

If applying for the Sr. Citizens' Advisory Board, are	Yes
---	-----

you at least 55 years of age?

Occupation Status and Background:	Currently operate a safety consulting business, previously an L&I safety inspector, and a science technician before that.
Organization Affiliations:	APOYO food bank (Ellensburg), ESL/Spanish community volunteer, pre-pandemic, at the public library now conducting meetings out of APOYO's building, on CWU campus. Affiliated with La Casa Hogar of Yakima, assisting future U.S citizens with test preparations.
Why are you seeking appointment?	Upon my arrival to Ellensburg, in 1992, the minority population was small, as we all know now, that has changed to where minorities are now a visible part of our community and with it, comes change that requires representation and education for all in order to create harmony.
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	Affordable Housing Commission
Boards & Commissions	Environmental Commission

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Monday, February 14, 2022 1:14 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

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 Environmental Commission

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

Name of Applicant: Jean Marie Linhart

Address

Mailing Address (If Different) *Field not completed.*

City Ellensburg

State WA

Zip 98926

Email Address

Phone Number

Length of Residence in Ellensburg 8 years

Do you live within the city limits? Yes

If applying for the Sr. Citizens' Advisory Board, are No

you at least 55 years of age?

Occupation Status and Background:	I am a math professor at CWU. I am also certified by the League of American Bicyclists as a cycling safety instructor.
Organization Affiliations:	Washington State Geocaching Association, League of American Bicyclists, Mathematical Association of America, Society of Industrial and Applied Mathematics, Systemic Initiative for Modeling Investigations and Opportunities with Differential Equations.
Why are you seeking appointment?	This board advises on cycling infrastructure projects, where I have some expertise. I am also interested, but less knowledgeable on some of the environmental issues: water quality, plastic bag bans, transition to renewable energy, glass recycling, etc.
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	Library Board
Boards & Commissions	Field not completed.

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Laurie Gigstead

From: noreply@civicplus.com
Sent: Thursday, March 10, 2022 2:39 PM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

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Application for Appointment

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

Boards & Commissions	Parks and Recreation Commission
Have you attended a meeting for the board or commission you are applying to?	No
Name of Applicant:	Jacqueline Adams
Address	
Mailing Address (If Different)	Field not completed.
City	Ellensburg
State	WA
Zip	98926
Email Address	
Phone Number	
Length of Residence in Ellensburg	9 months (previously lived in Ellensburg for 7 years)
Do you live within the city limits?	Yes
If applying for the Sr. Citizens' Advisory Board, are	Field not completed.

you at least 55 years of age?

Occupation Status and Background:	Currently working as Group Fitness Lead at the Central Washington University Recreation Center. Previously owned and operated a hot yoga studio in Vancouver, WA. Graduated from CWU in 2011 with a BS in Exercise Science & Nutrition; currently working on Masters Degree in Sports Administration.
-----------------------------------	---

Organization Affiliations:	American Council on Exercise Certified Personal Trainer American Council on Exercise Group Fitness Instructor Yoga Alliance 500 E-RYT Yoga Alliance Certified Continuing Education Provider Yoga Alliance Registered Yoga School
----------------------------	--

Why are you seeking appointment?	I would love to become more involved with the Parks & Recreation Department and learning more about the community and its needs. It is a goal of mine to work with the community and inspire others in their wellness journey. Personally I would love to help create more recreation opportunities for families and influence new facility planning.
----------------------------------	---

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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Laurie Gigstead

From: noreply@civicplus.com
Sent: Tuesday, March 8, 2022 11:34 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Appointment

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Application for Appointment

Application for Appointment

For volunteering to serve on a Board or Commission

Boards & Commissions	Parks and Recreation Commission
----------------------	---------------------------------

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

Name of Applicant:	Nick Zentner
--------------------	--------------

Address	
---------	--

Mailing Address (If Different)	Field not completed.
--------------------------------	----------------------

City	Ellensburg
------	------------

State	Washington
-------	------------

Zip	98926
-----	-------

Email Address	
---------------	--

Phone Number	
--------------	--

Length of Residence in Ellensburg	30 years
-----------------------------------	----------

Do you live within the city limits?	Yes
-------------------------------------	-----

If applying for the Sr. Citizens' Advisory Board, are	Field not completed.
---	----------------------

you at least 55 years of age?

Occupation Status and Background:	CWU geology professor
-----------------------------------	-----------------------

Organization Affiliations:	Central Washington University
----------------------------	-------------------------------

Why are you seeking appointment?	I live in Craig's Hill neighborhood. Would like to help create better park.
----------------------------------	---

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>
----------------------	-----------------------------

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

Laurie Gigstead

From: noreply@civicplus.com
Sent: Monday, March 21, 2022 11:31 AM
To: Laurie Gigstead
Subject: [Ext] Online Form Submittal: Application for Reappointment

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 Reappointment

Application for Reappointment

For volunteering to serve on a Board or Commission

Name of Board or Commission	Planning Commission
Current Term Expires	May 31 of current year
First Name of Member	Sathy
Last Name of Member	Rajendran
Address 1	
Address 2	Field not completed.
City	Ellensburg
State	WA
Zip	98926
Phone Number	
Email Address	
I am requesting to be considered for reappointment for another ____ year term.	3
Why are you seeking reappointment?	I have enjoyed my service so far and have had a good learning curve. Since I started in the middle of a partial term I would love to have a full-term of service.

Type your name as your
electronic signature

Sathy Rajendran

Date

3/21/2022

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



Application for Reappointment

(Please print clearly)

RECEIVED

7 2022

CITY MANAGER'S OFFICE
ELLENSBURG, WA

Name of Board or Commission: SENIOR CITIZENS ADVISORY

Current Term Expires: ☒ May 31, ____ ☐ December 31, ____

Name of Member: EDWARD SENDELBACH

Address: _____

Phone Number: _____

Email Address: _____

☐ I am requesting to be considered for reappointment for another 2 year term.

Why are you seeking reappointment? I WOULD LIKE TO THANK

KATELYN CLAVETTE (AAC COORDINATOR)
AND ALL THE YOUNG STAFF MEMBERS
FOR ALL THEIR HARD WORK AND DEDICATION
TO MAKE ALL SENIOR WELCOME.

I WOULD LIKE TO CONTINUE TO MY
PART BY REQUESTING TO BE REAPPOINTED
TO THE SENIOR CITIZENS ADVISORY COMMISSION

THANK YOU!

Signature: Edward Sendelbach Date: 3-11-22



TO: City Council
FROM: Ellensburg Arts Commission
DATE: May 16, 2022 – Council Meeting Date
RE: Recommendation of Appointment

The Arts Commission currently has two vacancies and two upcoming expiring terms. The members whose term is expiring are requesting reappointment, Cassandra Town and Gwen Budnik. There is one applicant, Courtney Blackstock, applying for one of the vacant seats.

Arts Commission Interview panel consisted of Councilmember David Miller, Arts Commission Chair Alex Eyre and staff liaison Josephine Camarillo. All applicants completed their prerequisites of attending a meeting and introducing themselves to the commission. Cassandra Town and Gwen Budnik were interviewed on April 19, 2022 and Courtney Blackstock was interviewed on April 20, 2022.

The Arts Commission Interview panel would like to recommend reappointment of Cassandra Town and Gwen Budnik for term renewal and appointment of Courtney Blackstock to one of the open vacancies for the Arts Commission.



TO: City Council
FROM: Diversity, Equity & Inclusion Commission
DATE: May 16, 2022
RE: Recommendation of Appointment

Alex Mandujano submitted an Application for Appointment to the Diversity, Equity & Inclusion Commission on January 3, 2022.

On April 20, the DEI Commission subcommittee consisting of Councilmember Nancy Goodloe, DEI Commission member Tylen Carnell, and Nicole Klauss, staff, conducted the interview.

Alex Mandujano was invited to attend the May 10, 2022 Diversity, Equity & Inclusion Commission meeting. At the May 10, 2022 meeting Alex Mandujano introduced himself to the members and observed the meeting.

The Diversity, Equity & Inclusion Commission currently has one vacancy. Based on the interview and his involvement with the community, the subcommittee is recommending that the City Council appoint Alex Mandujano to the upcoming vacancy on the Diversity, Equity & Inclusion Commission.



TO: City Council
FROM: Environmental Commission
DATE: May 16, 2022 – Council Meeting Date
RE: Recommendation of Appointment

Jean Marie Linhart submitted an Application for Appointment to the Environmental Commission on February 14, 2022. She was invited to attend the March 16, 2022 Environmental Commission meeting. At the March 16, 2022 meeting she introduced herself to the members and observed the meeting. Jean Marie also attended the April 20, 2022 meeting. After the meeting staff confirmed that Jean Marie wanted to proceed with the interview process.

The Environmental Commission subcommittee consisting of Councilmember Adam Winn, Chairperson Christina Wollman, and Laura Wilson, staff, conducted the interview on April 27, 2022.

The Environmental Commission currently has one vacancy. Based on the interview and Jean Marie's involvement in the cycling community, interest in improving air quality, and other alternative energy options, the subcommittee is recommending that the City Council appointment Jean Marie Linhart to the vacant Environmental Commission position.



DATE: May 16, 2022

TO: City Council

FROM: Parks & Recreation Commission

SUBJECT: Recommendation of Appointment

Jackie Adams submitted an application for appointment to the Parks & Recreation Advisory Commission on March 10, 2022. She was invited to attend the April 22, 2022 Parks & Recreation Advisory Commission meeting where she introduced herself to the members of the Commission and observed the meeting.

The Parks & Recreation Advisory Commission subcommittee consisting of Councilmember Monica Miller, Parks & Recreation Commission Chair Laci Knudson, and Brad Case, staff, interviewed Ms. Adams on May 2, 2022. Based on the interview and Jackie's past experience working in the recreation industry, the subcommittee is recommending that the City Council appointment Jackie Adams to the Parks & Recreation Advisory Commission.

The Parks & Recreation Commission will have two vacancies effective May 31, 2022.



DATE: May 16, 2022

TO: City Council

FROM: Parks & Recreation Commission

SUBJECT: Recommendation of Appointment

Nick Zentner submitted an application for appointment to the Parks & Recreation Advisory Commission on March 8, 2022. He was invited to attend the March 9, 2022 Parks & Recreation Advisory Commission meeting where he introduced himself to the members of the Commission and observed the meeting.

The Parks & Recreation Advisory Commission subcommittee consisting of Councilmember Monica Miller, Parks & Recreation Commission Chair Laci Knudson, and Brad Case, staff, interviewed Mr. Zentner on May 3, 2022. Based on the interview, the subcommittee is recommending that the City Council appointment Nick Zentner to the Parks & Recreation Advisory Commission.

The Parks & Recreation Commission will have two vacancies effective May 31, 2022.



To: City Council

From: Senior Advisory Commission

Date: May 16, 2022 – Council Meeting Date

RE: Recommendation of Reappointment

Ed Sendelbach submitted an Application for Reappointment for the Senior Advisory Commission on March 17, 2022.

The Senior Advisory Commission subcommittee consisted of Councilmember Monica Miller, Senior Advisory Commission Member Edd Bracken, and AAC volunteer Carol Findley, conducted the interview on April 13, 2022.

The Senior Advisory Commission currently has two vacancies. Based on the interview and Ed's involvement in the Adult Activity Center the subcommittee is recommending that the City Council reappoint Ed Sendelbach to the Senior Advisory Commission.

MEMORANDUM

To: The Ellensburg City Council
From: The City of Ellensburg Diversity, Equity, and Inclusion Commission
Date: May 16, 2022
Re: Call to action to address Bullying Behaviors in Ellensburg

We are responding to the recent incident of bullying that occurred at Ellensburg High School during the student body (ASB) elections for 2022. Bullying behaviors intimidate and discriminate against another person because of who they are, not what they have done. They sometimes lead to violent behavior toward the persons. We recognize the personal damage these kinds of behaviors inflict on individuals, and we believe these behaviors only perpetuate the historical inequities and divisions that exist in our community. These behaviors must be addressed and the groundwork for understanding and accepting differences in our community must begin. Ellensburg prides itself on being a "welcoming community." Clearly, there is work to do to create this reality.

Intimidation and discrimination in any shape, form or fashion is not acceptable in any setting. These behaviors demonstrate a lack of value and respect for certain individuals or cultures, show a discouraging lack of acceptance of differences, intentionally deliver harmful and degrading language to society's most vulnerable persons. The end result is an unsafe environment for many who live, work, and socialize in Ellensburg. Intimidation and discrimination do not reflect Ellensburg's values. They will continue to divide our community and harm our residents if not addressed.

The DEI Commission supports the parents, families, and student victims targeted in the Ellensburg School District (ESD) incident, as well as those targeted in other incidents in Ellensburg. We invite all students, parents, families and community members to join with us in creating opportunities to address communication and understanding of differences in our community and to actively reach out to marginalized peoples, build relationships and start conversations to celebrate the rich diversity that we have in this community. We offer our support, time, resources and expertise to partner with groups and individuals who want to start these conversations.

We call on the Ellensburg City Council, the Ellensburg School District, and Central Washington University to unite in a public statement against bullying, in our community, in the school district, and on the CWU campus.

We further call on community leaders, CEOs, clubs, non-profits, and businesses to speak out against bullying and discriminatory actions and to instigate procedures to address systemic issues that produce intimidation and discrimination in the work/social environments.

As the City's DEI Commission, we intend to create ongoing opportunities for public conversation between concerned and impacted community members, city and school district representatives, Central Washington University representatives, business leaders, law enforcement, service groups and government agencies to facilitate awareness of and encourage accountability for reported incidents of intimidation and discrimination.

Recent incidences at Ellensburg High School are a community issue. They require a community response.

Respectfully submitted to the Ellensburg City Council this 16th day of May 2022.

Ellensburg DEI Commission

Nancy Goodloe, Chair
Tylen Carnell, Vice-chair
Mayra Colazo, Member
Teresa Divine, Member
Daniel Amos, Member
Kandee Cleary, Member
Sara Omrani, Member



LANDMARKS AND DESIGN COMMISSION
501 N. Anderson St. Ellensburg, WA 98926

and



KITTITAS COUNTY HISTORICAL SOCIETY
114 E 3rd Ave, Ellensburg, WA 98926

Dear Ellensburg City Council,

The month of May, 2022, has been proclaimed as Historic Preservation Month by the City of Ellensburg. Our historic districts have always been a distinctive part of Ellensburg's identity, and much effort goes into the preservation of our unique collection of historic buildings and residences.

One method of protecting our historic identity is through the work and oversight of the Landmarks and Design Commission, which is responsible for:

- Protecting, preserving, and enhancing the social, cultural, and economic, environmental, aesthetic, and natural values that have established the desirable qualities and unique character of Ellensburg.
- Promoting and enhancing the construction and maintenance practices that encourage visual quality throughout Ellensburg.

This year, as part of Historic Preservation Month, the Landmarks & Design Commission and the Kittitas County Historical Society, would like to recognize some of the outstanding historic preservation projects that took place within our community from 2021 and into 2022.

The projects being recognized this year are buildings that are at least 50 years old, and have been recently completed or substantially completed, with extensive exterior or interior rehabilitation.

Ellensburg has a unique collection of historic buildings and residences that contribute value to our downtown and residential neighborhoods. The hard work and attention to detail these projects demonstrate honor the historic character of the buildings, while also updating them to meet the needs of the community now, and in the future.

Below are the historic commercial buildings and residences within our community we would like to recognize:

Outstanding Multifamily Restoration Award

- 600 W. University Way- Built Ca. 1920
- Owned by Harry Whittaker

Outstanding Single- Family Restoration Award

- 506 N. Walnut St. – Built Ca. 1915
- Owned by Andrew Schock

Outstanding Commercial Restoration Award

- 200 East 4th Avenue- McCormack Building- Built Ca. 1940
- Owned by Steven Weidenback

Outstanding Historic Building Tennant Improvement Award

- 400 West 5th Avenue- Creamery Building- Built Ca. 1920
- Tennant- Berkshire Hathaway Home Services- Gina and Mike Styler

Historic Preservation Stewardship Award(s)

- Mollie Edson For:
 - Dedication and accomplishments on the Landmarks and Design Commission
 - Excellent leadership and outreach to the community
 - Restoration and preservation work of historic buildings including 420 Building and various residential buildings
 - Advocate for historic preservation in the community
- Colin Condit and his late wife Margaret for:
 - Lifelong dedication to historic preservation in the City of Ellensburg
 - Started Historic Ellensburg
 - Volunteered time for preservation related events
 - Advocates for local landmarks such as the Depot Building

Sincerely,

Amy McCoy

Landmarks and Design Commission- Chair



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Closed Record Public Hearing (legislative) for Application P22-036, for a supplemental P-R Rezone from P-R to I-L, submitted by City of Ellensburg

Submitted by: Jamey Ayling Community Development

Recommended Action or Motion:

- 1) Consider Approval of the Supplemental P-R Rezone from P-R to I-L, as recommended by the Planning Commission.
- 2) Adopt the attached Resolution approving the Supplemental Rezone

Background/Summary: This hearing is to consider a Type V application for a Supplemental Public Reserve (P-R) Rezone of a 4.57-acre parcel that currently has split zoning designations of Light Industrial and Public Reserve. The site abuts property that is designated as Light Industrial (I-L) within the Future Land Use Map along the industrial corridor of Dolarway Road. The proposed rezone would result in the western 60 feet of the Northern 577.10 feet of parcel 955943 being zoned Light Industrial.

In support of this rezone application, the Comprehensive Plan Update in 2006 identified the need for additional industrial zoned land and slated Dolarway Road to be developed as Ellensburg's primary industrial district. In 2010, City Council approved the rezone of several parcels along Dolarway Road to Light Industrial, including the one directly to the west of the subject site. Per ECC 15.310.050, the rezone applicant may request that the P-R zoned property be rezoned to any zoning district classification that abuts the subject property. The subject property is abutted on its west border by a parcel zoned as Light Industrial.

The City of Ellensburg became the owner of the property in December 2005 and does not plan to develop the property. The City has been working diligently since 2006 to improve and develop Dolarway Road as a primary industrial corridor. Several parcels with access to the Dolarway Road Corridor

have begun development processes to construct light industrial use buildings, including the parcel which will benefit from this amendment. Careful consideration was taken in the planning of how much of the underutilized parcel could be allotted to the neighboring property to ensure that an adequate buffer of land is still available surrounding the industrially developed property for screening and City property access purposes.

A SEPA Determination of Non-significance (DNS) (Exhibit 9) was issued on January 10, 2022. The Public Works and Electric Utility Departments commented during the coordinating non-project SEPA and Boundary Line Adjustment reviews that they will provide comments for all future land development related to this site at the time of actual development (Exhibit 8).

A boundary line adjustment is being processed concurrently (Exhibit 2) which will transfer the western 60 feet to the Industrial zoned property to the west. The supplemental P-R rezone is proposed to establish consistency with the City's Land Development Code, Comprehensive Plan, and the current and future plans for the property.

Location: The entirety of this 4.57-acre parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in the City of Ellensburg, in Kittitas County, Washington, as shown on Tax map No. 17-18-03000-0004 as Assessor's tax parcel ID 955943 owned by the City of Ellensburg.

Zoning of Surrounding Properties: A zoning map of the parcel and surrounding properties is attached as Exhibit 1. The property is currently split zoned as Industrial Light (I-L) and Public Reserve (P-R). The zoning of the surrounding properties is discussed below.

Surrounding Properties:

North: Property to the north, on the opposite side of Dolarway Road, is inside an unincorporated island located within County Jurisdiction and is zoned Urban Residential.

South: The south extent of the property borders a large buffer

of undeveloped land which includes Rotary Park further south within the City limits and is zoned Public – Reserve (P-R).

East: Property directly to the east is within City limits, is zoned Light Industrial (I-L) and is developed with Charter Communications Facilities.

West: Property directly to the west is within City limits, is zoned Light Industrial (I-L) and is developed with light industrial use Warehouses.

Comprehensive Plan Designation: A map of the future land use designations is attached as Exhibit 3. The future land use designation for this parcel is Public Reserve. As a part of the Type V Code Amendment request to change the underlying zoning from P-R to I-L, a coordinated future land use designation correction is also warranted. This process is included under ECC 15.310.050(D) Supplemental P-R Code Revisions, which states recognizing that over time some land and structures that are zoned P-R and are used for P-R purposes may change uses to non-public uses or may become obsolete or surplussed out of active public use and occupancy, the property owner may in such situations seek a rezone out of P-R zoning to any zoning district classification that abuts the subject property.

Previous Council Action: None

Analysis: The City procedures for approving the Supplemental P-R Rezone are outlined in Ellensburg City Code (ECC) 15.250.100 and are subject to the Type V review process. As described in ECC 15.210.030(E), Type V processes “...are legislative, non-project decisions made by the city council under its authority to establish policies and regulations regarding future private and public developments, and management of public lands”, which includes the supplemental rezoning of P-R zoned properties.

Type V processes are first reviewed by the Planning Commission in an open record public hearing. The Commission then forwards a recommendation to City Council, the final decision-making body, for consideration during a closed record public hearing.

Notice of this May 16, 2022 City Council Closed Record Public Hearing was published in the Daily Record on Tuesday, April 26, 2022 (Exhibit 11), and the site was posted with the land use action sign (Exhibit 12).

PLANNING COMMISSION REVIEW AND RECOMMENDATION

The open record public hearing before the City of Ellensburg Planning Commission was held on April 14, 2022. At that meeting, Jamey Ayling, Planning Manager, presented the proposal. Notice of the April 14, 2022 open record public hearing was mailed to property owners within 300 feet of the proposed site on Wednesday, March 23, 2022 (Exhibit 5). Notice of the Public Hearing was also published in the legal section of the Daily Record on Thursday March 24, 2022 (Exhibit 6), and the site was posted with a land use action sign (Exhibit 7). No members of the public provided comment during the hearing.

At the conclusion of the public hearing, the Planning Commission determined that the request is consistent with the criteria described in ECC 15.310.050(D). They recommended to the Ellensburg City Council approval of the application for a Supplemental P-R Rezone from P-R to I-L request with the following condition:

1. The applicant shall adhere to any requirements related to any future development approvals, including meeting all requirements of utility providers, City departments, and affected districts, as outlined in adopted City Codes and other regulatory documents.

DECISION CRITERIA

In Council's review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable City Code requirements, as well as public and agency comments. The application must be found to be in conformance with the following decision criteria for the Supplemental P-R Rezone from P-R to I-L as set forth in ECC

15.310.050:

The rezone applicant may request that the P-R zoned property be rezoned to any zoning district classification that abuts the subject property.

1. The rezone is in accordance with the comprehensive plan; and
2. The rezone will not adversely affect the public health, safety or general welfare; and
3. The rezone is not contrary to the best interest of the citizens and property owners of the city.

After review of the application and the decision criteria, the City Council is the final decision-making body.

Analysis of Decision Criteria

The applicant has submitted an application with a narrative and project design documents addressing the above three criteria. The information submitted by the applicant is followed by staff analysis.

1. The rezone is in accordance with the comprehensive plan.

Applicant narrative and supporting application materials:

The site abuts property that is designated as Light Industrial (I-L) within the Future Land Use Map (Exhibit 3) along the industrial corridor of Dolarway Road. On November 19, 2012 the Ellensburg City Council adopted Ordinance 4627 (Exhibit 4) which included Comprehensive Plan Amendment 2012-02 recommended by the Planning Commission to provide policy direction for reversion of P-R zoned properties when no longer used for institutional/public uses. As a part of the policy direction, staff was directed to include language in the zoning code which was incorporated into the land development code update of 2013 and is currently contained within ECC 15.310.050.

Staff analysis: Staff finds that the proposed rezone thoroughly meets the intent of the Comprehensive Plan criteria as

described in the applicant's narrative above. Additionally, staff finds the proposed rezone to meet the following goals, policies, and action items within the Comprehensive Plan:

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

Policy D Encourage development of light industrial uses within the City of Ellensburg.

Program 1 Develop City-owned property off Dolarway Road for a light industrial park.

2. The rezone will not adversely affect the public health, safety or general welfare.

Applicant narrative and supporting application materials: The Type V Supplemental Rezone requested will allow a portion of underutilized property to be conveyed to the neighboring property owner via a boundary line adjustment. The City of Ellensburg has carefully considered the allotment of land available in this location so that it will not adversely affect the public health, safety or general welfare by subtracting vital land reserved for Public Reserve facilities. The rezone and conveyance of the currently vacant underutilized strip of land will add viability to the abutting industrially developed property and add to the vitality of the Dolarway Road Industrial Corridor.

Staff analysis: Staff agrees that the rezone will not adversely affect the public health, safety or general welfare as described in the applicant's narrative above.

3. The rezone is not contrary to the best interest of the citizens and property owners of the city.

Applicant narrative and supporting application materials:

The City of Ellensburg has been working diligently since 2006 to improve and develop Dolarway Road as a primary industrial corridor. Several parcels with access to the Dolarway Road Corridor have begun development processes to construct light industrial use buildings, including the parcel which will benefit from this amendment. Careful consideration was taken in the planning of how much of the underutilized parcel could be

allotted to the neighboring property to ensure that an adequate buffer of land is still available surrounding the industrially developed property for screening and City property access purposes.

Staff analysis: Staff agrees that the rezone is not contrary to the best interest of the citizens and property owners of the city as described in the applicant's narrative above.

STAFF RECOMMENDATION

The Planning Commission's recommendation to approve the request from the City of Ellensburg Supplemental P-R Rezone from P-R to I-L request is consistent with the rezone criteria, and staff therefore recommends the Council approve the proposal as presented.

Financial Impact: None at this time

Attachments:

Resolution Supplemental P-R Rezone
Exhibit 1. zoning map
Exhibit 2. Preliminary BLA Survey
Exhibit 3. Future Land Use Map
Exhibit 4. ORD. 4627 - 2012 Comp Plan Amendments
Exhibit 5. Certificate of Mailing
Exhibit 6. Affidavit of Publication
Exhibit 7. Affidavit of Posting
Exhibit 8. PW Comments
Exhibit 9. Signed DNS
Exhibit 10 a. Land Use Application Cover Page
Exhibit 10 b. Project Narrative
Exhibit 10 c. Map of rezone
Exhibit 11. Affidavit of Publication
Exhibit 12. Affidavit of Posting

RESOLUTION NO. 2022-____

A RESOLUTION of the City Council of Ellensburg, Washington relating to the approval of a request for a Supplemental P-R Rezone, File No. P22-036, on property located in Ellensburg, Washington.

WHEREAS, on March 18, 2022 Jamey Ayling, Interim Community Development Director for the City of Ellensburg Community Development Department, acting as agent for property owner, submitted a request for the Supplemental P-R Rezone for a 4.57-acre parcel that currently had split zoning designations of Light Industrial and Public Reserve; and

WHEREAS, the proposed rezone would result in the western 60 feet of the Northern 577.10 feet of parcel 955943 being zoned Light Industrial located on the south side of West Dolarway Road in the City of Ellensburg, in Kittitas County, Washington, shown on Tax Map No. 17-18-03000-0004 as Assessor's tax parcel ID 955943; and

WHEREAS, the applicant also submitted an associated Washington State Environmental Policy Act (SEPA) checklist as part of the proposal; and

WHEREAS, on January 10, 2022 the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) related to the legislative action; and

WHEREAS, following a duly noticed open record public hearing held before the Planning Commission on April 14, 2022, to consider the Supplemental P-R Rezone, as provided by Chapter 15.250.100 ECC, the Planning Commission made a recommendation to the Ellensburg City Council for approval of Supplemental P-R Rezone request subject to certain conditions; and

WHEREAS, following a duly noticed open record public hearing held during a regularly scheduled Ellensburg City Council Meeting on May 16, 2022, regarding the Supplemental P-R Rezone proposal to result in the western 60 feet of the Northern 577.10 feet of parcel 955943 being zoned Light Industrial, the City Council approved the Supplemental P-R Rezone request subject to certain conditions;

NOW, THEREFORE, the Ellensburg City Council do resolve as follows:

Section 1. The Ellensburg City Council makes the following findings of fact:

- A.** The rezone is in accordance with the comprehensive plan; and is in compliance with the decision criteria of Ellensburg City Code (ECC) 15.350.110, if developed in accordance with the conditions stated herein; and
- B.** The rezone will not adversely affect the public health, safety or general welfare; and
- C.** The rezone is not contrary to the best interest of the citizens and property owners of the city.

Section 2. The supplemental P-R rezone request involves the western 60 feet of the Northern 577.10 feet of property in the City of Ellensburg, in Kittitas County, Washington, shown

on Tax Map No. 17-18-03000-0004, commonly referred to as Kittitas County Assessor's Parcel ID #955943, and legally described as follows:

ACRES 4.57; PTN NE1/4 (PARCEL C, B41/P100); SEC 03, TWP 17, RGE 18PTN SOUTH ½ (B42/P83); SEC 28, TWP 18, RGE 18; City of Ellensburg, Kittitas Co., WA.

Section 3. The City of Ellensburg Supplemental P-R Rezone (P22-036) shall be allowed for development on the subject property in accordance with the following condition of approval, which shall apply to the applicant, and the applicant's heirs, successors in interest and assigns:

1. The applicant shall adhere to any requirements related to any future development approvals, including meeting all requirements of utility providers, City departments, state and federal agencies, and affected districts, as outlined in adopted City Codes and other regulatory documents.

Section 4. The Ellensburg City Council makes the following conclusions of law:

A. As conditioned, the proposed use is consistent with the intent, purposes and regulations of the Ellensburg City Code and Comprehensive Plan.

B. As conditioned, the proposal does conform to the criteria specified in Ellensburg City Code 15.310.050, pertaining to the supplemental P-R rezone.

C. As conditioned, this proposal does comply with Comprehensive Plan, the zoning code and other land use regulations, and SEPA.

D. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

Section 5. This resolution is the final decision of the City of Ellensburg upon this matter.

Section 6. Notice is hereby given that appeal of this legislative decision shall be barred unless a petition requesting review is filed in the Superior Court of the State of Washington and properly served within twenty-one (21) days after passage of this resolution in accordance with Chapter 36.70C of the Revised Code of Washington.

Adopted this 16th day of May, 2022.

MAYOR

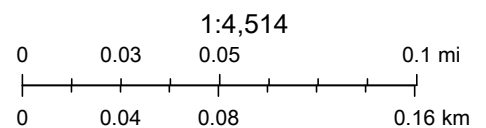
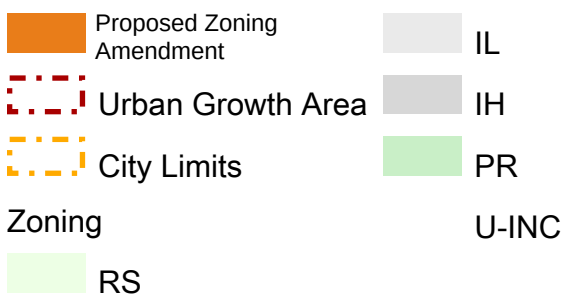
Attest: _____
City Clerk

EXHIBIT 1

Map of Proposed Rezone Parcel 955943

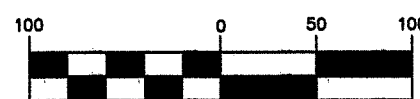


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GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

LEGEND

- SET 5/8" REBAR W/ CAP
— "CRUSE 36815"
- FOUND PIN & CAP
- x— FENCE

LEGAL DESCRIPTIONS

ORIGINAL PARCEL DESCRIPTIONS

PARCEL C OF THAT CERTAIN SURVEY RECORDED FEBRUARY 13, 2018, IN BOOK 41 OF SURVEYS AT PAGE 100, UNDER AUDITOR'S FILE NO. 201802130015, RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

AND

PARCEL 4 OF THAT CERTAIN SURVEY RECORDED JULY 15, 2020, IN BOOK 43 OF SURVEYS AT PAGE 2, UNDER AUDITOR'S FILE NO. 202007150025, RECORDS OF KITTITAS COUNTY, STATE WASHINGTON; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

NEW PARCEL DESCRIPTIONS

PARCEL C1

PARCEL C1 OF THAT CERTAIN SURVEY RECORDED SEPTEMBER __, 2021, IN BOOK 44 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202109 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF PARCEL C OF THAT CERTAIN SURVEY RECORDED FEBRUARY 13, 2018, IN BOOK 41 OF SURVEYS AT PAGE 100, UNDER AUDITOR'S FILE NO. 201802130015, RECORDS OF SAID COUNTY; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 17 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

PARCEL 4A

PARCEL 4A OF THAT CERTAIN SURVEY RECORDED SEPTEMBER __, 2021, IN BOOK 44 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202109 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF PARCEL 4 OF THAT CERTAIN SURVEY RECORDED JULY 15, 2020, IN BOOK 43 OF SURVEYS AT PAGE 2, UNDER AUDITOR'S FILE NO. 202007150025, RECORDS OF SAID COUNTY; BEING A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 17 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

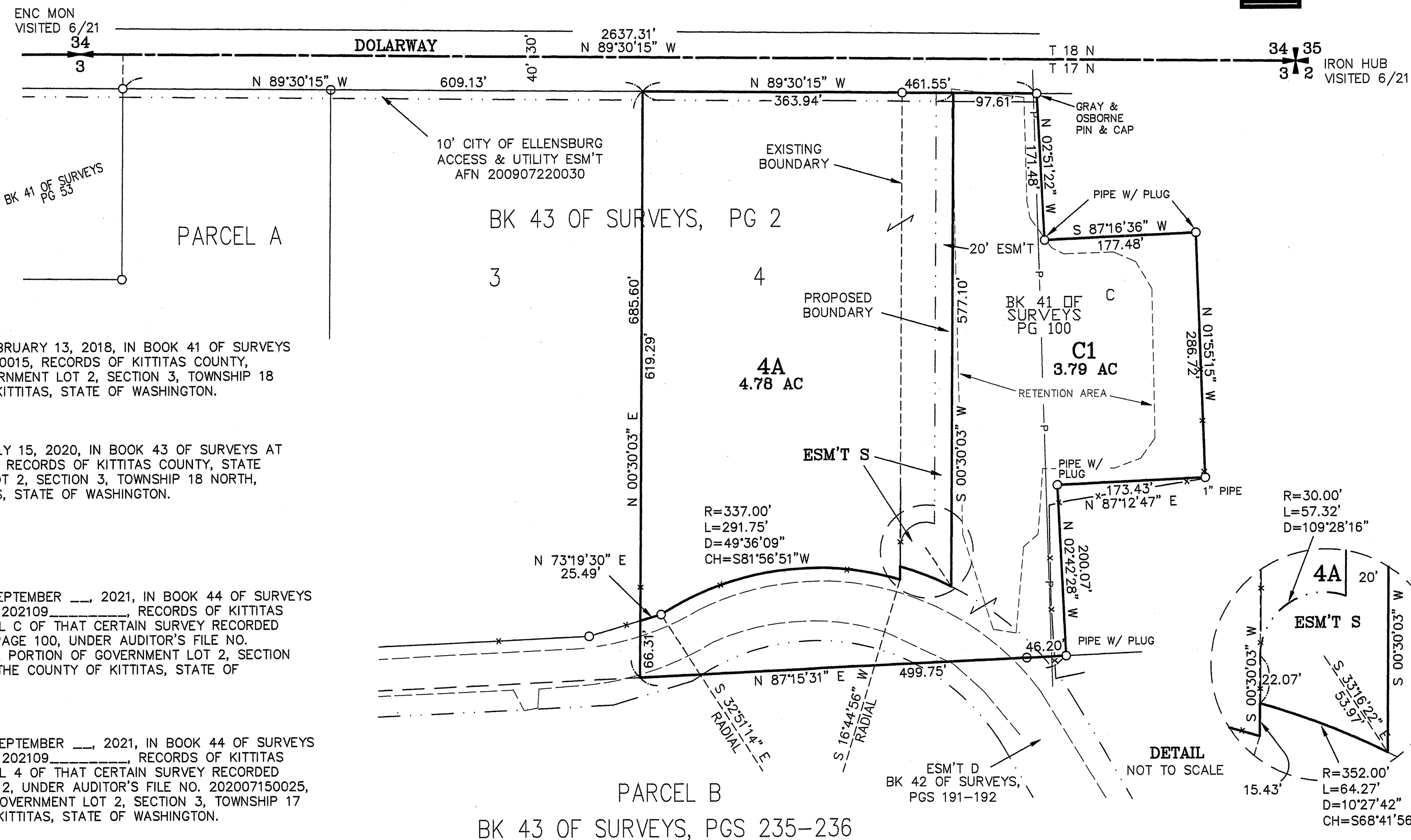
EASEMENT S

EASEMENT S AS DELINEATED ON THAT CERTAIN SURVEY RECORDED SEPTEMBER __, 2021, IN BOOK 44 OF SURVEYS AT PAGE __, UNDER AUDITOR'S FILE NO. 202109 __, RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON; BEING ACROSS A PORTION OF GOVERNMENT LOT 2, SECTION 3, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON; AFFECTING PARCEL 4A OF SAID SURVEY.

NOTES:

1. THIS SURVEY WAS PERFORMED USING A TOPCON GTS SERIES TOTAL STATION AND/OR SURVEY GRADE GPS. ACCURACY COMPLIES WITH THE REQUIREMENTS SPECIFIED IN WAC 332-130-080 AND 090.
2. THIS SURVEY MAY NOT SHOW ALL EASEMENTS OR IMPROVEMENTS WHICH MAY PERTAIN TO THIS PROPERTY.
3. FOR SECTION SUBDIVISION, CORNER DOCUMENTATION, BASIS OF BEARINGS AND ADDITIONAL INFORMATION, SEE BOOK 41 OF SURVEYS, PAGE 234 AND THE SURVEYS REFERENCED THEREON.
4. THIS PROPERTY IS LOCATED IN THE AO DEPTH 2 FLOOD ZONE ON FEMA FIRM MAP 530234 0001 C. AS SUCH, ANY FUTURE DEVELOPMENT MAY REQUIRE ADDITIONAL LAND USE PERMITS.
5. THE PURPOSE OF THIS SURVEY IS TO PROVIDE NEW PARCEL DESCRIPTIONS FOR A CITY OF ELLENSBURG BOUNDARY LINE ADJUSTMENT APPLICATION P-21-__

PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 18 EAST, W.M.



SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of CITY OF ELLENSBURG in JULY of 2021.

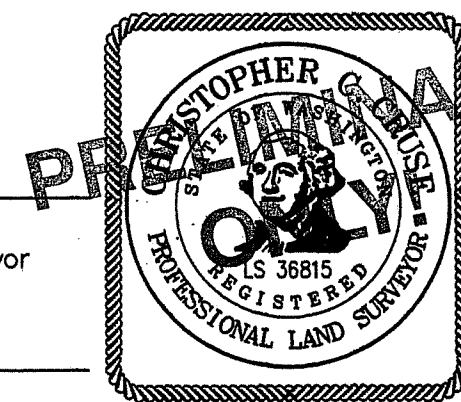
CHRISTOPHER C. CRUSE
Professional Land Surveyor
License No. 36815

DATE

AUDITOR'S CERTIFICATE

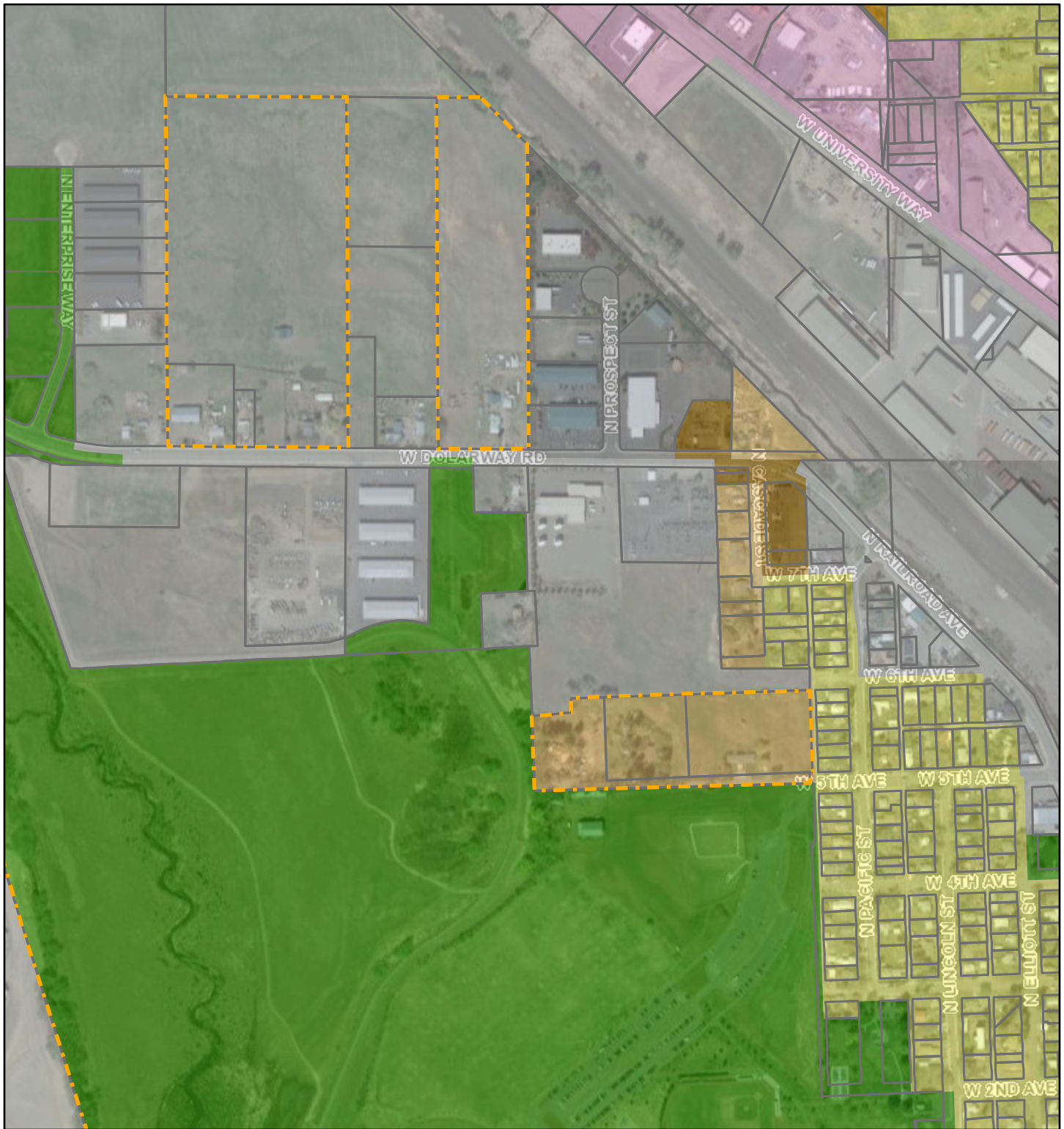
Filed for record this _____ day of _____, 2021, at _____ M., in Book 44 of Surveys at page(s) _____ at the request of Cruse & Associates.

JERALD V. PETTIT BY:
KITTITAS COUNTY AUDITOR



CRUSE & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
217 East Fourth Street P.O. Box 959
Ellensburg, WA 98926 (509) 962-8242
CITY OF ELLENSBURG/SOLAR DOLAR

EXHIBIT 3 Future Land Use Designation Map



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Urban Growth Area

City Limits

Future Land Use Designations

Parks and open space

Residential neighborhood

Blended residential neighborhood

Urban neighborhood

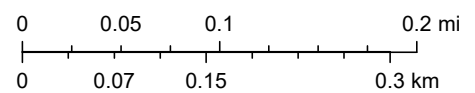
Neighborhood commercial

Light industrial

Heavy industrial

Public/institutional

Parks and open space



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EXHIBIT 4

ORDINANCE NO. 4627

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON AMENDING THE ELLENSBURG MUNICIPAL CODE relating to planning and amending the Comprehensive Plan adopted by Ordinance No. 3997 as last amended by Ordinance No. 4607 and set out in Chapter 3.32 of the Ellensburg City Code.

WHEREAS, the City Council has heretofore by adoption of Ordinance No. 3997, adopted that certain document, the title page of which reads “CITY OF ELLENSBURG FINAL PLAN/EIS – JULY 1995” as the official Comprehensive Plan for the City of Ellensburg; and

WHEREAS, the City Council has heretofore by adoption of Resolution 1997-10 and Ordinance No. 4116 as amended by Ordinance No. 4176, established a policy and procedure for the annual review of proposals to amend the Comprehensive Plan; and

WHEREAS, the City Council has heretofore by adoption of Ordinance No. 4474, adopted and substituted that document entitled “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” for the “City of Ellensburg Final Plan/EIS” bearing the same reference, and

WHEREAS, on July 2, 2012 the City Council reviewed all of the proposed Comprehensive Plan amendments for the 2012 annual amendment cycle and moved to docket proposed amendments 12-01 thru 12-22 and then forwarded the docketed amendments to the SEPA Responsible Official for SEPA review and to the Planning Commission for review and recommendation; and

WHEREAS, on August 10, 2012 the City Community Development Department mailed the required 60-Day Notice of Intent to Adopt Comprehensive Plan Amendments to the WA Department of Commerce, which notice was received by the Department of Commerce on August 15, 2012; and

WHEREAS, the SEPA Responsible Official reviewed a SEPA checklist, comments from agencies and the public, and other information in the record and issued a Determination of Non-Significance which became final on August 28, 2012 for the docketed 2012 Comprehensive Plan Amendments; and

WHEREAS, the Ellensburg City Planning Commission held public meetings on August 9th, August 23rd and September 13th, heard testimony in favor and against the proposed amendments, and after closing the public hearing moved to:

- recommend that City Council approve proposed amendments 12-01, 12-02 and 12-03 as originally submitted;
- recommended that City Council not approve amendments 12-04, 12-08, 12-10, 12-12, 12-13, 12-14, 12-15, 12-16, 12-18, 12-19, 12-20, 12-21, 12-22;
- recommend that City Council not approve amendment 12-05 as written, but do recommend approval with the following change:
 - 1) Change Comprehensive Plan Figure 4.9 designation to Central Commercial of the area encompassing the former Northern Pacific Depot and the north side 3rd Ave. from and including the Depot, to Kittitas St. to the depth of one parcel. All other language from the originally submitted amendment proposal is deleted.

- recommend that City Council approve amendment 12-06 with the following language change:
 “.....and the Northern Pacific railroad (now the Burlington Northern Santa Fe railroad).....”
- recommend that City Council not approve amendment 12-07 as written, but do recommend approval with the following language change:
 Add sentence to second full paragraph on the first page of the transportation section: "The Burlington Northern Santa Fe railroad, using the historic Northern Pacific right of way, continues to function as a significant corridor for exporting the region's products."
 All other language from the originally submitted amendment proposal is deleted.
- recommend that City Council not approve amendment 12-09 as written, but do recommend approval with the following language change:
 Amend the Non-Motorized Transportation Plan, Figure 3a, whereby a Depot to Downtown Bicycle trail would loop from the River to Rodeo Trail at Fifth & Wenas to the Depot to Ruby and back to Fifth Ave.
 All other language from the originally submitted amendment proposal is deleted.
- recommend that City Council not approve amendment 12-11 as written, but do recommend approval with the following language change:
 1. Add to the Land Use Chapter, Areas Warranting Special Handling (p. 45), and the paragraph following Downtown Historic District: "Closely linked to the Downtown Historic District is the historic Northern Pacific Depot at the end of the Third Ave. corridor. It has the potential to become a retail and cultural center and qualifies as an inter/multi-modal transportation hub. The city may devise strategies to facilitate this development."
 2. Add to the Transportation Chapter, Priority Projects (p. 124): "Northern Pacific Depot--Study measures necessary for using the historic depot as an inter/multi-modal transportation hub."
 All other language from the originally submitted amendment proposal is deleted.
- recommend that City Council not approve amendment 12-17 as written, but do recommend approval with the following language change:
 Add to Transportation Chapter, Goal T-6, C-1 (p. 112): Prepare corridor plans for Canyon Road, University Way and Third Ave., recognizing each corridor's unique qualities, opportunities and contributions to Ellensburg's character."; and

WHEREAS, the City Council held a public hearing on the matter of adopting the docketed 2012 Comprehensive Plan amendments at its Regular Meeting on October 1, 2012 and, after hearing public testimony both in favor and against adoption of the proposed amendments, Council entered into the public hearing record the Agenda Report for Council's October 1, 2012 Regular Meeting along with Attachments A thru I, J1 thru J22 prior to closing the public hearing, after which City Council determined that it is in the best interests of the City of Ellensburg that:

- City Council accepts the Planning Commission recommendations on all proposed 22 amendments;
- the historic downtown fire suppression system implementation project be added to the Comprehensive Plan's 6 Year Capital Improvement Plan; and,

WHEREAS, all portions of the "City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg's Next Legacy" shall remain in full force and effect except as specifically amended herein;

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

Section 1. (AMD #12-01) That document attached to this ordinance as Exhibit “A” and entitled CITY OF ELLENSBURG CAPITAL FACILITY PLANS 2012 is hereby adopted and incorporated by reference in the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” as an Appendix to Chapter 6 - Capital Facilities and Utilities.

Section 2. (AMD#12-02) Chapter 4 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is hereby amended to read as follows:

Amend Page 40 – the continued Institutional section as follows:

There are also several administrative offices and public services in the community. County facilities include the courthouse, jail and various support yards and shops. The Washington State Department of Transportation (WSDOT) maintains an operations yard in Ellensburg, and the United States Forest Service (USFS), Natural Resources Conservation Service (NRCS) and many other state and federal agencies maintain offices or facilities in town, including the Ellensburg School District and the Kittitas County Public Hospital District No. 1 that owns and operates the Kittitas Valley Community Hospital and several physician clinics.

Amend Page 43 – Institutional demand section as follows:

Institutional

Central Washington University, Kittitas Valley Community Hospital, the Kittitas County facilities, Ellensburg’s parks, and the various schools and offices of the Ellensburg School District are some of the community’s most visible institutions. There are other institutions, however, that are also important in establishing and maintaining the sense of community Ellensburg residents treasure; these include the library, the food bank, houses of worship, the post office, and other non-profit or government-sponsored institutions. As Ellensburg grows, land and resources will need to be dedicated to each of these uses to ensure the new residents can enjoy the same level of service that current residents do. In addition, provisions need to be made in the City zoning code to enable these public/institutional properties to revert to non-public/institutional uses when the need arises.

Amend Table 4.2 pertaining to the Implementing Zones for Comp Plan designations Open Space and Public/Institutional as follows:

P-R or per Zoning Code.

Amend Page 50 Public/Institutional discussion as follows:

Open Space (OS) – The open space designation applies to large tracts of undeveloped or undevelopable land dedicated to recreation or its natural condition. It should be noted, however, that over time there may be a need for such open space uses to cease on such properties and it is both expected and appropriate for such properties to be able to revert back to non-open space uses in a manner that minimizes impacts to the surrounding neighborhood or development pattern.

Public/Institutional (PI) – Public and institutional uses, including hospitals, treatment centers, city offices, schools, parks, and churches populate this land use designation. The designation is applied to parcels of land now owned by public or private institutions entities or otherwise and are limited to open space or institutional use. It should be noted, however, that such Public/Institutional uses may over time cease on such properties and it is both expected and

appropriate for such properties to be able to revert back to non-public/institutional uses in a manner that minimizes impacts to the surrounding neighborhood or development pattern.

Amend Figure 4.9 – Preferred Land Use Designation Map to add additional implementing zone language to the Open Space and Public/Institutional Designations as follows:

Open Space P-R, or per Zoning Code

Public/Institutional P-R, or per Zoning Code

Amend Goal LU-1, Policy B by adding a new program #10

Goal LU-1 - Achieve a harmonious, compatible arrangement of all land uses

B Recognize importance of land use Interrelationships

10 Adopt zoning regulations that enable public/institutional zoned properties to convert to non-public/institutional zoning designations that are compatible with the surrounding neighborhood and development pattern or to non-public/institutional zoning designations that may be different from the surrounding neighborhood and development pattern provided that any identified negative impacts to that surrounding neighborhood or development pattern have been addressed through appropriate mitigation

Section 3. (AMD #12-03) Chapter 8 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Amend page 219 Economic Development Goals and Policies as follows:

Economic Development Goals and Policies

This chapter provides one (1) preferred economic development scenario and vision that reflects comments and determinations made during this plan update process. Ellensburg citizens are most concerned with the provision of jobs in the community and with the City’s ability to continue providing services to maintain the community’s quality of life. Residents want to be able to earn more per household to be able to afford to buy into the community’s housing market, and they want to be able to earn enough to be able to stay in-town. Residents also want to be able to shop in Ellensburg and enjoy the economic benefits that an increased retail tax base would provide.

While it is nearly impossible to predict what specific businesses will develop in the community, it is possible to create an environment that encourages the types of enterprises the community would like to see. These economic development goals, policies and programs are designed to work in concert with the plan’s other elements to help stimulate a productive and sustainable economic development environment.

In addition, the City has adopted an Energy Efficiency and Conservation Strategy (EECS) that contains a number of goals related to the City’s continued efforts to reduce overall energy consumption, thereby fostering cost savings, economic development, and long term sustainability. That EECS is hereby incorporated by reference in the Comp Plan.

The following table provides the goals, policies and programs that will help the City implement its Economic Development strategies. The programs are intended to be specific and task-oriented, allowing the City Council and City Manager to assign responsibility to various staff members or

commissions for completion. Systematic undertaking and completion of the various programs will ensure that policies are implemented and will help achieve plan goals.

Add New Goal ED 8 as follows:

Goal ED-8 – Foster resource sustainability and economic development through energy efficiency and the use of renewable energy.

Policy A – Maintain City leadership role in energy conservation and renewable energy production.

Program 1 – Maintain electric and gas utility conservation and weatherization programs for industrial, commercial and residential customers.

Program 2 – Continue to make energy-saving improvements to city buildings and infrastructure.

Program 3 – Continue to develop solar, wind and other generating capacity at the Community Renewables Park

Policy B – Ensure City codes and policies foster energy conservation and the production of renewable energy.

Program 1 – Streamline permitting processes to enable implementation of sustainable building practices.

Program 2 – When drafting policy, consider the impact on energy efficiency, conservation and renewable energy production.

Policy C – Create community-wide opportunities for energy conservation and renewable energy production.

Program 1 – Encourage and consider opportunities to partner with local businesses, educational institutions, and other local partners to conduct workshops and community action campaigns.

Program 2 – Consider providing incentives and flexibility in permitting to encourage conservation and use of renewable energy technologies.

Program 3 – Provide technical assistance to local businesses and residents who wish to implement conservation and renewable energy and waste reduction technologies and strategies.

Policy D – Maximize the benefits of existing Tier 1 power pricing.

Program 1 – Consider alternative pricing strategies to provide additional incentive to conserve or shift energy, specifically during periods of peak demand.

Section 4. (AMD #12-05) Chapter 4 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Amend Comprehensive Plan Figure 4.9 to indicate a designation of Central Commercial for the area encompassing the former Northern Pacific Depot and the north side of 3rd Ave. from and including the Depot, to Kittitas St. to the depth of one parcel.

Section 5. (AMD #12-06) Chapter 5 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Existing Transportation System

The community originally developed along the Canyon Road and University Way corridors and the Northern Pacific railroad (now the Burlington Northern Santa Fe railroad) and the railroad, establishing a grid system of streets. The grid continued to spread outward, with municipal plat additions emulating the original street patterns. That street system is characterized by relatively wide rights-of-way with alleys serving the rear of lots. It is a classic Victorian era subdivision pattern, replicated in hundreds of Western towns founded in the age of the railroad.

Section 6. (AMD #12-07) Chapter 5 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” is amended as follows:

Chapter 5 Transportation

This chapter outlines how the City’s transportation system can help achieve the plan’s goals. The transportation system ensures reliable movement of goods and people, provides access to property, and occupies almost 20% of the community’s land area. It provides a critical urban function and creates a public realm where Ellensburg’s people move, meet, and mingle. This chapter’s goals, policies and programs will help the City manage and, in some ways, transform its transportation system to meet the community’s needs.

Ellensburg lies along Interstate 90, just west of the freeway’s intersection with Interstate 82. Since its completion in the 1970’s, I-90 has had a huge impact on the community, spurring intense development interest at the interchanges and increasing Ellensburg’s prominence as a tourist and visitor stopping point. The two state highways (now Canyon Road and University Way) that had earlier been Ellensburg’s connections to the region have developed as community retail and service corridors. The Burlington Northern Santa Fe railroad, using the historic Northern Pacific right of way, continues to function as a significant corridor for exporting the region’s products.

Section 7. (AMD #12-09) The City of Ellensburg Non-Motorized Transportation Plan is amended as follows:

Figure 3a is amended to include a Depot to Downtown Bicycle trail that loops from the River to Rodeo Trail at Fifth & Wenas to the Depot to Ruby and back to Fifth Ave.

Section 8. (AMD #12-11) Chapters 4 and 5 of the “City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg’s Next Legacy” are amended as follows:

Page 45

Downtown Historic District (2) – The Downtown Historic District has been Ellensburg’s primary focus since the town’s founding. It is unique, and it is a source of tremendous community pride. The downtown’s rapid and enduring reconstruction after the 1889 fire has become an

enduring symbol of Ellensburg's collective will and sense of accomplishment. Like many other traditional downtown shopping districts, Ellensburg's is in transition. Its importance as a regional retail, services, cultural and institutional center is shifting. Though it still retains the county courthouse, many museums, a library, and abundant general retail and office uses, its popularity among shoppers appears to be on the decline. The distance between new homes and existing commercial and institutional services is growing, leaving many residents car-dependent. Closely linked to the Downtown Historic District is the historic Northern Pacific Depot at the end of the Third Ave. corridor. It has the potential to become a retail and cultural center and qualifies as an inter/multi-modal transportation hub. The city may devise strategies to facilitate this development.

Page 124

Priority Projects: Preferred Scenario

Northern Pacific Depot--Study measures necessary for using the historic depot as an inter/multi-modal transportation hub.

Section 9. (AMD #12-17) Chapter 5 of the "City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg's Next Legacy" is amended as follows:

Page 119

Goal T-6, C-1

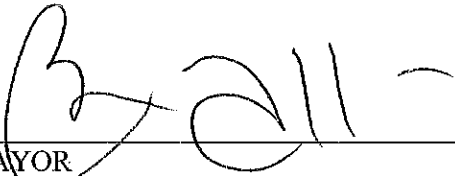
Prepare corridor plans for Canyon Road, and University Way and 3rd Avenue, recognizing each corridor's unique qualities, opportunities, and contributions to Ellensburg's character

Section 10. All portions of the "City of Ellensburg Comprehensive Plan: Vision and Path, Ellensburg's Next Legacy" shall remain in full force and effect except as specifically amended herein.

Section 11. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 12. This ordinance shall take effect and be in full force five (5) days after publication of a summary, consisting of the title.

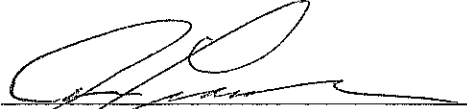
The foregoing ordinance was passed and adopted at a regular meeting of the City Council this 19 day of Nov., 2012.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Publish: 11-23-12

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4627 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4627 was published as required by law.

COREEN M. RENO, CMC

TABLE CP-1 LONG-RANGE CAPITAL PLANS 2013-2030						
Page 1	WATER	SEWER	SHOP	GAS	ELECTRIC	PARKS & REC
1st 6 Years	<u>Amount:</u> \$7.75 mm	<u>Amount:</u> \$3.95 mm		<u>System Expansion</u> \$0.38mm	<u>Line Extensions to New Developments</u> \$1.4mm	<u>Existing Park & Rec. Facility Improve.</u> \$1.0-mm
	<u>Source:</u> Utility Rev. Bonds	<u>Source:</u> Utility Rev. Bonds		<u>System Upgrade</u> \$0.165mm	<u>Feeder Improvements</u> \$1.9mm	
				<u>Developments</u> \$0.472mm	<u>CWU</u> \$0.05mm	
				<u>Northern Feeder</u> \$0.83mm	<u>Road Relocation</u> \$0.30mm	<u>Rotary Park Park and Trails</u> \$0.50mm
	<u>CBD Fire Main Extensions</u> \$0.5mm			<u>High Pressure Line</u> \$8.34mm	<u>Substation Improvement</u> \$2.7mm	
2013	<u>Source:</u> CERB Grants CDBG Grants Private Development or Councilmanic			<u>New Tap Station</u> \$0.86mm		<u>John Wayne Trail</u> \$2.3mm
thru				<u>New City Gate Station</u> \$0.47mm		
2018				<u>Regulator Stations</u> \$0.60mm	<u>Solar/Wind</u> \$0.2mm	<u>New Park Acquisition</u> \$0.4 mm
				<u>Source:</u> Operating Capital Private Development Utility Revenue Bonds	<u>Conservation</u> \$0.6 mm	<u>New Senior/Recreation Center Building</u> \$3.0 mm
					<u>Source:</u> Utility Rev. Bonds Operating Capital Private Development Private Grants, BPA	<u>Yakima River Trail</u> \$0.75mm
						<u>Source:</u> Impact Fees; IAC Grants; Land Sale; Risk Mgmt.; Sales Tax Rev.; Donations; G.O. bonds; Councilmanic; Inter-jurisdictional Cost Share; or Private Development
2nd 6 Years	<u>Amount:</u> \$2.70 mm	<u>Amount:</u> \$3.85 mm	<u>Expansion</u> \$0.25 mm	<u>Regulator Station</u> \$0.85mm	<u>Line Extensions to New Developments</u> \$1.3mm	<u>Two New Parks</u> \$1.00 mm
	<u>Source:</u> Utility Rev. Bonds	<u>Source:</u> Utility Rev. Bonds	<u>Source:</u> Rent Revenue	<u>New Distribution Pipeline</u> \$0.825mm	<u>Feeder Improvements</u> \$1.3mm	<u>Source:</u> Impact Fees; IAC Grants; Land Sale; Risk Mgmt.; Sales Tax Rev.; Donations G.O. Bonds; or Councilmanic
				<u>System Expansions</u> \$0.60mm	<u>CWU</u> \$0.03mm	
				<u>System Upgrades</u> \$0.15 mm	<u>Road Relocation</u> \$0.30mm	
				<u>Developments</u> \$1.0 mm	<u>Substation Improvement</u> \$0.68mm	
2019				<u>Source:</u> Operating Capital Private Development Utility Revenue Bonds		
thru					<u>Solar/Wind</u> \$0.2mm	
2024					<u>Conservation</u> \$0.6 mm	
					<u>Source:</u> Utility Rev. Bonds Operating Capital Private Development Private Grants, BPA	
3rd 6 Years			<u>Expansion</u> \$2.55 mm	<u>New Distribution Pipeline</u> \$0.6 mm	<u>Line Extensions to New Developments</u> \$0.94mm	<u>Two New Parks</u> \$1.00 mm
			<u>Source:</u> Rent Revenue	<u>System Expansion</u> \$0.5mm	<u>Feeder Improvements</u> \$0.47mm	<u>Source:</u> Impact Fees; IAC Grants; Land Sale; Risk Mgmt.; Sales Tax Rev.; Donations G.O. Bonds; or Councilmanic
				<u>System Upgrades</u> \$0.25mm	<u>CWU</u> \$0.03mm	
				<u>Developments</u> \$0.75mm	<u>Road Relocation</u> \$0.30mm	
2025				<u>Source:</u> Operating Capital Private Development	<u>Substation Improvements</u> \$0.61mm	
thru					<u>Solar/Wind</u> \$0.2mm	
2030					<u>Conservation</u> \$0.6mm	
					<u>Source:</u> Utility Rev. Bonds; Operating Capital; Private Dev.; Private Grants, BPA	

TABLE CP1 (As amended 12/3/2012, Ord. No. 4627)

TABLE CP-1 LONG-RANGE CAPITAL PLANS					
Page 2	LIBRARY	STREET	POLICE	PUBLIC FACILITIES	INFORMATION TECHNOLOGY
1st 6 Years	Parking Lot Improvements \$0.35 mm Source: Councilmanic, Sales Tax Rev., Rent Rev., Sidewalk Imp. Dist., or Hal Homes Trust	Amount \$43.6mm (Local - \$2.3mm) Source: Grants; Gas Tax; Local; Sales Tax; G. O. Bonds; or Councilmanic West Ellensburg Flood Control Project \$2.10 mm Source: Grants; G.O. Bonds or Councilmanic	Update/Remodel Public Safety Building \$1.0 mm Source: Inter-jurisdictional cost sharing; General Fund; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic Police Firing Range \$1.8 mm - 3.0 mm Source: Grants; G.O. Bonds or Councilmanic	City Hall Re-Roof \$0.25 mm Source: Grants; General Fund; G.O. Bonds or Councilmanic	Desktop Systems \$0.30 mm Network Systems \$0.30mm GIS System \$0.5 mm Permitting System \$0.10 mm Electronic Security \$0.50mm Source: General Fund; Utility Operating Capital; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic
2nd 6 Years		Amount \$49.1mm (Local - \$2.5mm) Source: Grants; Gas Tax; Local; Sales Tax; G. O. Bonds; or Councilmanic Wilson Creek Flood Control Project \$8.90 mm Source: Grants; Local; Sales Tax; G.O. Bonds or Councilmanic			Desktop Systems \$0.30 mm Network Systems \$0.30mm GIS System \$0.2 mm Permitting System \$0.10 mm Source: General Fund; Utility Operating Capital; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic
3rd 6 Years		Amount \$55.3mm (Local - \$2.8mm) Railroad Overpass \$30.0mm University Way/BNSF Overpass Structure Replacement/Widening \$20.0mm Source: Grants; Gas Tax; Local; Sales Tax; G. O. Bonds or Councilmanic			Desktop Systems \$0.30 mm Network Systems \$0.30mm GIS System \$0.2 mm Permitting System \$0.10 mm Source: General Fund; Utility Operating Capital; Impact Fees; G.O. Bonds; Voter Approved Bonds; or Councilmanic

TABLE CP1 (As amended 12/3/2012, Ord. No. 4627)

EXHIBIT 5

DOYLE, LEONARD G
1405 W DOLARWAY RD
ELLENSBURG, WA 98926-9314

SOLAR DOLAR LLC
1410 W DOLARWAY ROAD STE 301
ELLENSBURG, WA 98926

SUN LAKES PROPERTIES LLC
1206 N DOLARWAY STE 206
ELLENSBURG, WA 98926

LARSON, DALE E ETUX
1316 W DOLARWAY RD
ELLENSBURG, WA 98926

MCCULLUGH, JEFFREY D
1314 W DOLARWAY RD
ELLENSBURG, WA 98926

WEEKS, ISABELLE B TRUSTEE
1315 W DOLARWAY RD
ELLENSBURG, WA 98926-9324

CITY OF ELLENSBURG CITY HALL
501 N ANDERSON ST
ELLENSBURG, WA 98926-3147

DIRECTV INC ATTN PROPERTY TAX DEPT
1010 PINE ST, 9E-L-01
SAINT LOUIS, MO 63101-2070

BARTON, JEROLD D & DIANE
1501 W DOLARWAY RD
ELLENSBURG, WA 98926-9313

P22-036
CERTIFICATE OF TRANSMITTAL

On this day, the undersigned sent to
the addressee(s) the original
document(s) by U.S. Mail.

I certify under penalty of perjury
under the laws of the State of WA
that the forgoing is true and correct.

Date

Signed

3/23/22

Alicia Wins



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

Land Use Permitting (509) 962-7231

Construction Permitting (509) 962-7239

Kirsten Sackett, Director

Phone: (509) 962-7232 Fax: (509) 925-8655 E-Mail: sackettk@ci.ellensburg.wa.us

March 24, 2022

RE: Notice of Application and Open Record Public Hearing for a Type V Supplemental P-R Rezone, Case # P22-036, submitted by City of Ellensburg, Property Owner

Dear Property Owner,

Notice is hereby given that the City of Ellensburg is processing a rezone for the following project that may be of interest to you. As a property owner within three hundred feet (300') of this proposal you are invited to comment on it.

Date of application: March 18, 2022

Date of notice of complete application: March 21, 2022

Comments due date: April 13, 2022

Project Applicant: Submitted by City of Ellensburg, Property Owner.

Project Description: Case # P22-036; a Type V Supplemental P-R Rezone from Public Reserve (P-R) to Light Industrial (I-L). The City of Ellensburg is proposing a rezone of P-R property which is no longer used for public purposes as per Ellensburg City Code (ECC) 15.310.050(D).

NOTICE IS HEREBY GIVEN that an **Open Record Public Hearing** has been scheduled before the Ellensburg Planning Commission for **Thursday, April 14, 2022 at 5:45 pm** to consider Rezone Application, P22-036. The hearing will be held both remotely via Zoom and in Council Chambers for those wishing to attend in person.



Project Location: The parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in the City of Ellensburg, in Kittitas County, Washington, Kittitas County Assessor's tax parcel ID 955943, as seen in the map above.

Materials Available for Review: The submitted application and file documents may be examined by the public by visiting the **City of Ellensburg Community Development Department webpage** at <https://www.ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>

Written Comments: The public is encouraged to review and comment on the proposed project. **Comments must be submitted in writing by 5:00 pm on Wednesday, April 13, 2022 by either:**

Mail delivery postmarked by the deadline, addressed to:

- 1) City of Ellensburg Community Development Department
501 N Anderson Street, Ellensburg, WA 98926 or
- 2) Via email by 5:00 pm on the deadline, to the staff contact listed below

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the Hybrid meeting by contacting Staff no later than 5:00 pm on Wednesday, April 13, 2022. An email link, or phone number will be provided which will allow for electronic participation in the public hearing.

Staff contact: Shannon Johnson, Senior Planner. Email: johnsons@ci.ellensburg.wa.us

Sincerely,



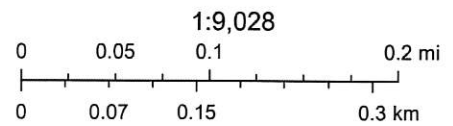
Shannon D. Johnson
Senior Planner

eburg map



3/21/2022, 1:01:07 PM

- Urban Growth Area
- City Limits



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

EXHIBIT 6

AFFIDAVIT OF PUBLICATION

RECEIVED

MAR 30 2022

State of Washington, County of Kittitas, ss: The undersigned being first duly sworn on oath, deposes and says: That he/she is the representative of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the County in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

CITY OF ELLENSBURG-CITY CLERK
N/PUBLIC HEARING P22-036

is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

03/24/22

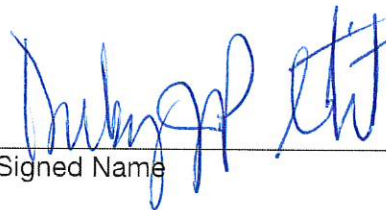
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$158.15 the rate of \$8.80 per column inch for each insertion.



Subscribed to me this date: 03/24/22



Printed Name _____
Notary Public in and for
The State of Washington
(SEAL)



Signed Name

Legals

Public Notice
Kittitas County, Ellensburg WA

STATEMENT OF QUALIFICATIONS

ARCHITECTURAL DESIGN WITH CIVIL SITE DEVELOPMENT SERVICES SUPPORTING KITTITAS COUNTY SEARCH AND RESCUE OPERATIONS AND EMERGENCY MANAGEMENT OPERATIONS FACILITY DEVELOPMENT IN CLE ELUM, WASHINGTON

All submittals received after April 1, 2022, at 5:00 PM local time will be discarded.

PURPOSE:

Siting of a permanent facility supporting the Sheriff's Office Search and Rescue Program and Emergency Management Operations.

SCOPE OF PROJECT:

The selected consultant will provide engineering and architectural design services supporting site development including: water, sewer, access, building, site security and storage areas.

PROCEDURES FOR SUBMITTAL:

If you wish to be considered for work under this Statement of Qualifications (SOQ), you must be a registered consultant on the Municipal Research and Service Center of Washington - Shared Small Works and Consultant Roster (www.mrscwa.org).

If interested in providing engineering and architectural design support services to the County, submit a sealed envelope to Mark R. Cook, Kittitas County Public Works Director at 411 N. Ruby St. Suite 1, Ellensburg WA 98926. Submittals shall include three copies of your SOQ response pursuant to response requirements stated in this solicitation.

For your records, the County will provide a confirmation email to the contacts provided in the submittal confirming receipt of your interest in the proposal. Submittals received after April 1, 2022, at 5 PM local time will be discarded. The County reserves the right to reject one or more submittals.

SELECTION PROCESS AND PROPOSED SCHEDULE:

Kittitas County selection will be based on:

1. Response to this solicitation's scoring criteria.
2. Consensus for selection by members of the selection committee (two members from the Sheriff's Office and one member from Public Works).

The selection process shall be in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit statements in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Award Timeline:

Anticipated Dates and Tasks:

- April 1, 2022 - Deadline for SOQ submittals
- April 15, 2022 - Selection of Firms to Interview
- April 27, 2022 - Interviews and Reference Checks
- May 3, 2022 - Selection of firms and prepare contracts
- May 17, 2022 - BOCC Award of Contracts

The above noted schedule is tentative and may be changed based on the number of proposals submitted. Proposals will be evaluated immediately with final selection targeted for May 3, 2022.

AGREEMENT OF SERVICES:

The selected consultant(s) will be expected to enter into a standard Kittitas County Professional Services Agreement. Insurance requirements are included in that agreement. The contract period shall be mid May 2022 to March 31, 2023. Bid, ready construction documents will be delivered on or before, 5 PM local time on March 31, 2023.

Persons with disabilities may request this information be prepared and supplied in alternate forms by calling collect (509-962-7523).

Kittitas County reserves the right to accept or reject one or more statements or any items or part thereof or to waive any information or irregularities in the provided response. Kittitas County shall have the sole discretion to determine the most responsible responder.

CONSULTANT SOQ SCORING CRITERIA:

1. Demonstrate a thorough knowledge of Search and Rescue Operations and Emergency Management Operations and associated dispatch issues: 30 points.
2. Team demonstrated experience in delivering metal skin building and out-building design: 30 points
3. Demonstrated experience delivering PS&E packages supporting site construction: 30 points.
4. Experience delivering similar projects on time and on budget: 30 points.

INQUIRIES:

Direct all inquiries regarding this Statement of Qualifications to Mark Cook, Director of Public Works, at (509) 962-7523, or via e-mail at mark.cook@co.kittitas.wa.us.

More information is online at <http://www.co.kittitas.wa.us/notices/>.

Mandy Bushholz
Clerk of the Board-Deputy

PUBLISH: North Kittitas County Tribune: March 10, 17, & 24, 2022

PUBLISH: Daily Journal of Commerce: March 10, 17, & 24, 2022

PUBLISH: Daily Record: March 10, 17, & 24, 2022 / LEGAL #: 211715

Legals

CITY OF ELLENSBURG PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
FOR SUPPLEMENTAL P-R REZONE
(P22-036)

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on Thursday, April 14, 2022 during its regular meeting at 5:45 pm, held both in person in the Council Chambers AND virtually via Zoom, to consider a Type V rezone application.

The Commission shall consider the application for a Supplemental P-R Rezone from P-R to I-L, Submitted by City of Ellensburg. The City is proposing a rezone of P-R property which is no longer used for public purposes as per Ellensburg City Code (ECC) 15.310.050(D).

Permit application: March 18, 2022
Determination of completeness: March 21, 2022
Notice of application: March 24, 2022
Comment due date: April 13, 2022

The parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in the City of Ellensburg, in Kittitas County, Washington. Assessor's tax parcel ID 955943.

Materials Available for Review: The submitted application and file documents may be examined by the public by visiting the City of Ellensburg Community Development Department webpage at <https://www.ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>.

Written Comments from interested persons will be accepted by email up until 5:00 p.m. on April 13, 2022 by sending them to johnson@ci.ellensburg.wa.us. Written comments sent via USPS must arrive by the same deadline.

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926.

Staff contact: Shannon Johnson, Senior Planner.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in the REMOTE meeting by contacting Staff no later than 5:00 pm on Wednesday, April 13. An email link, or phone number will be provided which will allow for electronic participation in the public hearing.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-8514.

PUBLISH: Daily Record: March 24, 2022 / LEGAL #: 216983

CITY OF ELLENSBURG PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
LAND DEVELOPMENT CODE AMENDMENTS

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on Thursday, April 14, 2022 during its regular meeting at 5:45 pm, held both in person in the Council Chambers AND virtually via Zoom. The purpose of the public hearing is to consider proposed amendments to the Ellensburg City Code (ECC), with a focus on updating Chapter 15 (Land Development Code) for alignment with various goals of the Comprehensive Plan.

The proposed amendments include: adding two new mixed-used zoning districts, elimination of the Commercial Tourist zoning district, revision of certain zoning district boundaries, new and revised definitions, and updates to the permitted use categories in the land use chart.

Copies of the proposed amendments and related documents are available for review at the City of Ellensburg Community Development Offices located at 501 North Anderson Street, Ellensburg, WA, and are also available online through the department webpage at <https://www.ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>.

NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place to provide verbal and written testimony during the hearing, or written comments may be filed with the Ellensburg Community Development Department at 501 North Anderson Street, or via email to sackel@ci.ellensburg.wa.us, prior to 5:00 pm April 14, 2022. Those wishing to attend the meeting remotely may do so by contacting staff to receive an email link or phone number to participate in the public hearing.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-8514.

PUBLISH: Daily Record: March 24, 2022 / LEGAL #: 217399

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EXHIBIT 7



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St, Ellensburg WA 98926

Land Use Permitting (509) 962-7231 Construction Permitting (509) 962-7239

Kirsten Sackett, Director

Phone: (509) 962-7232 Fax: (509) 925-8655 E-Mail: sackettk@ci.ellensburg.wa.us

AFFIDAVIT OF POSTING

The Ellensburg City Code requires that all Type IV Projects (such as site-specific Rezones) shall have a notice posted at the site of the project. Per ECC 15.220.050, the following shall apply:

1. The posting of a weather-resistant sign posted on the subject property, visible to members of the public who may be passing on nearby public rights-of-way, and free from obstructions.
2. If the project abuts more than one public right-of-way, more than one sign may be required as determined by the responsible official.
3. The responsibility for the posting of the sign shall be upon the project applicant.
4. The sign shall be at least two feet by three feet in size, have a written description of the proposal, include a site drawing which shows the proposed project, have the date listed when comments are due, and where comments are to be mailed.

DATE: March 28, 2022	PLANNER: Jamey Ayling, Planning Manager
PROJECT NAME: Rezone of Parcel 955943, from P-R to I-L	FILE NUMBER: P22-036

PLEASE COMPLETE THE FOLLOWING:

I, _____, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Ellensburg City Code. I understand that the that the posting period begins immediately and ends after the ending of the appeal period on the final decision by the City Council and the sign(s) will be posted at the site until this time. **Please post the site and return this form to the Community Development Department in a timely manner.**



Signature

3-28 20 22

Date

Please return the above affidavit and a photograph of the posted sign(s) to Jamey Ayling, Planning Manager, by email: aylingj@ci.ellensburg.wa.us; mail; or deliver to: Community Development Dept., City Hall, 501 N. Anderson St., Ellensburg, WA 98926.





CITY OF ELLENSBURG

Public Works Department
501 North Anderson Street; Ellensburg, WA 98926
Ph: (509) 962-7230 Fax: (509) 962-7127

Memorandum

Date: October 22, 2021

To: Laura Wilson, Planner

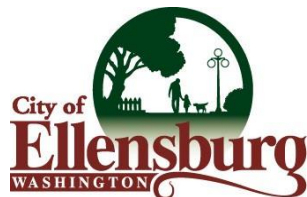
From: Craig Jones, Development Coordinator *CJ*

Thru: Derek Mayo, City Engineer *DM*

Re: Solar Dolar-COE BLA – P21-130

The Public Works Department has no direct comment at this time on the shifting of the boundary lines on the two parcels along Dolarway Road. There are water and sewer mains available in Dolarway Road as needed. Public Works will comment on all future development of the property at time of development. Future land use actions or construction may trigger additional easements or right of way dedications along with utility and street improvements.

Cc: File 21-027



CITY OF ELLENSBURG

City Light Department

501 North Anderson Street; Ellensburg, WA 98926

Ph: (509) 962-7124 Fax: (509) 925-8662

www.ci.ellensburg.wa.us

Memorandum

Date: November 2nd, 2021

To: Laura Wilson, Office of Community Development

From: Tyler Goeden, Project Engineer

Re: P21-130 Solar Dolar COE BLA

The following are the City of Ellensburg Electric Utility (City Light) comments for the P21-130 Solar Dolar COE BLA, located at 1402 W. Dolarway.

Electric:

There currently are no City owned empty conduits or vaults at this site to serve the site with any power. There is an existing 4" conduit with single phase high voltage underground distribution cable in it along the north frontage of the applicants property though. If the applicant of the BLA has plans for any development at this site that requires power, the applicant is required to contact City Light ASAP to come up with a plan for power. Any modifications or additions to City Light's electrical system is at applicants expense.

EXHIBIT 9



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

**State Environmental Policy Act (SEPA)
FINAL DETERMINATION OF NON-SIGNIFICANCE (DNS)**

Proponent: Jamey Ayling

Location: The entirety of this 4.57 acre parcel is located on the south side of West Dolarway Road between North Prospect Street and North Enterprise Way in Ellensburg, Washington.

Description: Case # P21-150; a SEPA Environmental checklist for the proposed non-project rezone of a portion of parcel ID #955943, that currently has split zoning designations of Light Industrial and Public Reserve.

Lead Agency: City of Ellensburg

File #: P21-150

The lead agency for this proposal has determined that the proposed rezone does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the lead agency. This information is available to the public upon request.

This **Determination of Non-Significance (DNS)** is issued under WAC 197-11-355; There is no further comment period on the DNS. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action on the grounds of noncompliance with the provisions of Chapter 43.21C RCW shall be made to the Hearings Examiner within 14 days of this decision.

Responsible Official: Kirsten Sackett
Title: Community Development Director
Address: City of Ellensburg
Community Development Dept.
501 N. Anderson St.
Ellensburg WA 98926
Phone: (509) 962-7232 Fax: (509) 925-8655

Date: Jan. 10, 2022 **Signature:** Kirsten Sackett

Appeals: Following the issuance of this DNS, is a 14-day appeal period. Pursuant to ECC 15.270.200, appeals must be submitted as required by the City of Ellensburg's administrative appeal procedures for Type II permits per ECC 15.230.040(B), and shall be made to the Hearing Examiner and meet all requirements contained in Chapter 15.230 ECC.



Land Use Application Cover Sheet


Community Development Department

501 N. Anderson, Ellensburg, WA 98926

(509) 962-7239 (Building) permits@ci.ellensburg.wa.us (509) 962-7231 (Planning) comdev@ci.ellensburg.wa.us

INSTRUCTIONS – PLEASE READ FIRST AND ANSWER ALL QUESTIONS COMPLETELY.

If you have any questions about this form or the application process, please ask to speak with a planner. All necessary attachments and the filing fee are required upon submittal. Filing fees are not refundable. This application consists of two parts. PART I - GENERAL INFORMATION and PART II, project descriptions and site plan contain additional information specific to your proposal and all required information MUST be attached to this page to complete the application process.

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	City of Ellensburg							
	Mailing Address:	501 N Anderson Street							
	City:	Ellensburg	St:	WA	Zip:	98926	Phone :	(509) 925-8653	
	E-Mail:								
2. Applicant's Interest in Property:	Check One:	☒ Owner	☐ Agent	☐ Purchaser	☐ Other				
3. Property Owner's Information (If other than Applicant):	Name:	City of Ellensburg							
	Mailing Address:	501 N. Anderson Street							
	City:	Ellensburg	St:	WA	Zip:	98926	Phone :	()	
	E-Mail:								
4. Subject Property's Assessor's Parcel Number(s): 60 feet of parcel 955943									
5. Legal Description of Property. (if lengthy, please attach it on a separate document) See attached									
6. Property Address:									
7. Property's Existing Zoning: ☐ RS ☐ RL ☐ RM ☐ RH ☐ RO ☐ CN ☐ CH ☐ CT ☐ CC ☐ CCH ☐ MHP ☐ IL ☐ IH ☒ PR ☐ PUD									
8. Type Of Application: (Check All That Apply)									
☐ Final Plat Application			☐ Environmental Checklist (SEPA Review)			☐ Conditional Use Permit			
☐ Type (II) Review			☐ Landmarks COA			☒ Rezone			
☐ Boundary Line Adjustment			☐ Landmarks Demolition			☐ Shoreline			
☐ Short Plat Alteration			☐ Commercial Wireless Communication			☐ Critical Areas Review			
☐ Preliminary Short Subdivision			☐ Appeal to HE / City Council			☐ Variance/Admin. Variance			
☐ Preliminary Long Subdivision			☐ Code Interpretation			☐ Temporary Use Permit			
☐ Plat Vacation			☐ Regional Retail Master Plan			☐ Design Review Major/Minor			
☐ Plat Alteration			☐ Design Review Departure			☐ Binding Site Plan			
☐ Master Plan P-R Use			☐ Comprehensive Plan Amendment			☐ Essential Public Facility			
☐ Annexation			☒ Development Code Amendment			☐ Site Development Permit			
9. PART II – PROJECT DESCRIPTION AND SITE PLAN (See attached page)									
10. I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.									
Property Owner's Signature 					Date 3-18-22				
Applicant's Signature					Date				
FILE/APPLICATION(S)# P22-036									
DATE FEE PAID:		RECEIVED BY:		AMOUNT PAID:		RECEIPT NO:			

EXHIBIT 10b

Narrative for Parcel 955943 Rezone from P-R

On November 19, 2012, the Ellensburg City Council adopted Ordinance 2012-4627 which included Comprehensive Plan Amendment 2012-02 recommended by the Planning Commission to provide policy direction for reversion of P-R zoned properties when no longer used for institutional/public uses. As a part of the policy direction, staff was directed to include language in the zoning code which was incorporated into the land development code update of 2013 and is currently contained within ECC 15.310.050.

The City of Ellensburg is proposing a rezone of P-R property which is no longer used for public purposes. Recognizing that over time some land and structures that are zoned P-R, and are used for P-R purposes, may change uses to non-public uses or may become obsolete or surplussed out of active public use and occupancy, the property owner may in such situations seek a rezone out of P-R zoning pursuant to the terms and processes set forth in ECC 15.250.100. The rezone applicant may request that the P-R zoned property be rezoned to any zoning district classification that abuts the subject property.

This is a Type V application for a Supplemental P-R Rezone for a 4.57-acre parcel that currently has split zoning designations of Light Industrial and Public Reserve. The site abuts property that is designated as Light Industrial (I-L) within the Future Land Use Map along the industrial corridor of Dolarway Road. The proposed rezone would result in the western 60 feet of the Northern 577.10 feet of parcel 955943 being zoned Light Industrial. The City of Ellensburg became the owner of the property in December 2005 and does not plan to develop the property. The city has been working diligently since 2006 to improve and develop Dolarway Road as a primary industrial corridor. Several parcels with access to the Dolarway Road Corridor have begun development processes to construct light industrial use buildings, including the parcel which will benefit from this amendment. Careful consideration was taken in the planning of how much of the underutilized parcel could be allotted to the neighboring property to ensure that an adequate buffer of land is still available surrounding the industrially developed property for screening and City property access purposes.

EXHIBIT 10c

Map of Proposed Rezone Parcel 955943



11/29/2021, 3:04:52 PM

Proposed Zoning
Amendment

Urban Growth Area

City Limits

Zoning

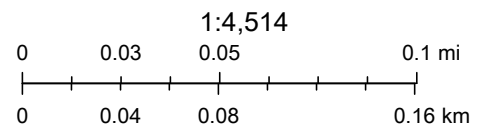
RS

IL

IH

PR

U-INC



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AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 04 2022

State of Washington, County of Kittitas, ss: The undersigned being first duly sworn on oath, deposes and says: That he/she is the representative of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the County in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

CITY OF ELLENSBURG-CITY CLERK
N/CLOSED RECORD PUBLIC HEARING P22-036

is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

04/26/22

All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$119.05 the rate of \$8.80 per column inch for each insertion.

Michelle Bonman

Subscribed to me this date: 04/25/22



Printed Name
Notary Public in and for
The State of Washington
(SEAL)

Signed Name

Duby J Petit

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ANSWER TO PREVIOUS PUZZLE:



Directions: Create the puzzle so that every row, column and 3x3 box contains every digit from 1 to 9 inclusively.

SUDOKU
PREVIOUS
SOLUTION

8	5	7	3	9	4	6	2	1
2	6	1	5	7	8	3	9	4
4	9	3	2	6	1	5	7	8
5	4	8	1	3	2	9	6	7
9	3	2	7	4	6	1	8	5
7	1	6	9	8	5	4	3	2
3	7	5	8	1	9	2	4	6
6	2	9	4	5	7	8	1	3
1	8	4	6	2	3	7	5	9

7 LITTLE WORDS

Find the 7 words to match the 7 clues. The numbers in parentheses represent the number of letters in each solution. Each letter combination can be used only once, but all letter combinations will be necessary to complete the puzzle.

CLUES

- 1 danced at a ball (7)
- 2 one telling malicious lies (9)
- 3 blow to progress (7)
- 4 in a magnanimous way (10)
- 5 sommelier's tool (9)
- 6 burst into bloom (9)
- 7 useless (11)

SOLUTIONS

TZED	WAL	DE	CK	SET
RER	GENE	BLOS	MED	CO
FFEC	INE	SLAN	ROUS	RKSC
TIVE	REW	SO	LY	BA

Saturday, 3 Answers: 1. LATERALITAN 2. SIGHTERING 3. SLEETING 4. PROBE 5. LECHIDE 6. OUTNUMBER 7. DRIZZLE

KENKEN
THE LOGIC PUZZLE THAT MAKES YOU SMARTER

RULES

- Each row and each column must contain the numbers 1 through 6 without repeating.
- The numbers within the heavily outlined boxes, called "cages," must combine using the given operation in any order to produce the target number in the cage's corner.
- Fill in empty cages with the number in the top-left corner.

WORD GAME

pull	polled	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg
pull	poll	plate	leap	leg

Many buyers won't leave a message give the best time to call

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Legals

NOTICE OF A CLOSED RECORD PUBLIC HEARING SUPPLEMENTAL P-R REZONE REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold a public hearing on **Monday May 16, 2022 at 7:00 pm**, held both in person in the Council Chambers AND virtually via Zoom, to consider a Type V rezone application.

The Council shall consider the application P22-038 for a Supplemental P-R Rezone from P-R to L. Submitted by City of Ellensburg. The City is proposing a rezoning of P-R property which is no longer used for public purposes as per Ellensburg City Code (ECC) 15.310.050(D).

NOTICE IS FURTHER GIVEN that all persons interested in this matter may attend the REMOTE meeting by contacting Staff no later than 5:00 pm on **Monday, May 16, 2022**. An email link, or phone number will be provided which will allow for electronic attendance at the public hearing. Be advised that no new testimony will be considered by City Council, as the closed record hearing shall be limited to the record established in the open record hearing held by the Hearing Examiner.

The submitted application and file documents may be examined by the public by visiting the City of Ellensburg Community Development Department webpage at <https://www.ci.ellensburg.wa.us/623/Public-Notices/Current-Projects>.

Questions about this Rezone may be directed to Jamey Ayling in the Community Development Department, 501 N. Anderson St., or via email: aylingj@ci.ellensburg.wa.us

The City of Ellensburg strives to make our meetings and activities readily accessible by individuals with disabilities. Please furnish your request in sufficient time for the City to provide a reasonable accommodation. A "Request for Accommodation" form may be obtained from the City Clerk (First Floor - City Hall).

PUBLISH: Daily Record: April 26, 2022 / LEGAL #: 229527

The Board of Commissioners of Kittitas Valley Healthcare will be conducting a regular Board meeting on **Thursday, April 28, 2022, at 5:00 p.m.** in Conference Rooms A and B upstairs in the hospital, located at 603 S. Chestnut, Ellensburg, Washington. Masking still required.

You can find meeting agendas and minutes on the KVH website at www.kvhhealthcare.org or on Facebook.

PUBLISH: Daily Record: April 26, 2022 / LEGAL #: 229535

Announcements

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Legals

Legals

Legals

NOTICE TO SUBCONTRACTORS AND MATERIALMEN

The State of Washington, Central Washington University, acting by and through Facilities Management Department, hereby advises all interested parties that Contract No. 15090-01 for the Barge Hall Water Damage Remediation, Central Washington University, Ellensburg, Washington with Beller USA Group Inc., Birmingham, MI has been accepted as of April 21, 2022 by the Vice President for Business and Financial Affairs of Central Washington University.

The statutory lien period became effective for the filing of all liens and claims against the retained percentage of payment to the Contractor on the above date.

Any liens filed subsequent to June 5, 2022 will not be recognized.

STATE OF WASHINGTON
CENTRAL WASHINGTON UNIVERSITY
FACILITIES MANAGEMENT DEPARTMENT
PUBLISH: Daily Record April 23, 26, 27, 2022 / LEGAL # 228631

The Kittitas County Noxious Weed Control is hereby giving notice of director position vacancy and is seeking applications for a board member to represent Kittitas County Weed Section 5. All persons interested in appointment to the board and residing within the geographical area of the weed section with a pending nomination shall submit a written application to the County Weed Board that includes the signatures of at least ten registered voters residing in that same geographical area supporting the nomination to the Kittitas County Noxious Weed Control Board, no later than June 30, 2022.

PUBLISH: Daily Record: April 26 and 27, 2022 / LEGAL #: 229566



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section!


COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St, Ellensburg WA 98926

Land Use Permitting (509) 962-7231

Construction Permitting (509) 962-7239

Kirsten Sackett, Director

Phone: (509) 962-7232 Fax: (509) 925-8655 E-Mail: sackettk@ci.ellensburg.wa.us

AFFIDAVIT OF POSTING

The Ellensburg City Code requires that all Type IV Projects (such as site-specific Rezones) shall have a notice posted at the site of the project. Per ECC 15.220.050, the following shall apply:

1. The posting of a weather-resistant sign posted on the subject property, visible to members of the public who may be passing on nearby public rights-of-way, and free from obstructions.
2. If the project abuts more than one public right-of-way, more than one sign may be required as determined by the responsible official.
3. The responsibility for the posting of the sign shall be upon the project applicant.
4. The sign shall be at least two feet by three feet in size, have a written description of the proposal, include a site drawing which shows the proposed project, have the date listed when comments are due, and where comments are to be mailed.

DATE: April 28, 2022	PLANNER: Jamey Ayling, Interim Community Development Director
PROJECT NAME: Rezone of Parcel 955943, from P-R to I-L	FILE NUMBER: P22-036

PLEASE COMPLETE THE FOLLOWING:

I, Jamey Ayling, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Ellensburg City Code. I understand that the that the posting period begins immediately and ends after the ending of the appeal period on the final decision by the City Council and the sign(s) will be posted at the site until this time. **Please post the site and return this form to the Community Development Department in a timely manner.**


Signature

4 - 28 20 22
Date

Please return the above affidavit and a photograph of the posted sign(s) to Jamey Ayling, Planning Manager, by email: aylingj@ci.ellensburg.wa.us; mail; or deliver to: Community Development Dept., City Hall, 501 N. Anderson St., Ellensburg, WA 98926.





CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Public Hearing for first reading of an ordinance amending portions of Chapter 3.12 of the Ellensburg City Code (Sign Code)

Submitted by: Jamey Ayling Community Development

Recommended Action or Motion: Conduct first reading of the attached Ordinance.

Background/Summary: The purpose of the public hearing is to consider proposed amendments to Title 3 of the Ellensburg City Code (ECC) to align the Sign Code with the changes to the Land Development Code which are scheduled for final adoption at tonight's meeting. The amendments will remove references to the Commercial Tourist (C-T) zoning district (which has been eliminated as a zone and incorporated into the Commercial Highway (C-H) zoning district), and will also add references to new mixed use zones – Regional Center Mixed Use (RC-MU) and Neighborhood Center Mixed Use (NC-MU).

Previous Council Action: On May 2, 2022 City Council held a public hearing to consider the proposed amendments to the Land Development Code, at the conclusion of which they approved the proposed amendments, and conducted first reading of Ordinance 4887. The adoption of Ordinance 4887 will require amending Ch. 3.12 ECC for consistency with the new Title 15 amendments.

Analysis: The amendments to the sign code require that city council hold a public hearing followed with a first reading of the ordinance. The amendments are technical edits only, with no substantive changes to the sign code.

Financial Impact: None

Attachments:

[Sign Code Ordinance \(First Reading\)](#)
[CC Legal Notice Sign Ord 5.16.22](#)

ORDINANCE NO. ****

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 3.12 “SIGN CODE” AND AMENDING SECTIONS 3.12.220 3.12.240 3.12.260 3.12.290 3.12.300, AND 3.12.340 OF THE ELLENSBURG CITY CODE.

WHEREAS, the Ellensburg Comprehensive Plan was initially adopted on December 18, 2017, and last updated December 20, 2021; and

WHEREAS, following adoption of the Comprehensive Plan update in December 2017, City of Ellensburg staff worked to evaluate the City’s development regulations and zoning districts to ensure consistency with the requirements of Chapter 36.70A RCW; and

WHEREAS, from 2018 through 2021, City staff held numerous study session and regular meetings with the Planning Commission and City Council, in addition to soliciting public feedback through public workshops and online surveys, for the purpose of discussing proposed amendments to the Land Development Code; and

WHEREAS, following a public hearing held on May 2, 2022, the City Council approved Ordinance No. 4887, which provides for several amendments to the land development code, including reconfiguration of zoning boundaries and modified land use allowances and setback standards, all of which are intended to achieve several of the goals and policies of the comprehensive plan; and

WHEREAS, it was determined through the outreach and adoption process that the Commercial Tourist (C-T) zoning district no longer served the public interest, and would be merged with the Commercial Highway (C-H) zoning district; and

WHEREAS, for the reason that Ordinance No. 4887 eliminates all references to the C-T zoning district within Title 15 Land Development Code, and provides for two new mixed-use zones, it necessitates amendments to Chapter 3.12 Sign Code of the Ellensburg City Code, in order to remove references to the C-T zoning district and reference the new zoning districts;

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

Section 1. Section 3.12.220 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3402, is hereby amended to read as follows:

3.12.220 Projecting signs.

All projecting signs erected or changed after adoption of the ordinance codified in this chapter shall meet the following requirements:

- A. Sign area of projecting signs in the C-C, ~~and C-C II~~, NC-MU, and RC-MU zones shall not exceed 25 square feet on any single sign face. Multifaced signs shall not exceed a maximum of 50 square feet in total sign area.
- B. Projecting signs erected or changed in any zone shall maintain a minimum clearance of 14 feet between the lowest portion of the sign and the ground surface immediately below the sign if said area is a public right-of-way and used for vehicular movement or parking. Signs projecting over any public right-of-way shall maintain a minimum nine-foot clearance between the lowest portion of the sign and the public right-of-way below, unless such signs are hung from marquees or awnings, in which case said clearance shall be a minimum of seven and one-half feet.
- C. Projecting signs shall not project more than six feet into the public right-of-way in the C-C; ~~and C-C II~~, NC-MU, and RC-MU zones or 10 feet in any other zoning district in the city.
- D. Businesses shall be allowed no more than one projecting sign for their use. For businesses which have building frontage on two different streets, a maximum of one projecting sign may be located on each separate street frontage. [Ord. 3402 §1, 1983.]

Section 2. Section 3.12.240 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3402, is hereby amended to read as follows:

3.12.240 On-premises signs.

All on-premises signs shall adhere to the following conditions:

- A. The maximum height for all on-premises signs in all zoning districts C-C, C-C II, R-O, C-H (except for those allowed by conditional use), C-N, I-L, I-H, MHP and MHS zones shall be 35 feet; ~~The maximum height for all on-premises signs in the T-C zone and on-premises freeway-oriented signs allowed by conditional use in the C-H zone shall be 100 feet.~~
- B. The maximum sign area of any on-premises sign, unless otherwise provided in this chapter, shall be 300 square feet, with multifaced signs not exceeding a maximum of 600 square feet. [Ord. 3402 §1, 1983.]

Section 3. Section 3.12.260 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3402, is hereby amended to read as follows:

3.12.260 Off-premises signs.

No off-premises signs shall be allowed. ~~All off-premises signs shall adhere to the following conditions:~~

~~A. Off premises signs are prohibited in all zones within the city except the T-C zone. Off premises signs are a conditional use in the T-C zone and the issuance of a sign permit shall adhere to all the requirements of a conditional use as outlined in the city's zoning ordinance.~~

~~B. The maximum area of any one face of an off-premises sign in the T-C zone shall be 288 square feet. The total maximum area of all faces of a multifaced off-premises sign shall be 576 square feet.~~

~~C. The maximum height of all off premises signs in the T-C zone shall be 35 feet. [Ord. 3402 §1, 1983.]~~

Section 4. Section 3.12.290 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4563, is hereby amended to read as follows:

3.12.290 Electronic signs.

Electronic signs shall conform to the following requirements:

A. Electronic signs shall be allowed as display on any building in any C-C II, C-H, ~~T-C~~, I-L or I-H zoned property in the city subject to the following conditions:

1. No electronic sign shall revolve, emit sound, or be physically animated in any way;
2. No electronic sign shall exceed a total sign face area size of three square feet; and
3. Businesses in the C-C II, C-H, ~~T-C~~, I-L, and I-H zones shall be limited to one electronic sign per street frontage of the business. Buildings with multiple business occupancies, allowed through lease or other arrangements, shall be limited to one electronic sign per street frontage for the multiple-occupancy building.

B. Electronic signs shall be allowed in the public reserve zones and public rights-of-way in the city and on non-public reserve zoned land that is leased for public purposes by a municipal corporation or other agency of the state or federal government subject to the following conditions:

1. Such public reserve land or public rights-of-way must be owned by a municipal corporation or other agency of the state or federal government or such non-public reserve zoned land must be leased for public purposes by a municipal corporation or other agency of the state or federal government;
2. Placement of electronic signage must be pursuant to the specific approval of the city of Ellensburg, state or federal governmental agency;
3. Maximum area of all faces of the electronic display portion of the sign shall not exceed a total of 64 square feet;

1. Maximum number of electronic signs shall be one per street frontage;
2. The display of the sign shall not change more rapidly than once every three seconds. No message shall require more than 10 seconds to be displayed in its entirety;
3. The display shall not appear to flash, undulate, pulse, blink, bounce, contract or expand, or otherwise appear to move toward or away from the viewer;
4. All such electronic signs shall be equipped with ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions;
5. Maximum brightness levels for electronic signs shall not exceed the brightness levels recommended by the manufacturer of the sign; and
6. No electronic sign shall revolve, emit sound, or be physically animated in any way.
7. In addition to conditions in subsections (B)(1) through (9) of this section, the placement of electronic signs on non-public reserve zoned land that is leased for public purposes by a municipal corporation or other agency of the state or federal government shall be subject to the following additional conditions:
 - a. The leased land and the proposed sign location must abut University Way or Canyon Road; and
 - b. The electronic sign shall be removed within 30 days from the date the land is no longer leased by the municipal corporation or other agency of the state or federal government for public uses. [Ord. 4563 § 1, 2010; Ord. 4395, 2004; Ord. 4393, 2004.]

Section 5. Section 3.12.300 of the Ellensburg City Code, as last amended by Ordinance 4395, is hereby amended to read as follows:

3.12.300 Other signs.

- A. Roof signs or other building-mounted signs which project above the roof line of the building on which the sign is mounted shall be prohibited in all zones except the C-HT-C zone, where they shall not exceed 35 feet in height from ground level.
- B. The total maximum area of any sign advertising or locating a residential apartment use in the ~~PUD~~, R-H, R-L, R-M, or R-O zones shall be eight square feet except as provided for in subsection (C) of this section.
- C. The total maximum area of any sign advertising or locating an approved office or professional service use in the R-O ~~or PUD~~ zones shall be 25 square feet; provided, however,

the sign area and number of signs advertising a residential apartment, office or professional service use in the R-O zone, when such use is located on a lot of record with frontage on Mountain View Avenue, shall be governed by the same sign requirements that apply to the C-H zone.

- D. The total maximum area of any sign advertising or locating a single-family or home occupation use in the ~~PUD~~, R-H, R-S, R-L, R-M, or R-O zones shall be three square feet.
- E. Businesses and all multiple-occupancy buildings in all zones shall be allowed no more than one freestanding sign per street frontage with the maximum of two freestanding signs, with the following exceptions:
 - 1. Businesses in the C-H zone shall be allowed one additional freestanding sign if the property has a minimum of 180 feet of frontage on a single street and is a minimum of one acre in area and another freestanding sign if the business successfully obtains a conditional use from the planning commission for the construction of a freeway-oriented sign.
 - 2. ~~Businesses in the T-C zone shall be allowed two freestanding signs per lot plus one additional sign if the property has a minimum of 180 feet of frontage on a single street and is a minimum of one acre in area for a total maximum of three freestanding signs.~~
- F. All signs advertising a consumable commodity in any zone shall be limited to advertising the consumable commodity with a maximum of 25 percent of the total sign area. A minimum of 75 percent of the total sign area shall be used to advertise the business which offers the consumable commodity for sale.
- G. Individual signs allowed by this chapter shall not be combined in such a way as to create one large sign, which combination sign is larger than the allowable area for any individual sign provided for in this chapter. [Ord. 4395, 2004; Ord. 4307, 2001; Ord. 3402 §1, 1983.]

Section 6. Section 3.12.340 of the Ellensburg City Code, as last amended by Ordinance 4395, is hereby amended to read as follows:

3.12.340 Temporary and special signs.

Temporary and special signs or displays are nonpermanent in nature and are intended for use only for a limited period of time. The category includes any banner, pennant, flag or advertising display constructed of canvas, fabric, wood, plastic, metal or other material. All such temporary or special signs are allowed provided they meet the following respective requirements:

- A. Political signs, posters or bills promoting or publicizing candidates for public office or issues that are to be voted upon in a general or special election shall not exceed a maximum sign

area of 10 square feet in the R-S, R-L, R-M, R-O, and MHP and MHS-zones. In all other zones, said political signs shall conform to the sign area requirements applicable to the type of sign used. Such signs shall be displayed only on private property of consenting property owners. Political signs shall be removed within seven days after the election, except that a candidate who wins a primary election and advances to a general election may continue to display political signs until seven days after the general election. It will be the responsibility of the appropriate campaign manager or candidate for office to remove their political signs within the above time.

- B. Construction signs identifying the architects, engineers, contractors, or other individuals or firms involved in the construction of a building must obtain a sign permit and specify the amount of time the sign is to be displayed, which in no event shall extend beyond the time a valid building permit for such activity is in effect. Only one construction sign is allowed per site not to exceed 48 square feet in size in the R-S, R-L, R-M, and R-O zones. In all other zones, said construction signs shall conform to the sign area requirements applicable to the type of sign used.
- C. Temporary banners and posters as defined in this chapter shall be allowed for use in any commercial or industrial zone, subject to the following limitations. Each business address shall be limited to the display of no more than seven banners or posters at any one time. The aggregate area of all banners or posters displayed at any one time shall not exceed 250 square feet. For the purposes of this chapter, a business address shall be considered a single building or complex or related buildings housing a single business or multiple businesses. Multiple businesses in one building or a related complex of buildings shall be treated as a single business address. The display of such banners and posters shall take place entirely on private property, shall not cause any sight distance or other public safety problems for motorists, pedestrians, or bicyclists, and shall conform to the height requirements for the zone in which located.
- D. Temporary decorations as defined in this chapter shall be allowed for use in any business or industrial zone, subject to the following limitations. Each business address shall be limited to the display of temporary decorations which total surface area of all such temporary decorations shall not exceed a total of 250 square feet at any one time. For the purposes of this chapter, a business address shall be considered a single building or complex of related buildings housing a single business or multiple businesses. Multiple businesses in one building or a related complex of buildings shall be treated as a single business address. The display of such temporary decorations shall take place entirely on private property, shall not cause any sight distance or other public safety problems for motorists, pedestrians, or bicyclists and shall conform to the height requirements for the zone in which located.
- E. Real estate signs which advertise for sale, lease, or open house information for any lot or property in the city shall be located on said property for the time such sale or lease is offered.

In the R-S, R-L, R-M, R-O, MHP, ~~MHS~~, and C-N zones, such real estate signs shall not exceed eight square feet in total sign area. If said real estate signs overhang public rights-of-way, they shall be subject to the provisions of ECC 3.12.220(B). In the NC-MU, RC-MU, C-C, C-C II, C-H, ~~T-C~~, I-L, and I-H zones, such real estate signs shall not exceed 48 square feet in total sign area.

- F. Banners which advertise civic activities such as the Ellensburg Rodeo and Kittitas County Fair and other activities which may from time to time be approved by the city council may be supported on those steel strain poles in two locations in the public right-of-way which were constructed for that specific purpose. One set of strain poles is authorized on Cascade Way at 3,600 feet southeasterly from the P.T. of the off-ramp of the WC line with Cascade Way as shown on sheet 22 of State of Washington Highway Maps, West Side Canal to Bull Road, and one set is authorized on Canyon Road at 1,430 feet northwesterly from the intersection of the off-ramp of the EG line with Canyon Road as shown on sheet 19 of State of Washington Highway Maps, West Side Canal to Bull Road.
- G. A-frame signs as defined in this chapter shall be allowed for use in any commercial or industrial zone, subject to the following limitations. For the C-H, ~~T-C~~, C-N, I-L, and I-H zones, each business address shall be allowed for the use of a maximum of one A-frame sign at any one time. For the purposes of this chapter, a business address shall be considered a single building or complex of related buildings housing a single business or multiple businesses. Multiple businesses in one building or complex of related buildings shall be treated as a single business address. Each A-frame sign displayed in the NC-MU, RC-MU, C-H, ~~T-C~~, C-N, I-L and I-H zones shall not exceed a total sign area of 32 square feet on one side and 64 square feet total sign area on all faces and shall be placed a minimum of two feet behind the inside edge of an existing curb if no sidewalk is present. If no sidewalk or curb is present, the A-frame sign shall be placed a minimum of eight feet behind the edge or road pavement. Further, such A-frame sign shall not cause any sight distance or other public safety problems for motorists, pedestrians, or bicyclists.

For the C-C₁ ~~and C-C II~~, NC-MU, and RC-MU zones, each business shall be allowed the use of a maximum of one sidewalk sign at any one time. For the purposes of this chapter, in the C-C₁ ~~and C-C II~~, NC-MU, and RC-MU zones each business which has been issued a separate city business license shall be entitled to the use of one sidewalk sign at any one time. Each sidewalk sign displayed in the C-C₁ ~~and C-C II~~, NC-MU, and RC-MU zones shall not exceed a height of three feet and a width/length of two feet and shall be adequately anchored against movement or overturning due to wind. Such signs shall not cause a hazard or impediment to pedestrians, vehicles, or bicyclists.

- H. All signs placed on vehicles, trailers, or portable supports which are parked or located for the primary purpose of displaying said signs are prohibited. This does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business.

- I. Welcome banners, pennants, signs, windsocks, flower baskets, or other displays connoting a welcome from the city of Ellensburg to visitors of the city may, upon prior approval of the council of the city of Ellensburg, be displayed over or on publicly owned land or rights-of-way at a minimum clearance of at least 20 feet for a renewable period of one year, said right to display being subject to the annual review and approval of the council. [Ord. 4395, 2004; Ord. 3582 § 1, 1987; Ord. 3402 §1, 1983.]

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

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

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

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 6th day of June, 2022.

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. **** is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. **** was published as required by law.

BETH LEADER

**NOTICE OF PUBLIC HEARING
CITY OF ELLENSBURG
LAND DEVELOPMENT CODE AMENDMENTS**

NOTICE IS HEREBY GIVEN that the Ellensburg City Council will hold a public hearing on Monday, May 16, 2022 at 7:00 pm. Please note that this meeting will be hybrid, meaning attendance by Council, staff and the public may be virtually through zoom OR in person in the City Council Chambers, 501 North Anderson Street. The purpose of the public hearing is to consider proposed amendments to Title 3 of the Ellensburg City Code (ECC) to align the Sign Code with the recently approved changes to the Land Development Code. The amendments will remove reference to the Commercial Tourist (C-T) zoning district (which has been eliminated as a zone and incorporated into the Commercial Highway (C-H) zoning district), and will also add reference to new mixed use zones – Regional Center Mixed Use (RC-MU) and Neighborhood Center Mixed Use (NC-MU). These are edits only, with no substantive changes to the sign code.

Copies of the proposed amendments and related documents are available for review at the City of Ellensburg Community Development Offices located at 501 North Anderson Street, Ellensburg, WA, and are also available online through the department webpage at <https://www.ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>.

NOTICE IS FURTHER GIVEN that all persons interested may appear at such time and place to provide verbal and written testimony during the hearing, or written comments may be filed with the Ellensburg Community Development Department at 501 North Anderson Street, or via email to aylingj@ci.ellensburg.wa.us, prior to 5:00 pm May 16, 2022. Those wishing to attend the meeting remotely may do so by contacting staff to receive an email link or phone number to participate in the public hearing.

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. A "Request for Accommodation" form may be obtained from the City Clerk Beth Leader by calling 509-925-8614.

PUBLISH IN LEGAL: Saturday, April 30, 2022



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Public hearing (legislative) to Adopt a Resolution Amending the City's Six-Year Transportation Improvement Plan (TIP) for 2022-2027; Revising a State Budget Funded Project and Updating the Extents of Projects

Submitted by: Josh Mattson Public Works & Utilities

Recommended Action or Motion:

1. Conduct public hearing and adopt a Resolution amending the current 2022-2027 Six-Year TIP.
2. Authorize the Mayor and staff to execute any and all necessary Washington State 2022 Supplemental Transportation Budget Allocation paperwork associated with the 'Helena Avenue Improvements' project.

Background/Summary: The City recently received notification for selection of a Washington State 2022 Supplemental Transportation Budget allocation for design only funding of the frontage improvements and extension of Helena Avenue from Water Street west 3,200 feet to the Palouse to Cascades (PTC) Trail. The design will also include the connection of Helena Avenue to the existing Cora Street and finishing the west half of Cora Street north of the PTC Trail.

Staff would like to amend the resolution which previously revised the City of Ellensburg's current 2022-2027 Six-Year Transportation Improvement Plan (TIP), to show that design funding has been secured for the Helena Avenue Improvements project from Water Street to the PTC Trail.

Staff also recommends updating the 'Helena Ave Extension' project from the PTC Trail to Dry Creek Road as a separate project on the plan and revising the extent of the 'Cora Street Extension' project from Helena Avenue to Bender Road. Both are potential projects that do not have any secured funds.

In addition, staff is requesting Council to authorize the Mayor and staff to execute any and all necessary state budget allocation paperwork associated with the Helena Avenue

Improvements project.

Previous Council Action:

On June 21, 2021 Council conducted a public hearing and adopted the current 2022-2027 Six-Year TIP through Resolution 2021-18.

On February 7, 2022 Council conducted a public hearing and amended the current 2022-2027 Six-Year TIP through Resolution 2022-03.

Analysis:

The 'Helena Avenue Improvements' project has received design funding for completion of frontage improvements on Helena Avenue from Water Street 1,320 feet west to the end of the paved street near the Town Ditch Canal. Full street improvements will extend from this point 1,880 feet further west to the PTC Trail. The project includes connection to the existing Cora Street and completion of the west half of Cora Street from the PTC Trail north to Helena Avenue. Construction funding has not yet been obtained for this project.

The 'Helena Avenue Extension' project will complete full street improvements from the PTC Trail to Dry Creek Road. The 'Cora Street Extension' project will complete full street improvements from Helena Avenue 2,640 feet north to Bender Road. Both projects are planned for 2027 (year six of the TIP) and include installation of curb/gutter, stormwater facilities, illumination, sidewalks and street paving.

Prior to having funds obligated and available for reimbursement, Washington State Department of Transportation (WSDOT) requires agencies' TIPs to accurately reflect each project and its funding. TIP project #60, 'Helena Avenue Improvements and Extension' will be revised to 'Helena Avenue Improvements' with a secured design funding allocation updated to show \$450,000 for the Washington State allocation. The project is planned for engineering design in 2022 followed by construction in 2027.

The 'Helena Avenue Extension' project will be updated as TIP project #61. The 'Cora Street Extension' project will be revised as TIP project #62. Funding for both projects is potential and not secured. With these projects included in the TIP, it will be easier for staff to pursue funding sources.

Financial Impact: No fiscal impact at this time.

Attachments:

[Ellensburg Helena Ave Improvements](#)
[Six-Year TIP Amendment Resolution 2022](#)

March 31, 2022

Mr. Ryan Lyyski
Public Works Director
City of Ellensburg
501 North Anderson Street
Ellensburg, Washington 98926

**Helena Ave Improvements
2022 Supplemental Transportation Budget
State Funding**

Dear Mr. Lyyski:

WSDOT is pleased to advise you that the above-mentioned project was selected to receive funding through the 2022 Supplemental Transportation Budget. The state funding is limited as shown below:

Helena Ave Improvements

\$450,000

Scope: Project design of Helena Ave would widen the road and involve installation of sidewalk, bike lane and illumination on Helena from Water Street.

In order to meet state requirements, the following are required:

- Project expenditures incurred before receiving notice from Local Programs of state fund authorization are not eligible for reimbursement.
- Please refer to the Local Programs web page for detailed authorization information, including: (<https://wsdot.wa.gov/business-wsdot/support-local-programs>)
 - ✓ Local Agency Guidelines (LAG) manual for detailed requirements;
 - ✓ Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) amendments, as applicable;
 - ✓ Funding and billing forms;
 - ✓ Local Project Report is required to be completed by the end of June and December each year. To access the database you will need an account name and password. Your account name is **Ellensburg** and your password is **Ellen908**. The password is case sensitive.

As a reminder, Local Programs encourages all agencies to submit monthly progress billings to ensure timely reimbursement of eligible expenditures.

For assistance please contact Randy Giles, your Region Local Programs Engineer, at 509.577.1780.

Sincerely,



Jay Drye, PE
Director
Local Programs

JD:st:ml

cc: Randy Giles, South Central Region Local Programs Engineer

RESOLUTION NO. 2022-_____

A RESOLUTION amending Resolution 2022-03 regarding the City of Ellensburg's Six-Year Transportation Improvement Plan (TIP) for the years 2022 to 2027, inclusive, as recommended to the City Council by the Public Works and Utilities Department.

WHEREAS, the Ellensburg City Council passed Resolution 2021-18, which approved and adopted the City's Six-Year TIP for the years 2022-2027;

WHEREAS, the Ellensburg City Council passed Resolution 2022-03, which revised the City's Six-Year TIP for the years 2022-2027;

WHEREAS, City staff recently received confirmation of secured state budget funding for design of the 'Helena Avenue Improvements' project;

WHEREAS, the Ellensburg City Council held a public hearing on said Plan at its regularly scheduled May 16, 2022 meeting, in the manner required by law;

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

Section 1. The 2022-2027 Six-Year TIP as adopted in Resolution 2021-18 and amended in Resolution 2022-03 is further amended, as attached hereto, to revise the 'Helena Avenue Improvements' project with a secured 2022 design funding budget, update the 'Helena Avenue Extension' as a separate project, and revise the extent of the 'Cora Street Extension' project.

ADOPTED by the City Council of the City of Ellensburg this 16th day of May, 2022.

Mayor

ATTEST:

City Clerk

EXHIBIT A

CITY OF ELLENSBURG 6-YEAR TRANSPORTATION IMPROVEMENT PLAN 2022 TO 2027 (INCLUDES CURRENT WORK REMAINING IN 2021)			PUBLIC HEARING DATE: 2/7/2022 ADOPTION DATE: 2/7/2022 RESOLUTION NO. 2022-03							
REVENUE BY YEAR (thousands)										
SOURCE		2021*	2022	2023	2024	2025	2026	2027		TOTALS
ARTERIAL STREET		559	125	621	100	105	105	410		2,025
REGIONAL STBG		555	120	1,164	0	490	0	2,040		4,369
SALES TAX RESERVE		64	947	998	100	700	300	945		4,054
FEDERAL SAFE ROUTES TO SCHOOL & PEDESTRIAN/BICYCLE GRANTS		0	0	195	570	625	0	500		1,890
WSDOT SAFETY PROGRAM		1,145	0	0	0	1,534	0	0		2,679
TRANSPORTATION IMPROVEMENT BOARD (TIB) - Grant Programs		620	925	350	1,884	750	3,456	2,611		10,596
DISTRESSED COUNTY SALES/USE TAX		65	160	0	100	0	0	375		700
1/4 CENT REAL ESTATE EXCISE TAX		65	333	15	180	15	285	15		908
MAP-21 TRANSPORTATION ALTERNATIVES PROGRAMS		35	368	0	0	0	1,050	0		1,453
DOE FISCAL YEAR WATER QUALITY GRANT		191	2,720	4,232	0	0	0	0		7,143
COUNTY LODGING TAX GRANT		0	67	0	0	0	0	0		67
LOCAL LODGING TAX FUNDS		0	66	0	0	0	0	0		66
STREET		0	0	0	104	0	0	0		104
TRANSIT		26	0	0	0	0	0	20		46
OTHER AGENCY		1,000	10	0	0	0	0	80		1,090
LOCAL IMPROVEMENT DISTRICT (LID) / DEFERRALS		0	0	0	0	200	765	11,400		12,365
TRAFFIC IMPACT FEES		15	785	0	1,370	700	866	826		4,562
NOT FUNDED		0	0	0	0	0	0	0		0
TOTAL REVENUE		4,340	6,626	7,575	4,408	5,119	6,827	19,222		54,117
Funding (S/P)	EXPENDITURES BY YEAR (thousands)									
	PROJECT	2021*	2022	2023	2024	2025	2026	2027	Future	TOTALS
1	S/P Bridge Inspections	5	5	5	5	5	5	5	0	35
2	S/P Engineering Transfer	15	15	15	15	15	15	15	0	105
3	S/P Signal Optimization	25	25	25	25	25	25	25	0	175
4	S/P Alley Reconstruction (Annual)	65	65	70	70	75	75	80	0	500
5	S Cora Street Curb/Sidewalk - 15th Avenue to Palouse to Cascades (PTC) Trail	375	0	0	0	0	0	0	0	375
6	S Helena Ave Complete Streets Sidewalk Improvements - Water St. to Walnut St	540	0	0	0	0	0	0	0	540
7	S Helena Ave Overlay - Water St. to Airport Road	495	0	0	0	0	0	0	0	495
8	S Main St. Corridor Intersection Enhancements	1,145	0	0	0	0	0	0	0	1,145
9	S Canyon/190 EB Ramps-Intersection Improvements - Illumination/Rechannel/Sid	500	0	0	0	0	0	0	0	500
10	S University Way and Reecer Creek Road Signalization	665	0	0	0	0	0	0	0	665
11	S 5th Ave. and Railroad Ave. Traffic Signal Installation	65	395	0	0	0	0	0	0	460
12	S University Way Gateway - Nanum Street to Red Horse Diner	10	3,017	0	0	0	0	0	0	3,027
13	S Alder St and 14th Ave Signalization - PTC Reconnect Trail from 14th to KVEC	185	1,425	0	0	0	0	0	0	1,610
14	S Pfennig Road Shared Use Pathway	50	526	0	0	0	0	0	0	576
15	S/P Capitol Ave Sidewalk Replacement - Main St. to Sampson St.	0	60	0	80	0	85	0	0	225
16	P Large Scale Wayfinding Implementation Project	0	133	0	0	0	0	0	0	133
17	S Sixth Ave Paverstone Walk & Angle Parking (N. of City Hall)	0	125	0	0	0	0	0	0	125
18	S Downtown Slurry Seal	0	450	0	0	0	0	0	0	450
19	S/P Alder St Sidewalk - One Side - Capitol Ave to 4th Ave	0	35	0	35	0	35	0	0	105
20	P Water St. Overlay - University Way to Manitoba, Manitoba from Water to Main	0	0	1,180	0	0	0	0	0	1,180
21	P 1st Ave Sidewalk Improvements - Ruby St. to Sampson St. - North Side	0	0	195	0	0	0	0	0	195
22	S/P University Way Gateway II - Vista Rd to east City Limits	200	200	4,600	0	0	0	0	0	5,000
23	P Palouse to Cascades Reconnect Trail - Sanders to Airport	0	0	0	670	0	0	0	0	670
24	P 15th Ave Sidewalk Improvements - Cora St to Water St - North Side	0	0	0	154	0	0	0	0	154
25	P Wildcat Way and 18th Intersection Enhancements	0	0	0	630	0	0	0	0	630
26	P University Way and Water Street Intersection Enhancements and Widening	0	0	0	2,724	0	0	0	0	2,724
27	P Canyon Rd./Main St. Overlay - Umptanum to Mtn View, 3rd Ave to University V	0	0	0	0	740	0	0	0	740
28	P Mountain View Ave and Ruby St Intersection Enhancements and Widening	0	0	0	0	2,434	0	0	0	2,434
29	P Walnut St and 18th Bike Lane - Dean Nicholson to Alder St	0	0	0	0	125	0	0	0	125
30	P University Way Sidewalks - Brick Rd. to Vista Rd.	0	0	0	0	1,700	0	0	0	1,700
31	P Pfennig Rd Sidewalks - Vantage Hwy to 14th Ave	0	0	0	0	0	2,700	0	0	2,700
32	P Industrial Way Improvements - LID	0	0	0	0	0	1,065	0	0	1,065
33	P Canyon Rd and Umptanum Rd Intersection Enhancements and Widening	0	0	0	0	0	2,822	0	0	2,822
34	P Vantage Highway Overlay - 100' E of Brick Rd to E. City Limits	0	0	0	0	0	0	950	0	950
35	P Multimodal Facility Study	0	0	0	0	0	0	100	0	100
36	P 3rd Ave. Paverstone Sidewalks and Historic Lighting - Water St. to Depot	0	0	0	0	0	0	674	0	674
37	P Capitol Ave. Improvements - Willow St. to Oak St.	0	0	0	0	0	0	1,271	0	1,271
38	P Airport Rd Sidewalk Improvements - Dean Nicholson to N. City Limits	0	0	0	0	0	0	975	0	975
39	P 3rd Ave and Ruby St Intersection Enhancements	0	0	0	0	0	0	741	0	741
40	P 14th Ave and Wildcat Way Bike Lane - B St to University Way	0	0	0	0	0	0	86	0	86
41	P Anderson/Umptanum/Railroad Ave. Road Widening/Overlay (Joint w/ County)								10,000	10,000
42	P Chestnut St and Walnut St Bike and Ped Improvements								263	263
43	S Brick Rd Improvements	0	150	1,485	0	0	0	0	0	1,635
44	P Trail Connection - 5th Ave to University Way (near CWU)								47	47
45	P 5th and Ruby Intersection Enhancements and Widening								741	741
46	P Helena Ave and Walnut St Intersection Enhancements and Widening								740	740
47	P Helena Ave and Water St Intersection Enhancements and Widening								936	936
48	P Manitoba Ave and Ruby St Intersection Enhancements and Realignment								1,332	1,332
49	P University Way and Alder St Intersection Enhancements and Widening								1,558	1,558
50	P University Way and Main St Intersection Enhancements and Widening								3,338	3,338
51	P Water St and Bender Rd Intersection Enhancements								966	966
52	P Airport Rd and Bender Rd Intersection Enhancements								1,008	1,008
53	P Capitol Ave and Chestnut St Intersection Enhancements								672	672
54	P Sanders Rd and Alder St Intersection Enhancements								665	665
55	P Capitol Ave and Willow St Intersection Enhancements								524	524
56	P Mountain View Ave and Bull Rd Intersection Enhancements								681	681
57	P Anderson Rd and Umptanum Rd Intersection Enhancements								1,252	1,252
58	P 15th Ave and Cora St Intersection Enhancements								432	432
59	P 18th Ave and Alder St Intersection Enhancements								720	720
60	P Helena Ave Imp & Ext - Water St to Dry Creek Rd (portion in KC jurisdiction)	0	0	0	0	0	0	8,500	0	8,500
61	P Cora Street Imp & Ext - PTC Trail to Bender Rd (portion in KC jurisdiction)	0	0	0	0	0	0	5,800	0	5,800
TOTAL EXPENDITURE		4,340	6,626	7,575	4,408	5,119	6,827	19,222	25,875	79,992
ARTERIAL STREET FUND BEGINNING BALANCE (01/01/2021))		1,347	903	893	387	402	412	422		
EST. GAS TAX REVENUE & SCHEDULED SALES TAX TRANSFER		115	115	115	115	115	115	115		
ARTERIAL STREET FUND ENDING BALANCE		903	893	387	402	412	422	127		

*Current year projects shown for accounting purposes.

**TIP plans calls for road widening/impr. projects to be funded from Sales Tax Reserve, to replace the Federal STP funding which is now shown for potential asphalt overlay funding.
(Average annual need to overlay the arterial street system on a 15 year cycle is in excess of \$800,000 per year.)

EXHIBIT A

CITY OF ELLENSBURG 6-YEAR TRANSPORTATION IMPROVEMENT PLAN 2022 TO 2027 (INCLUDES CURRENT WORK REMAINING IN 2021)			PUBLIC HEARING DATE: 5/16/2022 ADOPTION DATE: 5/16/2022 RESOLUTION NO. TBD							
REVENUE BY YEAR (thousands)										
SOURCE		2021*	2022	2023	2024	2025	2026	2027		TOTALS
ARTERIAL STREET		559	125	621	100	105	105	410		2,025
REGIONAL STBG		555	120	1,164	0	490	0	1,590		3,919
SALES TAX RESERVE		64	947	998	100	700	300	945		4,054
FEDERAL SAFE ROUTES TO SCHOOL & PEDESTRIAN/BICYCLE GRANTS		0	0	195	570	625	0	500		1,890
WSDOT SAFETY PROGRAM		1,145	0	0	0	1,534	0	0		2,679
TRANSPORTATION IMPROVEMENT BOARD (TIB) - Grant Programs		620	925	350	1,884	750	3,456	2,611		10,596
DISTRESSED COUNTY SALES/USE TAX		65	160	0	100	0	0	375		700
1/4 CENT REAL ESTATE EXCISE TAX		65	333	15	180	15	285	15		908
MAP-21 TRANSPORTATION ALTERNATIVES PROGRAMS		35	368	0	0	0	1,050	0		1,453
DOE FISCAL YEAR WATER QUALITY GRANT		191	2,720	4,232	0	0	0	0		7,143
COUNTY LODGING TAX GRANT		0	67	0	0	0	0	0		67
LOCAL LODGING TAX FUNDS		0	66	0	0	0	0	0		66
STREET		0	0	0	104	0	0	0		104
TRANSIT		26	0	0	0	0	0	20		46
OTHER AGENCY		1,000	460	0	0	0	0	80		1,540
LOCAL IMPROVEMENT DISTRICT (LID) / DEFERRALS		0	0	0	0	200	765	11,400		12,365
TRAFFIC IMPACT FEES		15	785	0	1,370	700	866	826		4,562
NOT FUNDED		0	0	0	0	0	0	0		0
TOTAL REVENUE		4,340	7,076	7,575	4,408	5,119	6,827	18,772		54,117
Funding (S/P)	EXPENDITURES BY YEAR (thousands)									
	PROJECT	2021*	2022	2023	2024	2025	2026	2027	Future	TOTALS
1	S/P Bridge Inspections	5	5	5	5	5	5	5	0	35
2	S/P Engineering Transfer	15	15	15	15	15	15	15	0	105
3	S/P Signal Optimization	25	25	25	25	25	25	25	0	175
4	S/P Alley Reconstruction (Annual)	65	65	70	70	75	75	80	0	500
5	S Cora Street Curb/Sidewalk - 15th Avenue to Palouse to Cascades (PTC) Trail	375	0	0	0	0	0	0	0	375
6	S Helena Ave Complete Streets Sidewalk Improvements - Water St. to Walnut St	540	0	0	0	0	0	0	0	540
7	S Helena Ave Overlay - Water St. to Airport Road	495	0	0	0	0	0	0	0	495
8	S Main St. Corridor Intersection Enhancements	1,145	0	0	0	0	0	0	0	1,145
9	S Canyon/190 EB Ramps-Intersection Improvments - Illumination/Rechannel/Sid	500	0	0	0	0	0	0	0	500
10	S University Way and Reece Creek Road Signalization	665	0	0	0	0	0	0	0	665
11	S 5th Ave. and Railroad Ave. Traffic Signal Installation	65	395	0	0	0	0	0	0	460
12	S University Way Gateway - Nanum Street to Red Horse Diner	10	3,017	0	0	0	0	0	0	3,027
13	S Alder St and 14th Ave Signalization - PTC Reconnect Trail from 14th to KVEC	185	1,425	0	0	0	0	0	0	1,610
14	S Pfennig Road Shared Use Pathway	50	526	0	0	0	0	0	0	576
15	S/P Capitol Ave Sidewalk Replacement - Main St. to Sampson St.	0	60	0	80	0	85	0	0	225
16	P Large Scale Wayfinding Implementation Project	0	133	0	0	0	0	0	0	133
17	S Sixth Ave Paverstone Walk & Angle Parking (N. of City Hall)	0	125	0	0	0	0	0	0	125
18	S Downtown Slurry Seal	0	450	0	0	0	0	0	0	450
19	S/P Alder St Sidewalk - One Side - Capitol Ave to 4th Ave	0	35	0	35	0	35	0	0	105
20	P Water St. Overlay - University Way to Manitoba, Manitoba from Water to Main	0	0	1,180	0	0	0	0	0	1,180
21	P 1st Ave Sidewalk Improvements - Ruby St. to Sampson St. - North Side	0	0	195	0	0	0	0	0	195
22	S/P University Way Gateway II - Vista Rd to east City Limits	200	200	4,600	0	0	0	0	0	5,000
23	P Palouse to Cascades Reconnect Trail - Sanders to Airport	0	0	0	670	0	0	0	0	670
24	P 15th Ave Sidewalk Improvements - Cora St to Water St - North Side	0	0	0	154	0	0	0	0	154
25	P Wildcat Way and 18th Intersection Enhancements	0	0	0	630	0	0	0	0	630
26	P University Way and Water Street Intersection Enhancements and Widening	0	0	0	2,724	0	0	0	0	2,724
27	P Canyon Rd./Main St. Overlay - Umptanum to Mtn View, 3rd Ave to University V	0	0	0	0	740	0	0	0	740
28	P Mountain View Ave and Ruby St Intersection Enhancements and Widening	0	0	0	0	2,434	0	0	0	2,434
29	P Walnut St and 18th Bike Lane - Dean Nicholson to Alder St	0	0	0	0	125	0	0	0	125
30	P University Way Sidewalks - Brick Rd. to Vista Rd.	0	0	0	0	1,700	0	0	0	1,700
31	P Pfennig Rd Sidewalks - Vantage Hwy to 14th Ave	0	0	0	0	0	2,700	0	0	2,700
32	P Industrial Way Improvements - LID	0	0	0	0	0	1,065	0	0	1,065
33	P Canyon Rd and Umptanum Rd Intersection Enhancements and Widening	0	0	0	0	0	2,822	0	0	2,822
34	P Vantage Highway Overlay - 100' E of Brick Rd to E. City Limits	0	0	0	0	0	0	950	0	950
35	P Multimodal Facility Study	0	0	0	0	0	0	100	0	100
36	P 3rd Ave. Paverstone Sidewalks and Historic Lighting - Water St. to Depot	0	0	0	0	0	0	674	0	674
37	P Capitol Ave. Improvements - Willow St. to Oak St.	0	0	0	0	0	0	1,271	0	1,271
38	P Airport Rd Sidewalk Improvements - Dean Nicholson to N. City Limits	0	0	0	0	0	0	975	0	975
39	P 3rd Ave and Ruby St Intersection Enhancements	0	0	0	0	0	0	741	0	741
40	P 14th Ave and Wildcat Way Bike Lane - B St to University Way	0	0	0	0	0	0	86	0	86
41	P Anderson/Umptanum/Railroad Ave. Road Widening/Overlay (Joint w/ County)								10,000	10,000
42	P Chestnut St and Walnut St Bike and Ped Improvements								263	263
43	S Brick Rd Improvements	0	150	1,485	0	0	0	0	0	1,635
44	P Trail Connection - 5th Ave to University Way (near CWU)								47	47
45	P 5th and Ruby Intersection Enhancements and Widening								741	741
46	P Helena Ave and Walnut St Intersection Enhancements and Widening								740	740
47	P Helena Ave and Water St Intersection Enhancements and Widening								936	936
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50	P University Way and Main St Intersection Enhancements and Widening								3,338	3,338
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56	P Mountain View Ave and Bull Rd Intersection Enhancements								681	681
57	P Anderson Rd and Umptanum Rd Intersection Enhancements								1,252	1,252
58	P 15th Ave and Cora St Intersection Enhancements								432	432
59	P 18th Ave and Alder St Intersection Enhancements								720	720
60	S/P Helena Ave Imp (Water St to 3,200' west, Cora Connection, portion in KC juris	0	450	0	0	0	0	5,450	0	5,900
61	P Helena Ave Extension - PTC Trail to Dry Cr Rd	0	0	0	0	0	0	3,400	0	3,400
62	P Cora Street Ext - Helena Ave to Bender Rd (portion in KC jurisdiction)	0	0	0	0	0	0	5,000	0	5,000
TOTAL EXPENDITURE		4,340	7,076	7,575	4,408	5,119	6,827	18,772	25,875	79,992
ARTERIAL STREET FUND BEGINNING BALANCE (01/01/2021))		1,347	903	893	387	402	412	422		
EST. GAS TAX REVENUE & SCHEDULED SALES TAX TRANSFER		115	115	115	115	115	115	115		
ARTERIAL STREET FUND ENDING BALANCE		903	893	387	402	412	422	127		

*Current year projects shown for accounting purposes.

**TIP plans calls for road widening/impr. projects to be funded from Sales Tax Reserve, to replace the Federal STP funding which is now shown for potential asphalt overlay funding. (Average annual need to overlay the arterial street system on a 15 year cycle is in excess of \$800,000 per year.)



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Ordinance 4886 - 2021-2022 Supplemental Budget

Submitted by: Keith Bassett Finance Department

Recommended Action or Motion: Conduct second reading and adoption of Ordinance 4886.

Background/Summary: The Ordinance adopts amendments to the 2021-2022 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. The amendments principally carry forward unspent 2021 budget in to 2022 to allow for project completion.

Previous Council Action: Council adopted the 2021-2022 Biennial Budget via Ordinance 4864 on December 7, 2020, appropriating funds and providing expenditure authority for the two-year period beginning January 1, 2021. Council subsequently amended the 2021-2022 Biennial Budget via Ordinance 4875 on September 9, 2021 and Ordinance 4881 in December 6, 2021. 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 the ordinance at the May 2, 2022 regular 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 the

necessary budget to maintain the programs and projects previously adopted by City Council, comply with external regulations, and update originally budgeted amounts to current forecasts. The budget amendments in the proposed ordinance include updated revenue forecasts and beginning fund balances as needed, and maintain anticipated 2022 ending fund balances within required fund balance thresholds.

Of the proposed additional expenditure authority of approximately \$31.5 million, approximately \$29.4 million is carryforward of unspent budget from 2021. This includes approximately \$8.3 million dollars in the Arterial Street Fund, \$2.3 of COVID related federal funding, and \$15.4 million in the utility funds including bond-funded projects in the Stormwater, Water, and Wastewater utility funds. These carryforward amounts are a larger dollar amount than usual, principally due to timing of capital projects crossing years, federal COVID funding, global supply chain impacts to delivery times for city supplies and equipment, and carryforward of employee training budget for training postponed or delayed due to COVID.

Other items, approved by Council since the Mid-Biennial Review supplemental budget was adopted in December 2021, include Ellensburg Downtown Association contract, 14th and Alder Signal and Palouse to Cascades Trail Reconnect project, 5th and Railroad Signalization project, Affordable Housing project funding, annual sidewalk repair program, Reecer Creek Levy project design and certification, Department of Ecology Stormwater Capacity Grant project, and Natural Gas Utility Walnut St. Rectifier Deep Well Anode Replacement project.

Additional items are included in the proposed ordinance, including, Risk Mitigation funding, WCIA Risk Reduction Grant for sidewalk grinding equipment, reconciliation of budgeted amounts for interfund services, inclusion of omitted County Economic Development Plan participation, anticipated City Hall facility costs, and anticipated leave payouts for separating employees.

Figures for each item by fund, are included in attached Table 1.

Financial Impact:

The proposed ordinance amends the Biennial Budget increasing budgeted 2022 expenditures by \$31,578,431, revenue by \$22,165,902 and beginning fund balance by \$19,264,465. The effect of these amendments on the budgeted 2022 ending fund balance is an increase of \$9,851,920. A summary of adjustments by fund is included in attached Table 2.

Attachments:

[Table 1 - Items by Fund](#)

[Table 2 - Summary of Budget Adjustments by Fund](#)

[Ordinance 4886 - 2021-2022 Supplemental Budget](#)

[Exhibits A & B - 2021-2022 Supplemental Budget](#)

Table 1 - 2021-2022 Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2022			Impact to Ending Fund Balance
	Beg. Fund Balance	Revenues	Expenditures	
General Fund				
Beginning Fund Balance Update	\$1,699,284	\$0	\$0	\$1,699,284
TIP Strategies Economic Development Contract	\$0	\$0	\$75,000	-\$75,000
Ellensburg Downtown Association Contract	\$0	\$0	\$10,000	-\$10,000
City Hall Space Use Consultant	\$0	\$0	\$27,088	-\$27,088
Interfund Charges Reconciliation - Warehousing	\$0	\$0	\$153	-\$153
Interfund Charges Reconciliation - IT	\$0	\$0	-\$4,934	\$4,934
City Hall Maintenance	\$0	\$0	\$45,000	-\$45,000
Library Training Carryforward	\$1,984	\$0	\$1,984	\$0
Revenue Projections Update	\$0	\$137,515	\$0	\$137,515
Human Resources Carryforward	\$10,317	\$0	\$10,317	\$0
Employee Separation Leave Payout	\$0	\$0	\$28,444	-\$28,444
Police Department Carryforward	\$38,987	\$0	\$38,987	\$0
Engineering Carryforward	\$0	\$0	\$43,358	-\$43,358
General Fund Total	\$1,750,572	\$137,515	\$275,397	\$1,612,690
Street Fund				
Beginning Fund Balance Update	\$801,554	\$0	\$0	\$801,554
Interfund Charges Reconciliation - Warehousing	\$0	\$0	\$110	-\$110
Interfund Charges Reconciliation - IT	\$0	\$0	\$5,962	-\$5,962
Street Fund Total	\$801,554	\$0	\$6,072	\$795,482
Arterial Street Fund				
Beginning Fund Balance Update	\$1,501,656	\$0	\$0	\$1,501,656
14th & Alder Signal & Palouse to Cascades Reconnect	\$0	\$356,997	\$380,726	-\$23,729
5th & Railroad Signalization	\$0	\$56,168	\$16,609	\$39,559
Arterial Street Carryforward	\$0	\$6,742,779	\$8,322,966	-\$1,580,187
Arterial Street Fund Total	\$1,501,656	\$7,155,944	\$8,720,301	-\$62,701
Traffic Impact Fee (TIF) Fund				
Beginning Fund Balance Update	\$219,288	\$0	\$0	\$219,288
5th & Railroad Signalization	\$0	\$0	\$56,168	-\$56,168
Traffic Impact Fee Carryforward	\$0	\$0	\$343,380	-\$343,380
Traffic Impact Fee (TIF) Fund Total	\$219,288	\$0	\$399,548	-\$180,260
Public Transit Fund				
Beginning Fund Balance Update	-\$445,308	\$0	\$0	-\$445,308
Interfund Charges Reconciliation - IT	\$0	\$0	-\$4,932	\$4,932
Interfund Charges Reconciliation - Admin	\$0	\$0	\$26,001	-\$26,001
Transit Program Carryforward	\$0	\$901,329	\$211,542	\$689,787
Revenue Projections Update	\$0	\$220,773	\$0	\$220,773
Public Transit Fund Total	-\$445,308	\$1,122,102	\$232,611	\$444,183
Criminal Justice Fund				
Beginning Fund Balance Update	\$399,736	\$0	\$0	\$399,736
Revenue Projections Update	\$0	\$269,282	\$0	\$269,282
Criminal Justice Fund Total	\$399,736	\$269,282	\$0	\$669,018
Drug Fund				
Beginning Fund Balance Update	\$1,170	\$0	\$0	\$1,170
Drug Fund Carryforward	\$10,447	\$0	\$10,447	\$0
Drug Fund Total	\$11,617	\$0	\$10,447	\$1,170

Table 1 Continued - 2021-2022 Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2022			Impact to Ending Fund Balance
	Beg. Fund Balance	Revenues	Expenditures	
Sales Tax Reserve Fund				
Beginning Fund Balance Update	\$944,509	\$0	\$0	\$944,509
Revenue Projections Update	\$0	\$931,503	\$0	\$931,503
Sales Tax Reserve Fund Total	\$944,509	\$931,503	\$0	\$1,876,012
ECTV Operations Fund				
Beginning Fund Balance Update	\$20,243	\$0	\$0	\$20,243
Revenue Projections Update	\$0	\$18,862	\$0	\$18,862
ECTV Operations Fund Total	\$20,243	\$18,862	\$0	\$39,105
Park Acquisition Fund				
Beginning Fund Balance Update	\$88,144	\$0	\$0	\$88,144
14th & Alder Signal & Palouse to Cascades Reconnect	\$0	\$0	\$200,000	-\$200,000
Park Acquisition Fund Total	\$88,144	\$0	\$200,000	-\$111,856
Art Acquisition Fund				
Beginning Fund Balance Update	\$13,288	\$0	\$0	\$13,288
Art Acquisition Fund Total	\$13,288	\$0	\$0	\$13,288
Lodging Tax Fund				
Beginning Fund Balance Update	\$196,399	\$0	\$0	\$196,399
Revenue Projections Update	\$0	\$286,000	\$0	\$286,000
Lodging Tax Signage	\$0	\$0	\$10,000	-\$10,000
Lodging Tax Fund Total	\$196,399	\$286,000	\$10,000	\$472,399
Housing & Related Services Fund				
Beginning Fund Balance Update	\$1,925,180	\$0	\$0	\$1,925,180
Revenue Projections Update	\$0	\$110,453	\$0	\$110,453
Affordable Housing - Hopesource	\$0	\$0	\$750,000	-\$750,000
Housing & Related Services Fund Total	\$1,925,180	\$110,453	\$750,000	\$1,285,633
COVID Grants Fund				
ARPA CSLFRF Carryforward	\$2,298,554	\$0	\$2,298,554	\$0
COVID Grants Fund Total	\$2,298,554	\$0	\$2,298,554	\$0
2010 Debt Service Fund				
Beginning Fund Balance Update	\$1	\$0	\$0	\$1
2010 Debt Service Fund Total	\$1	\$0	\$0	\$1
2003 Library Const. Debt Fund				
Beginning Fund Balance Update	\$1,058	\$0	\$0	\$1,058
2003 Library Const. Debt Fund Total	\$1,058	\$0	\$0	\$1,058
LID Gurantee Fund				
Beginning Fund Balance Update	\$130	\$0	\$0	\$130
LID Gurantee Fund Total	\$130	\$0	\$0	\$130
Capital Facility Improvement Fund				
Improvement Bond Carryforward	\$521,635	\$0	\$521,635	\$0
Capital Facility Improvement Fund Total	\$521,635	\$0	\$521,635	\$0
Sidewalk Fund				
Beginning Fund Balance Update	\$264,472	\$0	\$0	\$264,472
Revenue Projections Update	\$0	\$0	\$0	\$0
Sidewalk Repair Program	\$0	\$10,000	\$105,625	-\$95,625
Sidewalk Fund Carryforward	\$0	\$110,000	\$278,330	-\$168,330
Sidewalk Fund Total	\$264,472	\$120,000	\$383,955	\$517

Table 1 Continued - 2021-2022 Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2022			Impact to Ending Fund Balance
	Beg. Fund Balance	Revenues	Expenditures	
Stormwater Utility Fund				
Beginning Fund Balance Update	\$375,303	\$0	\$0	\$375,303
Interfund Charges Reconciliation - IT	\$0	\$0	\$539	-\$539
Stormwater Utility Carryforward	\$0	\$22,638	\$435,615	-\$412,977
Reecer Creek Mapping and Levee Certification	\$0	\$0	\$136,052	-\$136,052
Dept. of Ecology Capacity Grant	\$0	\$70,000	\$70,000	\$0
Stormwater Bond Carryforward	\$0	\$139,045	\$0	\$139,045
Stormwater Utility Fund Total	\$375,303	\$231,683	\$642,206	-\$35,220
Stormwater Capital Bond Fund				
Beginning Fund Balance Update	\$2,116,388	\$0	\$0	\$2,116,388
Stormwater Bond Carryforward	\$0	\$0	\$1,539,045	-\$1,539,045
Stormwater Capital Bond Fund Total	\$2,116,388	\$0	\$1,539,045	\$577,343
Telecom Utility Fund				
Interfund Charges Reconciliation - IT	\$0	\$0	\$604	-\$604
Telecom Utility Fund Total	\$0	\$0	\$604	-\$604
Natural Gas Utility Fund				
Beginning Fund Balance Update	-\$157,149	\$0	\$0	-\$157,149
Interfund Charges Reconciliation - Warehousing	\$0	\$0	\$368	-\$368
Natural Gas Utility Carryforward	\$0	\$0	\$703,315	-\$703,315
Walnut St. Rectifier Deep Well Anode Replacement	\$0	\$0	\$158,286	-\$158,286
Gas Meter ERTs - Inflation	\$0	\$0	\$20,000	-\$20,000
Natural Gas Utility Fund Total	-\$157,149	\$0	\$881,969	-\$1,039,118
Electric Utility Fund				
Beginning Fund Balance Update	\$2,863,677	\$0	\$0	\$2,863,677
Interfund Charges Reconciliation - Warehousing	\$0	\$0	\$515	-\$515
Electric Utility Carryforward	\$0	\$142,011	\$3,744,236	-\$3,602,225
Electric Utility Fund Total	\$2,863,677	\$142,011	\$3,744,751	-\$739,063
Water Utility Fund				
Beginning Fund Balance Update	\$99,814	\$0	\$0	\$99,814
Interfund Charges Reconciliation - Warehousing	\$0	\$0	\$199	-\$199
Water Utility Carryforward	\$0	\$0	\$1,995,203	-\$1,995,203
Water Utility Fund Total	\$99,814	\$0	\$1,995,402	-\$1,895,588
Water Construction Fund				
Waterworks Bond Carryforward	\$0	\$5,148,461	\$3,341,846	\$1,806,615
Water Construction Fund Total	\$0	\$5,148,461	\$3,341,846	\$1,806,615
Wastewater Utility Fund				
Beginning Fund Balance Update	-\$225,861	\$0	\$0	-\$225,861
Interfund Charges Reconciliation - Warehousing	\$0	\$0	\$98	-\$98
Wastewater Utility Carryforward	\$0	\$3,828,339	\$3,724,190	\$104,149
ARPA CSLFRF Carryforward	\$0	\$2,650,000	\$0	\$2,650,000
Wastewater Utility Fund Total	-\$225,861	\$6,478,339	\$3,724,288	\$2,528,190
Shop & Warehouse Fund				
Beginning Fund Balance Update	\$1,189,395	\$0	\$0	\$1,189,395
WCIA Risk Reduction Grant - Sidewalk Grinder	\$0	\$9,500	\$18,000	-\$8,500
Equipment Replacement Carryforward	\$737,900	\$0	\$737,900	\$0
Shop Facilities Carryforward	\$50,761	\$0	\$50,761	\$0
Mechanics Shop & Motor Pool Services Carryforward	\$102,609	\$0	\$102,609	\$0
Warehouse Barcoding Software Carryforward	\$39,491	\$0	\$39,491	\$0
Shop & Warehouse Fund Total	\$2,120,156	\$9,500	\$948,761	\$1,180,895

Table 1 Continued - 2021-2022 Supplemental Budget Items by Fund (Second Reading)

Fund / Item	2022			Impact to Ending Fund Balance
	Beg. Fund Balance	Revenues	Expenditures	
Health & Benefits Fund				
Beginning Fund Balance Update	\$289,555	\$0	\$0	\$289,555
Health & Benefits Fund Total	\$289,555	\$0	\$0	\$289,555
Risk Management Fund				
Beginning Fund Balance Update	\$269,201	\$0	\$0	\$269,201
Risk Mitigation Funding	\$0	\$0	\$44,000	-\$44,000
Risk Management Fund Total	\$269,201	\$0	\$44,000	\$225,201
IT Service Fund				
Beginning Fund Balance Update	\$34,897	\$0	\$0	\$34,897
Interfund Charges Reconciliation - IT	\$0	\$4,247	\$0	\$4,247
CIS Project Carryforward	\$505,000	\$0	\$505,000	\$0
GIS Asset Management Carryforward	\$93,500	\$0	\$93,500	\$0
IT Pre-funded Replacements Carryforward	\$107,353	\$0	\$107,353	\$0
Networking Replacement Carryforward	\$92,806	\$0	\$92,806	\$0
Enterprise Applications Carryforward	\$60,912	\$0	\$60,912	\$0
Desktop Operations Carryforward	\$47,484	\$0	\$47,484	\$0
IT Service Fund Total	\$941,952	\$4,247	\$907,055	\$39,144
Library Trust Fund				
Beginning Fund Balance Update	\$3,040	\$0	\$0	\$3,040
Library Trust Fund Total	\$3,040	\$0	\$0	\$3,040
Hal Holmes Trust Fund				
Beginning Fund Balance Update	\$22,420	\$0	\$0	\$22,420
Hal Holmes Trust Fund Total	\$22,420	\$0	\$0	\$22,420
Fire Relief and Pension Fund				
Beginning Fund Balance Update	\$33,241	\$0	\$0	\$33,241
Fire Relief and Pension Fund Total	\$33,241	\$0	\$0	\$33,241
Grand Total	\$19,264,465	\$22,165,902	\$31,578,447	\$9,851,920

Table 2
City of Ellensburg
2022 Summary of Budget Adjustments

Fund/Department	Budgeted Beg Fund Balance	2022 Revenues	2022 Expenditures	Budgeted Ending Fund Balance
Total General Fund	1,749,724	137,515	200,397	1,686,842
Budgeted General Sub-Funds				
Sales Tax	944,509	931,503	0	1,876,012
Economic Development	848	0	75,000	-74,152
CARES/ARPA Grants	2,298,554	0	2,298,554	0
Art Acquisitions	13,288	0	0	13,288
Total Budgeted General Sub-Funds	3,257,199	931,503	2,373,554	1,815,148
Special Revenue Funds:				
Street	801,554	0	6,072	795,482
Arterial Street	1,501,656	7,155,944	8,720,301	-62,701
Traffic Impact Fee	219,288	0	399,548	-180,260
Ellensburg Public Transit	-445,308	1,122,102	232,611	444,183
Criminal Justice	399,736	269,282	0	669,018
Drug	11,617	0	10,447	1,170
CATV Ops. and & Maint.	20,243	18,862	0	39,105
Park Acquisitions	88,144	0	200,000	-111,856
Lodging Tax	196,399	286,000	10,000	472,399
Housing & Related Services	1,925,180	110,453	750,000	1,285,633
Total Special Revenue Funds	4,718,509	8,962,643	10,328,979	3,352,173
Debt Service Funds				
Capital Imprv. Debt	0	0	0	0
2010 Maintenance Bond	1	0	0	1
Library Bond Debt	1,058	0	0	1,058
LID Guarantee Fund	130	0	0	130
Total Debt Service Funds	1,189	0	0	1,189
Capital Project Funds				
Capital Imprv. Bond Projects	521,635	0	521,635	0
Sidewalk Improvements	264,472	120,000	383,955	517
Total Capital Project Funds	786,107	120,000	905,590	517
Trust & Agency Funds				
Library Trust	3,040	0	0	3,040
Hal Holmes Trust	22,420	0	0	22,420
Fire Relief & Pension Trust	33,241	0	0	33,241
Total Trust & Agency Funds	58,701	0	0	58,701
Enterprise Funds				
Stormwater	375,303	231,683	642,206	-35,220
Stormwater Bond	2,116,388	0	1,539,045	577,343
Telecommunications	0	0	604	-604
Gas	-157,149	0	881,969	-1,039,118
Gas Construction	0	0	0	0
Light	2,863,677	142,011	3,744,751	-739,063
Water	99,814	0	1,995,402	-1,895,588
Water Construction	0	5,148,461	3,341,846	1,806,615
Sewer	-225,861	6,478,339	3,724,288	2,528,190
Total Enterprise Funds	5,072,172	12,000,494	15,870,111	1,202,555
Internal Service Funds				
Shop & Equipment	2,120,156	9,500	948,761	1,180,895
Health Insurance	289,555	0	0	289,555
Risk Management	269,201	0	44,000	225,201
IT Fund	941,952	4,247	907,055	39,144
Total Internal Service Funds	3,620,864	13,747	1,899,816	1,734,795
Grand Total	\$19,264,465	\$22,165,902	\$31,578,447	\$9,851,920

ORDINANCE NO. 4886

AN ORDINANCE AMENDING THE 2021-2022 BIENNIAL BUDGET OF THE CITY OF ELLENSBURG AS SET FORTH IN ORDINANCE NO. 4864 AND PREVIOUSLY AMENDED AS SET FORTH IN ORDINANCE NO. 4875 AND ORDINANCE NO. 4881 TO ADJUST APPROPRIATIONS IN THE CITY'S FUNDS.

WHEREAS, the City Council approved Ordinance No. 4864, which adopted a biennial budget for fiscal years 2021-2022; and

WHEREAS, the City Council approved Ordinance No. 4875, which adopted amendments to the biennial budget for fiscal years 2021-2022; and

WHEREAS, the City Council approved Ordinance No. 4881, which adopted amendments to the biennial budget for fiscal years 2021-2022; 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 2021-2022 biennial budget; and

WHEREAS, the City Council has conducted a public hearing regarding the 2021-2021 Supplemental Budget at its May 2, 2022 regular meeting;

WHEREAS, the City Council has reviewed the proposed adjustments to the budget and has determined that they should be made;

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

Section 1. **2021-2022 Supplemental Budget.** The 2021-2022 biennial budget for the City of Ellensburg for the period January 1, 2021 through December 31, 2022, as authorized in Ordinance 4864 and previously amended in Ordinance 4875 and Ordinance 4881 is hereby amended as revised in attached Exhibits A and B, and are hereby appropriated for expenditure at the fund level during the 2021-2022 biennium.

Section 2. **Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. **Corrections.** Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. **Effective Date.** This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title.

The foregoing ordinance was passed and adopted at regular meeting of the City Council on this 16th day of May, 2022.

Mayor

Attest:

City Clerk

Approved as to form:

CITY ATTORNEY

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4886 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4886 was published as required by law.

Beth Leader, City Clerk

Ordinance 4886 - Exhibit A (Supplemental Budget Ordinance)

City of Ellensburg

2021 Budget Table - All Funds as Amended

Fund/Department	Budgeted Beg Fund Balance	2021 Revenues	2021 Expenditures	Budgeted Ending Fund Balance
Total General Fund	4,178,154	15,762,197	17,090,601	2,849,750
Budgeted General Sub-Funds				
Sales Tax	2,449,720	4,855,497	4,730,073	2,575,144
Economic Development	0	706,814	4,000	702,814
CARES/ARPA Grants	296,806	2,946,546	3,243,352	0
Art Acquisitions	26,994	80,703	92,134	15,563
Total Budgeted General Sub-Funds	2,773,520	8,589,560	8,069,558	3,293,522
Special Revenue Funds:				
Street	1,894,258	2,330,028	2,985,173	1,239,113
Arterial Street	1,448,872	10,038,645	10,976,282	511,235
Traffic Impact Fee	793,183	386,618	609,376	570,426
Ellensburg Public Transit	2,392,579	2,569,855	1,933,995	3,028,438
Criminal Justice	2,241,725	1,170,118	1,392,147	2,019,696
Drug	31,899	3,100	15,000	19,999
CATV Ops. and & Maint.	115,277	80,420	104,171	91,526
Park Acquisitions	461,566	546,711	175,000	833,277
Lodging Tax	310,751	361,000	302,351	369,400
Housing & Related Services	1,571,051	568,547	1,722,500	417,098
Total Special Revenue Funds	11,261,162	18,055,041	20,215,995	9,100,208
Debt Service Funds				
Capital Imprv. Debt	362,378	203,184	203,184	362,378
2010 Maintenance Bond	39,772	1,922,064	1,901,019	60,817
Library Bond Debt	95,848	175,000	181,100	89,748
LID Guarantee Fund	138,523	0	0	138,523
Total Debt Service Funds	636,522	2,300,248	2,285,303	651,467
Capital Project Funds				
Capital Imprv. Bond Projects	536,090	0	536,090	0
Sidewalk Improvements	736,926	416,000	430,101	722,825
Total Capital Project Funds	1,273,017	416,000	966,192	722,825
Trust & Agency Funds				
Library Trust	320,865	6,900	8,800	318,965
Hal Holmes Trust	107,052	10,000	10,000	107,052
Fire Relief & Pension Trust	588,075	165,169	147,944	605,300
Total Trust & Agency Funds	1,015,992	182,069	166,744	1,031,317
Enterprise Funds				
Stormwater	1,143,393	1,701,629	2,035,265	809,757
Stormwater Bond	119,433	1,283,612	1,400,000	3,045
Telecommunications	247,248	401,083	399,397	248,934
Gas	2,536,896	10,366,317	8,935,306	3,967,908
Gas Construction	0	0	0	0
Light	10,197,773	19,395,762	21,089,317	8,504,217
Water	6,503,314	11,045,312	11,834,578	5,714,048
Water Construction	0	3,200,000	3,200,000	0
Sewer	3,598,477	8,796,404	9,920,506	2,474,375
Total Enterprise Funds	24,346,534	56,190,118	58,814,368	21,722,284
Internal Service Funds				
Shop & Equipment	8,312,481	2,378,390	3,172,638	7,518,233
Health Insurance	997,240	3,082,926	3,053,071	1,027,095
Risk Management	1,201,903	686,902	740,261	1,148,544
IT Fund	1,227,608	1,948,438	1,958,948	1,217,098
Total Internal Service Funds	11,739,232	8,096,656	8,924,918	10,910,970
Grand Total	\$57,224,132	\$109,591,890	\$116,533,679	\$50,282,343

Ordinance 4886 - Exhibit B (Supplemental Budget Ordinance)

City of Ellensburg

2022 Budget Table - All Funds as Amended

Fund/Department	Budgeted Beg Fund Balance	2022 Revenues	2022 Expenditures	Budgeted Ending Fund Balance
Total General Fund	4,599,474	15,264,392	17,582,989	2,280,877
Budgeted General Sub-Funds				
Sales Tax	3,519,653	5,787,000	5,108,871	4,197,782
Economic Development	703,662	0	75,000	628,662
CARES/ARPA Grants	2,298,554	2,946,546	5,245,100	0
Art Acquisitions	28,851	51,000	63,000	16,851
Total Budgeted General Sub-Funds	6,550,721	8,784,546	10,491,971	4,843,296
Special Revenue Funds:				
Street	2,040,667	2,642,558	2,858,585	1,824,640
Arterial Street	2,012,891	13,529,769	15,410,301	132,359
Traffic Impact Fee	789,714	386,618	909,820	266,512
Ellensburg Public Transit	2,583,130	2,356,529	2,131,771	2,807,889
Criminal Justice	2,419,459	1,439,400	1,527,765	2,331,095
Drug	31,616	3,100	22,146	12,570
CATV Ops. and & Maint.	111,769	99,283	101,340	109,712
Park Acquisitions	921,421	267,261	200,000	988,682
Lodging Tax	565,799	687,000	330,313	922,486
Housing & Related Services	2,342,278	764,000	1,432,500	1,673,778
Total Special Revenue Funds	13,818,744	22,175,518	24,924,540	11,069,723
Debt Service Funds				
Capital Imprv. Debt	362,378	562,327	562,327	362,378
2010 Maintenance Bond	60,818	212,800	212,800	60,818
Library Bond Debt	90,806	175,000	186,000	79,806
LID Guarantee Fund	138,653	0	0	138,653
Total Debt Service Funds	652,656	950,127	961,127	641,656
Capital Project Funds				
Capital Imprv. Bond Projects	521,635	0	521,635	0
Sidewalk Improvements	987,297	426,000	656,955	756,342
Total Capital Project Funds	1,508,932	426,000	1,178,590	756,342
Trust & Agency Funds				
Library Trust	322,005	7,500	8,800	320,705
Hal Holmes Trust	129,472	10,000	10,000	129,472
Fire Relief & Pension Trust	638,541	165,169	132,622	671,088
Total Trust & Agency Funds	1,090,018	182,669	151,422	1,121,265
Enterprise Funds				
Stormwater	1,185,060	1,752,473	2,536,922	400,611
Stormwater Bond	2,119,433	0	1,539,045	580,388
Telecommunications	248,934	355,901	347,962	256,874
Gas	3,810,759	7,048,904	8,565,660	2,294,003
Gas Construction	0	0	0	0
Light	11,367,894	19,368,781	24,830,598	5,906,077
Water	5,863,862	6,147,505	8,410,290	3,601,076
Water Construction	0	5,148,461	3,341,846	1,806,615
Sewer	2,248,514	11,921,743	9,790,722	4,379,534
Total Enterprise Funds	26,844,456	51,743,767	59,363,045	19,225,179
Internal Service Funds				
Shop & Equipment	9,638,388	2,423,410	3,173,617	8,888,182
Health Insurance	1,316,650	2,551,069	2,650,843	1,216,876
Risk Management	1,417,745	686,902	714,107	1,390,540
IT Fund	2,159,050	1,543,293	2,449,314	1,253,029
Total Internal Service Funds	14,531,834	7,204,674	8,987,881	12,748,627
Grand Total	\$69,596,834	\$106,731,694	\$123,641,564	\$52,686,964



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Second reading of Ordinance 4887 pertaining to zoning and land use regulations, amending Chapter 2.30 and Chapter 14.04 and Title 15 – Land Development Code, Chapters 15.130, 15.280, 15.300, 15.310, 15.320 and amending area wide zoning boundary maps

Submitted by: Jamey Ayling Community Development

Recommended Action or Motion: Conduct second reading and adoption of Ordinance 4887

Background/Summary: The zoning and land development code ordinance has been designed to carry out the goals and policies of the comprehensive plan as developed by the community, and as prioritized by City Council. In summary, the proposed amendments to the Land Development Code accomplish the following:

- Add two new mixed-use zoning districts – regional scale and neighborhood scale – which provide for a mixing of complementary uses
- Eliminate the Commercial-Tourist (C-T) zoning district, and consolidate with the Commercial-Highway zoning district to remove barriers to development near the interchanges
- Amend the zoning map in several areas of the City to correspond with the changing nature of neighborhoods, and also to more accurately align with the actual uses on various sites
- Revise the land use charts to accommodate for uses that staff has identified as more appropriate for current conditions and to define allowable use for the new mixed-use zones
- Revise the setback and density tables to accommodate for the new mixed-use zones

Previous Council Action: On May 2, 2022 City Council held a public hearing to consider the proposed amendments to the ECC, at the conclusion of which they approved first reading of Ordinance 4887. Prior to that, City Council reviewed the proposed changes in a series of five study sessions held in the fall of 2021.

Analysis:

The procedures for processing a land development code amendment are outlined in ECC 15.250.100. In keeping with the Type V review process, the Planning Commission held a public hearing on April 14, 2022 to consider the proposed amendments. At the conclusion of the hearing they forwarded a recommendation of approval to City Council as the final decision-maker.

Both the Planning Commission and City Council found the proposed regulations to be in keeping with the decision criteria in ECC 15.250.100(C), as the revisions are in accordance with the Comprehensive Plan, they will not adversely affect the public health, safety, or general welfare, and they have been found to be in the best interest of the citizens and property owners of the city.

In compliance with Washington State requirements, the proposed amendments were also forwarded to the Department of Commerce on February 24, 2022 and the required 60-day notice period ended on April 25, 2022. A SEPA DNS was issued by the City on April 14, 2022.

Financial Impact:

None

Attachments:

[4887 - 2022 Land Development Code Ordinance](#)

ORDINANCE NO. 4887

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, AMENDING CHAPTER 2.30 “MULTIFAMILY HOUSING TAX INCENTIVES” AND CHAPTER 14.04 “TRAFFIC IMPACT FEE DEFINITIONS”, AND RELATING TO THE CITY OF ELLENSBURG LAND DEVELOPMENT CODE, TITLE 15; AMENDING CHAPTER 15.130 “DEFINITIONS”; AMENDING CHAPTER 15.280 “ELLENSBURG LANDMARKS REGISTER AND PROCEDURES”, AMENDING CHAPTER 15.300 “ZONES, MAPS, AND DESIGNATIONS”; AMENDING CHAPTER 15.310 “PERMITTED USES”; AMENDING CHAPTER 15.320 “BUILDING SETBACK AND INTENSITY STANDARDS” OF THE ELLENSBURG CITY CODE, AND AMENDING AREA WIDE ZONING BOUNDARY MAPS

WHEREAS, the Ellensburg Comprehensive Plan was initially adopted on December 18, 2017, and last updated December 20, 2021; and

WHEREAS, following adoption of the Comprehensive Plan update in December 2017, City of Ellensburg staff worked to evaluate the City’s development regulations and zoning districts to ensure consistency with the requirements of Chapter 36.70A RCW; and

WHEREAS, the Planning Commission held twelve work sessions from August 2018 through November 2019 to develop recommendations and review public feedback regarding amendments to the City zoning districts and associated land development regulations; and

WHEREAS, the Community Development Department issued an online survey from June through July 2019 to solicit public feedback on the proposed changes to the Land Development Code and received 95 responses; and

WHEREAS, the Community Development Department held public workshops on May 13, May 21, May 30, and July 9, 2019 at which staff presented proposed amendments to the zoning boundaries and Land Development Code and heard feedback from attendees; and

WHEREAS, the Ellensburg City Council held two discussion sessions at regularly scheduled Council meetings on April 1 and October 21, 2019, to provide direction to staff and review public feedback; and

WHEREAS, after a delay caused by the COVID-19 pandemic, the Planning Commission held a study session on June 25, 2020, to re-evaluate the proposed amendments; and

WHEREAS, City Council held four study sessions on October 11, October 18, November 15, and December 20, 2021, to provide direction to staff; and

WHEREAS, City of Ellensburg staff found the development regulations and zoning district amendments set forth herein provide consistency with and will implement findings from community outreach conducted during the 2017 comprehensive plan update. This community outreach encouraged participation and feedback by community stakeholders and neighborhood

groups and was preceded by broad and inclusive public notification of these initiatives, including public notices, community presentations and workshops, and information presented at community events; and

WHEREAS, City of Ellensburg staff found the development regulations and zoning district amendments set forth herein implement standards that provide predictability and consistency of application while also allowing adequate flexibility in ways more specifically set forth below in Sections 17 – 26, each of which is supported by comprehensive plan policies and the policies of Chapter 36.70A RCW; and

WHEREAS, the proposed amendments to the Ellensburg City Code were issued a SEPA Determination of Non-Significance on April 14, 2022; and

WHEREAS, pursuant to RCW 36.70A.106, notice of the City’s intent to amend the Land Development Code was sent to the Washington State Department of Commerce; and

WHEREAS, the required Washington State Department of Commerce 60-day notice was complete on April 25, 2022; and

WHEREAS, the proposed ordinance was reviewed by the Planning Commission in a public hearing on April 14, 2022, and based on public testimony and other evidence received at said hearing, the Planning Commission recommended City Council adoption of the ordinance; and

WHEREAS, the City Council conducted a public hearing on May 2, 2022, where it received and considered public comments on the proposed changes;

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

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

Section 2. Chapter 2.30.010 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.010 Purpose

The purpose of this chapter is to provide limited exemptions from ad valorem property taxation for multifamily housing in the downtown area and is intended to:

A. Encourage increased residential opportunities within the central commercial zone as defined by Chapter 15.300.020 ECC (official zoning map), ECC ~~15.300.050(E)~~ 15.300.060(B)(2) and 15.300.050(F) 15.300.060(B)(3);

B. Stimulate new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing in the central commercial zone to increase and improve housing opportunities; and

C. Assist in directing future population growth to the central commercial zone, thereby reducing development pressure on single-family residential neighborhoods. [Ord. 4678 § 1, 2014; Ord. 4488 § 4, 2007.]

Section 3. Chapter 2.30.020 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.020 Residential targeted area designated.

The central commercial zone and central commercial II zone as defined by ECC 15.300.020 (official zoning map), ECC ~~15.300.050(E)~~ 15.300.060(B)(2) and ECC ~~15.300.050(F)~~ 15.300.060(B)(3) are hereby designated as the residential targeted areas for the city of Ellensburg pursuant to RCW 84.14.040. [Ord. 4678 § 3, 2014; Ord. 4488 § 4, 2007.]

Section 4. Chapter 2.30.040 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.040 Project eligibility.

A proposed project must meet the following requirements for consideration for a property tax exemption:

A. Location. The project must be located within the central commercial zone or central commercial II zone as defined by ECC 15.300.020 (official zoning map), ECC ~~15.300.050(E)~~ 15.300.060(B)(2) and ECC ~~15.300.050(F)~~ 15.300.060(B)(3).

B. Tenant Displacement. The project must not displace existing residential tenants of structures that are proposed for redevelopment, unless the applicant has provided each existing tenant housing of comparable size, quality, and price and a reasonable opportunity to relocate. Existing dwelling units proposed for rehabilitation must fail to comply with one or more standards of applicable building or housing codes in ECC Title 3, the rehabilitation improvements shall achieve a condition of substantial compliance with the applicable building, construction, and housing codes contained in ECC Title 3 and all uniform codes adopted pursuant to ECC Title 3. Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood during any portion of the 12-month period immediately preceding submission of the application, unless the applicant had provided each displaced tenant housing of comparable size, quality, and price and a reasonable opportunity to relocate.

C. Business Displacement. The project must not displace existing commercial space, occupied or unoccupied, located on the first floor of structures that are proposed for redevelopment, except for the limited purposes of providing:

1. Stairway and/or elevator ingress and egress to and from the street front and/or alley; or
2. The provision of garage, parking or loading areas on alley frontages, so long as such displacement does not exceed 25 percent of the existing commercial space.

D. Size. The project must include at least four units of multifamily housing within a residential structure or as part of a mixed-use development. A minimum of four new units must be constructed or at least four additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for 12 months or more does not have to provide additional units.

E. Permanent Residential Housing. At least 50 percent of the space designated for multifamily housing must be provided for permanent residential occupancy.

F. Proposed Completion Date. New construction multifamily housing and rehabilitation improvements must be scheduled to be completed within three years from the date of approval of the application.

G. Compliance with Guidelines and Standards. The project must be designed to comply with the city's comprehensive plan, building, housing and zoning codes and any other applicable regulations in effect at the time the application is approved. New construction must comply with the International Construction Code. The project must also comply with any other standards and guidelines adopted by the city council for the area in which the project will be developed. [Ord. 4678 § 5, 2014; Ord. 4488 § 4, 2007.]

Section 5. Chapter 2.30.060 of Ellensburg City Code, as last amended by Ordinance 4678, is hereby amended to read as follows:

2.30.060 Application review and issuance of conditional certificate.

The director may certify as eligible an application which is determined to comply with the requirements of this chapter. A decision to approve or deny an application shall be made within 90 days of receipt of a complete application.

A. Approval. The director may approve the application if they find that:

1. A minimum of four new units are being constructed or in the case of occupied rehabilitation or conversion within 12 months of occupancy, a minimum of four additional multifamily units are being developed.
2. The proposed project either is, or will be at the time of completion, in conformance with all applicable local plans and regulations that apply at the time the application is approved.
3. The owner has complied with all standards and guidelines adopted by the city under this chapter.
4. The site is located within the central commercial zone as defined by Chapter 15.300 ECC (official zoning map) and ECC ~~15.300.050(E)~~ 15.300.060(B)(2).

B. If an application is approved, the applicant shall enter into a contract with the city, subject to approval by resolution of the city council, regarding the terms and conditions of the project. Upon council approval of the contract, the director shall issue a conditional certificate of acceptance of tax exemption which shall contain a statement by the director that the property has

complied with ECC 2.30.050 and 2.30.060. The conditional certificate expires three years from the date of approval.

C. Denial. The director shall state in writing the reasons for denial and shall send notice to the applicant at the applicant's last known address within 10 days of the denial. An applicant may appeal a denial to the city council within 30 days of receipt of notice. The appeal before city council will be based on the record made before the director. On appeal, the director's decision will be upheld unless the applicant can show that there is no substantial evidence on the record to support the director's decision. The city council's decision on appeal will be final. [Ord. 4678 § 6, 2014; Ord. 4488 § 4, 2007.]

Section 6. Chapter 14.04.030 of Ellensburg City Code, as last amended by Ordinance 4808, is hereby amended to read as follows:

14.040.030 Definitions.

"Applicant" means a person, individual, or organization seeking permission to develop land within the city of Ellensburg by applying for a building permit.

"Central commercial district" means the established commercial area of the city of Ellensburg which has historically supported intensive urban usage and is zoned for C-C.

Commercial. For the purposes of this chapter, "commercial shall be defined as those activities allowable within the following zones as defined in ECC Title 13: commercial neighborhood zone (C-N), ~~commercial tourist zone (C-T)~~, commercial highway zone (C-H), master site plans for regional retail commercial projects, central commercial zone (C-C), central commercial II zone (C-C II), neighborhood center mixed use zone (NCMU), and regional center mixed use zone (RCMU).

"Duplex" means a building that is entirely surrounded by open space on the same lot and contains two dwelling units or two dwelling units that are physically separated but on the same lot.

"Dwelling unit" means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen, sleeping, and sanitary facilities for use solely by one family.

"Encumber" means to transfer traffic impact fee dollars from the traffic impact fee fund to a fund for a particular system improvement that is fully funded in the current year's budget. Funds may only be encumbered by an action of the city council. The fund encumbering the traffic impact fee dollars shall bear the name of the system improvement financed with such money.

"Gross floor area" means the total square footage of livable area of any dwelling unit and the gross leasable square footage area of any nonresidential building, structure, or use, including accessory uses.

“Industrial.” For the purposes of this chapter, “industrial” shall be defined as those activities allowable within the following zones as defined in ECC Title 15: light industrial zone (I-L) and heavy industrial zone (I-H).

“Interest” means the interest earned by the account during the period the fees were retained.

“Low-income housing” means housing with a monthly housing expense that is no greater than 30 percent of 80 percent of the median family income adjusted for family size for Kittitas County, as reported by the United States Department of Housing and Urban Development. In addition, the developer and/or owner shall have entered into a binding, irrevocable programmatic commitment with one or more federal, state, or local governmental agencies and/or nonprofit agencies qualified as 501(c)(3) under the Internal Revenue Service Code. Development activity that is comprised of a mix of affordable and market rate housing and/or affordable housing and commercial space shall be defined as low-income housing only for those specific units that are set aside as low-income housing with the aforementioned income limits. Programs that may otherwise be defined elsewhere as “low-income housing” and/or “affordable housing,” but have income eligibility limits above those described above or no income limits, shall not be defined as low-income housing.

“Multifamily dwelling unit” means one lot that contains three or more dwelling units.

“Multifamily” may include duplexes located on contiguous lots.

“New development” means any land use action which culminates in the issuance of a building permit for new construction and/or expansion of existing gross floor area.

“Peak hour” means the consecutive 60-minute period during the 4:00 p.m. and 6:00 p.m. peak period during which the highest volume occurs.

“Project improvements” means site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the city’s transportation facilities plan or transportation improvement plan approved by the city council shall be considered a project improvement.

“System improvements” means transportation facilities that are included in the city’s six-year transportation facilities plan, and are designed to provide service to the community at large, in contrast to project improvements.

“Traffic impact fee” means payment of money imposed by the city of Ellensburg upon development activity pursuant to this chapter as a condition of granting development approval and/or a building permit for new development in order to pay for the public facilities needed to serve the new development. Traffic impact fees do not include permit fees, an application fee, the administrative fee for collecting and handling traffic impact fees, the cost of reviewing independent fee calculations or the administrative fee required for an appeal.

“Traffic impact fee fund” means the fund established for the public facilities for which traffic impact fees are collected, pursuant to ECC 14.04.070 and in compliance with the requirements of RCW 82.02.060.

“Traffic impact fee rate study update” means the study which determined the traffic impact fee updated July 2018.

“Traffic impact fee schedule” means that schedule adopted by ECC 14.04.170, or as amended by city council. Trip generation rates in the schedule shall be those rates derived from the “9th Edition Trip Generation” manual published by the Institute of Transportation Engineers, or subsequent editions. [Ord. 4808 § 2, 2018; Ord. 4675 § 1, 2014; Ord. 4646 § 1, 2013; Ord. 4534 § 1, 2009.]

Section 7. Chapter 15.130.020 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4803, is hereby amended to read as follows:

15.130.020 B definitions

“Battery Charging Station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

“Boarding houses, lodging houses, ~~sororities, fraternities~~” means an establishment with lodging for five or more persons on a weekly or longer basis with a central kitchen and dining area maintained exclusively for residents and their guests.

Section 8. Chapter 15.130.070 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.070 G definitions

“Gateway Corridor” is a principal arterial street that serves to access the downtown area. Gateways have unique street standards (ECC 15.510.070) and permitted land uses adjacent to street corridors that create an attractive environment and destination for commerce, employment, living, interaction, dining, and entertainment for the residents, workers, and visitors of the City of Ellensburg.

~~“General service establishment” refers to a category of uses whose primary activity is the provision of assistance, as opposed to products, to individuals, businesses, industry, government, and other enterprises. Specific uses in this category include but are not limited to postal and courier services, equipment rentals, repair shops, laundries, automobile fueling, and other services.~~

Section 9. Chapter 15.130.080 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.080 H definitions

“Heavy service” includes service activities that may have regular exterior service, or storage areas. This use category includes, but is not limited to, ~~contractors~~, heating fuels, truck stops,

breweries, heavy equipment storage, repair shops, equipment rentals, and warehousing. Heavy service uses are limited to buildings no larger than 50,000 gross square feet in area.

“Hotel” means any building or portion thereof in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a boarding, or lodging, sorority or fraternity house. [Ord. 4807 § 7, 2018; Ord. 4769 §§ 2 – 4, 2017; Ord. 4725 § 1, 2016; Ord. 4696 § 1, 2015; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 10. Chapter 15.130.120 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4803, is hereby amended to read as follows:

15.130.130.120 L definitions

“Light manufacturing” means a light industrial business where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building and does not involve the use or production of flammable, explosive, or other hazardous materials. May include an ancillary restaurant, or retail use through which goods produced on site are sold or served to the public on-site or distributed wholesale to off-site users or resellers.

Section 11. Chapter 15.130.130 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.130.130 M definitions

“Mixed-use” means any combination of permitted land uses either within one development or within one zoning district.

“Museum” means an institution, open to the public, devoted to the procurement, conservation, study, and display of objects of historical, scientific, artistic, or cultural interest, for the purposes of education, study and enjoyment.

Section 12. Chapter 15.130.150 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.130.150 O definitions

“Office, Business or Professional” ~~“Business or professional office”~~ means an office to be used for the purpose of providing professional, administrative, or business-related services.~~an office wherein business, technical or scientific services are rendered involving labor, skill, education and special knowledge for certain compensation or profit, but such labor, skill, education and special knowledge being predominantly mental or intellectual, rather than physical, manual or mercantile in nature.~~ Examples of such uses would include, but not be limited to, the offices of lawyers, accountants, brokers, ~~and insurance agents,~~ graphic design, courier and messenger services, technology services, and photocopying and printing services.

~~“Outlet center” means a shopping center which does not contain an anchor retail store and which at least 51 percent of the retail tenants are manufacturer outlet retailers offering manufacturer-~~

~~branded goods. The minimum size of an outlet center shall be 150,000 gross square feet and the maximum size of any single retail tenant shall not exceed 15,000 gross square feet of floor area.~~

Section 13. Chapter 15.130.160 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4804, is hereby amended to read as follows:

15.130.160 P definitions

~~“Personal service” means services rendered to individuals for their personal physical appearance and conditioning needs a use that provides a service that is nonmedical as a primary use and may include accessory retail sales of products related to the services. Examples would include but not be limited to the following types of services: barber, beautician, masseur, tailors, clothing rental, shoe repair shops, and steam and sauna baths.~~

Section 14. Chapter 15.130.180 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4803, is hereby amended to read as follows:

15.130.180 R definitions

~~“Recreation – small scale indoor commercial studios” means a commercial recreation land use conducted entirely within a building, limited to a floor area of no more than 2,000 square feet, including but not limited to, dance, yoga, aerobics, martial arts, and spin classes.~~

Section 15. Chapter 15.280.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.280.040 Members, qualifications and terms.

- A. The Ellensburg landmarks and design commission shall consist of seven members appointed by a majority of the Ellensburg city council. A majority of members so appointed shall be residents of the city of Ellensburg.
- B. All members of the commission shall have demonstrated an active interest in historic preservation and design review.
- C. The commission shall include at least two owners of property from within the downtown and First Railroad Addition historic districts, as defined in ECC ~~15.300.060(B)~~ 15.300.070(B) and (C) or a property individually listed on the Ellensburg landmarks register. One member shall be a member of the Ellensburg Downtown Association (EDA) for a term of four years. One member shall be a general at-large position. The commission shall include at least three professionals (active or retired) who work or worked among the related fields of history, architecture, construction, landscape design, historic preservation, planning, anthropology, archaeology, cultural geography, American studies, land use law, or real estate.
- D. A commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the commission action is

related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the Ellensburg city council and the State Historic Preservation Officer.

E. Appointment of new members to the commission shall be for a period of four years. Vacancies shall be filled by the Ellensburg city council for any unexpired term in the same manner as the original appointment. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 16. Chapter 15.280.080 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.280.080 Ellensburg landmarks register.

There is hereby created an Ellensburg landmarks register.

A. Criteria for Eligibility to the Register. Any building, structure, site, object, or district may be designated for listing in the Ellensburg landmarks register if it is significantly associated with the settlement, development, architecture, politics, economy, social history, archaeology, or cultural heritage of the community; retains integrity of location, setting, design, materials, workmanship, feeling, and association; is at least 50 years old; and if it meets at least one of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history;
2. Is closely linked with the life of a person important in the history of the city, state, or nation;
3. Embodies the distinctive visual characteristics of an architectural type, period, style, or method of construction;
4. Is an outstanding work of a designer, builder, or architect;
5. Has yielded, or may be likely to yield, important archaeological information related to history or prehistory; and/or
6. Because of prominent spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood and contributes to the distinctive identity of that neighborhood.

B. Process for Designating Properties to the Landmarks Register (a Type II Review Process Exception).

1. Any person may nominate a building, structure, site, object, or district for inclusion in the Ellensburg landmarks register. Members of the landmarks and design commission or the landmarks and design commission as a whole may generate nominations. In its designation program, the landmarks and design commission shall consider the Ellensburg historic resource inventory and the Ellensburg comprehensive plan. Owner(s') consent is required before the landmarks and design commission shall consider the nomination.

2. Nominations shall be made on forms provided by the landmarks and design commission. Completed nominations received by the commission will be scheduled for review within 15 working days of receipt.
3. The landmarks and design commission shall consider the merits of the nomination at a public hearing, in accordance with the criteria for eligibility set forth in subsection (A) of this section, and according to the nomination review standards established in rules.
4. Adequate notice shall be given to the general public, the property owner(s), the author of the nomination, and lessees, if any, prior to the public hearing. Such notice shall include publication in a newspaper of general circulation in Ellensburg.
5. Within 10 days of holding the public hearing, the landmarks and design commission shall render a decision on whether a nominated property meets the criteria set forth in subsection (A) of this section. If the finding is that the nominated property meets the criteria set forth in subsection (A) of this section, the property shall be officially listed as a landmark, landmark site, or landmark district or part thereof. Notice of the decision shall be sent to the property owner(s), the author of the nomination, any occupants of the building, the preservation planner, and the Ellensburg city council. If the listed property is adjacent to the boundary of an existing landmark district, said boundary shall be amended accordingly. If the listed property will create a new landmark district, then the listed area shall be designated on the official zoning map with the notation "LR" to indicate the district is on the landmarks register. An isolated property shall be designated on the official zoning map with the notation "LR" to indicate the property is on the landmarks register.
6. For individual landmark designations, the landmarks and design commission shall include in its designation the applicable criteria on which the listing is based, a legal description of the property, and a list of all significant features that contribute to its historic character.
7. For landmark district designations, the landmarks and design commission shall include in its designation recommendation the applicable criteria, a description of the boundaries of the district, and a list of all buildings, structures, sites, and objects which contribute to its historic character.
8. Whenever the landmarks and design commission rejects the nomination of all or any part of a property, the commission shall, within 10 working days, issue a written decision including reasons supporting the determination that the criteria set forth in subsection (A) of this section have not been met. Notice of the decision shall be sent to the property owner(s), author of the nomination, any lessees, the preservation planner, and the Ellensburg city council.
9. The commission's decision on a COA may be appealed to the city council in a closed record appeal hearing.
10. Properties listed in the Ellensburg landmarks register shall be recorded on official zoning records with an "LR" (for landmarks register). This designation shall not change or modify the underlying zone classification.

C. Downtown and Residential Historic Districts.

1. The existing downtown historic district, defined in ECC ~~15.300.060(B)~~ 15.300.070(B) and hereafter known as the “downtown historic district,” and the existing residential historic district, defined in ECC ~~15.300.060(C)~~ 15.300.070(C) and hereafter known as the “First Railroad Addition historic district,” are hereby designated as Ellensburg landmark districts. The geographic area encompassed by each district is identified on the map attached to the ordinance codified in this chapter and made a part of this chapter by reference.
2. The commission shall compile existing historical data and property records, prepare Ellensburg landmarks register nomination forms, and create complete landmark files for each of the landmark districts.
3. The provisions of ECC 15.280.090 and 15.280.100 shall hereafter apply to the downtown historic district and the First Railroad Addition historic district.

D. Removal of Properties from the Register. In the event that any designated landmark property is no longer deemed eligible for inclusion in the register owing to loss of historic integrity, the landmarks and design commission may initiate removal of such designation by the same procedure as provided for in establishing the designation in subsection (B) of this section. [Ord. 4807 § 40, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 17. Chapter 15.300 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

**CHAPTER 15.300
ZONES MAPS AND DESIGNATIONS**

Sections:

- 15.300.010 Purpose.**
15.300.020 Zoning map and boundaries.
15.300.030 Zone and map designation purpose.
15.300.040 Residential zones and map designations.
15.300.050 ~~Nonresidential and mixed-use~~ Commercial and Industrial zones.
15.300.060 ~~Special districts.~~ Mixed use zones.
15.300.070 Special districts.

Section 18. Chapter 15.300.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.300.040 Residential zones and map designations.

A. Residential Suburban Zone (R-S). The R-S zone is intended to provide for a mix of predominantly single-family detached dwelling units in a walkable neighborhood setting. These purposes are accomplished by:

1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, duplexes, townhomes, and other compatible housing types in a relatively low urban density;

2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;
- ~~5. Providing for a minimum density standard to avoid large scale low density sprawl;~~
- ~~5.6.~~ Providing an opportunity to integrate compatible small-scaled retail and service uses in strategic locations that serve the surrounding neighborhood;
- ~~6.7.~~ Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;
 - b. Mix of housing types;
 - c. Off-street trails;
 - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
 - e. Preservation of historic buildings; and/or
 - f. Affordable housing; and
- ~~7.8.~~ Use of this zone is appropriate for any of the following or combinations thereof:
 - a. Areas designated residential neighborhood in the comprehensive plan; and
 - b. Areas characterized predominantly by single-family dwellings.

B. Residential Low Density Zone (R-L). The R-L zone is intended to protect and enhance the character of existing low density residential neighborhoods while allowing for compatible infill development. These purposes are accomplished by:

1. Allowing detached single-family dwellings as the predominant use, with options to integrate accessory dwelling units, ~~and duplexes~~, townhomes, and cottage housing ~~on larger lots~~;
2. Providing standards and guidelines that reinforce Ellensburg's established pattern of attractive and walkable residential neighborhoods;
3. Providing standards and guidelines that promote the integration of usable open space for residential uses;
4. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development;

5. Providing a minimum density standard to avoid large scale low density sprawl;
6. Providing a flexible system of bonus incentives (see ECC 15.330.020) that allows for an increase in density in exchange for:
 - a. Energy efficient building and site design;
 - b. Mix of housing types;
 - c. Off-street trails;
 - d. Purchase of transferable development rights (subject to the city adopting a TDR program) that help to preserve valuable resource lands outside of the city;
 - e. Preservation of historic buildings; and/or
 - f. Affordable housing; and
7. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated residential in the comprehensive plan;
 - b. Areas characterized by, or immediately adjacent to, areas which are predominantly single-family in character.

C. Residential Medium Density Zone (R-M). The R-M zone is intended to provide for a mixture of housing types in a walkable neighborhood setting. These purposes are accomplished by:

1. Allowing a variety of housing types including detached single-family dwellings, cottage housing, townhouses, and multifamily;
2. Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;
3. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;
4. Providing standards and guidelines that promote the integration of usable open space for residential uses;
5. Providing standards and guidelines that encourage parks, trails, open spaces, and natural features to be integrated with the design of new development on large sites;
6. Providing a minimum density standard to avoid large scale low density sprawl; and
7. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated residential, neighborhood mixed use, or community mixed use in the comprehensive plan;
 - b. Areas characterized by a mix of single- and multifamily buildings;

- c. Areas located along designated arterial streets;
- d. Areas adjacent to commercial zoned property;
- e. Areas located along corridors served by transit.

D. Residential High Density Zone (R-H). The R-H zone is intended to comprise areas for high density multifamily residential development in areas served by transit and within walking distance from commercial services. These purposes are accomplished by:

- 1. Allowing multifamily dwellings and providing a minimum density limit;
- 2. Providing standards and guidelines that promote compact and walkable development patterns that are well integrated with surrounding multifamily developments;
- 3. Providing standards and guidelines that promote the integration of usable open space for residential uses; and
- 4. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated blended residential neighborhood, urban neighborhood, or community mixed use in the comprehensive plan;
 - b. Areas characterized by multifamily buildings;
 - c. Areas adjacent to commercial zoned property;
 - d. Areas located along corridors served by transit.

E. Manufactured Home Park Zone (MHP). The MHP zone comprises areas developed or suitable for development for placement and occupancy of manufactured homes for residential purposes on rented or leased sites in manufactured home parks. These purposes are accomplished by:

- 1. Establishing regulations to establish, stabilize, and protect the residential character of the zone and to prohibit all incompatible activities;
- 2. Establishing provisions for common open space; and
- 3. Establishing standards for a safe and connected circulation system. [Ord. 4807 § 42, 2018; Ord. 4798 § 1, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 19. Chapter 15.300.050 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.300.050 Commercial and Industrial ~~Nonresidential and Mixed-use~~ zones

A. Commercial Neighborhood Zone (C-N). The C-N zone is intended to provide small scale shopping areas to serve the residential neighborhoods in outlying areas of the city. These are intended to be pedestrian-oriented areas in convenient locations and designed compatible with the surrounding neighborhood. These purposes are accomplished by:

1. Allowing small scale retail, personal services and other compatible uses that serve the surrounding residential neighborhood;
2. Providing a minimum separation of neighborhood commercial zones of 2,000 feet to minimize their overuse, while providing the opportunity for such uses to be within reasonable walking distance of all residential uses;
3. Providing a maximum size of five acres for neighborhood commercial zones to maintain a small scale and compact, pedestrian-oriented design;
4. Allowing townhouses and multifamily uses as a secondary use due to their complementary nature and ability to enhance the walkability of these zones;
5. Providing standards and guidelines that enhance the appearance and function of neighborhood center uses and their compatibility with surrounding residential uses; and
6. Use of this zone is appropriate for any of the following, or combination thereof:
 - a. Areas designated residential neighborhood, blended residential neighborhood, or urban neighborhood in the comprehensive plan;
 - b. Areas located adjacent to a collector or arterial roadway;
 - c. Areas centralized to serve existing and/or planned residential neighborhoods within one-quarter mile of the site.

~~B.—Commercial Tourist Zone (C-T). The C-T zone is intended to encourage suitable areas for commercial lodging, service stations, eating and amusement places, and other establishments primarily servicing Interstate 90 and U.S. Highway 97 travelers. In addition, specific areas of the C-T zone which are in the regional retail overlay may have regional retail commercial uses if special development criteria in Chapter 15.390 ECC are met. These purposes are accomplished by:~~

- ~~1. Allowing commercial uses that serve the traveling public;~~
- ~~2. Providing the opportunity for regional retail uses in specific areas deemed appropriate for such uses; and~~
- ~~3. Providing standards and guidelines that enhance the appearance and function of commercial tourist uses and their compatibility with surrounding uses;~~
- ~~4. Use of this zone is appropriate for areas that meet both of the following criteria:

 - ~~a. Areas designated general commercial services and community mixed use in the comprehensive plan; and~~
 - ~~b. Areas located within one-half mile radius of the center of Interstate 90 interchange.~~~~

~~BC.~~ Commercial Highway Zone (C-H). The C-H zone is intended to accommodate diversified commercial establishments and multifamily residential as a conditional use. In addition, specific areas of the C-H zone which are in the regional retail overlay may have regional retail commercial uses if special development criteria in Chapter 15.390 ECC are met. These purposes are accomplished by:

1. Allowing a broad range of commercial uses that serve the community including retail, personal and general services, and office uses;
2. Allowing small to large scale retail uses, but excluding super scale retail (over 60,000 square feet of floor area) unless associated with a regional retail commercial project meeting the provisions of Chapter 15.390 ECC; ~~and~~
3. Allowing multifamily residential as a conditional use; and
34. Providing standards and guidelines that enhance the appearance and function of commercial highway uses and their compatibility with surrounding uses;
45. Use of this zone is appropriate for any of the following, or combinations thereof:
 - a. Areas designated neighborhood commercial, general commercial and services, or community mixed use in the comprehensive plan;
 - b. Areas adjacent to, or with good access to, arterial streets and highways.

~~D.—Residential Office Zone (R-O). The R-O zone is intended to serve as a transition zone separating more intensive uses from single-family residential districts. These purposes are accomplished by:~~

- ~~1.—Allowing a variety of housing types including detached single-family dwellings, cottage housing, townhouses, and multifamily;~~
- ~~2.—Providing for office uses that are compatible in scale and character with permitted residential uses;~~
- ~~3.—Providing for limited small-scale nonresidential uses on street corner sites provided they are integrated with residential or office uses in a mixed-use building;~~
- ~~4.—Providing standards and guidelines to help ensure that new infill development will be compatible in scale and character with existing development;~~
- ~~5.—Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;~~
- ~~6.—Providing a minimum density standard to avoid large-scale low-density sprawl;~~
- ~~7.—Encouraging historic preservation and adaptive reuse of historic properties; and~~
- ~~8.—Use of this zone is appropriate for:~~

- ~~a. —Areas designated blended residential neighborhood, urban neighborhood, and neighborhood mixed use in the comprehensive plan as well as;~~
- ~~b. —Areas characterized by a mix of single and multifamily buildings and office uses; and/or~~
- ~~c. —Areas located generally between commercial and single family residential zones.~~

~~E. —Central Commercial Zone (C-C). The C-C zone is intended to encourage and accommodate the development and redevelopment of a viable central business district serving a broad trade area. The intended physical form of the district is an intensive concentration of compatible business, professional and commercial activities. These purposes are accomplished by:~~

- ~~—— 1. —Allowing a range of commercial uses that serve the broad trade area;~~
- ~~2. —Promoting office uses, which provide for local employment and complement other commercial uses in the zone;~~
- ~~3. —Promoting residential as a secondary use in the zone, including upper floors on storefront dominated streets;~~
- ~~4. —Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings within the zone; and~~
- ~~5. —Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone;~~
- ~~6. —Use of this zone is appropriate for areas designated urban center in the comprehensive plan.~~

~~F. —Central Commercial II Zone (C-C II). The C-C II zone is intended to provide for orderly expansion of the downtown commercial core. The zone is not to be used to allow strip commercial development or C-C II zones physically separate from the downtown commercial core. These purposes are accomplished by:~~

- ~~—— 1. —Allowing a range of commercial uses that serve the broad trade area;~~
- ~~2. —Promoting office uses, which provide for local employment and complement other commercial uses in the zone;~~
- ~~—— 3. —Promoting residential as a secondary use in the zone;~~
- ~~4. —Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings within the zone;~~
- ~~—— 5. —Providing standards and guidelines that promote compatibility between uses;~~

~~6. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets within the zone; and~~

~~7. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.~~

C.G. Light Industrial Zone (I-L). The I-L zone is intended to accommodate certain industrial structures and uses having physical and operational characteristics which might adversely affect the economic welfare of adjoining residential and commercial uses. These purposes are accomplished by:

1. Allowing a range of general service and light industrial uses which can be operated in a relatively clean, quiet and safe manner compatible with adjoining industrial uses and without serious effect, danger or hazard to nearby residential uses;
2. Providing for eating and drinking establishments that serve other permitted uses in the zone;
3. Providing for offices as an accessory use, except where owners have purchased development rights from county properties within defined sending areas (subject to the city's adoption of a TDR program);
4. Providing design standards and guidelines that enhance the appearance and function of uses in the zone and their compatibility with surrounding uses;
5. Promoting mixed-use residential as a secondary use in areas identified as industrial residential in the comprehensive plan; and
6. Use of this zone is appropriate for areas designated light industrial or industrial residential in the comprehensive plan.

D.H. Heavy Industrial Zone (I-H). The I-H zone is intended to accommodate certain industrial structures and uses including large scale or very specialized industrial operations which might have external physical effects of an offensive or hazardous nature. These purposes are accomplished by:

1. Allowing the processing of raw materials and the manufacturing, processing, storing, and compounding of semi-finished or finished durable or nondurable products; and
2. Providing design standards and guidelines that provide for flexibility in the layout of buildings and site features, yet enhance the appearance of I-H zone uses and their compatibility with surrounding uses;
3. Use of this zone is appropriate for areas designated heavy industrial in the comprehensive plan. [Ord. 4807 § 43, 2018; Ord. 4798 § 2, 2018; Ord. 4769 § 12, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 20. Chapter 15.300.060 of the Land Development Code of the Ellensburg City Code is hereby added as a new Chapter as follows:

15.300.060 ~~Special districts~~ Mixed use zones

A. The general purposes of the mixed use zones are as follows:

1. Fostering a development pattern offering direct, convenient pedestrian, bicycle, and vehicular access between residences and businesses, in order to facilitate pedestrian and bicycle travel and reduce the number and length of automobile trips;
2. Encouraging new development that supports the safe and efficient movement of goods and people;
3. Providing for a compatible mix of multifamily housing and neighborhood commercial businesses and services, with an emphasis on promoting multistory structures with commercial uses on the ground floor and multifamily housing on upper floors;
4. Promoting a compact growth pattern to efficiently use the developable land, and to enable cost-effective extension of utilities, services, and streets; frequent transit service; and to help sustain neighborhood businesses;
5. Fostering the development of mixed use areas that are arranged, scaled, and designed to be compatible with surrounding land uses and which provide transitions between significantly different land use;
6. Ensuring that buildings and other development components are arranged, designed, and oriented to facilitate pedestrian access.

B. The purpose of the specific mixed use zones are as follows:

1. The Residential-Office (R-O) Zone is intended to serve as a transition zone separating more intensive uses from single-family residential districts. This purpose is accomplished by:
 - a. Avoiding large scale low density sprawl;
 - b. Allowing a variety of housing types;
 - c. Providing for nonresidential uses that are compatible in scale and character with residential uses;
 - d. Reinforcing the character and walkability of streets within the zone;
 - e. Encouraging historic preservation and adaptive reuse of historic properties; and
 - f. Reinforcing the character and walkability of streets.
- e. Use of this zone is appropriate for:
 - i. Areas designated as residential neighborhood, urban neighborhood, and neighborhood mixed use as well as:

ii. Areas characterized by a mix of single- and multifamily and office uses; and/or

iii. Areas located generally between commercial and single-family residential zones.

2. The Central-Commercial (C-C) Zone is intended to encourage and accommodate the development and redevelopment of a viable central business district serving a broad trade area. The intended physical form of the district is an intensive concentration of compatible business, professional, and commercial, and high density residential activities. This purpose is accomplished by:

a. Allowing a range of commercial uses that serve the broad trade area;

b. Promoting office uses, which provide for local employment and complement other commercial uses;

c. Promoting residential as a secondary use, including upper floors on storefront dominated streets;

d. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings; and

e. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets.

f. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.

3. The Central-Commercial II (C-C II) Zone is intended to provide for orderly expansion of the downtown commercial core. The zone is not to be used to allow strip commercial development or C-C II zones physically separate from the downtown commercial core. These purposes are accomplished by:

a. Allowing a range of commercial uses that serve the broad trade area;

b. Promoting office uses, which provide for local employment and complement other commercial uses;

c. Promoting residential as a secondary use;

d. Providing standards and guidelines that preserve and/or enhance the historic character and scale of buildings;

e. Providing standards and guidelines that promote compatibility between uses;

f. Providing standards and guidelines that reinforce and/or enhance the character and walkability of streets; and

g. Use of this zone is appropriate for areas designated urban center in the comprehensive plan.

4. The Neighborhood Center Mixed-Use Zone provides for a compatible mix of neighborhood-scaled commercial and employment uses and medium density multifamily housing. These purposes are accomplished by:

- a. Promoting neighborhood identity; and
- b. Providing a range of commercial, retail, and service opportunities.
- c. Use of this zone is appropriate for areas designated Community Mixed Use in the Comprehensive Plan.

5. The Regional Center Mixed-Use Zone is intended to provide a broad mix of uses that offer a variety of commercial and employment opportunities and medium to high density multifamily housing. These purposes are accomplished by:

- a. Promoting neighborhood identity; and
- b. Providing a range of commercial, retail, and service opportunities.
- c. Use of this zone is appropriate for areas designated Community Mixed Use in the Comprehensive Plan and within a half mile radius of the center of Interstate 90 interchange.

Section 21. Chapter 15.300.060 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4798, is hereby amended to read as follows:

15.300.0670 Special districts.

A. Public Reserve Zone (P-R). The P-R zone is a special use classification established to provide existing and future areas where public uses, such as, but not limited to, governmental, educational, recreational, cultural, and other public uses operated by a public entity may be allowed to develop. It is anticipated that the uses allowed may be unique and may involve a combination of uses not permitted outright in any other zoning districts. These purposes are accomplished by:

- 1. Allowing a full range of public uses including parks, schools, community centers, and governmental facilities;
- 2. Providing viable options for the adaptive reuse of surplus public facilities provided new uses can be integrated with the surrounding communities in a compatible manner; and
- 3. Use of this zone is appropriate for:
 - a. Areas designated public institutional or parks and open space in the comprehensive plan; and
 - b. Other sites planned to accommodate public uses allowed in the zone.

B. Downtown Historic District.

1. Designated. The geographic area identified in Figure 15.300.0670(B) is designated an Ellensburg landmark district, hereafter to be known as the downtown historic district. The requirements of this chapter and Chapter 15.280 ECC shall apply to all existing structures or structures hereafter constructed within this district; and
2. No person, firm or corporation shall construct any new, or reconstruct, alter, remodel, paint, repair or demolish any existing structure within the downtown historic district prior to completing the review process required by the city landmarks and design ordinance (Chapter 15.280 ECC).

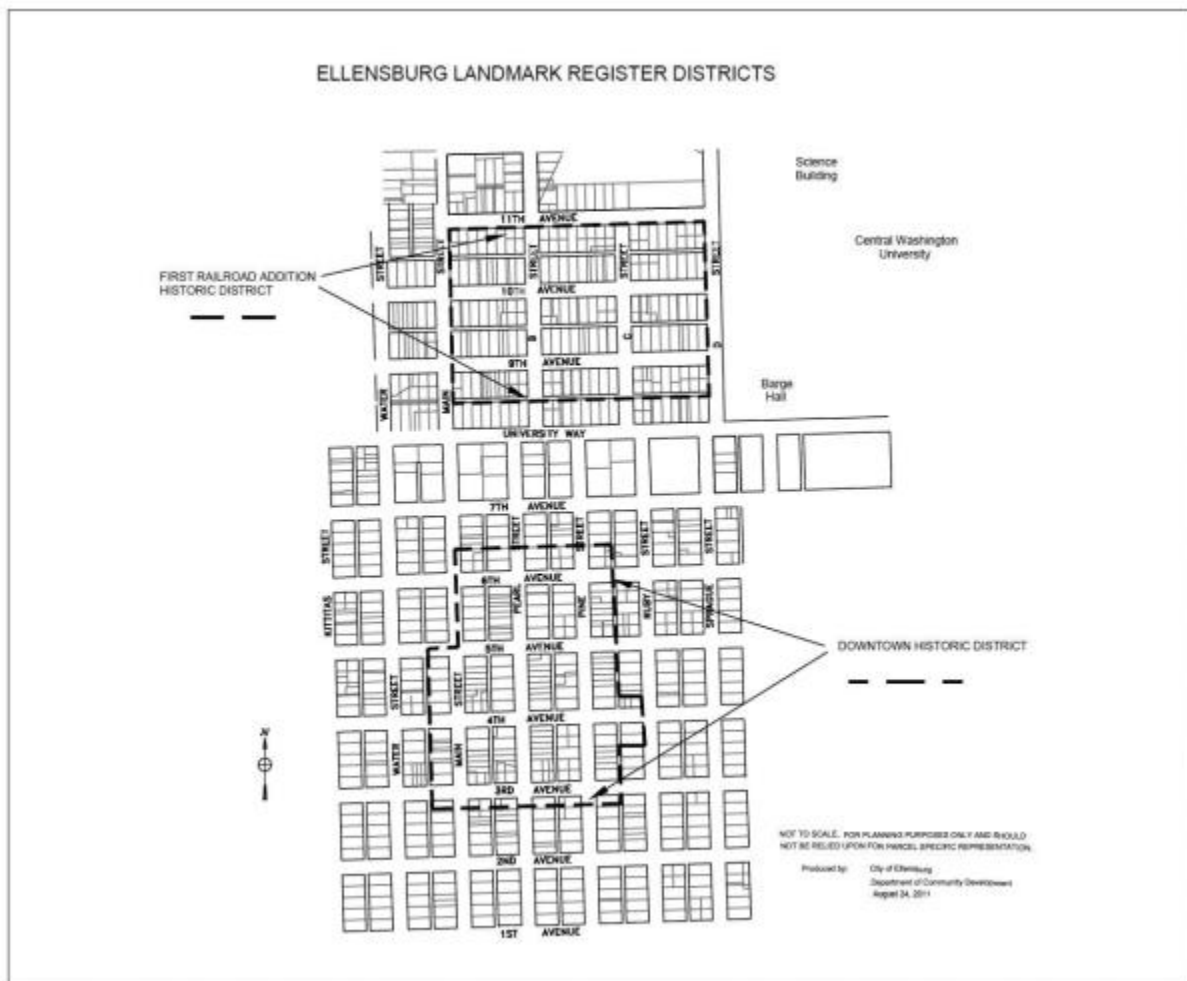


Figure 15.300.0670(B). Downtown and First Railroad Addition historic district boundaries.

C. First Railroad Addition Historic District.

1. Designated. The geographic area identified in Figure 15.300.0670(B) is designated as an Ellensburg landmark district, hereafter to be known as the First Railroad Addition historic district. The requirements of this chapter and Chapter 15.280 ECC shall apply to all existing structures or structures hereafter constructed within this district; and

Properties within the A-O overlay zone (see Figure 15.300.0670(D)) are subject to the standards in Chapter 15.350 ECC, Airport Overlay Zone (A-O) Standards, in addition to the provisions of the underlying zoning district. Where there is a conflict between the provisions of the A-O overlay zone and the underlying zoning district, the provisions of the A-O overlay zone shall apply.



Figure 15.300.0670(D). Airport overlay zone and applicable airport safety zones as described in Chapter 15.350 ECC.

[Ord. 4798 § 3, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 22. Chapter 15.310.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.310.040 Use Tables

Table 15.310.040 Residential-based uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-F	C-H	C-C	C-C II	I-L	<u>NC-MU</u>	<u>RC-MU</u>	I-H	P-R	MHP
RESIDENTIAL, GENERAL																
Dwelling, single-family* (ECC 15.540.020)	P	P	P		P											P
Dwelling, cottage* (ECC 15.540.050)	P	P	P		P										A ⁶	
Dwelling, duplex* (ECC 15.540.030)	P ^{1,2}	P ^{1,2}	P		P				P ⁷	P ⁷					A ⁶	
Dwelling, townhouse* (ECC 15.540.060)	P ^{1,5,2}	P ^{1,2}	P	P	P	P ³			P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
Dwelling, multifamily* (Division V of this title)	P ^{1,5}	<u>P^{1,5}</u>	P	P	P	P ³		<u>C</u>	P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
Dwelling, live-work*	P ^{1,4}	<u>P⁴</u>	P ⁴	P ⁴	P ⁴	P			P ⁷	P ⁷		<u>P</u>	<u>P</u>			
Manufactured home park* (ECC 15.340.040)	<u>C</u>	<u>C</u>	C	P	C										A ⁶	P
GROUP RESIDENCES																
Boarding houses, lodging houses, sororities, fraternities*		C	P	P	C				P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
Adult family home*	P	P	P	P	P	P			P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	I-L	<u>NC-MU</u>	<u>RC-MU</u>	I-H	P-R	MHP
Community residential facility*			C	C	C	C			P ⁷	P ⁷		<u>P</u>	<u>P</u>		P/A ⁶	
Senior citizen assisted housing*			P	P	P	P			P ⁷	P ⁷		<u>P</u>	<u>P</u>		A ⁶	
RESIDENTIAL ACCESSORY USES																
Accessory dwelling unit* (ECC 15.540.040)	P	P	P	P	P				P ⁷	P ⁷						
Home occupations* (ECC 15.340.020)	P	P	P	P	P	P	P	P	P ⁷	P ⁷	P	<u>P</u>	<u>P</u>	P	P ⁶	P
Yard sale use	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸	A ⁸
TEMPORARY LODGING																
Bed and breakfast (ECC 15.340.010)	<u>P</u>	<u>P</u>	P	P	P				P ⁷	P ⁷		<u>P</u>	<u>P</u>			

Development conditions:

- Subject use may be permitted subject to density bonus incentives set forth in Table 15.320.030 and Chapter 15.330 ECC.
- Duplexes and townhomes are permitted in the R-L and R-S zones on infill lots (preexisting legal lots of record as of December 31, 2021) notwithstanding the maximum density limits in Table 15.320.030. For lots recorded after this date, duplexes and townhomes are permitted in the R-L and R-S zones but must meet the density requirements of ECC 15.320.030, per the following conditions:
 - ~~Lots at least 10,890 square feet in area; or~~
 - ~~Corner lots where building entries are provided on separate streets.~~
- Residential uses are permitted in the C-N zone provided nonresidential uses occupy the ground floor of all buildings fronting on the street. For example, residential uses could be on upper levels of buildings fronting on the street or, for deep lots, subject residential uses may occupy any buildings away from the street and behind the buildings that front onto the street.
- Nonresidential uses may be permitted within live-work dwellings subject to the permitted uses in the underlying zoning district ~~use provisions for the applicable zoning district in Table 15.310.040 below.~~
- ~~Townhouses and multifamily~~ Multifamily dwelling units shall not be located adjacent to existing single-family dwellings, except where such uses were approved on an individual plat.
- All uses permitted in the P-R zone must be either outright permitted and operated as a public use or must be an accessory use to the primary public use (see ECC 15.310.050).

7. Except for lobbies or similar entrances, all permitted residential uses in the C-C and C-C II zones are prohibited within 30 feet of the sidewalk on the ground floor of properties fronting on storefront streets per ECC 15.510.050(E).

8. Yard sales are permitted as an accessory use to a dwelling; provided, that the following conditions are met:

- a. Only two yard/garage sales per dwelling unit not exceeding three consecutive days in duration are allowed per year;
- b. The occupant or tenant of the dwelling unit shall supervise and be responsible for the yard/garage sale activities including ensuring that there is no impediment to the passage of traffic on public roads and sidewalks adjacent to the sale;
- c. No goods are to be displayed in public rights-of-way without first obtaining a right-of-way use permit from the public works and utilities department; and
- d. Signs advertising the sale shall not be attached to any public structure, sign, sign or utility pole or traffic control devices and shall be removed within 24 hours of the sale completion.

Table 15.310.040 Nonresidential uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC</u> <u>MU</u>	<u>RC</u> <u>MU</u>	I-L	I-H	P-R
RETAIL															
Auto sales, new and used							P ¹	P	P ²	P		<u>P</u>			
<u>Automobile fueling</u>						<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		
<u>Automobile, electric vehicle battery charging station</u>	<u>P¹</u>	<u>P¹</u>	<u>P¹</u>	<u>P¹</u>	<u>P¹</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Farmers' markets*						P			P	P	<u>P</u>	<u>P</u>			
Fruit stands*	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>		
Heavy retail (ECC 15.130.080)								P ¹⁰	P ²	P		<u>P</u>	P	P	
Heavy service (ECC 15.130.080)								P¹⁰	P²	P			P	P	

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC</u> <u>=</u> <u>MU</u>	<u>RC</u> <u>=</u> <u>MU</u>	I-L	I-H	P-R
Nurseries and greenhouses that are ancillary to a retail use*	P							P	P ²	P	<u>P</u>	<u>P</u>	P	P	
Restaurants, bars, and brewpubs*	<u>P</u>	<u>P</u>	P ³	P ³	P ³	P	P	P	P	P	<u>P</u>	<u>P</u>	P ¹¹		A ⁹⁶
<u>Bars and brewpubs*</u>						<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>A</u> ⁶
Coffee house, espresso bar	P ⁸⁵	<u>P</u> ⁵	P ³	P ³	P ³	P	P	P	P	P	<u>P</u>	<u>P</u>	P ¹¹		A ⁹⁶
Retail, small scale (<2,000 sf floor area)	P ⁸⁵	<u>P</u> ⁵	P ³	P ³	P ³	P	P	P	P	P	<u>P</u>	<u>P</u>			A ⁹⁶
Retail, medium scale (2,000 – 20,000 sf floor area)						P		P	P	P	<u>P</u>	<u>P</u>			A ⁹⁶
Retail, large scale (20,001 – 60,000 sf floor area)						P ⁴³		P	P	P	<u>P</u>	<u>P</u>			
<u>Retail, very large scale (60,001 – 100,000 sf floor area)</u>								<u>P</u>	C	C		<u>P</u>			
Retail, super scale (>60,000 100,001 sf floor area)								<u>C</u>				<u>C</u>			
Outlet center								P							
Regional retail commercial projects* (subject to the requirements in	P ¹³⁸ ₈	P ¹³⁸	P ¹³⁸	P ¹³⁸	P ¹³⁸	P ¹³⁸	P ¹³ ₃	P ¹³⁸			<u>P</u> ⁸	<u>P</u> ⁸	P ¹³⁸		

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-F	C-H	C-C	C-C II	<u>NC</u> <u>=</u> <u>MU</u>	<u>RC</u> <u>=</u> <u>MU</u>	I-L	I-H	P-R
Chapter 15.390 ECC)															
Marijuana retailer*						P ¹⁴⁹	P ¹⁴⁹ ₄	P ¹⁴⁹	P ¹⁴⁹	P ¹⁴⁹	P ⁹	P ⁹			
PERSONAL AND GENERAL SERVICE															
Day care I facilities*	P	P	P	P	P	P		P	P	P	P	P	P		A ⁹⁶
Day care II facilities*	C	C	C	C	P	P		P	P	P	P	P			A ⁹⁶
General service establishments (ECC 15.130.070)						P ⁵	P ⁶	P	P ²	P			P		
Heavy services (see Heavy retail and services definition in ECC 15.130.080)*								P ¹⁰	P ²	P		P	P		
Hotels/motels*							P	P	P	P	P	P			
Hospitals*	C	C	C		P				C	P		C			A ⁹⁶
Offices, medical*	P ⁸				P	P	P	P	P	P	P	P			P/ A ⁹⁶
Kennels*								P		P			P		
Nursing homes*	C	C	C	P	P				P	P					P/ A ⁹⁶
Marijuana cooperative*	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰ ₅	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁰	P ¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰	P ¹⁵¹⁰
Personal service establishments *	P ⁸⁵	P ⁵	P ³	P ³	P ³	P	P	P	P	P	P	P			A ⁹⁶
<u>Laundromats and dry cleaners</u>			P	P	P	P		P	P	P	P	P	P		

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-F	C-H	C-C	C-C II	<u>NC</u> <u>=</u> <u>MU</u>	<u>RC</u> <u>=</u> <u>MU</u>	I-L	I-H	P-R
Places of assembly*	C	C	C	C	P	P		<u>P</u>	P	P	<u>C</u>	<u>C</u>	C		A ⁹⁶
Radio station (commercial)		C						C <u>P</u>			<u>P</u>	<u>P</u>	C	C	A ⁹⁶
Veterinary clinic					C	C	P	P	P	P	<u>P</u>	<u>P</u>	C		
BUSINESS SERVICE															
Conference center*							P	P	P	P	<u>P</u>	<u>P</u>			A ⁹⁶
Offices, business or professional*, small scale (<2,000 sf floor area)	P ⁸⁵	<u>P</u> ⁵			<u>P</u>	P	P	P	P	P	<u>P</u>	<u>P</u>	P ⁷⁴		P/ A ⁹⁶
Offices, business or professional*, medium scale (2,000 – 20,000 sf floor area)	P ⁸⁵	<u>P</u> ⁵					P	P	P	P	<u>P</u>	<u>P</u>	P		P/ A ⁹⁶
Offices, business or professional*, large scale (20,001 – 60,000 sf floor area)								P	P	P	<u>P</u>	<u>P</u>	P		P/ A ⁹⁶
Miniwarehouse facility*			C					C					P <u>C</u>	P <u>C</u>	
INDUSTRIAL															
<u>Light manufacturing</u> *								<u>P</u>	<u>P</u> ²	<u>P</u> ²	<u>P</u> ²	<u>P</u> ²	<u>P</u>	<u>P</u>	
Light industry (ECC 15.130.120)									P ^{2,11} ₇	P ^{2,11} ₇	<u>P</u> ^{2,7}	<u>P</u> ^{2,7}	P	P	

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-F	C-H	C-C	C-C II	<u>NC</u> <u>=</u> <u>MU</u>	<u>RC</u> <u>=</u> <u>MU</u>	I-L	I-H	P-R
Hazardous waste treatment (off-site) (see definition of “off-site” in ECC 15.130.150)													C	C	
Hazardous waste treatment (on-site) (see definition of “on-site” in ECC 15.130.150)							€	C	C	C			C	C	A ⁹⁶
Heavy industry (ECC 15.130.080)														C	
Marijuana processor*													P ¹⁴	P ¹⁴	
Marijuana producer*													P ¹⁴	P ¹⁴	
Tow vehicle storage area*													P	P	
Vehicle wrecking yard*														C	

Development conditions:

~~1. Sales of used vehicles in this zone are limited to uses that include sales of new vehicles as the primary use. Vehicle battery charging stations are permissible for the primary use of residents and their guests in all residential zones. Battery charging station clusters are permitted for multifamily uses located in the R-M and R-H zones.~~

2. Use must be enclosed entirely within a building.

~~3. Use is permitted if located adjacent to a street corner and within a mixed-use building or within a live-work dwelling. Such uses shall be subject to secondary street frontage standards as set forth in ECC 15.510.060.~~

~~34.~~ Grocery stores shall be the only retail uses permitted with more than 20,000 square feet of gross floor area.

- ~~5. Except for gas service stations, the use must be enclosed entirely within a building.~~
- ~~6. Includes gas service stations with truck stop facilities only. No other general service uses are permitted.~~
- 4.7. Except for office uses that are accessory to a permitted use, office uses may be permitted through the purchase of transferable development rights, subject to the adoption of a TDR program by the city.
- ~~5.8. Subject nonresidential uses may be permitted in the R-S and R-L zones if the planned uses are at least 1,200 feet from an existing C-N zone or commercial use. subject to the following conditions:~~
- ~~a. The location for planned nonresidential uses shall be designated on the plat.~~
- ~~b. Nonresidential uses may be integrated into subdivisions provided the subdivision encompasses at least five acres in gross land area and the planned uses are at least 1,200 feet from an existing C-N zone or commercial use.~~
- ~~c. Nonresidential uses shall not be located adjacent to existing single family dwellings, except where such uses were approved on an individual plat.~~
- ~~d. For the purpose of identifying appropriate site orientation standards for future nonresidential development, the plat shall indicate the street frontage type designation for streets fronting planned nonresidential uses as either storefront, secondary, or landscaped street (see Chapter 15.510 ECC).~~
- 6.9. All uses permitted in the P-R zone must be either outright permitted and operated as a primary public use or must be an accessory use to that primary public use. See ECC 15.310.050.
- ~~10. Heavy retail and service uses are limited to buildings no larger than 50,000 gross square feet in area.~~
- 7.11. Includes light industrial activities that result in the production of goods placed for on-site retail sale. Special restrictions:
- a. No power tools or equipment are allowed which by their decibel, frequency, and/or other feature of their operation would negatively impact the surrounding area by reason of decibel levels, light (see Chapter 15.580 ECC for standards), dust or other physical effect; and
- b. Production or manufacturing activity shall not occur between the hours of 10:00 p.m. and 6:00 a.m.
- ~~12. Subject use is permitted in the district only when accessory to a permitted use (see accessory use definition in ECC 15.130.010).~~
- 8.13. Regional retail is administered as an overlay zone pursuant to Chapters 15.390 and 15.390A ECC, and only permitted within the designated boundaries identified in ECC Figure 15.390.040(A), the south interchange area, and Figure 15.390.040(B), the west interchange area. Permitted uses and use restrictions within a regional retail commercial project are described in ECC 15.390.030. Design criteria for regional retail is governed by Chapter 15.390A ECC.

9.14. All marijuana retail, production and processing facilities are subject to the requirements of Chapter 15.370 ECC.

10.15. All marijuana cooperatives are subject to the requirements of ECC 15.370.030, Chapter 314-55 WAC and Chapter 69.51A RCW.

Table 15.310.040 Special uses

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC-MU</u>	<u>RC-MU</u>	I-L	I-H	P-R
PARK, OPEN SPACE AND RECREATIONAL															
Cemeteries, columbarium or mausoleums	P	P													
Golf course	P														P ¹¹
Golf driving range (not associated with a golf course)	C						C	C							P ¹¹
Recreation – outdoor (commercial)*							P	P			<u>P</u>	<u>P</u>	C		A
Recreation – indoor (commercial)*							P	P	P	P	<u>P</u>	<u>P</u>	C		A
<u>Recreation – small-scale indoor studios (commercial)*</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>		
Recreational vehicle parks (ECC 15.340.050)							P	<u>P</u>							
Parks, playgrounds (public or private)	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	<u>P¹</u>	<u>P¹</u>	P ¹		P
CULTURAL AND ENTERTAINMENT															
Adult entertainment establishment*							P ²	<u>P²</u>							
Art, performing arts, and recording studios	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>		P/A ⁷
Museums	<u>C¹²</u>	<u>C¹²</u>	<u>C¹²</u>	<u>C¹²</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	P	<u>P</u>	<u>P</u>	<u>P</u>		P/A ⁷
<u>Theaters</u>					<u>P</u>	<u>P</u>	C	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>		
EDUCATIONAL															
Schools	C	C	C	C	C			C	C	C					P ⁵
GOVERNMENTAL															

Use	R-S	R-L	R-M	R-H	R-O	C-N	C-T	C-H	C-C	C-C II	<u>NC-MU</u>	<u>RC-MU</u>	I-L	I-H	P-R
Court								P	P	P					P
Fire facility								P				<u>P</u>	<u>P</u>		P
Police facility						P ³		P	P ³	P		<u>P</u>	P		P
Public agency or utility office*						P	P	P	P	P	<u>P</u>	<u>P</u>	P	P	P/A
Public agency or utility yard	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P		P	C ⁴	P			P	P	P/A
Utility facility* ⁸	P	P	P		P	P	P	P	P	P			P	P	P
Fairgrounds															P
Public transportation passenger terminals							P	P	P	P		<u>P</u>	<u>P</u>	<u>P</u>	P
RESOURCE															
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	P	P	P/A ⁷
Agriculture*	P ⁹														
Small wind energy systems (ECC 15.340.060)	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	<u>P¹⁰</u>	<u>P¹⁰</u>	P ¹⁰	P ¹⁰	P ¹⁰ /A ⁷
REGIONAL															
Airport															PC ⁶

Development conditions:

- Lighting for structures and fields shall be directed away from residential areas through the use of exterior full cut-off shields or through optics within the fixture.
- Adult entertainment is regulated pursuant to Chapter 6.72 ECC. Zoning locational standards within the ~~C-T~~C-H zone for adult entertainment establishments are:
 - All such establishments must be at least 1,000 feet from any residential zone, parks, schools, historic district, any dwelling, freeway, highway, interstate, or major arterial (see map on file in the city clerk's office).
- Limited to "storefront" police offices. Such offices shall not have:
 - Holding cells;
 - Suspect interview rooms (except in the C-N zone); or
 - Long-term storage of stolen properties.

4. Public agency or utility yard conditions:
 - a. Utility yards only on sites with utility district offices; or
 - b. Public agency yards are limited to material storage, vehicle maintenance, and equipment storage for road maintenance, facility maintenance, and parks facilities.
5. Excluding private or nonprofit commercial schools, for which the principal course work is business, vocational, or technical.
6. A conditional use permit is required for the following uses:
 - a. Facilities to sell, service and store airplanes, service airport patrons, and those ordinarily incidental and essential to operation of a municipal airport; and
 - b. Airport landing areas.
7. All uses permitted in the P-R zone must be either outright permitted and operated as a public use or must be an accessory use to the primary public use; see ECC 15.310.050. Subject uses must be managed by a public agency.
8. Wireless communication facilities, including wireless communication support towers and antenna arrays, are subject to the provisions of ECC 15.340.070 and Chapter 15.395 ECC.
9. Agriculture uses are permitted in the subject zone provided the following conditions are met:
 - a. The raising of swine, poultry or goats shall be restricted to youth educational projects or limited household consumption occurring on the same lot, or lots of record;
 - b. No nuisances, such as noise, odor, air pollution, wastes, vibration, traffic or physical hazards, shall result therefrom; and
 - c. Fencing and housing adequate to certain livestock shall be provided where livestock are kept, and all livestock shall be kept and maintained in accordance with applicable laws and regulations.
10. Small wind energy systems on properties listed in the Ellensburg landmarks register are subject to landmarks and design commission certificate of appropriateness.
11. Subject use shall be permitted only if it is a public facility.
12. Museums within the R-S, R-L, R-M and R-H zoning districts are permissible within existing buildings, or if for new construction only if the building is 2,000 sq ft or less, and for both options through approval of a conditional use permit. [Ord. 4807 § 44, 2018; Ord. 4804 § 3, 2018; Ord. 4769 § 13, 2017; Ord. 4728 § 4, 2016; Ord. 4724 § 4, 2016; Ord. 4696 § 3, 2015; Ord. 4669 § 3, 2014; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 23. Chapter 15.320 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

Chapter 15.320

BUILDING SETBACK AND INTENSITY STANDARDS

Sections:

- 15.320.010 Purpose.**
- 15.320.020 Interpretation of tables.**
- 15.320.030 Building setback and intensity standards table – Residential zones.**
- 15.320.040 Building setback and intensity standards – ~~Nonresidential~~ Commercial, Industrial, and Public Reserve zones.**
- 15.320.045 Building setback and intensity standards – Mixed use zones**
- 15.320.050 Density calculations.**
- 15.320.060 Height exceptions.**
- 15.320.070 Setback measurements.**
- 15.320.080 Permitted projections into yards.**
- 15.320.090 Setbacks from alleys.**
- 15.320.100 Setback modifications.**
- 15.320.110 Lot or site divided by zone boundary.**
- 15.320.120 Fences, walls, and hedges.**

Section 24. Chapter 15.320.030 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.320.030 Building setback and intensity standards table – Residential zones.

Table 15.320.030. Building setback and intensity standards table – Residential zones.

Topic	R-S	R-L	R-M	R-H	R-O
DEVELOPMENT INTENSITY AND CONFIGURATION					
Minimum lot area	None ¹	None ¹	None ¹	None ¹	None¹
Minimum frontage	None ^{1,2}	None ^{1,2}	None ^{1,2}	None ^{1,2}	None^{1,2}
Density, minimum (ECC 15.320.050)		6 du/acre ³	8 du/acre ³	15 du/acre	8 du/acre³
Density, maximum (base) ⁸ (ECC 15.320.050)	6 du/acre	8 du/acre	No limit	No limit	No limit
Density, maximum with bonus (see Chapter 15.330 ECC)	12 du/acre ⁴	16 du/acre ⁴	No limit	No limit	No limit
Maximum building height	35 ft	35 ft	35 ft ⁵	45 ft ⁵	35 ft⁵
BUILDING SETBACK (see ECC 15.320.070 through 15.320.130)					
Minimum front yard setback ^{6, 7}	15 ft	15 ft	15 ft	15 ft	15 ft
Garage front yard setback	22 ft	22 ft	22 ft	22 ft	22 ft
Minimum rear yard setback	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum rear yard setback, accessory buildings (including garages)	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft¹⁰

Topic	R-S	R-L	R-M	R-H	R-O
Minimum rear yard setback, detached accessory dwelling unit (see ECC 15.540.040)	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰	5 ft ¹⁰
Minimum side yard setback (includes corner lot interior lot line) ⁹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹	5 ft/10 ft ¹¹
Minimum side yard setback (corner lot exterior lot line)	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum garage side yard setback (corner lot exterior lot line)	22 ft	22 ft	22 ft	22 ft	22 ft

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. New lots shall have access directly to a public right-of-way or may obtain access from a courtyard access (ECC 15.420.050(C)) or shared driveway (ECC 15.420.060(A)(2)).
3. The density minimum shall apply only to new subdivisions greater than one acre in size.
4. Exception: Projects complying with Net Zero Energy provisions may exceed the maximum density limits as set forth in ECC 15.330.020(A).
5. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
6. Porches and covered entries may project up to six feet into the front yard.
7. No front yard is required for buildings adjacent to designated “storefront streets.”
8. Base maximum density refers to the maximum density allowed without utilizing density bonuses. Per Section 15.310.040, duplexes and townhomes are permitted in R-S and R-L zones on preexisting legal lots of record as of December 31, 2021, notwithstanding the maximum density requirements of this chapter. For lots recorded after this date, duplexes and townhomes must meet the density standards of this chapter.
9. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
10. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.

11. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side. [Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 25. Chapter 15.320.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.320.040 Building setback and intensity standards – Nonresidential Commercial, Industrial, and Public Reserve zones

Table 15.320.040. Building setback and intensity standards – Nonresidential Commercial, Industrial, and Public Reserve zones.

Standard	C-N	C-T	C-H	C-G	C-G-H	I-L	I-H	P-R
DEVELOPMENT INTENSITY AND CONFIGURATION								
Minimum lot area	None ¹	None¹	None ¹	None¹	None¹	None ¹	None ¹	None ¹
Density, minimum (ECC 15.320.050)	NA	NA	NA	NA	NA	NA	NA	NA
Density, maximum (ECC 15.320.050)	None	None	None	None	None	NA	NA	NA
Maximum building height (see ECC 15.320.060 for height exceptions)	35 ft	35 ft	35 ft	45 ft	70 feet	35 feet ³	None	None ³
BUILDING PLACEMENT (see ECC 15.320.070 through 15.320.130)								
Minimum front yard	10 ft ²	10 ft²	10 ft ²	None²	None³	10 ft ²	10 ft	10 ft ⁴
Garage front yard setback	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft
Minimum rear yard (see ECC 15.520.020 for supplemental standards)	None ⁵	None⁵	None ⁵	None⁵	None⁵	None ⁵	None ⁵	None ⁴
Minimum side yard (see ECC 15.520.020 for supplemental standards)	None ⁵	None⁵	None ⁵	None⁵	None⁵	None ⁵	None ⁵	None ⁴

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. For exceptions and detailed standards, see Chapter 15.510 ECC, Site Orientation.
3. For areas within 100 feet of a residential zone, the maximum building height shall be 35 feet, except where provided for in ECC 15.310.050(B).

4. For P-R zoned sites adjacent to residential zones, setback standards shall be the same as the adjacent residential zone. Where more than one zone borders the applicable site, setback standards shall be the same as the zone closest to the proposed structures. Where a nonresidential zone is closest to the applicable structure, then there are no side or rear setback requirements.
5. Where the subject property borders a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
6. ~~See ECC 15.330.030 for FAR bonus provisions.~~ [Ord. 4807 § 46, 2018; Ord. 4769 § 14, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 26. Chapter 15.320.045 of the Land Development Code of the Ellensburg City Code is hereby added as a new Chapter to read as follows:

15.320.045 Building setback and intensity standards – Mixed Use Zones

Table 15.320.045. Building setback and intensity standards table – Mixed Use Zones

<u>Standard</u>	<u>R-O</u>	<u>C-C</u>	<u>C-C II</u>	<u>NC-MU</u>	<u>RC-MU</u>
<u>DEVELOPMENT INTENSITY AND CONFIGURATION</u>					
<u>Minimum lot area</u>	<u>None</u> ¹	<u>None</u> ¹	<u>None</u> ¹	<u>None</u> ¹	<u>None</u> ¹
<u>Minimum frontage</u>	<u>None</u> ^{1,2}	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Density, minimum (ECC 15.320.050)</u>	<u>8 du/acre</u> ³	<u>NA</u>	<u>NA</u>	<u>8 du/acre</u> ¹²	<u>15 du/acre</u> ¹²
<u>Density, maximum (ECC 15.320.050)</u>		<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum building height (see ECC 15.320.060 for height exceptions)</u>	<u>35ft</u> ⁴	<u>60ft</u> ^{7, 11}	<u>60 ft</u>	<u>60 ft</u> ⁷	<u>60 ft</u> ⁷
<u>BUILDING PLACEMENT (see ECC 15.320.070 through 15.320.130)</u>					
<u>Maximum front yard setback</u>				<u>10 ft</u> ¹³	<u>10 ft</u> ¹³
<u>Minimum front yard</u>	<u>15 ft</u>	<u>None</u> ⁵	<u>None</u> ⁵	<u>None</u> ⁵	<u>None</u> ⁵
<u>Minimum garage front yard setback</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>	<u>22 ft</u>
<u>Minimum rear yard (see ECC 15.520.020 for supplemental standards)</u>	<u>20 ft</u>	<u>None</u> ⁶	<u>None</u> ⁶	<u>None</u> ⁶	<u>None</u> ⁶
<u>Minimum rear yard setback, accessory buildings (including garages)</u>	<u>5 ft</u> ⁸				

<u>Standard</u>	<u>R-O</u>	<u>C-C</u>	<u>C-C II</u>	<u>NC-MU</u>	<u>RC-MU</u>
<u>Minimum rear yard setback, detached accessory dwelling unit (see ECC 15.540.040)</u>	<u>5 ft⁸</u>				
<u>Minimum side yard, includes corner lot interior lot line (see ECC 15.520.020 for supplemental standards)¹⁰</u>	<u>5 ft/10 ft⁹</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>	<u>None⁶</u>
<u>Minimum side yard setback (corner lot exterior lot line)¹⁰</u>	<u>10 ft⁹</u>				
<u>Minimum garage side yard setback (corner lot exterior lot line)</u>	<u>22 ft</u>				

Development conditions:

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. New lots shall have access directly to a public right-of-way or may obtain access from a courtyard access (ECC 15.420.050(C)) or shared driveway (ECC 15.420.060(A)(2)).
3. The density minimum shall apply only to new subdivisions greater than one acre in size.
4. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
5. For exceptions and detailed standards, see Chapter 15.510 ECC, Site Orientation.
6. Where the subject property shares any portion of a border with a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
7. Where subject property shares any portion of a border with a residential zone the maximum building height is 45 feet.
8. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
9. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side.
10. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
11. The maximum building height in the downtown Ellensburg local landmark district is 45 feet.

12. There is no minimum residential density for vertical mixed use. Minimum residential density applies to any portion(s) of the development where ground-floor residential uses are proposed with the following standards:

a. The area used to calculate residential density includes all area dedicated to parking and landscaping required for the ground-floor residential uses.

b. Where ground-floor residential uses are part of a mixed use development, area used to calculate the residential density does not include land dedicated to right-of-way.

13. The secondary street standards in ECC 15.510.060 shall apply to all new streets in the Neighborhood-Center and Regional Center Mixed-Use Zones. [Ord. 4807 § 46, 2018; Ord. 4769 § 14, 2017; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 27. Chapter 15.320.060 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4807, is hereby amended to read as follows:

15.320.060 Height exceptions.

The following structures may be erected above the height limits set forth in ECC 15.320.030, ~~and~~ 15.320.040 and 15.320.045:

A. An additional two feet in height is allowed for structures with green roofs occupying at least 50 percent of the area of the roof;

B. Roof structures housing or screening elevators, stairways, tanks, rooftop wind generators, ventilating fans or similar equipment required for building operation and maintenance may exceed the height limit by up to 10 feet in the C-C and C-C II zones. Such structures constructed for nonresidential or multifamily uses are subject to screening standards in ECC 15.520.060;

C. Fire or parapet walls may exceed the height limit by up to 10 feet in the C-C and C-C II zones; and

D. Skylights, flagpoles, chimneys, church steeples, crosses, spires, communication transmission and receiving structures, and similar structures. [Ord. 4807 § 46, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

Section 28. Chapter 15.350.030 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.350.030 Airport overlay zone.

In order to carry out the purpose of this chapter there is hereby created an airport overlay zone (A-O) that is composed of the following surface and safety zones. The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The boundaries of the airport surface and safety zones are shown on airport overlay zone (A-O) Map “B,” “Safety Zones” (see Figure ~~15.300.060(D)~~ 15.300.070(D)) which shall be on file and open for inspection in the Kittitas County public works department, Kittitas County planning department and city of Ellensburg community

development department. The surface and safety zones are overlaid on top of the existing underlying zoning that remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced.

A. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) Overlay Zone Map “A,” “Part 77,” as amended, which is on file and open for inspection in the Kittitas County public works department. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follows:

1. Runways 07, 25, and 11 – Larger Than Utility with a Visibility Minimum Greater Than Three-Fourths-Mile Non-Precision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a horizontal distance of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
2. Runway 29 – Larger Than Utility with a Visibility Minimum Lower Than Three-Fourths-Mile Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone.
3. Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 139 feet above mean sea level, as depicted on Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending to where they intersect the conical surface. Further, where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.
4. Horizontal Zone. This zone is established at 150 feet above the airport elevation or at a height of 1,916 feet above mean sea level by swinging arcs of 5,000 feet radial for all

runways designated utility or visual and 10,000 feet for all other runways from the centers of the primary surface of each runway and connecting adjacent arcs by drawing lines tangent to those arcs, as depicted on Map “A.” The horizontal zone does not include the approach and transitional zones. Height restrictions: no object shall penetrate the imaginary horizontal line created at 150 feet above the airport elevation or at a height above the airport of 1,916 feet above mean sea level.

5. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there for a horizontal distance of 4,000 feet as depicted in Map “A.” Height restrictions: no object shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.

B. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zone Map “B,” “Safety Zones,” as amended and shall also be identified on the city of Ellensburg official zoning map by inclusion of the prefix “Airport” attached to the corresponding underlying zone name. Within each of the safety zones certain land use limitations are hereby established and certain development standards are hereby imposed in addition to the land uses and development standards of the underlying zoning district. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:

1. Runway Protection Zone 1. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
2. Inner Safety Zone 2. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted in Map “B” (shaded area No. 2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
3. Inner Turning Zone 3. A fan-shaped area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
4. Outer Safety Zone 4. An area extending beyond the centerlines of Runways 11, 29, 07 and 25 as depicted on Map “B” (shaded area No. 4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.

5. Sideline Zone 5. An area adjacent to Runways 11, 29, 07, and 25 as depicted on Map “B” (shaded area No. 5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.

6. Airport Operations Zone 6. This zone is depicted on Map “B” (shaded area No. 6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 29. Chapter 15.510.060 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.510.060 Secondary street standards.

For all designated secondary streets, development frontages may either be storefronts (see subsection (B) of this section), landscaped frontages (see subsection (C) of this section), or a combination of both.

A. Applicability. The standards herein shall apply to all nonresidential and multifamily development on designated secondary streets per ECC 15.510.040.

B. Storefront Standards. All storefront buildings along designated secondary streets shall comply with all building-related storefront street standards set forth in ECC 15.510.050.

C. Landscaped Frontage Standards for Secondary Streets.

1. Building Setbacks. Ten feet minimum or consistent with minimum requirements of the applicable zoning district (see ECC 15.320.030, ~~and~~ 15.320.040, and 15.320.045), whichever is greater. Covered entries and other weather protection features may extend into this setback by up to six feet.

2. Building Entry. At least one building entry shall be visible from the sidewalk.

3. Weather Protection. Weather protection at least three feet deep shall be provided over all primary entries.

4. Transparency. Transparent window area shall be provided along at least 15 percent of the facade of the building (all vertical surfaces of the facade). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

5. Landscaping. All areas between the sidewalk and the building shall be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space.

D. Parking Location. No more than 50 percent of the street frontage can be occupied by off-street parking and driveways (see Figure 15.510.060(B)). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

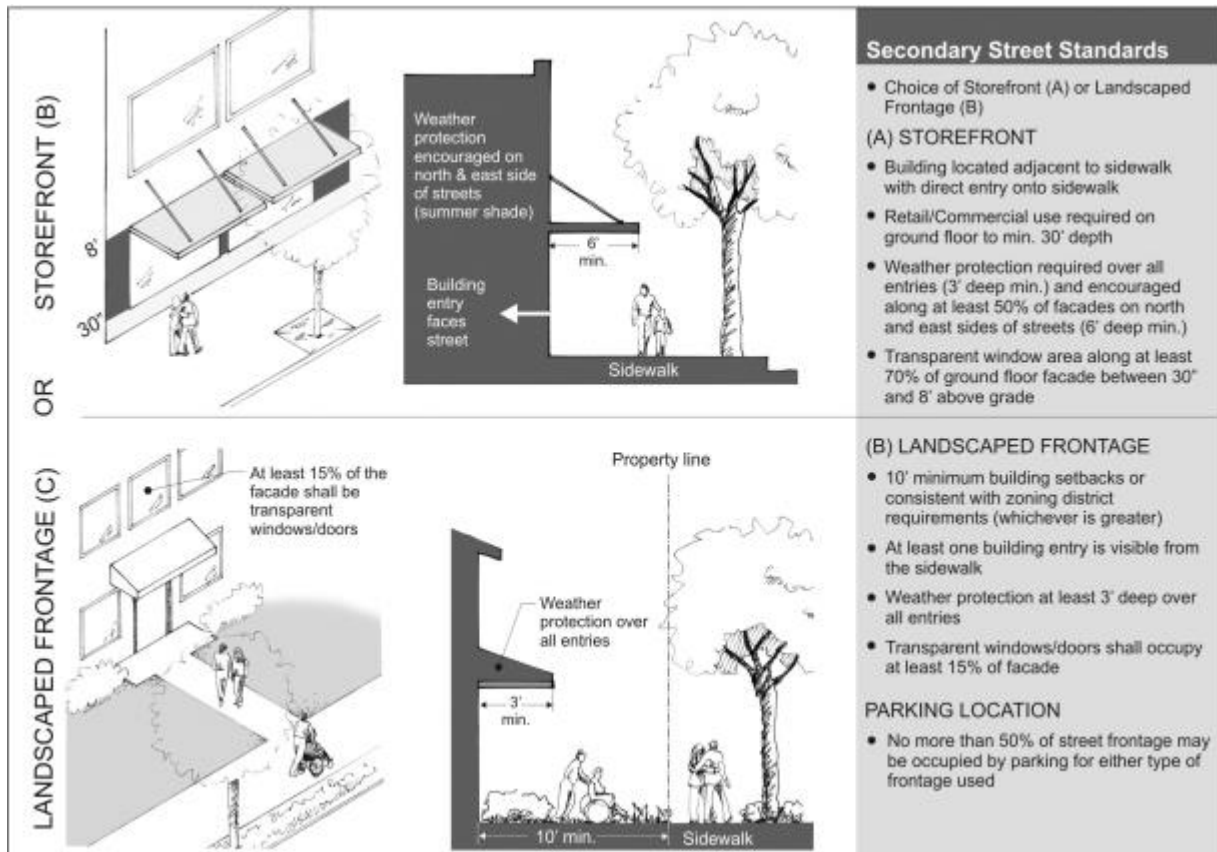


Figure 15.510.060(A). Summary of key secondary street standards.

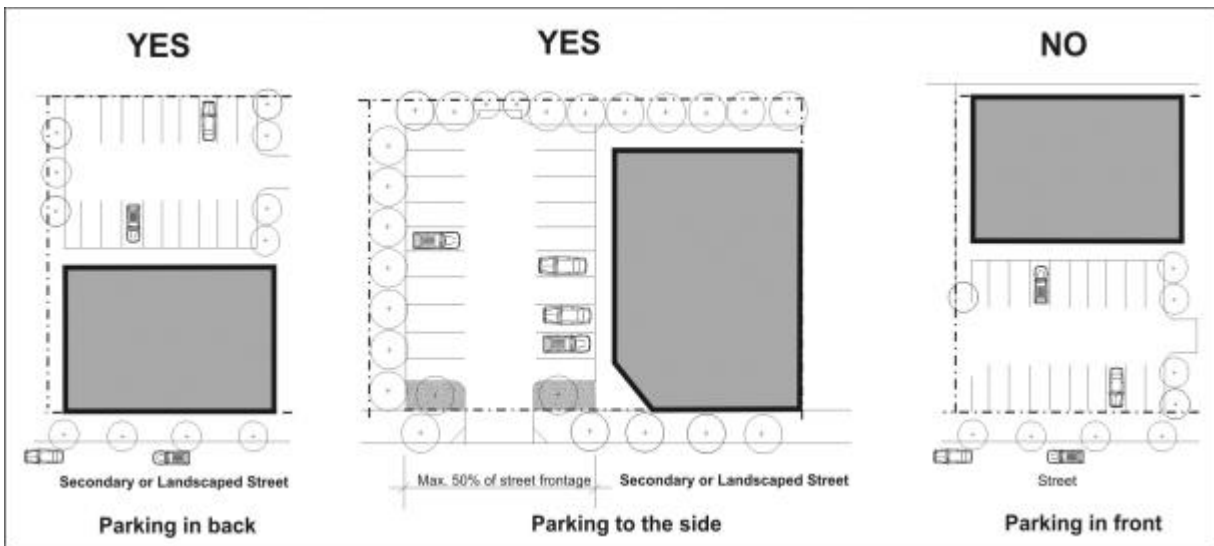


Figure 15.510.060(B). Parking location standards for designated secondary streets.

[Ord. 4656 § 1 (Exh. O2), 2013.]

Section 30. Chapter 15.510.070 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.510.070 Gateway street standards.

- A. Applicability. The standards herein shall apply to all designated gateway streets per ECC 15.510.040.
- B. Building Setbacks. Fifteen feet minimum, or consistent with minimum requirements of the applicable zoning district (see ECC 15.320.040 and 15.320.045), whichever is greater.
- C. Building Entry. At least one building entry shall be visible from the sidewalk.
- D. Weather Protection. Weather protection at least three feet deep shall be provided over all primary entries.
- E. Transparency. Transparent window area shall be provided along at least 15 percent of the facade of the building (all vertical surfaces of the facade). Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.
- F. Landscaping. All areas between the sidewalk and the building shall be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space.
- G. Parking Location. Parking and driveways shall be located to the side or rear of buildings. Drive-through lanes between the sidewalk and the building are prohibited. Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

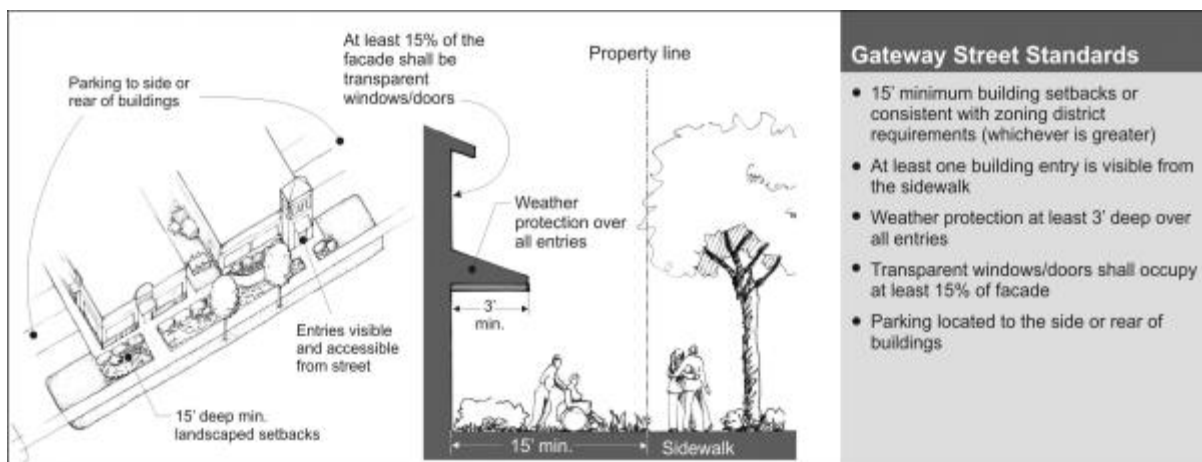


Figure 15.510.070. Summary of key gateway street standards.

[Ord. 4656 § 1 (Exh. O2), 2013.]

Section 31. Chapter 15.510.080 of the Land Development Code of the Ellensburg City Code as last amended by Ordinance 4656, is hereby amended to read as follows:

15.510.080 Landscaped street standards.

- A. Applicability. The standards herein shall apply to all nonresidential and multifamily development on designated landscaped streets per ECC 15.510.040.

- B. **Building Setbacks.** Fifteen feet minimum, or consistent with minimum requirements of the applicable zoning district (see ECC 15.320.030, ~~and 15.320.040,~~ and 15.320.045), whichever is greater.
- C. **Building Entry.** At least one building entry shall be visible from the sidewalk.
- D. **Weather Protection.** Weather protection at least three feet deep shall be provided over all primary entries.
- E. **Transparency.** Transparent window area shall be provided along at least 15 percent of the facade of the building (all vertical surfaces of the facade). Departures for nonresidential uses will be considered pursuant to ECC 15.210.060 and 15.510.120.
- F. **Landscaping.** All areas between the sidewalk and the building shall be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space.
- G. **Parking Location.** No more than 50 percent of the street frontage can be occupied by off-street parking and driveways. Departures will be considered pursuant to ECC 15.210.060 and 15.510.120.

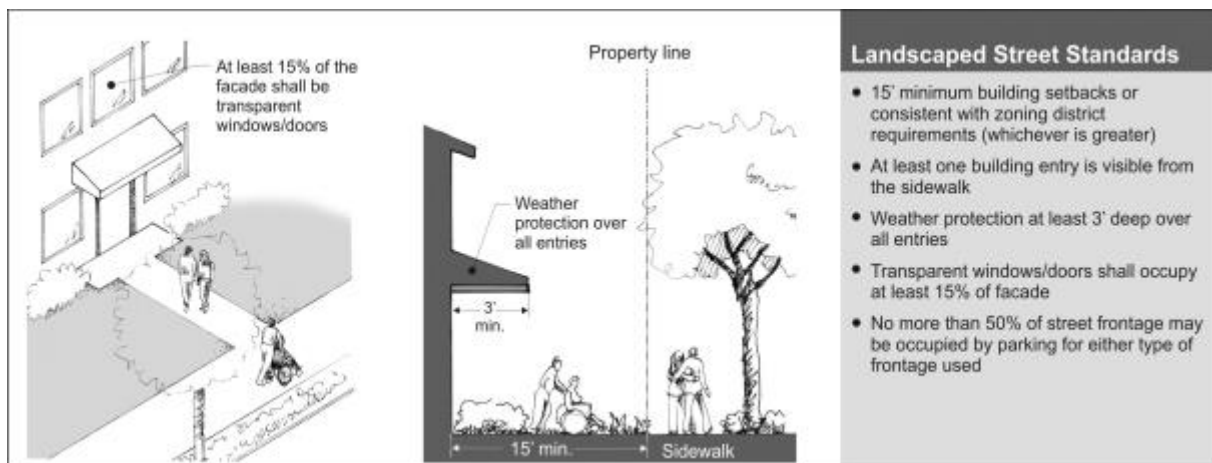


Figure 15.510.080. Summary of key landscaped street standards.

[Ord. 4656 § 1 (Exh. O2), 2013.]

Section 32. Chapter 15.530.040 of the Land Development Code of the Ellensburg City Code, as last amended by Ordinance 4656, is hereby amended to read as follows:

15.530.040 Building elements and details.

- A. **Purpose.** To encourage the incorporation of design details and small-scale elements into building facades that are attractive at a pedestrian scale.
- B. **Applicability.** All nonresidential and mixed-use buildings shall comply with the building elements and details standards herein unless otherwise noted.

C. Facade Details Toolbox. All nonresidential and mixed-use buildings shall be enhanced with appropriate details. All new buildings and additions and buildings associated with Level II and III improvements must employ at least one detail element from each of the three categories below for each facade facing a street, featuring a customer entry, or featuring the primary residential entry for each facade articulation interval (see ECC 15.530.030). For example, a building with 120 feet of street frontage with a facade articulated at 40-foot intervals will need to meet the standards for each of the three facade segments below.

1. Window and/or Entry Treatment.
 - a. Display windows divided into a grid of multiple panes;
 - b. Transom windows;
 - c. Roll-up windows/doors;
 - d. Other distinctive window treatment that meets the purpose of the standards;
 - e. Recessed entry;
 - f. Decorative door;
 - g. Arcade;
 - h. Landscaped trellises or other decorative element that incorporates landscaping near the building entry; or
 - i. Other decorative or specially designed entry treatment that meets the purpose of the standards.
2. Building Elements and Facade Details.
 - a. Custom-designed weather protection element such as a steel canopy, cloth awning, or retractable awning;
 - b. Decorative, custom hanging sign(s);
 - c. Decorative building-mounted light fixtures;
 - d. Bay windows, trellises, towers, and similar elements; or
 - e. Other details or elements that meet the purpose of these standards.
3. Building Materials and Other Facade Elements.
 - a. Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework;
 - b. Artwork on building (such as a mural) or bas-relief sculpture;
 - c. Decorative kick-plate, pier, beltcourse, or other similar feature;

- d. Hand-crafted material, such as special wrought iron or carved wood; or
- e. Other details that meet the purpose of the standards.

“Custom,” “decorative,” or “hand-crafted” elements referenced above must be distinctive or “one-of-a-kind” elements or unusual designs that require a high level of craftsmanship.

Departures to the standards above will be considered pursuant to ECC 15.210.060 provided the number, quality, and mix of details meet the purpose of the standards in this section.



Figure 15.530.040(C). Facade details examples. The building on the left uses decorative windows and doors, decorative roofline and columns, and decorative materials (brick and wood). The center image uses a decorative entry feature (metal feature over entry), decorative weather protection and lighting, and decorative use of brickwork. The right image uses decorative wood beams over the entry, decorative windows and doors, and stonework.

D. High Visibility Street Corner Buildings. Buildings located at designated high visibility street corners (see subsection (D)(1) of this section) shall provide one or more of the elements listed in subsection (D)(2) of this section on the building corner. All corner building design elements must be sized to be proportional to the building and the size of the applicable intersection (for example, larger intersections warrant more substantial design treatments).

1. Designated high visibility street corners include all street corners within the downtown historic district (see Figure ~~15.300.060~~ 15.300.070) and other street corners illustrated in Figure 15.530.040(D)(2).
2. Street Corner Design Element Options.
 - a. A cropped building corner with corner pedestrian entry;
 - b. A bay window or turret;
 - c. A clock or bell tower;
 - d. Balconies above the ground floor;
 - e. Sculpture or artwork element; must be a one-of-a-kind design element;

- f. Distinctive use of facade materials; and/or
- g. Other special or unique corner building treatment, other than the use of fabric or vinyl awnings, for pedestrian weather protection at the corner of the building.



Figure 15.530.040(D)(1). Desirable building corner examples.

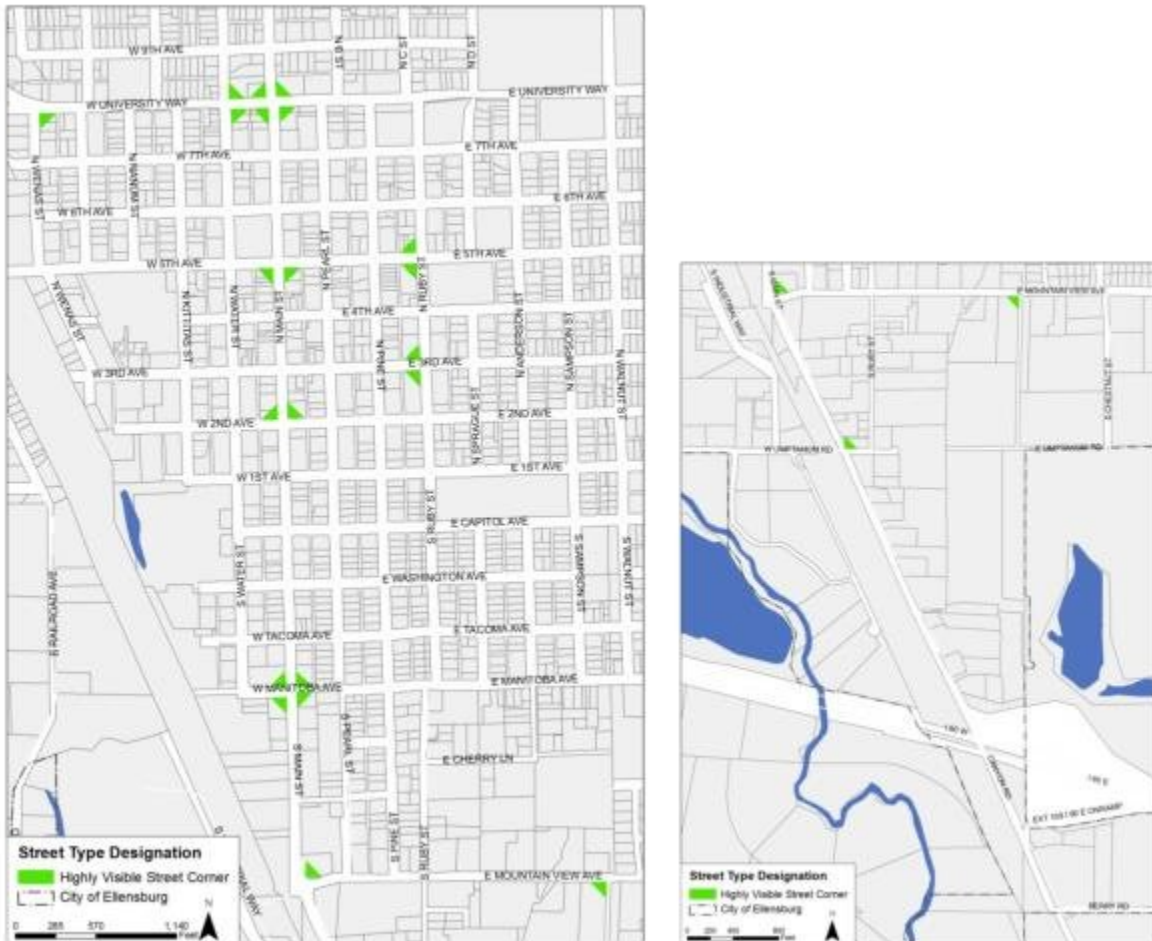


Figure 15.530.040(D)(2). Designated high visibility street corners. All street corners within the downtown historic district are considered a high visibility street corner.

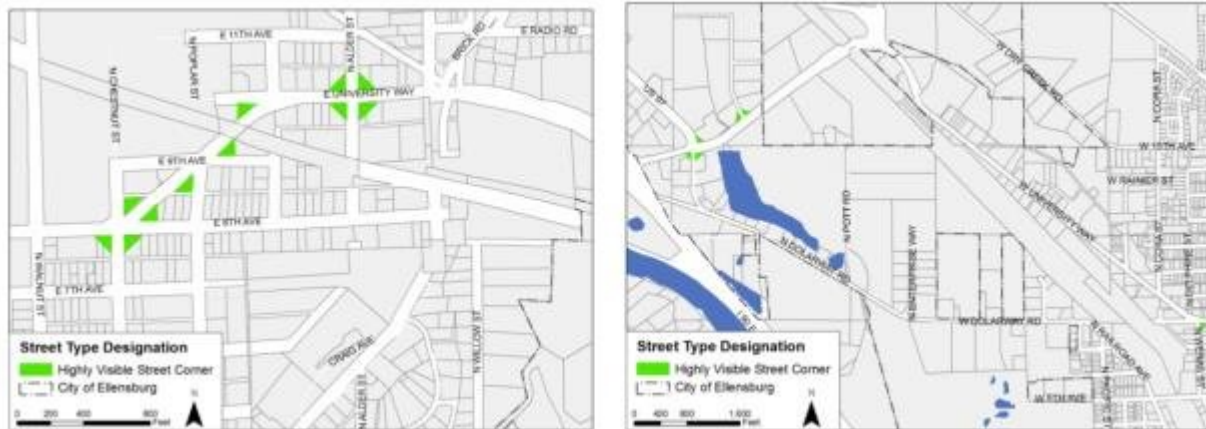


Figure 15.530.040(D)(2). Designated high visibility street corners (continued).

E. Window Design. Buildings shall employ techniques to recess or project individual windows above the ground floor at least two inches from the facade or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Buildings in the I-H zone and facades of buildings in the I-L zone that do not face a street or contain a customer entrance are exempt from this standard. Departures will be considered pursuant to ECC 15.210.060 where buildings employ other distinctive window or facade treatment that adds a sense of depth to the facade and/or visual interest to the building.



Figure 15.530.040(E). Acceptable and unacceptable (far right image) window design on upper floors. Note that the windows in the brick building on the left are recessed from the facade. The windows in the middle images include trim. The image on the right includes no trim or recess/projection, and thus would not be permitted.

F. Year of Construction Plaque. All new commercial and mixed-use buildings may note the year of construction of the building by the installation of a plaque attached to the building near the main entrance. Numbers etched into stone, brick, or concrete may be used in lieu of a plaque. The year of construction is to be noted by numbers not less than six inches high nor more than 12 inches high. Other information associated with the building that may be of public interest may be included. [Ord. 4656 § 1 (Exh. O2), 2013.]

Section 33. Chapter 15.50.040 of the Land Development Code of the Ellensburg City Code as last amended by Ordinance 4810, is hereby amended to read as follows:

15.550.040 Computation of required off-street parking spaces.

A. Spaces Required. Except as modified in subsections below, off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

Table 15.550.040(A). Computation of required off-street parking spaces.

Category of Land Use¹	Minimum Parking Spaces Required
RESIDENTIAL/LODGING	
Dwelling, single-family	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for single-family units.
Accessory dwelling unit	None required
Apartment:	
Duplex	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for duplex dwelling units.
Townhouse	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided.
Studio units	1.2 per dwelling unit
Studio and 1-bedroom units in C-C zone outside of the downtown historic district	0.7 per dwelling unit
1-bedroom units	1.5 per dwelling unit
2-bedroom residential units and larger in C-C zone outside of the downtown historic district	0.7 per bedroom
2-bedroom units or larger	1.0 per bedroom
Cottage housing	1.5 per dwelling unit

Category of Land Use¹	Minimum Parking Spaces Required
Senior housing	1.0 per dwelling unit (this may be reduced based on the characteristics of the use)
Adult family home	2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted.
Senior citizen assisted housing	1.0 per 2 dwelling or sleeping units
Community residential facilities	1.0 per 2 bedrooms
Boarding houses, lodging houses, seminaries, fraternities	1.0 per bedroom
Hotel/motels (where restaurants and conference facilities are included, see standards for applicable use)	1.0 per guest room
Bed and breakfast guesthouse	1.0 per guest room, plus 2.0 per facility
GENERAL RETAIL AND SERVICE	
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 300 square feet of gross floor area
General retail or service use with drive-in facility	Same parking for retail and service as provided herein, plus sufficient off-street drive-through stacking area to accommodate 3 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Day care facility	1.0 per employee plus 1.0 temporary loading parking per each 8 full-day equivalent children
FOOD AND BEVERAGE	
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required
Drive-in restaurant	Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Drive-in coffee stand	2.0 per facility plus sufficient off-street drive-through stacking area to accommodate 6

Category of Land Use ¹	Minimum Parking Spaces Required
	vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
PLACES OF ASSEMBLY	
Churches, funeral homes, mortuaries, clubs, lodges, museums, auditoriums, theaters, conference facilities, public or commercial recreational facilities, or similar uses	0.25 per person of maximum occupancy as established by the fire marshal with a minimum of 5 spaces required
INDUSTRIAL AND LAND CONSUMPTIVE USES	
Wholesale trade, warehousing (including miniwarehouse facilities), processing and manufacturing facilities, heavy equipment repair, lumber yard, car sales, or similar land consumptive but low traffic generation uses	1.0 per 1,500 square feet of gross floor area for structures up to 20,000 square feet in gross size with a minimum of 5 spaces required OR 1.0 per 2,000 square feet of gross floor area for structures greater than 20,000 square feet in gross size. NOTE: For vehicle sales lots, the sales area is not considered to be a parking facility and does not have to comply with the requirements of this chapter. However, all required parking must be designed and reserved for customer parking only.
PUBLIC AND QUASI-PUBLIC USES	
Hospital	1.5 per each 5 beds with a minimum of 5 spaces required
Elementary and junior high schools	1.0 per classroom, plus 1 per 50 students
High schools, college or university, trade school, or business school	1.0 per classroom, plus 1 per 10 students
Governmental office	1.0 per 350 square feet of gross floor area

Notes:

~~1A.~~ In those situations where a particular use is not specifically mentioned in this table, the requirements for off-street parking shall be determined by the director and in accordance with the most comparable use listed.

B. Uses in the C-C Zone. There are no off-street parking requirements for any uses in the C-C zone, except residential uses located outside of the downtown historic district shall provide at least 0.7 parking spaces per bedroom (studio apartments shall be considered a one-bedroom apartment).

C. Shell Building Permit Applications. When the city has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements

or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director shall establish the amount of parking based on a likely range of uses.

For example, an applicant submits a permit for a 5,000-square-foot shell building in the C-H zone. The zone allows for a range of retail, personal, and general service retail uses. Most permitted uses in this zone fall in the category of general retail and service uses in Table 15.550.040(A) which requires one space per 300 square feet of gross floor area. Restaurants require more parking (one space per 200 square feet of gross floor area). While the director might find it unreasonable to require parking for the “worst case scenario” in terms of possible use types, he or she will typically choose a requirement that falls between the possible use scenarios. In this case, the odds are that most possible uses fall in the general retail and service use category with a lower parking requirement, though a slightly higher parking requirement would make sense given the possibility of a use such as a restaurant, which requires greater parking. Thus, a compromise standard, requiring a minimum of one space per 275 square feet of gross floor area, would be reasonable in this instance.

D. Other Provisions of Code. Where other provisions of this code stipulate reduced minimum parking requirements, those provisions shall apply.

E. Bicycle Parking. Multifamily and nonresidential developments shall provide for bicycle parking per the standards below:

1. Amount of Bicycle Parking.

Table 15.550.040(B). Computation of required off-street bicycle parking spaces.

Category of Land Use	Minimum Parking Spaces Required
Single-family dwelling	None
Multifamily dwelling	0.5 space per dwelling unit (units with private garages are exempt)
Hotel/motels	1.0 per 20 guest rooms
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 5,000 square feet of gross floor area for up to 50,000 square feet, then 1.0 per 10,000 square feet beyond 50,000
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 800 square feet of gross floor area
All other uses	1.0 per 5 required vehicle parking spaces

2. Parking Location and Design – Nonresidential Uses. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and located in safe, visible areas that do not impede pedestrian or vehicle traffic flow. Proper lighting of area is required per Chapter 15.580 ECC.

3. Parking Location and Design – Residential Uses. Bicycle facilities for residents shall be located within 100 feet of all building or individual unit entrances and located on the ground level in safe, visible areas that do not impede pedestrian or vehicle traffic flow. Proper lighting of area is required per Chapter 15.580 ECC.

4. Bicycle parking hardware shall be installed according to its manufacturer's instructions, allowing adequate clearance for bicycles and their riders.

5. Projects in the C-C zone may contribute to a bicycle parking fund (subject to establishment by the city) maintained by the city in lieu of required parking set forth in Table 15.550.040(B). Calculation of the required fund contributions will be based on the cost to purchase, install, and maintain bicycle parking and associated improvements. The cost will be adjusted annually by the city. The fund will be used by the city to provide bicycle parking in the C-C zone and in other locations within the city.

F. Primary Use. The minimum number of parking spaces shall be computed based on the primary uses on the property, except as stated in subsection (G) of this section that addresses accessory uses. When there are two or more separate primary uses on a property, the required off-street parking for the property is the sum of the required parking for the individual primary uses.

G. Accessory Use. When more than 20 percent of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated separately for the accessory use and for the primary use and then added together for the total required off-street parking. When 20 percent or less of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated on the gross floor area of the building as if it were all under the primary use.

Examples:

1. A 40,000-square-foot building containing a 30,000-square-foot warehouse space (75 percent of total) and a 10,000-square-foot accessory office space (25 percent of total). The minimum parking requirement would be calculated separately for the office use and the warehouse use and then added together.

2. The same 40,000-square-foot building containing a 35,000-square-foot warehouse space (88 percent of total) and a 5,000-square-foot accessory office space (12 percent of total). The required parking would be based solely on the gross floor area of the building as if it were all the primary use (40,000).

H. On-Street Parking. On-street parking immediately adjacent to the property may be counted towards the parking requirement for nonresidential uses.

I. Off-Site Parking. Off-site parking is not permitted for residential uses outside of the C-C zone, except for guest parking provisions associated with local access streets per ECC 15.410.040(B)(2). For nonresidential uses, a maximum of 25 percent of the required off-street parking for a building or use may be located on a separate lot of record. Specifically:

1. The location of the off-site parking shall be within 600 feet of any property line of the property for which the off-site parking is provided;
2. Off-site parking facilities are subject to applicable design provisions in this division, including site orientation standards in Chapter 15.510 ECC, site planning and design elements in Chapter 15.520 ECC, and landscaping standards in Chapter 15.570 ECC;
3. There shall be sidewalks or paved pedestrian paths between the off-site parking site and the use for which the off-site parking is provided;
4. There shall be adequate lighting to provide safe walking between the off-site parking and the use for which the off-site parking is provided;
5. The owner of the off-site parking property shall execute a covenant in a form acceptable to the city attorney that shall clearly:
 - a. Identify the legal description of the property that is to benefit from the off-site parking lot and the legal description of the off-site property that is to be encumbered in whole or in part by the covenant;
 - b. Specify the terms and conditions of such encumbrance; and
 - c. Clearly state that the terms of the covenant cannot be modified or revoked without the written consent of the city council.
 - d. The covenant shall be recorded with the Kittitas County auditor's office to run as a deed restriction on both the benefited and encumbered properties as long as the business requiring these off-street parking spaces is in operation. A copy of the recorded covenant shall be provided to the community development department.

J. All required off-street parking must have direct and unobstructed access to ingress and egress from a public street, and stacked or tandem parking shall not be counted toward meeting the required off-street parking requirements in any zoning district except for single-family residential structures and duplex dwelling units as per Table 15.550.040(A).

K. Setback Areas.

1. Required off-street parking spaces are not allowed to extend within any required setback area or required open space area in the R-L, R-M, R-O, and R-H zoning districts, or in the front setback area in the C-T zoning district. Single-family residences located in any of the R-L, R-M, R-O, and R-H zoning districts are allowed to locate the minimum required two off-street parking spaces within the setback areas or required open space area. Any additional parking spaces must be located outside of the required open space and setback areas.
2. At locations where single-family residential parking is permitted within setback or required open space, provisions shall be made to prevent this parking from encroaching upon adjacent sidewalks. For the purposes of this requirement there shall be a minimum of 22 feet between adjacent structures and sidewalks to allow for parking clearance when required

parking for single family residential development is sited on the required building setback(s) or open space.

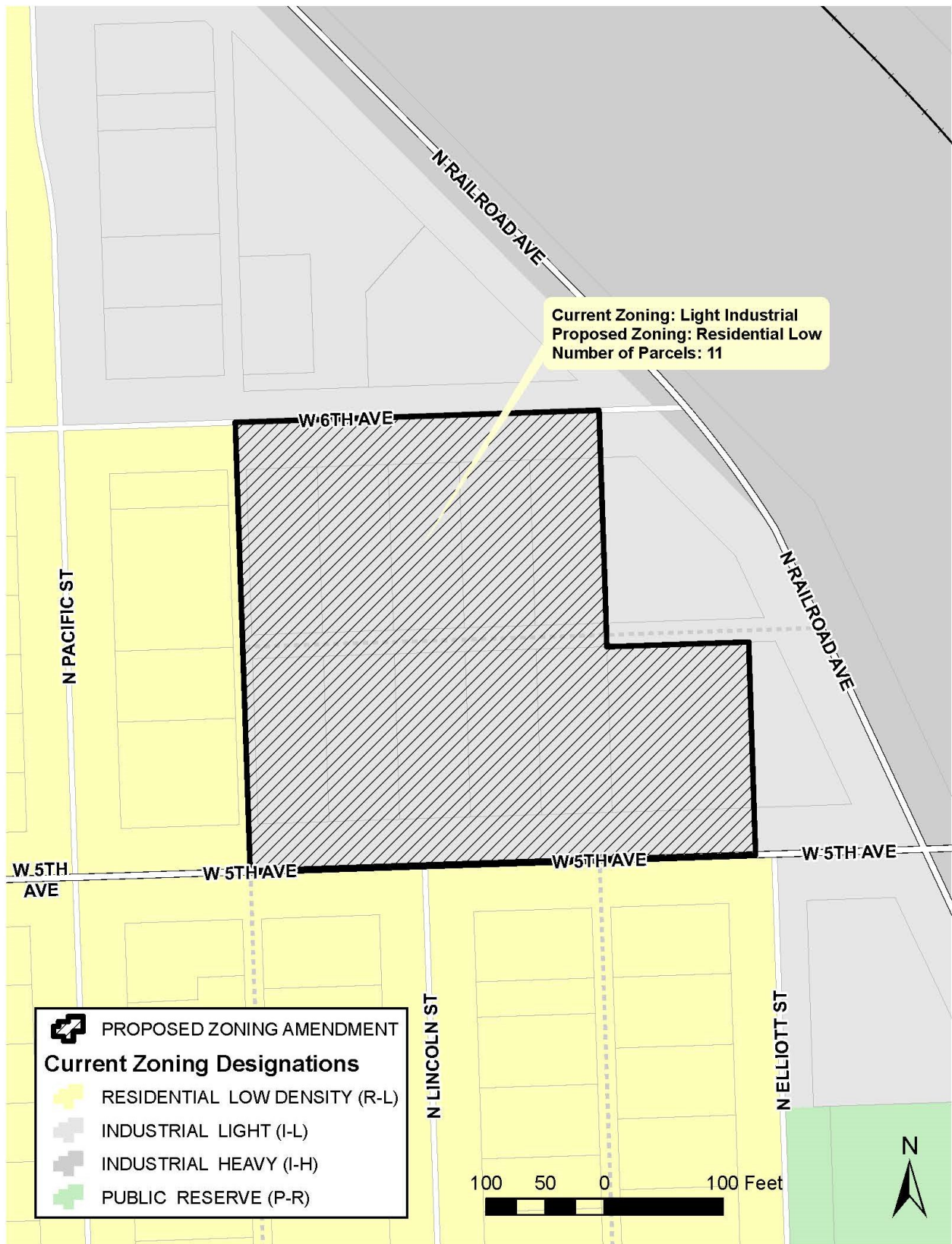
L. Garages. Required off-street parking that is provided in garages or carports shall be credited toward the required off-street parking spaces except that no stacked or tandem parking that blocks off those garages or carport parking spaces from direct or unobstructed access to ingress or egress to a public street shall be credited toward the required parking spaces except for single-family residential structures and duplex structures as set forth in Table 15.550.040(A).

M. Handicapped Parking. Off-street parking and access for the physically handicapped shall be provided in accordance with the Uniform Building Code.

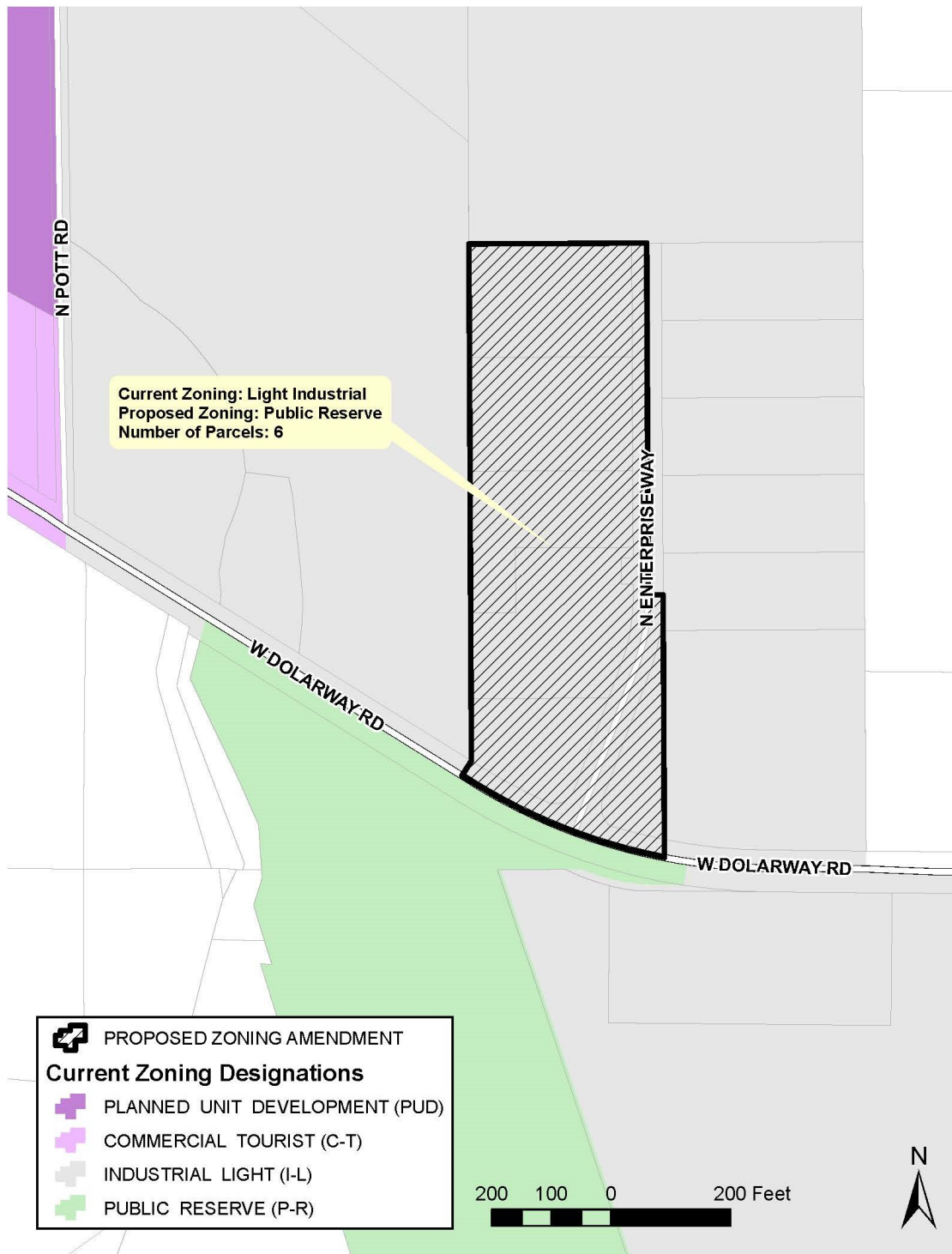
N. Fire Lane Standards. Fire lanes may be required by the fire codes and by Kittitas Valley Fire and Rescue within off-street parking facilities. Such fire lanes, including dimensions, width, location, etc., shall be installed as required by the fire code or Kittitas Valley Fire and Rescue and shall remain in effect throughout the life of the parking facility.

O. Changes in use to a different land use category shall provide the minimum off-street parking for the new general land use category. [Ord. 4810 § 2, 2018; Ord. 4807 § 59, 2018; Ord. 4656 § 1 (Exh. O2), 2013.]

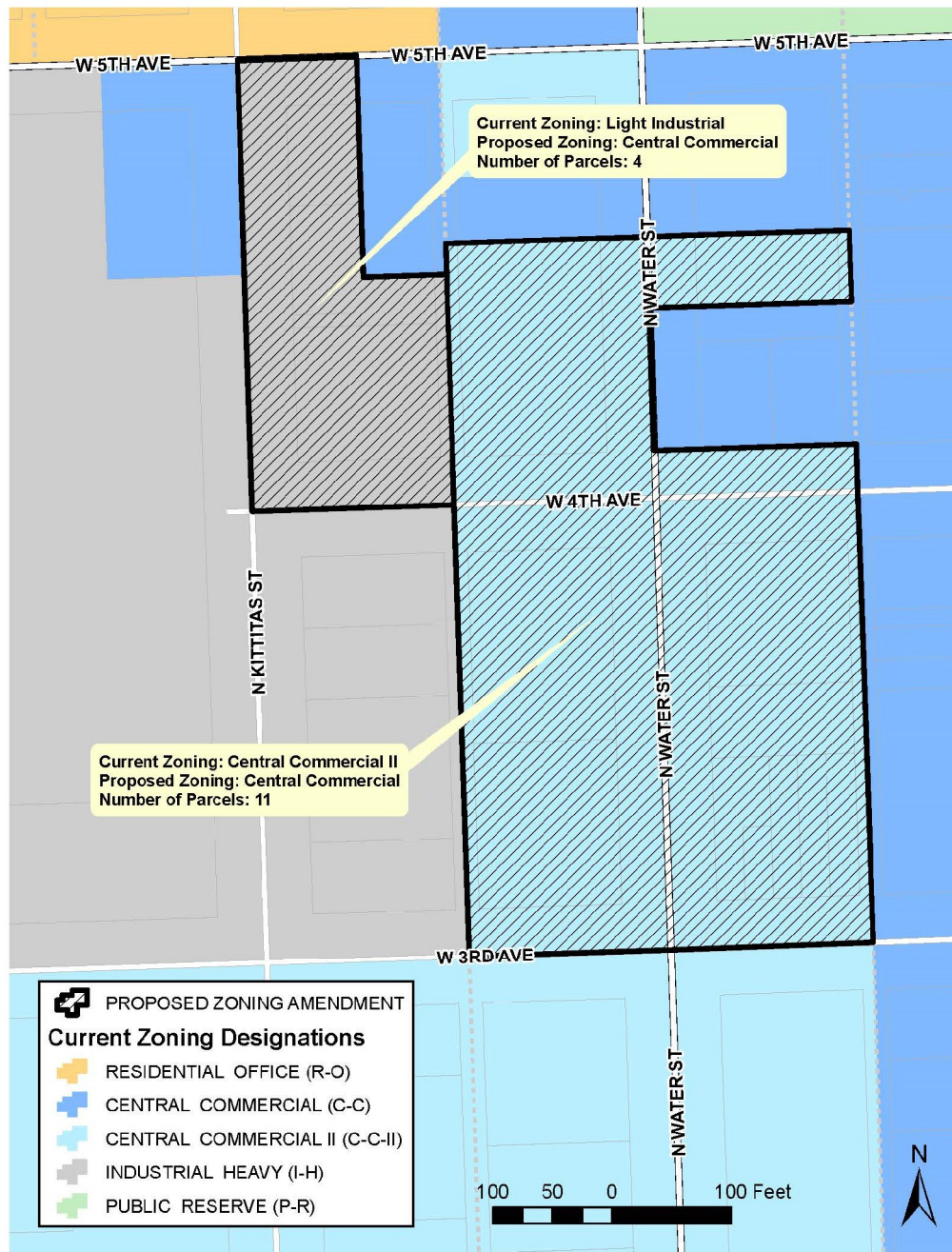
Section 34. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Residential Neighborhood comprehensive plan future land use designation as confirmed through community outreach to sustain the existing residential neighborhood through expansion of the Residential-Low zone to include properties that are all developed as single family homes and limiting the Light Industrial zone to the properties immediately adjacent to North Railroad Avenue, a minor arterial street:



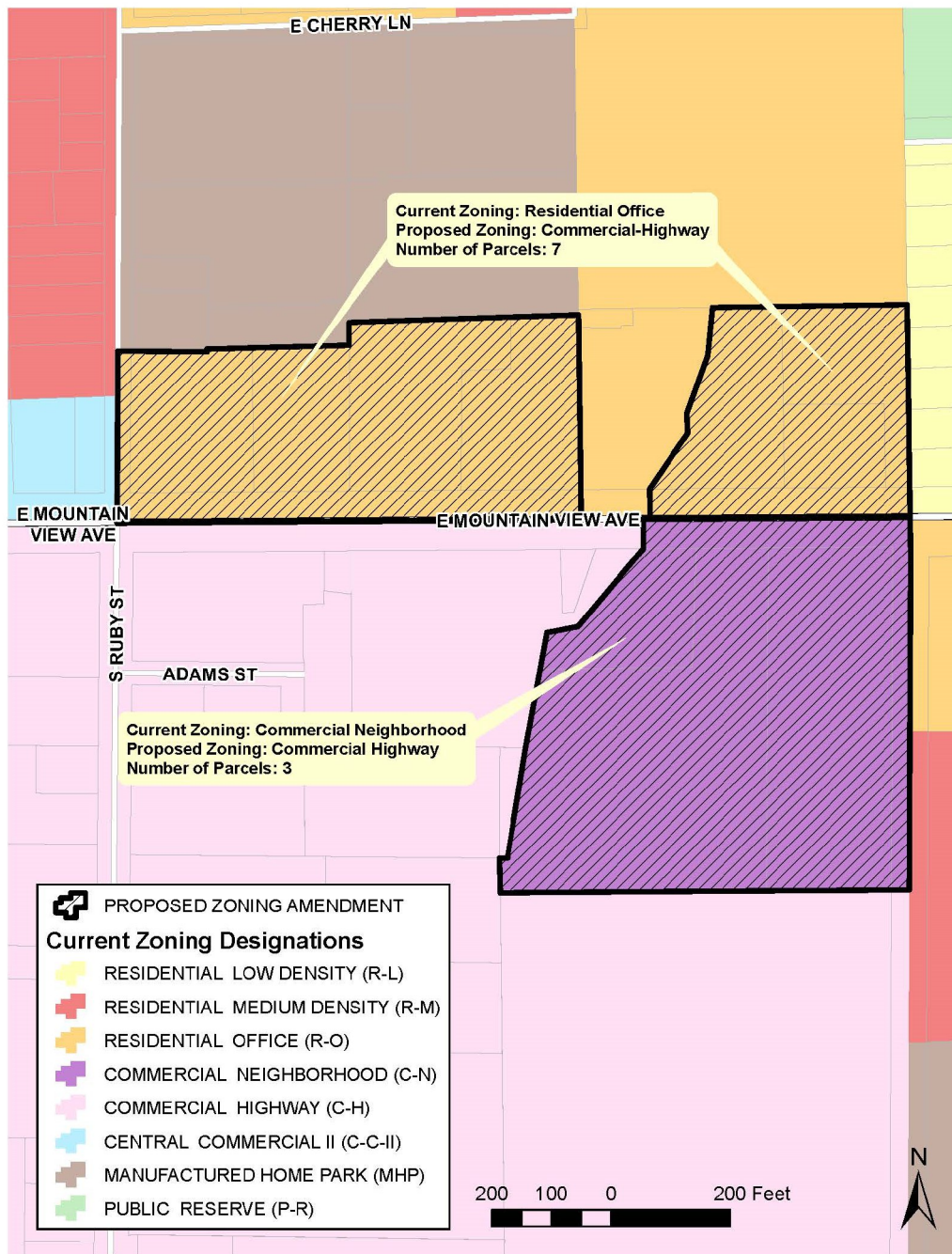
Section 35. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Parks and Open Space comprehensive plan future land use designation consistent with future floodplain management projects:



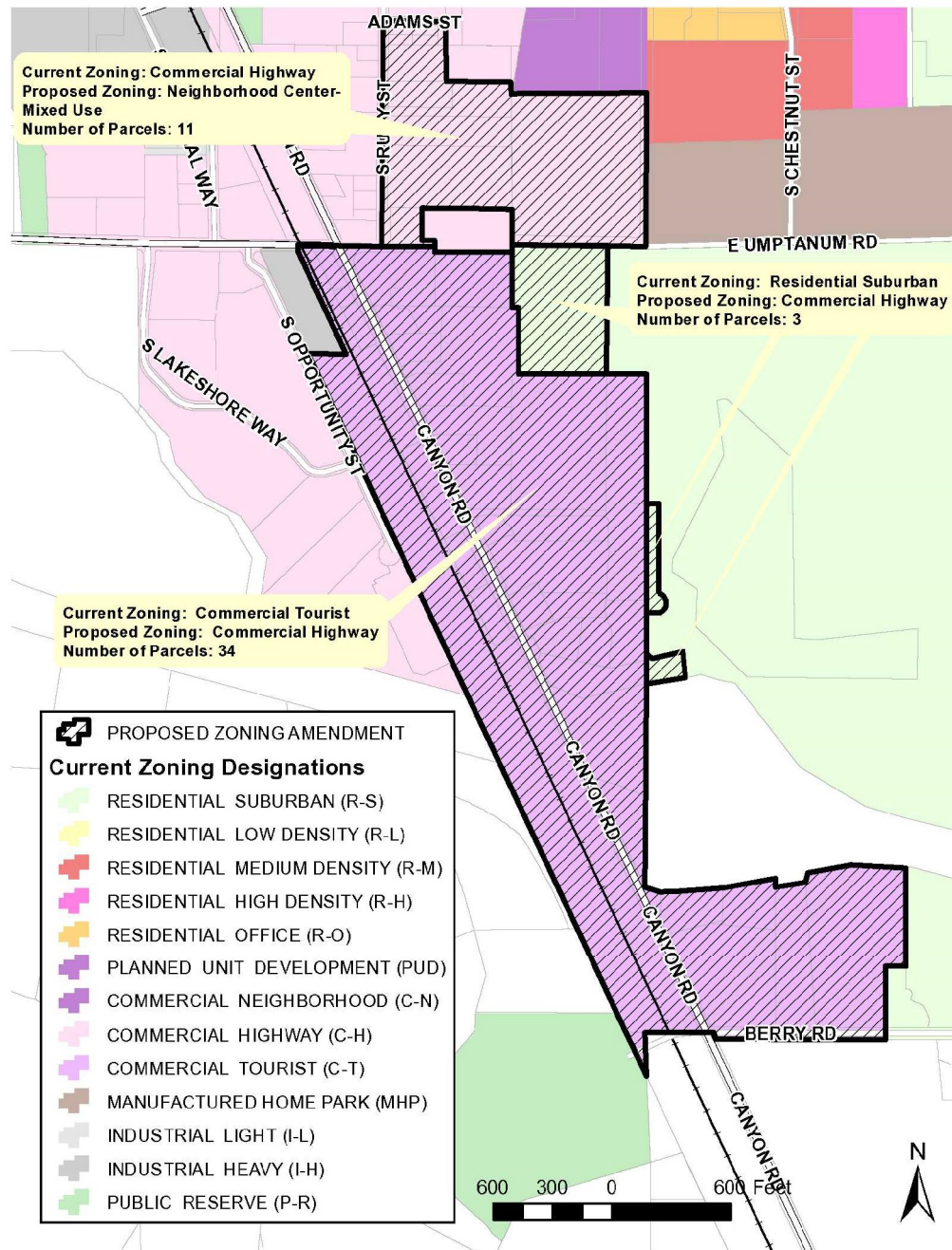
Section 36. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Urban Center comprehensive plan future land use designation as confirmed through community outreach to provide for expansion of the downtown area that follows development patterns and expands opportunities for multifamily and mixed use development through reduced parking requirements and expansion of the multifamily tax exemption program which implements comprehensive plan goals for a walkable downtown with a diversity of residential and commercial uses:



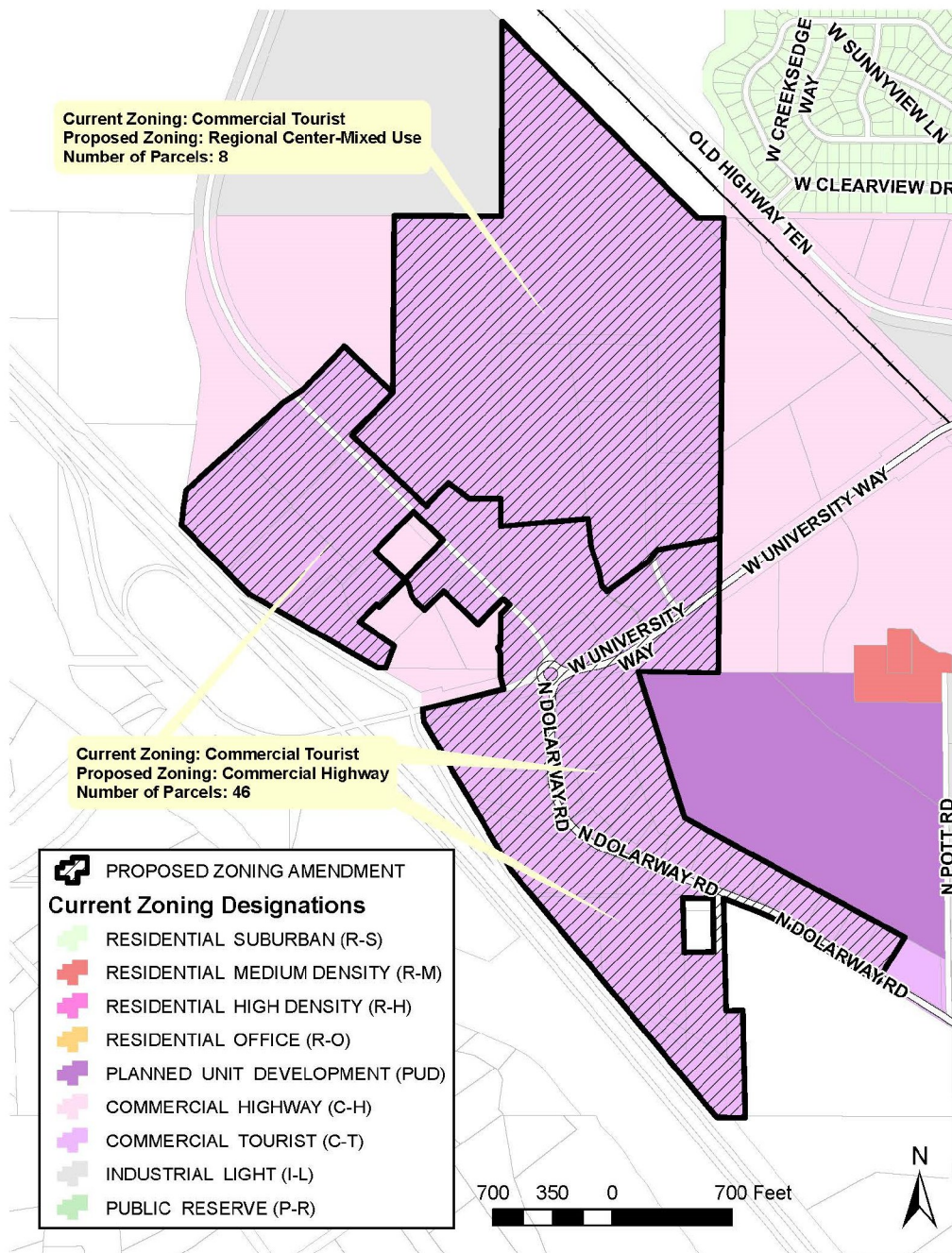
Section 37. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement the Community Mixed Use comprehensive plan future land use designation as confirmed through community outreach to provide for more flexibility of commercial uses that follows development patterns of commercial uses on Mountain View Avenue, a minor arterial; implements the purpose of the Commercial Neighborhood zone; and implements comprehensive plan goals for a variety of shopping, entertainment, recreation, and employment uses that are accessible to neighborhoods:



Section 38. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement amendments to the Land Development Code provided herein to eliminate the Commercial Tourist zoning district and implement the Community Mixed Use comprehensive plan future land use designations, as confirmed through community outreach to provide for more flexibility of commercial uses that follows development patterns; and implements comprehensive plan goals to create a variety of shopping, entertainment, recreation, and employment uses accessible to residential areas, and support the development of compact, livable, and walkable mixed use centers:



Section 39. The zoning district map of the Land Development Code of the Ellensburg City Code is hereby amended as follows to implement amendments to the Land Development Code provided herein to eliminate the Commercial Tourist zoning district and implement the Community Mixed Use comprehensive plan future land use designations, as confirmed through community outreach to provide for more flexibility of commercial uses, and implement comprehensive plan goals to support development of compact, livable, and walkable mixed use centers:



Section 40. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 41. Corrections. Upon the approval of the City Attorney, the City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 42. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval, and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 16th day of May, 2022.

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. 4887 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4887 was published as required by law.

BETH LEADER



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Ordinance 4888 - Increasing City Manager Contracting Authority, Amending Chapter 1.06 of the Ellensburg City Code

Submitted by: Keith Bassett Finance Department

Recommended Action or Motion: Conduct second reading and adoption of Ordinance 4888.

Background/Summary: The City Council has delegated authority to the City Manager to execute certain agreements, contracts and leases, and amendments to allow for routine matters to be addressed efficiently. Most of these authorities are limited by dollar value, currently set in City Code at \$40,000. The City has adopted policies and procedures to meet the dual objectives of sound fiscal oversight and process efficiency. Costs of routine purchases regularly exceed the existing delegated authority and increasing the threshold to \$75,500 will better balance the City's objectives.

Additionally, all exemptions to competitive bidding requirements allowed by RCW 39.04.280 currently require Council action. This has produced contracting delays to routine purchases through sole source distribution channels and potentially complicates the City's response to emergencies. The proposed changes delegate authority to waive competitive bidding requirements in an emergency up to budget limits, and sole source purchases and purchases involving special facilities or market conditions up to \$75,500.

Previous Council Action: The City Manager's contracting authority has changed three times in the last thirty years.

1993 \$10,000

2013 \$25,000

2018 \$40,000

Council conducted first reading of the ordinance at the May 2, 2022 regular meeting.

Analysis:

The proposed \$75,500 contracting authority aligns with existing statutory competitive bidding requirements for public works projects, and was requested by stakeholders from across the City departments to align procedures between different categories of procurements. Emergency, sole source, and special facility and market conditions purchases will continue to meet all other purchasing requirements.

Council would still need to act to add any expenditure authority/budget necessary in an emergency contemplated here, so any expensive emergency, particularly at the end of the year, would still require expedient Council action. The proposed delegation of emergency purchasing authorities are separate from authorities granted by the state to enable the City to effectively respond to a disaster.

Financial Impact:

The proposed changes are anticipated to result in more efficient use of staff time. Due to the nature of the requested emergency authority, the City is almost certainly going to experience reduced losses through streamlined contracting.

Attachments:

[Ordinance 4888 - Chapter 1.06 City Manager and Assistant City Manager](#)

ORDINANCE NO. 4888

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 1.06 “CITY MANAGER AND ASSISTANT CITY MANAGER”, AMENDING SECTION 1.06.040 AND ADDING A NEW SECTION TO THE ELLENSBURG CITY CODE ENTITLED “1.06.045 AUTHORITY TO WAIVE COMPETITIVE PURCHASING REQUIREMENTS”.

WHEREAS, on June 18, 2018 the City Council adopted Ordinance No. 4804 relating to Chapter 1.06 “City Manager and Assistant City Manager” and amending Section 1.06.040 of the Ellensburg City Code; and

WHEREAS, on August 19, 2019 the City Council adopted Ordinance No. 4835 relating to Chapter 1.06 “City Manager and Assistant City Manager” and amending Section 1.06.040 of the Ellensburg City Code; and

WHEREAS, costs of routine purchases regularly exceed the existing delegated authority; and

WHEREAS, currently all exemptions to competitive bidding requirements allowed by RCW 39.04.280 require council action, adding weeks to purchase timelines, and in the case of emergencies potentially threatening proper performance of essential functions or leading to material loss or damage to property, bodily injury, or loss of life; and

WHEREAS, from time-to-time emergencies occur, as defined in RCW 39.04.280, requiring swift and efficient action from the city including awarding contracts for public works, purchases, and services; and

WHEREAS, some purchases are clearly and legitimately limited to a single source of supply, and currently require Council action before purchase can be made;

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

Section 1. Section 1.06.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4835, is hereby amended to read as follows:

1.06.040 Authority to execute agreements, contracts and leases.

A. The city manager, and, in the absence of the city manager, the assistant city manager or acting city manager, and designees of the city manager, assistant city manager or acting city manager employed in the administrative service of the city, are authorized to execute the following agreements, contracts and leases on behalf of the city of Ellensburg; provided, that sufficient funds required for any appropriations have been budgeted by the council:

1. Purchases and sales that do not exceed ~~\$40,000~~\$75,500. The city manager may delegate this authority to department directors for contracts under which the city's liability does not exceed \$25,000. Department directors may delegate this authority to other employees of their department for contracts under which the city's liability does not exceed \$10,000;

2. Agreements and contracts which have an annual value up to ~~\$40,000~~\$75,500, and amendments thereto which do not increase the annual value of such agreement or contract beyond an aggregate amount of ~~\$40,000~~\$75,500. The city manager may delegate this authority to department directors for agreements and contracts under which the city's liability does not exceed \$25,000. Department directors may delegate this authority to other employees of their department for contracts under which the city's liability does not exceed \$10,000;

3. Leases that do not exceed one year in length and do not exceed ~~\$40,000~~\$75,500 in value;

4. Agreements and contracts with the city's designated public depositaries;

5. Agreements, contracts and leases awarded by the council at any regular or special meeting of the council;

6. Any other agreements, contracts and leases authorized by the council by ordinance, resolution, or motion;

7. Amendments to agreements, contracts and leases awarded or authorized by the council; provided, that the aggregate value of all amendments to any agreement, contract or lease may not exceed ~~\$40,000~~\$75,500 or 10 percent of the original contract amount, whichever is greater, unless otherwise authorized by the council; ~~and~~

8. Amendments to agreements, contracts and leases awarded or authorized by the council that do not materially alter such agreement, contract or lease, and do not increase the financial obligation of the city beyond the total amount authorized by the council in its award, ordinance, resolution or motion; and

9. Emergency purchases, contracts and leases awarded without competitive bidding due to an emergency as authorized in ECC 1.06.045(A).

B. Agreements, contracts, and leases executed on behalf of the city shall be filed with the office of the city clerk and open to public inspection in the manner provided by law subject to exceptions, prohibitions, and exemptions therein provided. The city manager shall regularly report to the council all agreements, contracts and leases he or she executes on behalf of the city. [Ord. 4835 § 1, 2019; Ord. 4804 § 13, 2018.]

Section 2. A new section entitled "1.06.045 Authority to waive competitive purchasing requirements" is hereby added to the Ellensburg City Code to read as follows:

1.06.045 Authority to waive competitive purchasing requirements.

A. Emergency waiver of competitive bidding requirements.

1. In the event of an emergency, as defined in RCW 39.04.280, as currently enacted or hereinafter amended, the city manager, and, in the absence of the city manager, the assistant city manager or acting city manager, or their designees, may issue a declaration of emergency for the purposes of expeditiously addressing the emergency.

2. A declaration of emergency must recite the facts constituting the emergency. As part of the declaration, or by separate order, the city manager may issue a waiver of the public advertising and competitive procurement requirements of state law and city policy for purchases of personal property, services, and public works.

3. The declaration or separate order must be distributed to the council within twenty-four hours, and any contract awarded without competitive bidding due to an emergency must be duly entered of record with the city clerk within two weeks, and reported to council at the next city council meeting following the award of the contract.

B. Non-emergency waiver of competitive bidding requirements.

1. The city manager is authorized to waive competitive bidding requirements when awarding contracts for purchases when only one supplier is capable of delivering the required product or service, as determined through research, and purchases involving special facilities or market conditions.

2. Any contract awarded with a waiver of competitive purchasing requirements in this subsection must be reported to council at the next city council meeting following the award of the contract. Immediately after the award of the contract, the contract and the factual basis for the exception must be recorded with the city clerk and open to public inspection.

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

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

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

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 16th day of May, 2022.

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. 4888 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4888 was published as required by law.

BETH LEADER



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Ellensburg City Council Strategic Vision 2023-2028

Submitted by: Heidi Behrends Cerniwey City Manager Department

Recommended Action or Motion: Approve Resolution adopting Ellensburg City Council Strategic Vision 2023-2028.

Background/Summary: The Ellensburg City Council held a Retreat on April 15, 2022 to consider strategic questions and create a shared vision for the future built on strategic priorities.

Previous Council Action: The City Council has traditionally adopted priorities through the Biennial Budget process. On November 1, 2021, Council adopted a Strategic Vision 2022-2027 through adoption of Resolution 2021-34.

Analysis: The Strategic Vision 2023-2028 represents the most important issues facing the City of Ellensburg and establishes precedence for expenditure of staff and other City resources. In addition, the Strategic Vision provides priorities and milestones as a measure of achievement for the entire executive staff and City Council to use in the coming years. The Strategic Vision guides actions of the City Manager and staff to develop a strategic plan and prepare budget proposals to address priorities and achieve milestones. It is the basis for accountability and reporting outcomes to policy makers and the community.

The Strategic Vision is intended to be revisited on a regular basis and revised as necessary to reflect the common vision of the Ellensburg City Council.

Financial Impact: Financial impact will be evaluated according to subsequent strategic work plans. Programs and policies will be approved through the City's adopted Biennial and/or Supplemental Budget process.

Attachments:

RESOLUTION NO. 2022- ____

A RESOLUTION to adopt the Ellensburg City Council Strategic Vision 2023-2028.

WHEREAS, the Ellensburg City Council held a Retreat on April 15, 2022, to which the public was invited, and the Council considered strategic questions and created a shared vision for the future built on strategic priorities; and

WHEREAS, the Strategic Vision represents the most important issues facing the City of Ellensburg and establishes precedence for expenditure of staff and other City resources. In addition, the Strategic Vision provides priorities and milestones as a measure of achievement for the executive staff and City Council to use in the coming years; and

WHEREAS, the Strategic Vision is intended to be revisited on a regular basis and revised as necessary to reflect a common vision of the Ellensburg City Council; and

WHEREAS, the Strategic Vision guides actions of the City Manager to develop a strategic plan and recommend a budget to achieve priorities and milestones over the coming years;

NOW, THEREFORE, BE IT RESOLVED, the Ellensburg City Council hereby adopts the following

2023-2028 Ellensburg City Council Strategic Vision

Strategic Pillars for Council's Vision

- Housing Affordability
- Economic Vitality
- Safe and Inclusive Community
- Energy & Resource Management
- Sustainable Infrastructure

Strategic Vision and Priorities

Housing Affordability

- Close the gap between units and projected need (additional 4,772 units by 2037); increase permitted housing units by 3% per year
- Decrease the number of cost-burdened households through implementation of the Housing Action Plan while retaining neighborhoods: removal of barriers to construction of new housing types; and create housing incentives that are utilized to build new housing stock

- Support development of missing housing types through prototypes and incentives
- Add affordable housing stock through partnerships and investment of earmarked sales tax funds and designated surplus property
- Partner to expand resources to support community members experiencing homelessness

Economic Vitality

- Attract long-term skilled labor and “family wage” jobs to the community
- Sustain and grow existing businesses; expand creative and entrepreneurial sector to retain and enhance community character
- Prevent retail leakage while increasing diversity and retail options for residents
- Identify gaps and partner to align local labor market to community needs (trades, mental health professionals, etc.)
- Leverage location for increased efficiency/economy of multi-directional shipping (freight) transportation systems
- Partner to streamline access to capital for community investment
- Forecast and plan proactively for transportation, utility, and broadband infrastructure to serve residential, commercial, and industrial future
- Maximize alignment and partnerships with Central Washington University, Kittitas County, EDA, CenterFuse (EBDA), Chamber, other organizations, municipalities and regional partners to implement actions outlined in economic development plan.

Safe and Inclusive Community

- Partner with other agencies and organizations to expand resources for mental health, substance abuse, and food insecurity gaps; advocate for infrastructure/staffing investment to support mental health crisis
- Implement recommendations from 2020 Diversity, Equity, and Inclusion Report; actively increase accessibility, equity, and inclusion in services, programs, and public facilities
- Invest in communications to increase accessibility (translation, signing)
- Expand partnerships to host cultural awareness in community events and activities
- Leverage partnerships to provide more public and private family-friendly recreation facilities and activities (i.e., City Rec center, bowling, etc.)
- Support policing with effective tools and training to address community needs

Energy & Resource Management

- Develop and implement community-wide sustainability/climate action plan to reduce carbon footprint with milestones across sectors
- Update tree code and evaluate city street tree canopy for carbon offset
- Increase hybrid/electric city car fleet and provide charging stations at city facilities
- Meet milestones and targets of Clean Energy Transformation Act (CETA), Climate Commitment Act, building codes, and other state and federal mandates
- Identify and implement renewable energy incentives and streamlined permitting
- Implement smart grid solutions to improve efficiency and service delivery (demand management technology for two-way utility communication)
- Implement customer information system software upgrade to improve internal and external utility management

Sustainable Infrastructure

- Forecast population growth impact on services, human resources, and infrastructure (utility, transit, transportation, parks and open space, park equipment replacement, broadband, etc.); create lifecycle design evaluation model for existing and new public facilities
- Develop dedicated and sustainable funding for park and facility construction, maintenance, and operations
- Build transportation and electric grid infrastructure to facilitate increase in electric and autonomous vehicles
- Establish resources to implement broadband infrastructure plan for accessible and affordable broadband for residential and commercial.
- Implement strategies outlined in the 2019 Downtown Parking Plan
- Develop solutions for builders and community members to add/utilize quality, sustainable residential infrastructure
- Implement enterprise resource planning (ERP) software system and best practices to improve data management, operational efficiency, and cybersecurity
- Maintain infrastructure development and maintenance programs best practices and investments for all public facilities and utilities
- Continue stormwater and flood mitigation investments to improve resiliency

Sustainable: mindful action and investment today that minimizes and mitigates negative impacts on future resources—both natural and fiscal.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 16, 2022

Item Title/Agenda Subject: Amended Pay Plan Resolution for Fiscal Year 2022

Submitted by: Lisa Young Human Resources

Recommended Action or Motion: Adopt the attached Resolution amending the Fiscal Year 2022 Pay Plan.

Background/Summary: On December 6, 2021, the City Council adopted Resolution 2021-36, approving the Fiscal Year 2022 Pay Plan for all positions not covered by a valid Collective Bargaining Agreement. The Community Development Director position is currently vacant, and while preparing to initiate the recruitment process, Human Resources completed a targeted wage survey to ensure the wage range will be competitive.

Previous Council Action: Council has historically supported the City's efforts to attract well-qualified applicants for vacant positions.

Analysis: A targeted wage study was conducted to improve the likelihood of attracting qualified candidates. The review reflects a need for upward adjustment as indicated in the Resolution.

Financial Impact: At Step 11 (top step) the fiscal impact of the adjustment is \$604 per month. With a target start date of July 1, the maximum base wage fiscal impact for 2022 would be \$3,624. The position is expected to be filled at a lower step on the new range than was budgeted in the existing range. Adopting this resolution does not require additional 2022 expenditure authority. Should we need to offer a position higher on the wage scale due to qualifications and experience, the department's budget could absorb the expense for 2022.

Attachments:
[2022 Pay Plan Resolution - Amended](#)

RESOLUTION NO. 2022-

A RESOLUTION amending the current pay plan for Fiscal Year 2022 by adjusting the pay range for the Community Development Director position, which is not covered by a valid union contract.

WHEREAS, the City Manager has prepared and submitted to the City Council of the City of Ellensburg a standard schedule of pay; and

WHEREAS, in preparation for recruitment efforts to fill the vacant Community Development Director position the Human Resources department conducted a targeted wage survey to improve the likelihood of attracting a pool of qualified candidates; and

WHEREAS, the Ellensburg City Council desires to adopt such amended pay plan;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Resolution No. 2021-36 is hereby amended by revising the Community Development Director pay range as indicated in the table below. That the amended Pay Plan Schedule be hereby adopted as hereinafter set forth, and provided that the said plan be effective May 16, 2022.

Section 2. Effective May 16, 2022, the pay range assignment for each non-union class title shall be as follows:

CLASS TITLES BY DEPARTMENT

PAY RANGE

CITY MANAGER

TITLE	MIN	MAX
City Manager	11,152	14,869
Public Information Officer	6,146	8,194
Executive Assistant – City Manager	4,427	5,902
Assistant City Manager/City Attorney	10,594	14,125
Assistant City Attorney	6,768	9,861
Executive Assistant/Deputy City Clerk	4,427	5,902
IT & Telecommunications Manager	6,840	9,120
IT Systems Administrator	5,943	7,924
IT Systems Administrator - SQL	5,943	7,924
Network/Desktop Analyst	5,229	6,972
Human Resources Director	7,934	10,578
HR Specialist	4,707	6,276
Civil Service Secretary/Chief Examiner	150	150

COMMUNITY DEVELOPMENT DEPARTMENT

TITLE	MIN	MAX
Community Development Director	8,387	11,182
Building Official	5,929	7,905
Planning Manager	5,929	7,905
Assistant Building Official	5,573	7,431

Building Inspector II	5,004	6,672
Building Inspector	4,584	6,112

FINANCE DEPARTMENT

TITLE	MIN	MAX
Finance Director	8,680	11,573
Accounting Manager	5,923	7,897
Senior Financial Analyst/Budget Officer	5,923	7,897
Application Specialist	5,923	7,897
Accountant II	5,202	6,936
Utility Services Supervisor	5,202	6,936
City Clerk	4,999	6,665
Accounting Analyst	4,669	6,225

LIBRARY

TITLE	MIN	MAX
Library Director	7,669	10,225
Public Services/Internal Ops Librarian	4,669	6,225
Librarian	4,669	6,225
Part-time Library Substitute*	14.49/hr	15.87/hr

**Reflects WA Minimum Wage increase of 5.8%*

PARK AND RECREATION DEPARTMENT

TITLE	MIN	MAX
Parks & Recreation Director	7,669	10,225
Aquatic & Recreation Supervisor	5,030	6,707

<i>2022 State Minimum Wage - \$14.49</i>	I	II	III	IV	V	VI
Lifeguard	14.59	15.32	16.09			
Instructor	14.59	15.32	16.09			
Recreation Aide	14.59	15.32	16.09	16.89		
Custodian	14.59	15.32	16.09			
Sports Officials I-V	14.49	15.94	17.39	19.13	26.78	
Sports Officials VI Gym/Field Supv.						17.39

POLICE DEPARTMENT

TITLE	MIN	MAX
Police Chief	8,387	11,182
Police Captain (2 positions)	7,396	9,861
Animal Shelter Manager	4,480	5,973
Police Records Supervisor	4,386	5,848

PUBLIC WORKS AND UTILITIES DEPARTMENT

TITLE	MIN	MAX
Public Works & Utilities Director	10,594	14,125
Assistant Utilities Director	8,612	11,482
City Engineer Services Manager	8,612	11,482
Operations Supervisor – Electric	8,340	11,120
Sr. Electrical Engineer	8,202	10,936
Project Engineer (2 Positions)	8,105	10,806
Construction Project Manager (Temporary)	7,868	10,491
Assistant Public Works Director	7,514	10,019
Gas Engineer	7,514	10,019
Assistant City Engineer/Capital Projects Manager	7,514	10,019
Power and Gas Manager	7,034	9,378
Stormwater Utility Manager	6,842	9,123
Transit Manager	6,842	9,123
Assistant Transit Manager	6,018	8,024
Civil Engineer	5,774	7,698
Rate Analyst	4,973	6,631
Sr. Operations Analyst	4,901	6,535
Operations Analyst	4,669	6,225
Operations Analyst – ES	4,669	6,225
Executive Assistant	4,207	5,609
Executive Assistant – ES	4,207	5,609

All other City positions are covered by Union contracts. This resolution has no application to such positions.

Section 3. All remaining terms and conditions of Resolution No. 2021-36 remain in full force and effect.

PASSED AND ADOPTED by the City Council of the City of Ellensburg at a regular meeting on the ____ day of _____, 2022.

Mayor

Attest:

City Clerk



MANAGER'S REPORT

DATE: May 16, 2022
To: Ellensburg City Council
FROM: Heidi Behrends Cerniwey, City Manager

1. Bike Month – Ride to Renslow.

As part of the Bike Month celebration, there will be a free community ride on the Palouse to Cascades State Park Trail from downtown Ellensburg to the Renslow Trestle on Saturday, May 21, 2022. Basic bike checks ahead of the ride, plus bike bells and information about trails. Oddfellows will be giving away free used, refurbished bikes, sizes vary. The 13-mile ride leaves Unity Park in downtown Ellensburg at 9:00 am. There are two turnaround locations: Kittitas Depot, 6.5 miles, or Renslow Trestle, 13 miles. You must RSVP for transportation back from Renslow Trestle to Unity Park by May 13, 2022 at: <https://fs19.formsite.com/ellensburg/cphrfgmuge/index.html>.

2. Request to Schedule Joint Study Session with County Commissioners.

Staff is requesting Council set a Study Session for a joint meeting with the Kittitas County Board of County Commissioners. The two potential dates are Thursday, June 16, 2022 at 5:30 pm or Thursday, June 30, 2022 at 5:30 pm. An economic development planning update (from TIP Strategies) and Ad Hoc Committee on Homelessness discussion are tentatively on the agenda.

3. Request to Schedule Special Council Meeting

Staff is requesting Council set a special City Council meeting (tentatively) for Monday, May 23, 2022 to consider approval of an agreement for \$750,000 in affordable housing sales tax funds for purchase of the former Nites Inn property for rehabilitation and use as affordable housing through HopeSource. At the April 18, 2022 meeting, the City Council approved an award letter to initiate negotiations for the terms of the agreement. Kittitas County also approved \$750,000 for the purchase and is currently working on an amenable agreement. The property purchase transaction must close prior to May 30, 2022; thus a special meeting will be required to approve the agreement.

4. Unity Park Design Open House on June 8

Members of the public are invited to participate in an open house event at Unity Park on Wednesday, June 8, from 5:00 p.m. to 6:30 p.m. The event is located at Unity Park, corner of 4th Avenue and Pearl Street. At the event, consultant Walker|Macy and staff will present conceptual drawings and gather input from Downtown businesses and community members. This is a drop-in event open to the public, no registration is necessary. Future opportunities to provide input will be posted through City media.

5. Telephone Survey Begins May 23

The City Gas Division is conducting its annual natural gas phone survey starting May 23. City utility customers and other Kittitas County residents may receive a call seeking their participation in a 2-

minute phone survey on natural gas safety. The purpose of the survey is to determine the effectiveness of the gas utilities Public Awareness and Damage Prevention Program. This program provides information throughout the year to a variety of stakeholders regarding the recognition of natural gas in the event of a leak and how to respond.