CITY COUNCIL AGENDA

August 19, 2024

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.

To attend the city council meeting virtually register here:
https://us02web.zoom.us/webinar/register/WN_Dae82QaRR9GhFnLEQDwkbw

Closed Captioning is available to Zoom viewers. To enable closed captioning, you will need to click on the “CC” button at the bottom of your Zoom screen and then select either “Show Subtitle” or “View Full Transcript."

AMERICANS WITH DISABILITIES ACT

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. Reasonable accommodations will be made upon request. Please furnish the ADA Coordinator with your request in sufficient time for the City to provide a reasonable accommodation by calling the City of Ellensburg ADA Coordinator at (509) 962-7222 or email ADAcoordinator@ellensburgwa.gov.

COUNCIL MEETING

GUIDELINES FOR PUBLIC PARTICIPATION

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

Public comment on Non-Agenda Issues (Item No. 7) is limited to a combined total of thirty (30) minutes unless Council votes to extend the time. Testimony or comments will be accepted in the following manner:

SUBMISSION OF WRITTEN COMMENTS

- **Written comments submitted in advance of meeting**
  Submit written comments by mail to Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or via email to: cityclerk@ellensburgwa.gov. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.

- **Comments for public hearings**
  Written comments must be received by the City Clerk by 5 p.m. on the meeting date. Comments can either be mailed to Beth Leader, City Clerk, Ellensburg City Hall, 501 N. Anderson St., Ellensburg, WA 98926, or sent via email to: cityclerk@ellensburgwa.gov. Comments received by 5 p.m. on the meeting date will be compiled, sent to the City Council and entered into the record.

PROCEDURE FOR REMOTE PARTICIPATION DURING MEETING

1. ***Advance registration is required to provide public comment or hearing testimony via remote meeting attendance. Once registered, you will receive an email with the meeting link and phone number (for those who wish to call into the meeting).***
   a) Anyone wishing to provide public comment on ***Non-Agenda Issues*** (Item No. 7 on the Agenda) must: 1. Register via the Zoom link by no later than 24 hours prior to the meeting; and 2. Provide a description in the Zoom registration form of the topic upon which they wish to speak with sufficient detail to allow the Mayor to determine whether it pertains to City business or a matter over which Council has control.
   b) Anyone wishing to speak on ***all other Agenda items*** where it specifically states "Public Comment Opportunity" must register prior to 7 p.m. the day of 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. If you wish to speak on an agenda item, you must:
   a) Wait to be called upon by the Mayor using your name, e-mail, or phone number used to log in to the teleconference.
   b) Raise your "virtual hand" in the corner of Zoom application on the computer screen or press *9 on your phone. Raising your hand signals the moderator that you wish to speak.
6. Please state your name, whether you live in the City of Ellensburg, Kittitas County or elsewhere, and whether you are representing only yourself or others.

PROCEDURE FOR IN-PERSON PARTICIPATION (COUNCIL CHAMBERS)

- When recognized, approach the microphone provided on the right side of the room.
- Please state your name, whether you live in the City of Ellensburg, Kittitas County or elsewhere, and whether you are representing only yourself or others.
- Each speaker's comments are to be limited to 3 MINUTES.
- Submit any written comments to the City Clerk.
- Speakers are cautioned not to make comments of a personal, impertinent or derogatory nature.
- Speakers may not identify themselves as candidates for elective public office or make any statements which assist or discuss the campaign of a candidate for elective office or discuss or campaign for or against a ballot proposition (unless the ballot proposition is being considered as part of the City Council agenda item).

PUBLIC COMMENT RULES FOR ALL MEETING PARTICIPANTS

1. Each speaker's comments are to be limited to 3 MINUTES.
2. Speakers are cautioned not to engage in conduct that disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting.
3. Speakers may not identify themselves as candidates for elective public office or make any statements which assist or discuss the campaign of a candidate for elective office or discuss or campaign for or against a ballot proposition (unless the ballot proposition is being considered as part of the City Council agenda item).
4. Speakers providing comments on Item 7, Non-Agenda Issues, may only address the Council on matters which concern the City's business or over which the Council has control, and must announce the topic upon which they wish to speak before making their comments.

Please note: City Council Rules provide that no action will be taken by the Council at the meeting at which a subject is first introduced during the citizen comment period (Item 7 on the Agenda). Council may consider an item at a future meeting, thus you may wish to concisely state your concern and request placement of your matter on a future agenda. Staff will follow up with speakers as necessary.

CONSENT AGENDA

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

AGENDA ITEMS

If you wish to have an item placed on a Council agenda, a written request should be delivered to the City Manager's Office prior to noon on the Monday preceding the Council meeting. Assistance will be provided in preparing a request if you wish to contact the City Clerk at (509) 925-8614.

PUBLIC HEARINGS

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

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

CITY OF ELLENSBURG
CITY COUNCIL AGENDA
Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom
Monday, August 19, 2024
7:00 PM - Regular Meeting

Pledge of Allegiance

1. **Call to Order and Roll Call**

2. **Proclamations** (No Public Comment)

   2.A International Overdose Awareness Day 6

3. **Awards and Recognitions** (Public Comment Opportunity)

   3.A Eagle Scout Project Report: Oliver Taft, Troop 493

4. **Approval of Agenda** (No Public Comment)

5. **Consent Agenda** (No Public Comment)
   Items listed below have been distributed to Councilmembers in advance for study and will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Councilmember or at the request of a member of the public with concurrence of a Councilmember. Requests to remove items should be made under Item 4 Approval of Agenda.

   5.A Approve Minutes of August 5, 2024 Regular Meeting 7

   5.B Approve Minutes of August 5, 2024 Study Session 11

   5.C Acknowledge Minutes of Boards & Commissions 12

   5.D Approve University Way Banner Request from CWU - Sept. 16-27, 2024 21

   5.E Award Bid Call 2024-19 - Seattle Avenue Utility Extension - 400' East of Willow Street to Magnolia Street 22

   5.F 2023 City of Ellensburg WA Annual Financial Statement Report 24

   5.G Resolution 2024-22 Approving Jason Dormady’s Street Tree Removal Request at 409 S Pine Street 55

   5.H Resolution 2024-23 Approving Blewett Blue Properties’ Street Tree Removal Request at 401 W 12th Avenue 59

   5.I Consideration of Approving the Service of Alcohol at the Hoedown in the

City of Ellensburg

PROCLAMATION

International Overdose Awareness Day

August 31, 2024

Whereas, the City of Ellensburg does affirm and acknowledge the harm and hardship caused by drug overdose; and

Whereas, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and ending the stigma of drug-related deaths; and

Whereas, we resolve to play our part in reducing the toll of overdose in our community, which claimed the lives of nearly 1700 Washington State residents in the year 2023 with countless more affected forever; and

Whereas, we recognize that in this past year, Kittitas County has lost 7 individuals to overdose; and

Whereas, we recognize that First Responders in Kittitas County have responded to an increased number of substance use related calls in this past year; and

Whereas, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters and deserving of our love, compassion and support; and

Whereas, more people die from overdoses than from gun violence and vehicle accidents combined; and

Whereas, death from overdose is preventable

Whereas, there continue to be deaths from stimulant use; and

Whereas, overdose continues to increase both medical and other economic costs greatly impacting our society; and

Whereas, substance Use Disorder is a treatable disease and the stigma and shame often are a barrier to seeking help; and

Now, Therefore, The City of Ellensburg does hereby proclaim August 31st, 2024, as International Overdose Awareness Day which will be honored with an event on August 28th at Hal Holmes Community Center 1:00 p.m. to 4:00 pm.

In recognition of International Overdose Awareness, the City will honor those lost by lighting up landmarks in purple.

Signed this 19th day of August 2024.

Rich Elliot, Mayor

Attest:

City Clerk

CITY OF ELLENSBURG | **Minutes of City Council, Regular Meeting**

Date of Meeting	**August 5, 2024**
Time of Meeting	**7:00 PM**
Place of Meeting	**Council Chambers 501 North Anderson Street Ellensburg, WA 98926 And remotely via Zoom**

Pledge of Allegiance
The Pledge of Allegiance was led by Councilmember Beauchamp

1. Call to Order and Roll Call
Roll Call Present: Sarah Beauchamp, Rich Elliott, Nancy Goodloe, Nancy Lillquist, David Miller, Delano Palmer and Joshua Thompson

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Senior Planner Johnson, Planning Manager Johnston, Community Development Director Carlson, Assistant City Engineer Mattson, Sustainability Manager Baker, Assistant City Attorney Reiman, Housing & Grants Administrator Frey and approximately six members of the public

Others present remotely via Zoom: two members of the public

2. Proclamations

3. Awards and Recognitions

4. Approval of Agenda
Councilmember Palmer moved to approve the Agenda as presented. **Motion Approved 7-0**

5. Consent Agenda

5.A Approve Minutes of July 15, 2024 Regular Meeting

5.B Approve Minutes of July 15, 2024 Study Session

5.C Acknowledge Minutes of Boards and Commissions

5.D Accept the Resignation of Wyman Renfrow and Daryl Berge from the LOEFF 1 Disability Board.

5.E Additional Services Authorization - Mt View and Bull/Willow Intersection Improvements

5.F Waste Water Treatment Plant Fiber Construction

5.G Signature Authorization for State Home Electrification and Appliance Rebates (HEAR) Program, Contract Number 24-92701-004

5.H Award Bid Call 2024-11 - Kittitas County Courthouse Sidewalk Improvements – 5th Avenue between Water and Main Street

5.I Award Bid Call 2024-18 - 2024 Complete Streets Improvements

5.J Project Acceptance — Bid Call No. 2023-01 Mallard Meadows Electrical Distribution Installation

5.K Approve August 5, 2024 Voucher Listing

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

6. Petitions, Protests, and Communications

6.A Board and Commission Appointments (Public Comment Opportunity)
Serena Turney was present for introduction to Council.

Councilmember Palmer moved to approve the reappointment of Jeff Watson and the appointment of Vicki Sannuto to the Landmarks and Design Commission and Serena Turney to the DEI Commission as recommended by the subcommittees. **Motion Approved 7-0**

7. Citizen Comment on Non-agenda Issues

- William Coleman, Kittitas resident, spoke regarding DEI
- Theresa Plue, county resident, spoke regarding council minutes

8. Business Requiring Public Hearings

8.A Public hearing (legislative) to consider Resolution 2024-20, amending the City's Six-Year Transportation Improvement Plan (TIP) for 2024-2029, revising grant funded projects. (Public Comment Opportunity)
The Mayor opened the public hearing. Josh Mattson, Assistant City Engineer, presented information in the staff report. Council asked questions of staff.

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

Councilmember Miller moved to adopt Resolution 2024-20 amending the 2024-2029 Six-Year TIP and authorize the Mayor and staff to execute any and all necessary WSDOT grant paperwork associated with the 'Water Street Overlay (Main St. to Bender Road)'. **Motion Approved 7-0**

8.B Open Record Hearing (Quasi-Judicial) to consider Resolution 2024-21 to approve the Katie Meadows Long Plat Alteration (File # - P24-040) (Public Comment Opportunity)

The Mayor opened the public hearing. The Mayor asked the standard questions regarding appearance of fairness and conflict of interest. There were no appearance of fairness, ex parte contacts or conflicts of interest disclosed by the Mayor or the Councilmembers.

Shannon Johnson, Senior Planner, presented information in the staff report. Milt Johnston, representative for Tyler Glahn, was present to answer questions. With no comments or questions from the public and no questions from Council, the Mayor closed the public hearing.

Councilmember Lillquist moved to adopt attached Resolution 2024-21, approving the Plat Alteration application for Phase II of the Katie Meadows Subdivision, submitted by Tyler Glahn, property owner, and incorporating the Recommended Findings of Fact, Conclusion of Law, Decision and Conditions of Approval. **Motion Approved 7-0**

9. Introduction and Adoption of Ordinances and Resolutions

10. Unfinished Business

10.A Award Letter and Conditions of Approval for First & Pine Affordable Housing Project to Inversion Design (Public Comment Opportunity)
Lily Frey, Housing & Grants Administrator, presented information in the staff report. Staff and a representative from Inversion Design Build answered questions from Council.

Councilmember Goodloe moved to approve Inversion Design Build Award Letter and Conditions for City of Ellensburg 1st and Pine Property Contribution to Affordable Housing Project. **Motion Approved 5-2** *(Lillquist and Beauchamp voted no)*

11. New Business

12. Miscellaneous

12.A Manager's Report (No Public Comment)
Heidi Behrends Cerniwey, City Manager, reviewed the report. She reminded council that National Night Out is August 6th and also invited the Council to attend the Employee Appreciation lunch on August 21st.

12.B Councilmembers' Reports (No Public Comment)

- Councilmember Beauchamp requested an excused absence for the September 3, 2024 regular meeting

Councilmember Miller moved to approve an excused absence for Councilmember Beauchamp at the September 3, 2024 regular meeting. **Motion Approved 7-0**

- Councilmember Goodloe requested an excused absence for the August 19, 2024 regular meeting.

Councilmember Lillquist moved to approve an excused absence for Councilmember Goodloe at the August 19, 2024 regular meeting. **Motion Approved 7-0.**

- Councilmember Miller attended the Public Transit Advisory Commission meeting
- Mayor Elliott requested alternate Councilmembers to attend events he would be unable to attend through August and September. He reported on fires throughout Washington State, and attended a meeting with power companies regarding power outages during wildfires.

13. Executive Session

14. Adjournment
Meeting adjourned @ 7:52 pm

____
Mayor

ATTEST: ____________________________
City Clerk

CITY OF ELLENSBURG **Minutes of City Council, Study Session**

Date of Meeting **August 5, 2024**

Time of Meeting **6:00 PM**

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

Study Session (No Public Comment)
Roll Call Present: Sarah Beauchamp, Rich Elliott, Nancy Goodloe, Nancy Lillquist, David Miller, Delano Palmer and Joshua Thompson

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Assistant City Attorney Reiman and approximately four members of the public

Others present remotely via Zoom: one member of the public

A Presentation of the Flock License Plate Reader Camera System
Heidi Behrends Cerniwey, City Manager, introduced the item. Jim Weed, EPD Captain, presented information to Council and Flock Safety representative Kristen MacLeod, was present remotely to answer questions from Council.

14. Adjournment
Meeting adjourned @ 6:45 pm

____
Mayor

ATTEST: ____________________________
City Clerk

CITY OF ELLENSBURG

Minutes of Affordable Housing Commission, Regular Meeting

Date of Meeting	**June 5, 2024**
Time of Meeting	**4:30 PM**
Place of Meeting	**Council Chambers 501 North Anderson Street Ellensburg, WA 98926 And remotely via Zoom**

1. Call to Order and Roll Call of Members

Garzone called the meeting to order at 4:30 p.m.

Present: Courtney Garzone, Peter Stone, Dan Witkowski, John Perrie, Delano Palmer (left meeting at 5:30 p.m.)
Absent: Sarah Bedsaul, Kim Funston
Others Present: Lily Frey-Housing & Grants Administrator; Kathy Boots-Planning Technician; Dan Carlson-Community Development Director; Terry Weiner-City Attorney; Heidi Behrends Cerniwey- City Manager; David Sturgell; Pat Kelleher

Palmer motioned to excuse the absence of Sarah Bedsaul and Kim Funston. Motion passed 5-0.

2. Approval of Agenda

Palmer motioned to approve the agenda. The motion passed 5-0.

3. Approval of Minutes

3.A Minutes from May 15, 2024 meeting
Witkowski motioned to approve the minutes from May 15, 2024. Motion passed 5-0.

4. Unfinished Business

4.A Sleep Center Update
Heidi Behrends Cerniwey the City Manager, gave the background of the Sleep Center progression. On June 13, 2024, there will be a meeting to narrow down potential sites for the center. In addition to narrowing down the sites for the center, they are working on a funding structure. Since the last update, they have researched 40 parcels and narrowed them down to eight sites. The cost involved in the potential purchase or lease of a parcel is being considered. A site may need utilities to be put in, which will affect the cost significantly. The City and County are going to split the cost of the operating and capitol costs. The estimated yearly operating costs are projected to be $400,000-$500,000.

The City and County each have taxes and fees that are collected that could be used toward the operating costs. Once a site has been secured, the City can apply for state and federal funds. Heidi Behrends Ceriwey would like to be able to demonstrate the local investment of City funds in the amount of $250,000.

5. New Business

5.A Robert's Rules of Order presentation by Terry Weiner, Assistant City Manager/City Attorney
Terry Weiner City Attorney reviewed Robert's Rules of Order with the Commission members.

6. Citizen Comment
None

7. Staff Update/Discussion Items

7.A Budget update
Staff reviewed the budget

8. Commission Representative Update
On June 17, 2024, the First & Pine projects will be presented to the City Council. The Commission members may attend but will not conduct business.

The July 2024 meeting will be a joint meeting with the Planning Commission to review code change proposals. A field trip to see the Inversion project in Yakima will be scheduled. In August 2024, the Housing Authority will make a presentation.

9. Adjournment
The meeting was adjourned at 5:55 p.m.

CITY OF ELLENSBURG

Minutes of Affordable Housing Commission, Regular Meeting

Date of Meeting — **July 11, 2024**

Time of Meeting — **5:45 PM**

Place of Meeting — **Council Chambers**
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom

1. Call to Order and Roll Call of Members
The meeting was called to order at 5:45 p.m. The meeting is a Joint Study Session with the Planning Commission

Present for Affordable Housing Commission: Courtney Garzone (arrived at 5:50 p.m.); Peter Stone (arrived at 5:47 p.m. and left at 7:12 p.m.); Dan Witkowski; John Perrie; Delano Palmer; Sarah Bedsaul (left at 7:00 p.m.); Kim Funston (left at 6:00 p.m.)
Present for Planning Commission: Ed Harrel; Sigrid Davison; Sathy Rajendran; George Bottcher; Michael Buehn
Absent for Planning Commission: Geraldine O'Mahony
Also Present: Jeremy Johnston-Planning Manager; Lily Frey-Housing & Grant Administrator; Kathy Boots-Planning Technician; David Miller-City Council Liaison (left at 7:03 p.m.); David Sturgell

Commissioner Rajendran motioned to excuse the absence of Geraldine O'Mahony. Motion passed 5-0.

2. Approval of Agenda
Not applicable due to this being a Planning Commission meeting

3. Approval of Minutes
Not applicable due to this being a Planning Commission meeting

4. New Business
Staff member Frey summarized House Bill 1110 and House Bill 1220. Due to middle housing being scarce and the adoption of House Bill 1110 the Planning Department staff are recommending changes to the City zoning code. Changes to the Cottage Housing City Code were reviewed and discussed. Off-street parking and open space were discussed. Changes to the Town Home City zoning code were discussed. The amount of parking spaces per unit were discussed on multi-unit developments. Multifamily housing being built near Single Family Residences was discussed. The proposed changes to the duplex code involved changing the illustration. Off-street parking in the Central Commercial zone were discussed. The intent was that there would be retail below on the street level but decreasing store fronts

on apartment buildings in this zone were considered. The pros and cons of allowing ground floor units was discussed. The Commissioners did consider possibly reducing the amount of feet from the unit to the sidewalk which may assist in increasing units. Staff member Johnston summarized House Bill 1337 regarding accessory dwelling units (ADU). The House Bill allows at least two ADU's on lots that can meet setbacks to property lines and critical areas and the square footage amount increased. Questions regarding sewer size, existing unpermitted ADU's, and utility meters were talked about.

5. Unfinished Business
The 2026 Comprehensive Plan is being updated. A task force is being formed with members of each Commission. The Committee is anticipated to meet for about six months next year, either monthly or bimonthly.

6. Citizen Comment
None

7. Staff Update/Discussion Items
None

8. Commission Representative Update
None

9. Adjournment
The meeting was adjourned at 7:15 p.m.

CITY OF ELLENSBURG **Minutes of Planning Commission, Regular Meeting**

Date of Meeting **May 9, 2024**

Time of Meeting **5:45 PM**

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

1. Call to Order and Roll Call of Members

Harrell called to order at 5:45 p.m.

Present: Ed Harrell, Fred Padjen, Geraldine O'Mahony, Sigrid Davison (arrived at 5:48 p.m.), Michael Buehn
Absent: Sathy Rajendran (excused), George Bottcher
Also Present: Jeremy Johnston-Planning Manager; Kathy Boots-Planning Technician; David Miller-City Council Liaison (arrived 5:50 p.m.)

Padjen motioned to excuse the absence of Commissioner Rajendran. Motion passed 5-0.

2. Approval of Agenda

Commissioner O'Mahony motioned to approve the agenda. Motion passed 5-0.

3. Approval of Minutes

Commissioner Buehn motioned to approve the minutes from 4-11-24. Motion passed 5-0.

4. New Business

4.A Bill 1337 Overview-Accessory Dwelling Units
Staff member Johnston reviewed House Bill 1337. The change to allow up to two Accessory Dwelling Units (ADU) on one parcel along with an increase in size was discussed. Critical area buffers and open space will still apply. The definition of principal unit will be interpreted by the City Attorney. Setbacks for ADUs will be changed to become less restrictive. Parking will not be required for ADUs. The proposed code changes will be sent to the Department of Commerce to see if they are acceptable prior to the Commission reviewing them. These changes will be consistent with the Housing Action Plan in the Comprehensive Plan.

5. Unfinished Business

None

6. Citizen Comment
None

7. Staff Update/Discussion Items
Commissioner Padjen's term is completed, and he will not be reapplying for another term. This is his last meeting. Commissioner O'Mahony's term is completed. She will need to reapply for a new term if she is interested in serving another term.

Catherine lot update. Public Works has entered into a contract. The work will start tomorrow.

The 1st & Pine property has received two proposals. There will be a special meeting for the proposals to be presented to the Affordable Housing Commission.

The Calaway properties were annexed into the City.

8. Commission Representative Update
The Commission discussed the commercial projects on Dolarway.

The sleep center open house was discussed.

9. Adjournment
The meeting was adjourned at 6:20 p.m.

CITY OF ELLENSBURG | Minutes of Planning Commission, Regular Meeting

Date of Meeting June 13, 2024

Time of Meeting 5:45 PM

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

1. Call to Order and Roll Call of Members

The June 13, 2024, meeting has been cancelled.

2. Approval of Agenda

3. Approval of Minutes

4. New Business

5. Unfinished Business

6. Citizen Comment

7. Staff Update/Discussion Items

8. Commission Representative Update

9. Adjournment

CITY OF ELLENSBURG — **Minutes of Planning Commission, Regular Meeting**

Date of Meeting — **July 11, 2024**

Time of Meeting — **5:45 PM**

Place of Meeting — **Council Chambers**
501 North Anderson Street
Ellensburg, WA 98926
And remotely via Zoom

1. Call to Order and Roll Call of Members

1.A a. Planning Commission
b. Affordable Housing Commission
The meeting was called to order at 5:45 p.m. The meeting is a Joint Study Session with the Planning Commission

Present for Affordable Housing Commission: Courtney Garzone (arrived at 5:50 p.m.); Peter Stone (arrived at 5:47 p.m. and left at 7:12 p.m.); Dan Witkowski; John Perrie; Delano Palmer; Sarah Bedsaul (left at 7:00 p.m.); Kim Funston (left at 6:00 p.m.)
Present for Planning Commission: Ed Harrel; Sigrid Davison; Sathy Rajendran; George Bottcher; Michael Buehn
Absent for Planning Commission: Geraldine O'Mahony
Also Present: Jeremy Johnston-Planning Manager; Lily Frey-Housing & Grant Administrator; Kathy Boots-Planning Technician; David Miller-City Council Liaison (left at 7:03 p.m.); David Sturgell

Commissioner Rajendran motioned to excuse the absence of Geraldine O'Mahony. Motion passed 5-0.

2. Approval of Agenda

Commissioner Bottcher motioned to approve the agenda. Motion passed 5-0.

3. Approval of Minutes

3.A Planning Commission May 9, 2024
Commissioner Davison motioned to approve the minutes from the Planning Commission regular meeting on May 9, 2024. Motion passed 5-0.

4. New Business

4.A Overview of proposed code changes to middle housing
Staff member Frey summarized House Bill 1110 and House Bill 1220. Due to middle housing being scarce and the adoption of House Bill 1110 the Planning

Department staff are recommending changes to the City zoning code. Changes to the Cottage Housing City Code were reviewed and discussed. Off-street parking and open space were discussed. Changes to the Town Home City zoning code were discussed. The amount of parking spaces per unit were discussed on multi-unit developments. Multifamily housing being built near Single Family Residences was discussed. The proposed changes to the duplex code involved changing the illustration. Off-street parking in the Central Commercial zone were discussed. The intent was that there would be retail below on the street level but decreasing store fronts on apartment buildings in this zone were considered. The pros and cons of allowing ground floor units was discussed. The Commissioners did consider possibly reducing the amount of feet from the unit to the sidewalk which may assist in increasing units. Staff member Johnston summarized House Bill 1337 regarding accessory dwelling units (ADU). The House Bill allows at least two ADU's on lots that can meet setbacks to property lines and critical areas and the square footage amount increased. Questions regarding sewer size, existing unpermitted ADU's, and utility meters were talked about.

5. Unfinished Business

None

6. Citizen Comment

None

7. Staff Update/Discussion Items

7.A Request for commissioner volunteers for the 2026 Comprehensive Plan Steering Committee

The 2026 Comprehensive Plan is being updated. A task force is being formed with members of each Commission. The Committee is anticipated to meet for about six months next year, either monthly or bimonthly.

8. Commission Representative Update

None

9. Adjournment

The meeting was adjourned at 7:15 p.m.

Central Washington University
University Way Banner Request Form

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

Name of Event/Program: Week of Welcome 2024

Contact Person: Robbi Goninan Phone Number: 5092901665

Banner Hang Dates (Tuesday-Monday): 9/17/2024 - 9/30/2024

- ☐ CWU Scheduling Center has reserved the banner dates.
  Phone: 509-963-1321, Email: schedule@cwu.edu

- ☐ Banner should be double-sided and a **maximum of 30' x 52" and a minimum of 24' x 48**" with **3" turnback at the top and bottom of the banner that will allow steel cable to be strung though it. No grommets.**
  - We recommend that wind flaps be cut into the banner to prevent wind damage

* Example of a correctly made banner.

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

Please see above example - that is this banner!

Important Notes:

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

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

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

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

City of Ellensburg approved by: ______________________ Date: ______________________

Disapproval/Reasons: ____

____

Updated July 15, 2022

Agenda #5.E

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Award Bid Call 2024-19 - Seattle Avenue Utility Extension - 400' East of Willow Street to Magnolia Street
Submitted by:	Grant Maskal, Construction Project Manager
Department:	Public Works & Utilities

Suggested Motion/Action:
Award bid call 2024-19 to Pro Grade Enterprises Inc., in the amount of $551,826.46, the lowest responsive and responsible bidder.

Background/Summary:
Bids were received on Thursday, August 8, 2024 for the above-mentioned project. Pro Grade Enterprises Inc. was the lowest responsive and responsible bidder in the amount of $551,826.46. Council is being requested to award the bid to Pro Grade Enterprises Inc.

The project will create a system redundancy for Water and Electrical systems in the City between Willow and Magnolia on Seattle Ave. This project will also allow for Natural Gas system redundancies between Willow and Locust on Seattle Ave.

The project was bid with four schedules. Schedule A is for the water main improvements including 1000 linear feet of 8" ductile water main and an air & vacuum system and a connection to a private residence. Schedule B is for electrical improvements and includes 4000 linear feet of conduit as well as fiberglass hand boxes and pedestal sleeves. Schedule C is for site preparation and restoration. Schedule BA 1 is for natural gas line improvements and includes 550 linear feet of new gas line.

City engineers designed and prepared bid specifications for this project, Bid Call 2024-19. City staff will provide construction contract administration once the project is awarded.

Previous Council Action:
The City purchased a utility easement granted by Council from Robert and Jane Scheffelmaier after the September 5th, 2023 Council Meeting. City staff negotiated the purchase of the easement for a value of $1.

Analysis:
The project was advertised, and bids were received as follows:
Base Bid – **Basis of Award**

Pro grade Enterprises Inc.:	$469,323.22
Ascent Foundations and More LLC:	$478,410.39
Lowell's Cornerstone Construction, LLC:	$526,163.84

Interwest Construction, Inc.:	$531,088.46
Hurst Construction, LLC:	$622,859.90
Engineer's Estimate:	$446,923.44

Bid Additive

Pro grade Enterprises Inc.:	$82,503.24
Ascent Foundations and More LLC:	$53,061.80
Lowell's Cornerstone Construction, LLC:	$135,771.00
Interwest Construction, Inc.:	$138,856.40
Hurst Construction, LLC:	$131,467.52
Engineer's Estimate:	$71,273.00

The low bid submitted by Pro Grade Enterprises Inc. is above the engineer's estimate.

Financial Impact:
The total estimated contract cost is $551,826.46.

Approximate expenses for each schedule of work are as follows:

Schedule A – Water Improvements - $249,927.04
Schedule B – Electrical Power Improvements - $90,657.63
Schedule C – Site Preparation and Restoration - $128,738.55
Schedule BA#1 – Gas Improvements - $82,503.24

Adequate budget exists within each utility's fund for Schedules A through BA#1.

Budget Adjustment: No

Attachments:
None

Agenda #5.F

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	2023 City of Ellensburg WA Annual Financial Statement Report
Submitted by:	Holly Conti, Accounting Manager
Department:	Finance

Suggested Motion/Action:
Approve the 2023 City of Ellensburg WA Annual Financial Statement Report

Background/Summary:
The Office of the Washington State Auditor provides a Cash Basis Financial Statement Review Checklist. This checklist was updated and available for use January 2024. Included in the checklist is the question "Have the financial staff reviewed the annual financial statement report with the governing body and sought its approval?" Additionally, the Auditor's Office lists the following as best practice: "Presentation to the governing body or other means of allowing the board of directors the opportunity to review or accept the financial statements, and notes allows the governing body to carry out its role of overseeing financial reporting." The 2023 Annual Financial Statements were completed and timely filed prior to the deadline.

Previous Council Action:
None

Analysis:
The City of Ellensburg upholds the City Statement of Values for fiscal accountability, in part, by following the Office of the Washington State Auditor's guidance and recommendations.

Financial Impact:
None

Budget Adjustment: No

Attachments:
1. Schedule of Federal Awards Schedule 16
2. SEFA Notes Schedule 16
3. C4
4. C5
5. Notes to the Financial Statements
6. Schedule of Liabilities Schedule 09
7. Schedule of State Financial Assistance Schedule 15

City of Ellensburg
Schedule of Expenditures of Federal Awards
For the Year Ended December 31, 2023

Federal Agency (Pass-Through Agency)	Federal Program	ALN Number	Other Award Number	Expenditures: From Pass-Through Awards	Expenditures: From Direct Awards	Expenditures: Total	Passed through to Subrecipients	Note
FOREST SERVICE, AGRICULTURE, DEPARTMENT OF (via Department of Natural Resources)	Cooperative Forestry Assistance	10.664	93-105540	40,000	-	40,000	-	1,2
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION, COMMERCE, DEPARTMENT OF (via Washington State Department of Commerce)	Broadband Infrastructure Program	11.031	22-96811-002	98,994	-	98,994	-	1
FEDERAL HIGHWAY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington State Department of Transportation)	Highway Planning and Construction	20.205	STPUS-6909	84,249	-	84,249	-	1,2
FEDERAL HIGHWAY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington State Department of Transportation)	Highway Planning and Construction	20.205	TAP-0380(007)	12,387	-	12,387	-	1,2
FEDERAL HIGHWAY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington State Department of Transportation)	Highway Planning and Construction	20.205	STPUS-HIPUS-6900(009)	38,856	-	38,856	-	1,2

The accompanying notes are an integral part of this schedule.

City of Ellensburg
Schedule of Expenditures of Federal Awards
For the Year Ended December 31, 2023

Federal Agency (Pass-Through Agency)	Federal Program	ALN Number	Other Award Number	Expenditures: From Pass-Through Awards	Expenditures: From Direct Awards	Expenditures: Total	Passed through to Subrecipients	Note
FEDERAL HIGHWAY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington State Department of Transportation)	Highway Planning and Construction	20.205	STBGUS-6900 (010)	480	-	480	-	1,2
			Total ALN 20.205:	**135,972**	-	**135,972**	-	
FEDERAL TRANSIT ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington State Department of Transportation)	Formula Grants for Rural Areas and Tribal Transit Program	20.509	PDT0617	705,809	-	705,809	-	1,2
Highway Safety Cluster								
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington Traffic Safety Commission)	National Priority Safety Programs	20.616	2022-AG-4335	3,489	-	3,489	-	1
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF	National Priority Safety Programs	20.616		-	7,292	7,292	-	1
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington Traffic Safety Commission)	National Priority Safety Programs	20.616	2023-HVE-4693	20,000	-	20,000	-	1

The accompanying notes are an integral part of this schedule.

City of Ellensburg
Schedule of Expenditures of Federal Awards
For the Year Ended December 31, 2023

Federal Agency (Pass-Through Agency)	Federal Program	ALN Number	Other Award Number	Expenditures: From Pass-Through Awards	Expenditures: From Direct Awards	Expenditures: Total	Passed through to Subrecipients	Note
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, TRANSPORTATION, DEPARTMENT OF (via Washington Association of Sheriff's and Police Chiefs)	National Priority Safety Programs	20.616	NA	5,075	-	5,075	-	1
		Total Highway Safety Cluster:		**28,564**	**7,292**	**35,856**	-	
DEPARTMENTAL OFFICES, TREASURY, DEPARTMENT OF THE	COVID 19 - CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS	21.027		-	162,731	162,731	-	1
Aging Cluster								
ADMINISTRATION FOR COMMUNITY LIVING (ACL), HEALTH AND HUMAN SERVICES, DEPARTMENT OF (via Department of Health and Human Services)	Special Programs for the Aging, Title III, Part B, Grants for Supportive Services and Senior Centers	93.044	ALTCPSA 2017 -21	4,765	-	4,765	-	1
		Total Aging Cluster:		**4,765**	-	**4,765**	-	
		Total Federal Awards Expended:		**1,014,104**	**170,023**	**1,184,127**	-	

The accompanying notes are an integral part of this schedule.

CITY OF ELLENSBURG, WASHINGTON

Notes to the Schedule of Expenditures of Federal Awards

For the Year Ended December 31, 2023

Note 1 – Basis of Accounting

This Schedule is prepared on the same basis of accounting as the City's financial statements. The City uses the *Cash Basis Budgeting, Accounting and Reporting System* (BARS) Manual prescribed by the State Auditor's Office under the authority of Washington State law, Chapter 43.09 RCW.

Note 2 – Federal Indirect Cost Rate

The City has elected to use the 10-percent de minimis indirect cost rate allowed under the Uniform Guidance.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		Total for All Funds (Memo Only)	001 GENERAL FUND	120 STREET FUND	125 TRAFFIC IMPACT FEES
Beginning Cash and Investments					
308	Beginning Cash and Investments	82,534,490	16,080,786	2,374,449	285,836
388 / 588	Net Adjustments	(593,835)	-	-	-
Revenues					
310	Taxes	20,075,497	14,450,261	-	-
320	Licenses and Permits	608,421	602,382	6,039	-
330	Intergovernmental Revenues	6,300,422	604,479	4,640,827	-
340	Charges for Goods and Services	52,651,116	1,790,121	457,933	198,007
350	Fines and Penalties	231,556	231,140	-	-
360	Miscellaneous Revenues	7,318,794	960,477	211,092	16,256
Total Revenues:		87,185,806	18,638,860	5,315,891	214,263
Expenditures					
510	General Government	8,026,232	1,918,224	81,887	-
520	Public Safety	7,600,193	5,944,050	-	-
530	Utilities	36,476,199	-	-	-
540	Transportation	7,721,315	1,325,353	2,528,063	38,902
550	Natural/Economic Environment	3,297,648	1,849,232	-	-
560	Social Services	221,621	221,621	-	-
570	Culture and Recreation	4,564,727	4,550,762	-	-
Total Expenditures:		67,907,935	15,809,242	2,609,950	38,902
Excess (Deficiency) Revenues over Expenditures:		19,277,871	2,829,618	2,705,941	175,361
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	4,425,858	83,817	3,361,944	-
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	7,666,776	90,882	-	-
Total Other Increases in Fund Resources:		12,092,634	174,699	3,361,944	-
Other Decreases in Fund Resources					
594-595	Capital Expenditures	13,956,324	51,801	5,694,094	-
591-593, 599	Debt Service	3,572,230	49,190	-	-
597	Transfers-Out	4,425,858	3,582,874	-	8,232
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	2,485,819	125,093	-	-
Total Other Decreases in Fund Resources:		24,440,231	3,808,958	5,694,094	8,232
Increase (Decrease) in Cash and Investments:		**6,930,274**	**(804,641)**	**373,791**	**167,129**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	22,613,859	5,135,833	-	332,847
50841	Committed	310,816	134,729	-	-
50851	Assigned	57,386,408	1,445,736	2,748,241	120,115
50891	Unassigned	8,559,847	8,559,847	-	-
Total Ending Cash and Investments		**88,870,930**	**15,276,145**	**2,748,241**	**452,962**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		127 TRANSPORTATION BENEFIT	130 CRIMINAL JUSTICE FUND	137 DRUG FUND	150 CATV OPERATIONS FUND
Beginning Cash and Investments					
308	Beginning Cash and Investments	3,511,758	2,788,773	29,401	117,221
388 / 588	Net Adjustments	-	-	-	-
Revenues					
310	Taxes	1,462,383	1,738,874	-	93,394
320	Licenses and Permits	-	-	-	-
330	Intergovernmental Revenues	698,811	1,500	-	-
340	Charges for Goods and Services	75,000	-	-	-
350	Fines and Penalties	-	-	416	-
360	Miscellaneous Revenues	136,517	108,340	1,354	4,295
Total Revenues:		2,372,711	1,848,714	1,770	97,689
Expenditures					
510	General Government	-	-	-	-
520	Public Safety	-	1,653,397	2,746	-
530	Utilities	-	-	-	-
540	Transportation	1,937,857	-	-	-
550	Natural/Economic Environment	-	39,827	-	105,774
560	Social Services	-	-	-	-
570	Culture and Recreation	-	-	-	-
Total Expenditures:		1,937,857	1,693,224	2,746	105,774
Excess (Deficiency) Revenues over Expenditures:		434,854	155,490	(976)	(8,085)
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	5,544	-	-	-
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	-	-	-	-
Total Other Increases in Fund Resources:		5,544	-	-	-
Other Decreases in Fund Resources					
594-595	Capital Expenditures	83,230	124,437	-	-
591-593, 599	Debt Service	194	-	-	-
597	Transfers-Out	-	-	-	-
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	-	-	-	-
Total Other Decreases in Fund Resources:		83,424	124,437	-	-
Increase (Decrease) in Cash and Investments:		**356,974**	**31,053**	**(976)**	**(8,085)**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	3,522,028	2,593,765	23,786	-
50841	Committed	-	-	-	109,136
50851	Assigned	346,705	226,061	4,639	-
50891	Unassigned	-	-	-	-
Total Ending Cash and Investments		**3,868,733**	**2,819,826**	**28,425**	**109,136**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		155 CATV CAPITAL FUND	160 PARK ACQUISITION FUND	165 LODGING TAX FUND	172 HOUSING FUND
Beginning Cash and Investments					
308	Beginning Cash and Investments	-	557,639	911,671	2,448,164
388 / 588	Net Adjustments	-	-	-	-
Revenues					
310	Taxes	-	-	750,733	812,731
320	Licenses and Permits	-	-	-	-
330	Intergovernmental Revenues	-	1,939	-	-
340	Charges for Goods and Services	64,812	135,623	-	-
350	Fines and Penalties	-	-	-	-
360	Miscellaneous Revenues	2,139	21,084	3,104	108,863
Total Revenues:		66,951	158,646	753,837	921,594
Expenditures					
510	General Government	-	-	-	-
520	Public Safety	-	-	-	-
530	Utilities	-	-	-	-
540	Transportation	-	-	-	-
550	Natural/Economic Environment	-	-	345,339	957,476
560	Social Services	-	-	-	-
570	Culture and Recreation	-	13,965	-	-
Total Expenditures:		-	13,965	345,339	957,476
Excess (Deficiency) Revenues over Expenditures:		66,951	144,681	408,498	(35,882)
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	-	-	-	-
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	-	-	-	-
Total Other Increases in Fund Resources:		-	-	-	-
Other Decreases in Fund Resources					
594-595	Capital Expenditures	-	256,687	-	-
591-593, 599	Debt Service	-	-	-	-
597	Transfers-Out	-	-	-	-
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	-	-	-	-
Total Other Decreases in Fund Resources:		-	256,687	-	-
Increase (Decrease) in Cash and Investments:		**66,951**	**(112,006)**	**408,498**	**(35,882)**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	-	364,953	1,247,430	2,249,500
50841	Committed	66,951	-	-	-
50851	Assigned	-	80,681	72,739	162,782
50891	Unassigned	-	-	-	-
Total Ending Cash and Investments		**66,951**	**445,634**	**1,320,169**	**2,412,282**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		210 DEBT SERVICE FUND	225 2010 DEBT SERVICE FUND	230 2003 LIBRARY CONSTR DEBT	325 Fieldhouse Construction
Beginning Cash and Investments					
308	Beginning Cash and Investments	362,379	87,215	82,018	-
388 / 588	Net Adjustments	-	-	-	-
Revenues					
310	Taxes	-	-	1,799	-
320	Licenses and Permits	-	-	-	-
330	Intergovernmental Revenues	-	-	-	-
340	Charges for Goods and Services	-	-	-	-
350	Fines and Penalties	-	-	-	-
360	Miscellaneous Revenues	-	-	-	106,621
Total Revenues:		-	-	1,799	106,621
Expenditures					
510	General Government	-	-	-	1,193
520	Public Safety	-	-	-	-
530	Utilities	-	-	-	-
540	Transportation	-	-	-	-
550	Natural/Economic Environment	-	-	-	-
560	Social Services	-	-	-	-
570	Culture and Recreation	-	-	-	-
Total Expenditures:		-	-	-	1,193
Excess (Deficiency) Revenues over Expenditures:		-	-	1,799	105,428
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	562,327	187,003	-	-
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	-	-	-	4,841,556
Total Other Increases in Fund Resources:		562,327	187,003	-	4,841,556
Other Decreases in Fund Resources					
594-595	Capital Expenditures	-	-	-	69,084
591-593, 599	Debt Service	562,326	186,403	-	-
597	Transfers-Out	-	-	83,817	-
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	-	-	-	-
Total Other Decreases in Fund Resources:		562,326	186,403	83,817	69,084
Increase (Decrease) in Cash and Investments:		**1**	**600**	**(82,018)**	**4,877,900**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	-	-	-	-
50841	Committed	-	-	-	-
50851	Assigned	362,380	87,815	-	4,877,900
50891	Unassigned	-	-	-	-
Total Ending Cash and Investments		**362,380**	**87,815**	**-**	**4,877,900**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		340 '17 Facility Bond Capital Proj	365 General Facilities Capital Fund	366 SIDEWALK FUND	370 CAPITAL FACILITIES
Beginning Cash and Investments					
308	Beginning Cash and Investments	520,273	-	1,096,836	-
388 / 588	Net Adjustments	-	-	-	-
Revenues					
310	Taxes	-	-	382,661	382,661
320	Licenses and Permits	-	-	-	-
330	Intergovernmental Revenues	-	-	-	-
340	Charges for Goods and Services	-	-	-	-
350	Fines and Penalties	-	-	-	-
360	Miscellaneous Revenues	-	-	50,721	6,522
Total Revenues:		-	-	433,382	389,183
Expenditures					
510	General Government	-	-	-	-
520	Public Safety	-	-	-	-
530	Utilities	-	-	-	-
540	Transportation	-	-	449,378	-
550	Natural/Economic Environment	-	-	-	-
560	Social Services	-	-	-	-
570	Culture and Recreation	-	-	-	-
Total Expenditures:		-	-	449,378	-
Excess (Deficiency) Revenues over Expenditures:		-	-	(15,996)	389,183
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	-	-	-	-
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	-	116,203	-	-
Total Other Increases in Fund Resources:		-	116,203	-	-
Other Decreases in Fund Resources					
594-595	Capital Expenditures	116,131	-	-	-
591-593, 599	Debt Service	-	-	-	-
597	Transfers-Out	-	-	525,712	-
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	-	-	-	-
Total Other Decreases in Fund Resources:		116,131	-	525,712	-
Increase (Decrease) in Cash and Investments:		**(116,131)**	**116,203**	**(541,708)**	**389,183**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	-	-	389,185	-
50841	Committed	-	-	-	-
50851	Assigned	404,142	116,203	165,942	389,183
50891	Unassigned	-	-	-	-
Total Ending Cash and Investments		**404,142**	**116,203**	**555,127**	**389,183**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		431 STORMWATER UTILITY FUND	451 TELECOMM. UTILITY FUND	461 NATURAL GAS UTILITY FUND	471 ELECTRIC UTILITY FUND
Beginning Cash and Investments					
308	Beginning Cash and Investments	2,252,936	346,793	3,532,687	13,784,859
388 / 588	Net Adjustments	-	-	(104,159)	(225,776)
Revenues					
310	Taxes	-	-	-	-
320	Licenses and Permits	-	-	-	-
330	Intergovernmental Revenues	132,500	167,117	-	-
340	Charges for Goods and Services	1,789,971	400,403	9,149,080	19,557,996
350	Fines and Penalties	-	-	-	-
360	Miscellaneous Revenues	81,753	20,724	2,027,043	613,462
Total Revenues:		2,004,224	588,244	11,176,123	20,171,458
Expenditures					
510	General Government	-	-	-	-
520	Public Safety	-	-	-	-
530	Utilities	1,445,710	222,761	10,727,365	15,488,687
540	Transportation	-	-	-	-
550	Natural/Economic Environment	-	-	-	-
560	Social Services	-	-	-	-
570	Culture and Recreation	-	-	-	-
Total Expenditures:		1,445,710	222,761	10,727,365	15,488,687
Excess (Deficiency) Revenues over Expenditures:		558,514	365,483	448,758	4,682,771
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	-	-	-	-
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	99,311	-	442,155	970,244
Total Other Increases in Fund Resources:		99,311	-	442,155	970,244
Other Decreases in Fund Resources					
594-595	Capital Expenditures	1,105,928	261,068	717,741	2,814,832
591-593, 599	Debt Service	361,038	19,263	54,460	603,915
597	Transfers-Out	-	-	-	-
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	89,160	-	474,425	1,035,728
Total Other Decreases in Fund Resources:		1,556,126	280,331	1,246,626	4,454,475
Increase (Decrease) in Cash and Investments:		**(898,301)**	**85,152**	**(355,713)**	**1,198,540**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	504,314	-	781,872	820,519
50841	Committed	-	-	-	-
50851	Assigned	850,322	431,945	2,290,943	13,937,104
50891	Unassigned	-	-	-	-
Total Ending Cash and Investments		**1,354,636**	**431,945**	**3,072,815**	**14,757,623**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		481 WATER UTILITY FUND	491 SEWER UTILITY FUND	531 SHOP FUND	535 General Facilities Internal Service
Beginning Cash and Investments					
308	Beginning Cash and Investments	9,719,093	7,710,139	8,959,501	-
388 / 588	Net Adjustments	(130,822)	(133,078)	-	-
Revenues					
310	Taxes	-	-	-	-
320	Licenses and Permits	-	-	-	-
330	Intergovernmental Revenues	53,249	-	-	-
340	Charges for Goods and Services	5,617,812	5,059,110	2,556,263	630,424
350	Fines and Penalties	-	-	-	-
360	Miscellaneous Revenues	949,806	851,383	345,876	4,815
Total Revenues:		6,620,867	5,910,493	2,902,139	635,239
Expenditures					
510	General Government	-	-	-	596,777
520	Public Safety	-	-	-	-
530	Utilities	4,362,737	4,228,939	-	-
540	Transportation	-	-	1,441,762	-
550	Natural/Economic Environment	-	-	-	-
560	Social Services	-	-	-	-
570	Culture and Recreation	-	-	-	-
Total Expenditures:		4,362,737	4,228,939	1,441,762	596,777
Excess (Deficiency) Revenues over Expenditures:		2,258,130	1,681,554	1,460,377	38,462
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	-	-	-	-
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	343,896	278,303	-	-
Total Other Increases in Fund Resources:		343,896	278,303	-	-
Other Decreases in Fund Resources					
594-595	Capital Expenditures	1,724,220	391,963	545,108	-
591-593, 599	Debt Service	739,447	691,393	1,050	-
597	Transfers-Out	-	-	-	-
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	406,380	355,033	-	-
Total Other Decreases in Fund Resources:		2,870,047	1,438,389	546,158	-
Increase (Decrease) in Cash and Investments:		**(268,021)**	**521,468**	**914,219**	**38,462**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	898,323	3,749,504	-	-
50841	Committed	-	-	-	-
50851	Assigned	8,421,927	4,349,026	9,873,720	38,462
50891	Unassigned	-	-	-	-
Total Ending Cash and Investments		**9,320,250**	**8,098,530**	**9,873,720**	**38,462**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		540 HEALTH/BENEFITS FUND	545 RISK MANAGEMENT FUND	550 IT FUND	555 Geographic Information Systems
Beginning Cash and Investments					
308	Beginning Cash and Investments	1,242,633	1,451,037	1,965,571	314,822
388 / 588	Net Adjustments	-	-	-	-
Revenues					
310	Taxes	-	-	-	-
320	Licenses and Permits	-	-	-	-
330	Intergovernmental Revenues	-	-	-	-
340	Charges for Goods and Services	2,247,774	683,455	1,943,088	294,244
350	Fines and Penalties	-	-	-	-
360	Miscellaneous Revenues	63,101	515,402	96,582	11,462
Total Revenues:		2,310,875	1,198,857	2,039,670	305,706
Expenditures					
510	General Government	2,735,198	906,264	1,376,637	410,052
520	Public Safety	-	-	-	-
530	Utilities	-	-	-	-
540	Transportation	-	-	-	-
550	Natural/Economic Environment	-	-	-	-
560	Social Services	-	-	-	-
570	Culture and Recreation	-	-	-	-
Total Expenditures:		2,735,198	906,264	1,376,637	410,052
Excess (Deficiency) Revenues over Expenditures:		(424,323)	292,593	663,033	(104,346)
Other Increases in Fund Resources					
391-393, 596	Debt Proceeds	-	-	-	-
397	Transfers-In	-	-	-	225,223
385	Special or Extraordinary Items	-	-	-	-
381, 382, 389, 395, 398	Other Resources	482,481	1,745	-	-
Total Other Increases in Fund Resources:		482,481	1,745	-	225,223
Other Decreases in Fund Resources					
594-595	Capital Expenditures	-	-	-	-
591-593, 599	Debt Service	-	8,610	294,908	33
597	Transfers-Out	-	-	225,223	-
585	Special or Extraordinary Items	-	-	-	-
581, 582, 589	Other Uses	-	-	-	-
Total Other Decreases in Fund Resources:		-	8,610	520,131	33
Increase (Decrease) in Cash and Investments:		**58,158**	**285,728**	**142,902**	**120,844**
Ending Cash and Investments					
50821	Nonspendable	-	-	-	-
50831	Restricted	-	-	-	-
50841	Committed	-	-	-	-
50851	Assigned	1,300,791	1,736,765	2,108,473	435,666
50891	Unassigned	-	-	-	-
Total Ending Cash and Investments		**1,300,791**	**1,736,765**	**2,108,473**	**435,666**

The accompanying notes are an integral part of this statement.

City of Ellensburg
Fiduciary Fund Resources and Uses Arising from Cash Transactions
For the Year Ended December 31, 2023

		Custodial
308	Beginning Cash and Investments	5,917
388 & 588	Net Adjustments	-
310-390	Additions	183,939
510-590	Deductions	186,094
	Net Increase (Decrease) in Cash and Investments:	(2,155)
508	Ending Cash and Investments	3,762

The accompanying notes are an integral part of this statement.

City of Ellensburg, Washington
Notes to the Financial Statements
For the year ended December 31, 2023

Note 1 - Summary of Significant Accounting Policies

The City of Ellensburg was incorporated on November 26, 1883, and operates under the laws of the state of Washington applicable to a Noncharter Code City. The city is a general-purpose local government and provides public safety, animal control, street improvement, transit services, parks and recreation, library services, planning and zoning, and general administration.

The City reports financial activity in accordance with the *Cash Basis Budgeting, Accounting and Reporting System* (BARS) Manual prescribed by the State Auditor's Office under the authority of Washington State law, Chapter 43.09 RCW. This manual prescribes a financial reporting framework that differs from generally accepted accounting principles (GAAP) in the following manner:

- Financial transactions are recognized on a cash basis of accounting as described below.
- Component units are required to be disclosed but are not included in the financial statements.
- Government-wide statements, as defined in GAAP, are not presented.
- All funds are presented, rather than a focus on major funds.
- The *Schedule of Liabilities* is required to be presented with the financial statements as supplementary information.
- Supplementary information required by GAAP is not presented.
- Ending balances for proprietary and fiduciary funds are presented using classifications that are different from the ending net position classifications in GAAP.

A. Fund Accounting

Financial transactions of the government are reported in individual funds. Each fund uses a separate set of self-balancing accounts that comprises its cash and investments, revenues, and expenditures. The government's resources are allocated to and accounted for in individual funds depending on their intended purpose. Each fund is reported as a separate column in the financial statements, except for fiduciary funds, which are presented by fund types. The total column is presented as "memo only" because interfund activities are not eliminated. The following fund types are used:

GOVERNMENTAL FUND TYPES:

General Fund

This fund is the primary operating fund of the government. It accounts for all financial resources except those required or elected to be accounted for in another fund.

Special Revenue Funds

These funds account for specific revenue sources that are restricted or committed to expenditures for specified purposes of the government.

Debt Service Funds

These funds account for the financial resources that are restricted, committed, or assigned to expenditures for principal, interest and related costs on general long-term debt.

Capital Projects Funds

These funds account for financial resources which are restricted, committed, or assigned for the acquisition or construction of capital facilities or other capital assets.

PROPRIETARY FUND TYPES:

Enterprise Funds

These funds account for operations that provide goods or services to the general public and are supported primarily through user charges.

Internal Service Funds

These funds account for operations that provide goods or services to other departments or funds of the government on a cost reimbursement basis.

FIDUCIARY FUND TYPES:

Fiduciary funds account for assets held by the government in a trustee capacity or as a custodian on behalf of others.

Custodial Funds

These funds are used to account assets that the government holds on behalf of others in a custodial capacity.

B. Basis of Accounting and Measurement Focus

Financial statements are prepared using the cash basis of accounting and measurement focus. Revenues are recognized when cash is received, and expenditures are recognized when paid.

In accordance with state law the City also recognizes expenditures paid during twenty days after the close of the fiscal year for claims incurred during the previous period.

C. Cash and Investments

See Note 2, *Deposits and Investments*.

D. Capital Assets

Capital assets are assets with an initial individual cost of more than $5,000 and an estimated useful life in excess of 1 year. Infrastructure will be capitalized when the cost or group cost is $50,000 or more. Capital assets and inventory are recorded as capital expenditures or supplies as appropriate when purchased.

E. Compensated Absences

Contracts with employees call for the accumulation of various types of leave based on the employees' classification. Upon termination of employment for any reason employees receive payment for their accrued leave based on the employee contract classification. Paid time off (PTO) has a maximum accumulation of 584 hours, dependent on years of service. Sick leave and Reserved Time Off (RTO) may be accumulated indefinitely, however, upon separation from employment, employees do not receive payment for unused sick or RTO leave. Additionally, temporary and part-time employees earn one hour of paid sick leave for every 40 hours they work, and balances of 40 hours or less are carried over to the next year in accordance with Washington Paid Sick Leave laws (WPSL). Payments are recognized as expenditures when paid. Below is a chart showing the treatment of each type of leave based on the employee classification:

	NON EXEMPT	OPEIU/ LOPE	IBEW	TEAM PW	TEAM POLICE	Temporary & Part-time
Bank Days	N/A	N/A	Accrued @ 4 days per year—no max accrual	Hired prior to 12/2009 accrued @ 3 days per yr-no max accrual	N/A	N/A
Comp time		Accrue to 40 hours maximum per year	Accrue to 40 hours maximum year	Accrue to 80 hours maximum per year	Accrue to 40 hours maximum per year	N/A
RTO	No accrual limit/ no payout	N/A	N/A	N/A	N/A	N/A
Sick Leave	N/A	No accrual limit/ no payout	No accrual limit/ no payout	No accrual limit/ no payout	No accrual limit/ payout up to 500 hours	See WPSL
Vacation		Not to exceed 240 hours	Not to exceed 240 hours	Not to exceed 240 hours	Not to exceed 296 hours	N/A
PTO	Accrual based on years of service. Maximum accrual 584 hours	N/A	N/A	N/A	N/A	N/A
WPSL	-	-	-	-	-	Earn 1 hour of paid sick leave for every 40 hours worked

F. Long-Term Debt

See Note 5, *Long-term Debt*.

G. Restricted and Committed Portion of Ending Cash and Investments

Beginning and Ending Cash and Investments is reported as restricted or committed when it is subject to restrictions on use imposed by external parties or due to internal commitments established by City Council ordinance or resolution. When expenditures that meet restrictions are incurred, the City intends to use the most restricted resources first.

Restrictions and commitments of Ending Cash and Investments consist of:

Fund	Amount	Reason
General	5,270,562	External Restriction/Restrictions by Donors/COVID 19 Grant
Traffic Impact Fees	332,847	Traffic Impact Fees Restricted by law RCW 82.02.050
Transportation Benefit District	3,522,028	RCW 82.14.045 Voter approved sales tax
Criminal Justice	2,593,765	Local Criminal Justice Tax RCW 82.14.340(4)-(5)
Drug Fund	23,786	RCW 69.50.505
CATV Operations Fund	109,136	Cable TV Utility Tax
CATV Capital Fund	66,951	Cable TV Utility Tax
Park Acquisition	364,953	Gas tax is externally restricted RCW 46.68.110/RCW 47.24.040
Lodging Tax	1,247,430	RCW 67.28.180
Housing	2,249,500	RCW 82.14.045 Voter Approved Sales Tax & State Affordable Housing Credit
Capital Fund - Sidewalk Fund	389,185	Capital Projects identified in RCW 82.46.030 and 82.45.180
Enterprise - Stormwater	504,314	Bond Reserve Requirements and Utility Deposits
Enterprise - Natural Gas Utility	781,872	Bond Reserve Requirements and Utility Deposits
Enterprise - Electric Utility	820,519	Bond Reserve Requirements and Utility Deposits
Enterprise - Water Utility	898,323	Bond Reserve Requirements, Bond Cash, and Utility Deposits
Enterprise - Sewer Utility	3,749,504	Bond Reserve Requirements, Bond Cash, and Utility Deposits

Note 2 – Deposits and Investments

Investments are reported at amortized cost). Deposits and Investments by type at December 31, 2023, are as follows:

Type of Investment	City of Ellensburg's Own Deposits and Investments	Deposits held by City of Ellensburg as custodian for individuals	Total
Bank deposits	$ 415,159	$ 3,762	$ 418,921
L.G.I.P.	66,023,493		66,023,493
U.S. Government securities	22,432,278		22,432,278
Total	**$ 88,870,930**	**$ 3,762**	**$ 88,874,692**

It is the city's policy to invest all temporary cash surpluses. The interest on these investments is prorated to the various funds and the investments held by fund retains the investment income.

Investments in the State Local Government Investment Pool (LGIP)

The City is a voluntary participant in the Local Government Investment Pool, an external investment pool operated by the Washington State Treasurer. The pool is not rated and not registered with the SEC. Rather, oversight is provided by the State Finance Committee in accordance with Chapter 43.250 RCW. Investments in the LGIP are reported at amortized cost, which is the same as the value of the pool per share. The LGIP does not impose any restrictions on participant withdrawals.

The Office of the State Treasurer prepares a stand-alone financial report for the pool. A copy of the report is available from the Office of the State Treasurer, PO Box 40200, Olympia, Washington 98504-0200, online at www.tre.wa.gov.

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in event of a failure of a depository financial institution, the City would not be able to recover deposits or would not be able to recover collateral securities that are in possession of an outside party. The City's deposits and certificates of deposit are mostly covered by federal depository insurance (FDIC) or by collateral held in a multiple financial institution collateral pool administered by the Washington Public Deposit Protection

Commission (PDPC).

All investments are insured, registered, or held by the City or its agent in the government's name.

Compensating Balances

The amounts previously referred to as bank balance, also includes a compensating balance maintained with U.S. Bank in lieu of payments for services rendered. The average compensating balance maintained during 2023 was approximately $6,686,949.

Note 3 – Budget Compliance

A. Budgets

The City adopts biennial appropriated budgets for thirty-six funds. These budgets are appropriated at the fund level. Several managerial funds of the general fund, combined for annual financial reporting purposes, are appropriated as separate funds. The budget constitutes the legal authority for expenditures at that level. Biennial appropriations for these funds lapse at the fiscal year end.

Biennial appropriated budgets are adopted on the same basis of accounting as used for financial reporting. Intrafund transactions between managerial funds are reported both as appropriated and actual expenditures in the table below.

The appropriated and actual expenditures for the legally adopted budgets were as follows:

Table 1 - 2023 Final Budget and Actual Expenditures						
Fund	2023 Original Bu	2023 Final Budget	2023 Actuals (Budgetary Basis)	Total Reconcile to Cash BARS Basis	2023Actuals (Cash BARS Basis)	Variance
Total Budgeted General Fund	19,254,735	$ 21,010,010	$ 18,351,333	$ (2,859,422)	$ 15,491,912	$ 2,658,677
Managerial Funds of the General Fund					-	
Economic Development	-	49,000	14,250		14,250	34,750
Sales Tax Reserve Fund	6,953,007	7,737,767	7,737,767	(4,160,437)	3,577,330	(0)
Art Acquisition Fund	59,000	64,544	41,152		41,152	23,392
COVID-19 Grants	587,533	2,543,740	378,409	(23,152)	355,257	2,165,331
*LID Guaranty Fund	-	-	-		-	-
Library Trust Fund	8,800	8,800	362		362	8,438
Hal Holmes Trust Fund	10,000	10,000	-		-	10,000
Fire Relief & Pension Trust Fund	141,909	191,909	129,336		129,336	62,573
*LID Debt Service Fund	-	-		8,601	8,601	-
Total Managerial Funds of the Genera	7,760,249	10,605,760	8,301,276	(4,174,988)	4,126,287	2,304,484
Total General Fund for Annual Financ	$ 27,014,984	$ 31,615,770	$26,652,609	$ (7,034,410)	$ 19,618,199	$ 4,963,161
Street Fund	10,870,050	$ 10,341,381	$ 8,300,809	$ 3,233	$ 8,304,042	$ 2,040,572
Traffic Impact Fees Fund	172,500	298,870	47,134		47,134	251,736
Public Transit Fund	2,671,837	2,694,984	2,021,281		2,021,281	673,703
Criminal Justice Sales Tax Fund	2,139,736	2,252,446	1,817,660		1,817,660	434,786
Drug Fund	5,000	22,385	2,746		2,746	19,639
Ellensburg Community TV	103,587	180,470	105,774		105,774	74,696
Parks Acquisition Fund	420,000	533,000	270,652		270,652	262,348
Lodging Tax Fund	330,313	357,313	345,339		345,339	11,974
Housing Fund	717,500	1,877,500	957,476		957,476	920,024
Facilities Improvement Debt Service	562,326	563,326	562,326		562,326	1,000
2010 Maintenance Bond Debt Servic	187,003	188,003	186,403		186,403	1,600
Library Bond Debt	-	83,817	83,817		83,817	0
Capital Improvement Bond Projects	-	176,436	116,131		116,131	60,305
Field House	-	1,122,300	70,277		70,277	1,052,023
Sidewalk Fund	768,712	999,268	975,091		975,091	24,178
Stormwater Utility Fund	2,902,664	1,943,114	1,826,167	89,160	1,915,328	116,946
Stormwater Bond Fund	719,433	1,165,638	1,086,508		1,086,508	79,130
Telecommunications Utility Fund	368,539	1,161,630	503,091		503,091	658,539
Gas Utility Fund	12,767,868	11,346,551	11,671,028	907,633	11,973,991	280,193
Electric Utility Fund	25,125,915	26,131,009	19,583,759	1,678,718	19,943,162	7,866,565
Water Utility Fund	7,699,650	7,413,265	5,682,579	697,951	5,855,313	2,255,903
Water Construction	1,750,000	1,972,000	1,377,471		1,377,471	594,529
Sewer Utility Fund	10,541,588	8,612,175	5,630,707	490,521	5,667,328	3,435,368
Shop Fund	2,589,923	2,629,433	1,980,764	7,156	1,987,920	648,669
General Facilities	587,129	596,822	596,778		596,778	44
Health Insurance	2,688,003	3,066,253	2,735,198		2,735,198	331,055
Risk Management Fund	937,098	973,193	914,873		914,873	58,320
Information Technology Fund	2,006,693	3,263,442	1,896,769		1,896,769	1,366,673
GIS Fund	562,433	556,433	410,085		410,085	146,348
All Funds	$ 117,210,484	$ 124,138,227	$ 98,411,302	$ (3,160,038)	$ 92,348,163	$25,726,925

Fund	2023 Admin Reim	2023 400/441 Reallocation	2023 Interfund Transfers	2023 Inventory Conversion	Prior Period Adjustment	2023 Actuals Non-Budget Limited Funds	Total Reconcile to Cash BARS Basis
Total Budgeted General Fund	(2,718,341)		(141,081)			-	2,859,422
Managerial Funds of the General Fund							-
Sales Tax Reserve Fund			(4,160,437)				(4,160,437)
COVID-19			(23,152)				(23,152)
LID Debt Service Fund						8,601	8,601
Total Managerial Funds	0	0	(4,183,589)	0		8,601	(4,174,988)
Total General Fund	(2,718,341)	-	(4,324,670)	-		8,601	(7,034,410)
Street Fund				3,233			3,233
Stormwater		89,160					89,160
Gas Utility Fund		474,425		329,049	104,159		907,633
Electric Utility Fund		1,035,728		417,214	225,776		1,678,718
Water Utility Fund		406,380		160,749	130,822		697,951
Sewer Utility Fund		355,033		2,410	133,078		490,521
Shop Fund				7,156			7,156
All Funds	**(2,718,341)**	**2,360,726**	**(4,324,670)**	**919,810**	**593,835**	**8,601**	**(3,160,039)**

The City of Ellensburg reported the Utility Deposit Fund (441) as a separate unbudgeted fund until the Office of the State Auditor asserted those funds to be managerial funds of the distinct Utility Funds. Deposits are not collected by the separate funds. The City established a percentage allocation based on revenue. The resulting revenues and expenditures are a result of complying with the allocation of deposits for annual financial reporting purposes only, and not for purposes of enterprise fund budget compliance. The utility funds do not collect this “revenue” or budget for this “expenditure”. Therefore, the reporting of this 400/441 reallocation is for annual financial reporting purposes only. In addition, for financial reporting purposes only, the table includes funds 261 LID Guarantee and 800 LID in order to complete the information included in the General Fund.

Budgeted amounts are authorized to be transferred within funds; however, any revisions that alter the total expenditures of a fund, or that affect the number of authorized employee positions, salary ranges, hours, or other conditions of employment must be approved by the City’s legislative body.

Note 4 - Property Tax

The county treasurer acts as an agent to collect property tax levied in the county for all taxing authorities. Collections are distributed after the end of each month.

	Property Tax Calendar
January 1	Tax is levied and becomes an enforceable lien against the properties.
February 14	Tax bills are mailed
April 30	First of two equal installment payments are due
May 31	Assessed value of property established for next year's levy at 100 percent of market value.
October 31	Second installment is due

Property tax revenues are recognized when cash is received by the City. Delinquent taxes are considered fully collectible because a lien affixes to the property after tax is levied.

The City's regular levy for the year 2023 was $1.422738 per $1,000 on an assessed valuation of $2,469,174,196 for a total regular levy of $3,512,987.96.

Note 5 – Long-Term Debt

Debt Service

The accompanying Schedule of Liabilities (09) provides more details of the outstanding debt and liabilities of the City and summarizes the City's debt transactions for year-end December 31, 2023.

The debt service requirements for general obligation bonds, revenue bonds and assessment debt are as follows:

General Obligation Bonds			
	Principal	Interest	Total
2024	$ 551,853	$ 196,876	$ 748,729
2025	$ 565,095	$ 183,634	$ 748,729
2026	$ 573,407	$ 175,322	$ 748,729
2027	$ 588,281	$ 160,448	$ 748,729
2028	$ 603,550	$ 145,179	$ 748,729
2029-2033	$ 2,661,569	$ 493,567	$ 3,155,135
2034-2038	$ 2,112,949	$ 136,354	$ 2,249,303
Total	$ 7,656,702	$ 1,491,381	$ 9,148,083

General Obligation Debt Issued for Business-Type Activities			
	Principal	Interest	Total
2024	$ 13,280	$ 5,983	$ 19,263
2025	$ 13,673	$ 5,590	$ 19,263
2026	$ 14,078	$ 5,185	$ 19,263
2027	$ 14,495	$ 4,768	$ 19,263
2028	$ 14,924	$ 4,339	$ 19,263
2029-2033	$ 81,519	$ 14,796	$ 96,315
2034-2038	$ 54,835	$ 2,852	$ 57,686
Total	$ 206,804	$ 43,512	$ 250,316
Revenue Bonds			
	Principal	Interest	Total
2024	$ 1,743,294	$ 693,887	$ 2,437,180
2025	$ 1,797,776	$ 643,977	$ 2,441,753
2026	$ 1,846,777	$ 593,487	$ 2,440,264
2027	$ 1,896,280	$ 541,464	$ 2,437,743
2028	$ 1,510,504	$ 488,773	$ 1,999,277
2029-2033	$ 7,395,170	$ 1,670,675	$ 9,065,845
2034-2038	$ 5,829,949	$ 616,210	$ 6,446,159
2039-2043	$ 1,639,137	$ 59,465	$ 1,698,602
Total	$ 23,658,887	$ 5,307,937	$ 28,966,823
Assesment Debt/Liabilities (with commitments)			
	Principal	Interest	Total
2024	$ 7,566	$ 1,335	$ 8,900
2025	$ 7,414	$ 890	$ 8,304
Total	$ 14,980	$ 2,224	$ 17,204

General obligation bonds are direct obligations and pledge the full faith and credit of the government. These bonds are *generally 20-year serial bonds with equal amounts of payments each year.*

The 2017 Facilities Capital Bonds were sold to provide funds with which to pay costs associated with remodeling, expanding, and equipping the Ellensburg Police Department and other related capital improvements. The bond will mature in 2037.

The 2016 Limited Tax General Obligation Bonds were sold to provide funds necessary to repay an interfund loan and to provide funds for long term financing of the City's telecommunication infrastructure. This is a General Obligation Debt issued for Business-Type activities. The bond will mature in 2036.

The 2021 Limited Tax General Obligation Refunding (2010) Bonds were sold to refund certain outstanding limited tax general obligation bonds of the City to achieve a debt service savings and to pay the costs of issuance and sale of the bonds. The bond will mature in 2030.

Revenue bonds are bonds where the government pledges income derived from the acquired or constructed assets to pay debt service. Revenue bonds are created by ordinance, adopted by the City Council, and financed from Enterprise Fund revenues.

2014 Electric Refunding/Revenue Bonds for the purpose of providing funds to refund outstanding electric revenue bonds of the City and to finance the cost of a new substation of the City's electric Utility. The bonds will mature in 2034.

2016 Water/Sewer Refunding (2010) Bonds for the purpose of providing funds to refund outstanding water/sewer revenue bonds of the City. These bonds will mature in 2029.

2016 Gas Bonds for the purpose of proving funds to pay or reimburse the costs of certain capital improvements to and extension of the Natural Gas Utility. These bonds will mature in 2036.

2020 Waterworks Bonds for the purpose of funding capital improvements to the Stormwater Utility including the purchase of 56 acres of active floodplain, construction of a fish-passable bridge and three flood swales, and construction of a setback levee. The bonds will mature in 2039.

2021 Waterworks Bonds for the purpose of funding capital improvements to the Waterworks Utility System consisting of certain capital improvements to the Waterworks Utility System, including the Bull Road Utility Extension, Illinois Well Fitting, Anderson Road Sewer Extension, Craigs Hill Pressure Zone, Wastewater Treatment Facility Clarifiers, and Digester/GBT Building Electrical Upgrades. The bonds will mature in 2040.

Significant Debt Agreement Terms

Debt	Clause
2014 UTO Refunding Bonds	If any Bond is not redeemed when properly presented at maturity or call date, the City shall be obligated to pay interest on that Bond at the same rate provided in the Bond from and after its maturity or call date until that Bond, both principal and interest, is paid in full or until sufficient money for its payment in full is on the bond redemption fund hereinafter created and the Bond has been called for payment by giving notice of that call to the registered owner thereof.
2021 LTGO Refunding (2010) Bonds	If any Bond is not redeemed when properly presented at maturity or call date, the City will pay interest on that Bond at the same rate provided on the Bond from and after its maturity or call date until that Bond is paid in full or until sufficient money for its payment in full is on deposit in a special account created by the City for such purpose.
2010 Water/Sewer Refunding and Revenue Bonds	If the City fails to make a payment on the Bonds or does not comply with the covenants in the Bond Ordinance, a bond owner has remedies permitted under State law, including without limitation, the remedies provided in RCW 35.67.108 and RCW 35.92.160.
2016 Gas Bonds	If the principal of the Bond is not paid when the Bond is properly presented at its maturity or date fixed for redemption, the City shall be obligated to pay interest on that Bond at the same rate provided in the Bond from and after its maturity or date fixed for the redemption until that Bond, both principal and interest, is paid in full or until sufficient money for its payment in full is on deposit in the Bond Debt Service Account, or in a trust account established to refund or defease the Bond, and the Bond has been called for payment by giving notice of that call to the Registered Owner.
2020 Waterworks	If the principal of the Bond is not paid when the Bond is properly presented at its maturity or date fixed for redemption, the City shall be obligated to pay interest on that Bond at the same rate provided in the Bond from and after its maturity or date fixed for the redemption until that Bond, both principal and interest, is paid in full or until sufficient money for its payment in full is on deposit in the Bond Fund, or in a trust account established to refund or defease the Bond, and the Bond has been called for payment by giving notice of that call to the Registered Owner.

Assessment Debt or Conduit Debt obligations are debt instruments issued for the express purpose of providing financing for a third party that is not part of the financial reporting entity.

Local Improvement District (LIDS) are a means of assisting benefiting properties in financing needed capital improvements through the formation of special assessment districts. All financing was secured through Cashmere Valley Bank, Ellensburg, WA. For the 2023 fiscal year the City had one active LID, Helena Street assigned LID #2004-1 and the improvements were street and utility related.

Note 6 – Pension Plans

A. State Sponsored Pension Plans

Substantially all City full-time and qualifying part-time employees participate in the following statewide retirement systems administered by the Washington State Department of Retirement Systems (DRS), under cost-sharing, multiple-employer public employee defined benefit and defined contribution retirement plans:

Public Employees’ Retirement System (PERS)
Law Enforcement Officers’ and Fire Fighters’ Retirement System (LEOFF)

The State Legislature establishes, and amends, laws pertaining to the creation and administration of all public retirement systems.

The Department of Retirement Systems, a department within the primary government of the State of Washington, issues a publicly available Annual Comprehensive Financial Report (ACFR) that includes financial statements and required supplementary information for each plan

Also, the DRS ACFR may be downloaded from the DRS website at www.drs.wa.gov.

At June 30, 2023, (the measurement date of the plans), the City's proportionate share of the collective net pension liabilities, as reported on the Schedule of Liabilities, was as follows:

	Employer Contributions	Allocation %	Liability (Asset)
PERS 1	441,614	0.064807%	1,479,370
PERS 2/3	716,305	0.081470%	(3,339,197)
LEOFF 1		0.041405%	(1,228,910)
LEOFF 2	145,070	0.064271%	(1,541,603)

Only the net pension liabilities are reported on the Schedule 09.

LEOFF Plan 1

The City also participates in LEOFF Plan 1. The LEOFF Plan 1 is fully funded, and no further employer contributions have been required since June 2000. If the plan becomes underfunded, funding of the remaining liability will require new legislation. Starting on July 1, 2000, employers and employees contribute zero percent.

LEOFF Plan 2
The City also participates in the LEOFF Plan 2. The Legislature, by means of a special funding arrangement, appropriates money from the state general fund to supplement the current service liability and fund the prior service costs of Plan 2 in accordance with the recommendations of the Pension Funding Council and the LEOFF Plan 2 Retirement Board. This special funding situation is not mandated by the state constitution and could be changed by statute.

B. <u>Local Government Pension Plans</u>

The City is the administrator of a pension retirement system called the Fire Relief and Pension Fund; a closed, single employer defined benefit plan established under RCW 14.16,14.18 and 14.220 – as applicable. The system provides retirement, disability, and death benefits to members and beneficiaries. The system has no active members.

As of December 31, 2023, there were a total of 5 individuals covered by this system.

Firefighters' Pension Fund (RCW 41.16.050) – The State contributes 25% of the taxes on fire insurance premiums to these plans and is considered a non-employer contributing entity. The amount of these contributions received in 2023 was $141,081. This is not considered a special funding situation.

Note 7 – Risk Management

A. Pool Insurance

The City of Ellensburg is a member of the Washington Cities Insurance Authority (WCIA). Utilizing Chapter 48.62

RCW (self-insurance regulation) and Chapter 39.34 RCW (Interlocal Cooperation Act), nine cities originally formed WCIA on January 1, 1981. WCIA was created for the purpose of providing a pooling mechanism for jointly purchasing insurance, jointly self-insuring, and/or jointly contracting for risk management services. WCIA has a total of 166 members.

New members initially contract for a three-year term, and therefore automatically renew on an annual basis. A one-year withdrawal notice is required before membership can be terminated. Termination does not relieve a former member from its unresolved loss history incurred during membership.

Liability coverage is written on an occurrence basis, without deductibles. Coverage includes general, automobile, police, errors or omissions, stop gap, employment practices, prior wrongful acts, and employee benefits liability. Limits are $4 million per occurrence in the self-insured layer, and $16 million in limits above the self-insured layer is provided by reinsurance. Total limits are $20 million per occurrence subject to aggregates and sublimits. The Board of Directors determines the limits and terms of coverage annually.

All Members are provided a separate cyber risk policy and premises pollution liability coverage group purchased by WCIA. The cyber risk policy provides coverage and separate limits for security & privacy, event management, and cyber extortion, with limits up to $1 million and subject to member deductibles, sublimits, and a $5 million pool aggregate. Premises pollution liability provides Members with a $2 million incident limit and $10 million pool aggregate subject to a $100,000 per incident Member deductible.

Insurance for property, automobile physical damage, fidelity, inland marine, and equipment breakdown coverage are purchased on a group basis. Various deductibles apply by type of coverage. Property coverage is self-funded from the members' deductible to $750,000, for all perils other than flood and earthquake, and insured above that to $400 million per occurrence subject to aggregates and sublimits. Automobile physical damage coverage is self-funded from the members' deductible to $250,000 and insured above that to $100 million per occurrence subject to aggregates and sublimits.

In-house services include risk management consultation, loss control field services, and claims and litigation administration. WCIA contracts for certain claims investigations, consultants for personnel and land use issues, insurance brokerage, actuarial, and lobbyist services.

WCIA is fully funded by its members, who make annual assessments on a prospectively rated basis, as determined by an outside, independent actuary. The assessment covers loss, loss adjustment, reinsurance and other administrative expenses. As outlined in the interlocal, WCIA retains the right to additionally assess the membership for any funding shortfall.

An investment committee, using investment brokers, produces additional revenue by investment of WCIA's assets in financial instruments which comply with all State guidelines.

A Board of Directors governs WCIA, which is comprised of one designated representative from each member. The Board elects an Executive Committee and appoints a Treasurer to provide general policy direction for the organization. The WCIA Executive Director reports to the Executive Committee and is responsible for conducting the day-to-day operations of WCIA.

B. Partial Self Insurance

As of December 31, 2023, the City is partially self-insured for its employee health and benefits program. The City purchased individual and stop loss insurance to limit its risk exposure. The City will pay up to $90,000 in claims for an individual employee with an aggregating specific deductible of $45,000 and up to $2.07 million or 90% of the first monthly aggregate deductible times 12 for the entire group. Once the maximum amount is exceeded then the insurance companies take over. To cover the 2.07 million, the City has $ 2.31 million in operating revenues in 2023. In 2023 the City had $482,481 in stop loss recoveries and prescription drug rebates.

Note 8 - Joint Operations with the County

The City of Ellensburg and Kittitas County entered into a cooperative service enterprise to purchase and operate the facility previously known as the City/County Community Center (currently known as the Adult Activity Center), effective July 19, 1977. The $62,500 in initial costs of the facility were split $46,875 to the City and $15,625 to the County. The City is responsible for operating and maintaining the facility. The City accounts for the operations of the facility in the Recreation Department of the General Fund. The 2023 operations are as follows:

	Budget	Actual
Kittitas County	$49,000	$65,873
City of Ellensburg	124,262.00	108,302.85
Tour Fees	5,000.00	5,198.31
Other Revenues	$26,360	$29,799
Total Support	**204,622**	**209,174**

A copy of the agreement can be obtained from the City of Ellensburg Finance Department.

Note 9 – Other Post-Employment Benefits (OPEB) Plans

The City administers two closed, single employer, defined OPEB plans designed for post-employment health care benefits to 15 police and firefighters who are retired or disabled. They are the Law Enforcement Officers' and Fire Fighters Retirement System Plan One (LEOFF 1), as required by Washington State law RCW 41.26.150 and the Fire Relief and Pension Plan which provides for pre-LEOFF 1 police and firefighters who retired or disabled.

The Fire Relief and Pension Plan, which pre-dates the Law Enforcement Officers' and Fire Fighters Retirement System Plan, is addressed in RCW 41.26.150(1) which states 'in the case of active or retired firefighters the employer may make the payments provided in this section from the firefighter's pension fund established pursuant to RCW 41.16.050 where the fund had been established prior to March 1, 1970. If this pension fund is depleted, the employer shall have the obligation to pay all benefits payable under chapters 41.16 and 41.18 RCW'. This plan requires expenses to be approved by the Kittitas County LEOFF Disability Board.

The LEOFF 1 retiree medical plan is directed and defined by the State of Washington Revised Code RCW 41.26.150, states in part 'whenever any active member, or any member hereafter retired, on account of service, sickness, or disability, not caused or brought on by dissipation or abuse, of which the disability board shall be the judge, is confined in any hospital or in home, and whether or not so confined, requires medical services, the employer shall pay for the active or retired member the necessary medical services not payable from some other source as provided for in subsection (2) of this section'. Washington RCW 43.62.030 requires cities with populations over 20,000 to establish a disability board. The City created their own LOFF Disability Board under Ordinance 4927 in October of 2023. The board is comprised of five members; two of which are City Council members appointed by the mayor, one firefighter and one law enforcement officer which are elected to their positions by commissioned law enforcement officers who are employed by or retired from the City themselves, and one at-large member who shall be a City resident and is appointed by a majority vote of the other members.

For both plans, to qualify for medical services, the employee needs to only be active, or disability retired, or the employee's service retirement date is that day following separation from LEOFF employment with the City. Employees may retire after 5 years of service after reaching age 50. Employees with 20 years of service who leave employment before retirement age are eligible for medical benefits upon reaching age 50. Insurance for retired individuals is provided through the employer's group plan, which covers both active and qualified retired members. The medical services cover active and retired members only. Spouses are not eligible. Health insurance premiums are paid monthly, and other medical services are paid as billings are presented for payment.

Employer contributions are financed on a pay-as-you-go basis. During 2023, expenditures of $210,763 were recognized for other post-employment benefits.

The City of Ellensburg's OPEB liability as of December 31, 2023, was $6,368,845 and was calculated using the Office of the Washington State Actuary alternative measurement method tool.

Note 10 – Contingencies and Litigations

The City does not have any contingent liabilities that would not be within the limits of the City's self-insured coverage with WCIA.

Note 11 – Significant Commitments

The City has active projects as of December 31, 2023.
These projects commitments include:

Project	Spent to Date	Amount Remaining on Contract
Craig's Hill Pressure Zone Improvements	-	1,898,227
Anderson Road Sewer Extension	-	1,780,817
Main St/Wildcat Way Overlay and CBD Slurry Seal	1,234,394	131,955
Distribution Transformers	-	543,081
Distribution Cable		624,872
15KV Med Vltg URD Cable		617,929
Ellensburg Community Fieldhouse Project	2,105	1,113,937
Broadband Infrastructure Program Grant	-	437,573
Unity Park Design and Documentation Services	321,763	83,187
CIS software & implementation Services	598,693	135,107
Ellensburg Aquifer Storage & Recovery Feasibility Study	-	300,000
Outdoor educational & recreational opportunities for youth	71,939	204,692
General Sewer Plan/Aeration System Improvements	260,258	123,283
Dolarway Substation Design & Improvements	147,530	102,470
ASR FEASIBILITY	112,632	187,368
Secondary Clarifier Rehabilitation	157,706	188,729
Craig's Hill Pressure Zone Improvements II	269,860	87,402
University Way/Reecer Creek Signalization	592,415	9,194
Tree Trimmimng 2023 23-072	248,000	22,000
Pfenning Road Sidewalk	-	664,908

Note 12 – Leases

The City leases copiers from Copiers NW for a total of $2,729 per month under lease agreements that range from 36 to 60 months. The leases begin and end in various time periods. These are non-cancelable contracts. In addition, there are two six year mailing machine leases with APS, Inc and FP Mailing Solutions for $1,947 per quarter. The 2023 Schedule 09 contains an adjustment of a reduction of $1,459 to remove sales taxes included in the prior year ending balance.

Year Ended December 31	Total
2024	$28,012
2025	$17,755
2026	$13,815
2027	$7,515
2028	$1,273

Note 13 – Subscription Based Information Technology Arrangements

During the year ended December 31, 2023, the City adopted guidance for the presentation and disclosure of Subscription Based Information Technology Arrangements (SBITA), as required by the BARS manual. This requirement resulted in the addition of a subscription liability reported on the Schedule of Liabilities.

The City has five agreements in place for operating systems, geographic information systems, utility billing, library cataloging, and employee safety training ranging from three to five-year arrangements. Total amount paid in 2023 was $329,281.

Year Ended December 31	Total
2024	$235,646
2025	$213,632
2026	$155,000

City of Ellensburg
Schedule of Liabilities
For the Year Ended December 31, 2023

ID. No.	Description	Due Date	Beginning Balance	Additions	Reductions	Ending Balance
General Obligation Debt/Liabilities						
251.11	2010 GO Debt Refi	12/1/2030	1,357,321	-	166,990	1,190,331
251.11	LTGO Bonds, 2017	12/1/2037	6,838,325	-	371,954	6,466,371
251.11	LTGO Bonds, 2016, issued for Telecom	12/1/2036	219,770	-	12,966	206,804
263.56	Leases copiers - monthly		44,502	49,244	26,664	67,082
263.56	Leases - Mailing Equipment - quarterly		9,075	-	7,787	1,288
263.56	SBITA		224,130	709,430	329,282	604,278
	Total General Obligation Debt/Liabilities:		**8,693,123**	**758,674**	**915,643**	**8,536,154**
Revenue and Other (non G.O.) Debt/Liabilities						
252.11	Electric Refunding Bond - 2014	12/1/2025	1,110,000	-	355,000	755,000
252.11	Electric Bond - 2014	12/1/2034	4,435,000	-	15,000	4,420,000
252.11	Gas 2016	12/1/2036	636,056	-	39,826	596,230
252.11	Water Sewer Refunding 2016	12/1/2029	4,855,000	-	650,000	4,205,000
252.11	Stormwater 2020 Bond	12/1/2039	4,784,658	-	221,609	4,563,049
252.11	2021 Waterworks Bond	12/1/2040	9,543,515	-	423,907	9,119,608
259.12	Compensated Absences		2,009,921	70,507	-	2,080,428
264.30	Net Pension Liability		1,922,995	-	443,625	1,479,370
264.40	OPEB		7,767,867	-	1,399,022	6,368,845
	Total Revenue and Other (non G.O.) Debt/Liabilities:		**37,065,012**	**70,507**	**3,547,989**	**33,587,530**
Assessment Debt/Liabilities (with commitments)						
253.43	LID Warrants with Commitments	7/29/2025	22,242	-	7,262	14,980
	Total Assessment Debt/Liabilities (with commitments):		**22,242**	**-**	**7,262**	**14,980**
	Total Liabilities:		**45,780,377**	**829,181**	**4,470,894**	**42,138,664**

City of Ellensburg
Schedule of Expenditures of State Financial Assistance
For the Year Ended December 31, 2023

State Agency Name	Program Title	Identification Number	Total
State Grant from Department of Ecology	Gateway to the City of Ellensburg Stormwater LID Retrofit Project	WQC-2019-EllePW-00012	1,574,116
State Grant from Department of Ecology	Water Quality Combined Financial Assistance	WQC-2021-EllePW-00053	242,453
State Grant from Department of Ecology	Water Quality Stormwater Capacity Agreement	WQSQCAP-2123-EllenPW=169	47,425
State Grant from Department of Ecology	2023-2025 Biennial Stormwater Capacity Grants	WQSWCAP-2325_EllePW-00073	41,135
		Sub-Total:	**1,905,129**
State Grant from Transportation Improvement Board (TIB)	Urban Arterial Program(UAP)	TIB-8-4-175(020)-1	278,733
State Grant from Transportation Improvement Board (TIB)	City of Ellensburg's Pfenning Road Sidewalk	8-4-175(021)-1	69,604
State Grant from Transportation Improvement Board (TIB)	FY 2024 Arterial Preservation Program	3-E-175(004)-1	263,693
		Sub-Total:	**612,030**
State Grant from Department of Transportation	2022 Green Transportation Capital	GT21230A	95,588
		Sub-Total:	**95,588**
State Grant from Department of Commerce	Washington State Broadband Office's Match Grant Program	413213	139,763
		Sub-Total:	**139,763**
		Total State Grants Expended:	**2,752,510**

Agenda #5.G

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Resolution 2024-22 Approving Jason Dormady's Street Tree Removal Request at 409 S Pine Street
Submitted by:	Erin McGowan, Stormwater/Urban Forestry
Department:	Public Works & Utilities

Suggested Motion/Action:
Approve adoption of Resolution 2024-22, authorizing Jason Dormady to remove the designated street tree at 409 S Pine Street.

Background/Summary:
The property owner at 409 S Pine Street is requesting approval to remove one Black Locust. The tree overhangs the sidewalk and has shed some large branches during windstorms. The property owner will replace the tree with a more appropriately sized tree from the city's approved street tree list.

Tree Condition: The tree is in good condition.
City Infrastructure damage: None known.
Tree Maintenance Activity by the City: None known.
Species Suitability to the Location: The Black Locust is growing too close to the sidewalk and will outgrow its planting site with time.
Private damage claims processed by the City: None known.

Previous Council Action:
None

Analysis:
Removal of the tree is appropriate. Black Locust trees are on the city's list of trees prohibited for planting in the right of way because they are weak wooded and prone to wind damage.

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

Budget Adjustment: No

Attachments:
1. 409 S Pine Street - Dormady Tree Removal Request
2. 409 S Pine Street - Dormady Tree Removal Graphics
3. Resolution 2024-22 409 S Pine Street Domady Street Tree Removal

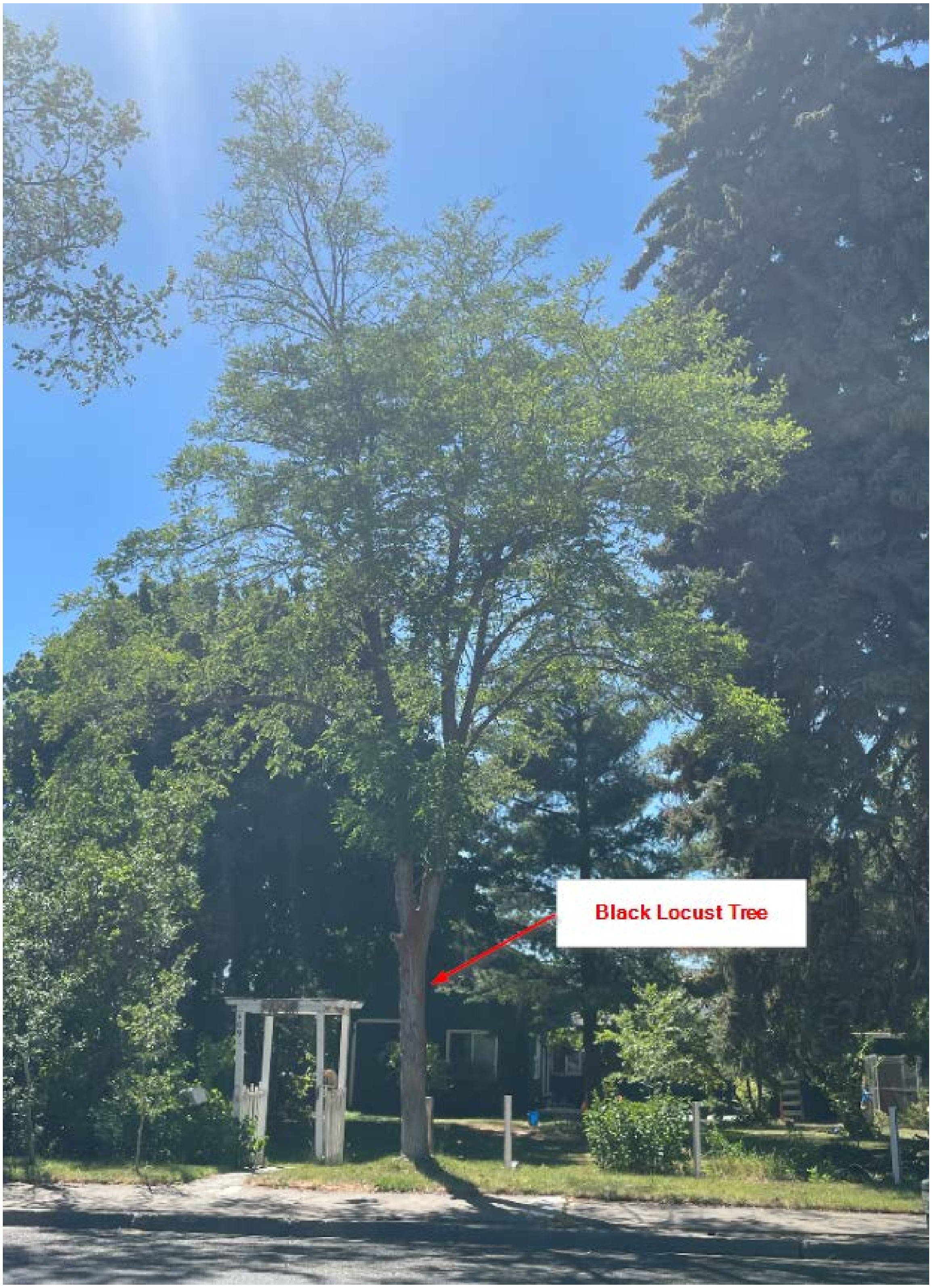
Dear Erin:

I would like to request the removal of a tree from the city right of way in front of my home at 409 South Pine Street for the following reasons:

- The tree is a purple black locust and is an invasive pest.
- The tree has a some sort of boring bug or beetle inside of it and branches are breaking off and I do not want them to land on cars in front of the house.
- I recently planted 5 aspens in the city right of way to the south of the tree and I do not want the falling branches to damage those new trees.
- We are planting a dwarf Macintosh apple tree in our yard and the best location is being shaded by the black locust.
- The front strip is about 10 feet wide and we want to convert the area into a butterfly garden with a smaller, more appropriate tree (probably an amur maple).

Thank you for your time.
Jason Dormady
409 South Pine Street
Ellensburg, WA 98926
509-968-6987

409 S Pine – Street Dormady Tree Removal Graphics



RESOLUTION NO. 2024-22

A RESOLUTION of the Ellensburg City Council authorizing Jason Dormady to remove one street tree located at 409 S Pine Street.

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

WHEREAS, Jason Dormady has requested permission to remove one street tree;

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

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

Section 1. Jason Dormady is authorized to remove one street tree located at 409 S Pine Street. Approval is conditioned upon Jason Dormady first receiving a Street Tree Permit and Public Works Permit from the City of Ellensburg Public Works & Utilities Department for removal of the tree at Jason Dormady's expense including removal of the stump, and replanting one street tree from the City's Approved Street Tree List in the City right of way in an approved location, within one year.

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

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

ADOPTED by the City Council of the City of Ellensburg this August 19, 2024.

____
MAYOR

ATTEST: ____________________________________
CITY CLERK

Agenda #5.H

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Resolution 2024-23 Approving Blewett Blue Properties' Street Tree Removal Request at 401 W 12th Avenue
Submitted by:	Erin McGowan, Stormwater/Urban Forestry
Department:	Public Works & Utilities

Suggested Motion/Action:
Approve adoption of Resolution 2024-23, authorizing Blewitt Blue Properties LLC to remove the designated street trees at 401 W 12th Avenue.

Background/Summary:
The property owner at 401 W 12th Avenue is requesting approval to remove two street trees. The trees are a box elder maple and an apricot tree. The property owner is building an accessory dwelling unit (ADU) and needs to remove the trees to provide access and parking to the new unit. Two replacement trees will be planted in the right of way at the end of the project.

Tree Condition: The box elder maple is in good condition and the apricot is in poor condition.
City Infrastructure damage: None.
Tree Maintenance Activity by the City: None known.
Species suitability to the location: Both box elder maple and apricot trees are prohibited for planting in the right of way.
Private damage claims processed by the City: None known.

Previous Council Action:
None

Analysis:
Removal of both trees is appropriate. The trees are not desirable street trees and conflict with the proposed development. The applicant will replace the trees with a variety from the city's approved street tree list.

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

Budget Adjustment: No

Attachments:
1. 401 W 12th Ave - Blewitt Blue Properties LLC Tree Removal Request
2. 401 W 12th Ave - Blewitt Blue Properties LLC Tree Removal Graphics

3. Resolution 2024-23 401 W 12th Ave Blewitt Blue Properties LLC Tree Removal

Hello Erin,

My brother Shane spoke with you today. We would like to remove two trees (one is very small) from our property located at 401 W 12th Ave Ellensburg. We are building a DADU and they are in the right of way. We will plan to plant two new trees on the property on the right of way.

We will reach out soon to schedule a meeting to show you the location of these trees.

Thank you,

Gina & Shane

Blewitt Blue Properties LLC.

401 W 12th Ave – Blewitt Blue Properties LLC Tree Removal Graphics


Box Elder Maple

RESOLUTION NO. 2024-23

A RESOLUTION of the Ellensburg City Council authorizing Blewitt Blue Properties LLC to remove two street trees located at 401 W 12th Avenue.

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

WHEREAS, Blewitt Blue Properties LLC has requested permission to remove two street trees;

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

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

Section 1. Blewitt Blue Properties LLC is authorized to remove two street trees located at 401 W 12th Avenue. Approval is conditioned upon Blewitt Blue Properties LLC first receiving a Street Tree Permit and Public Works Permit from the City of Ellensburg Public Works & Utilities Department for removal of the trees at Blewitt Blue Properties LLC expense including removal of the stump, and replanting two street trees from the City's Street Tree List in the City right of way in an approved location, within one year.

Section 2. A $600 refundable deposit shall be posted prior to the issuance of the Street Tree Permit to assure replacement of the trees.

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

ADOPTED by the City Council of the City of Ellensburg this August 19, 2024.

____
MAYOR

ATTEST: ____________________________________
CITY CLERK

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Consideration of Approving the Service of Alcohol at the Hoedown in the Downtown Event at Unity Park
Submitted by:	Brad Case, Parks & Recreation Director
Department:	Parks & Recreation

Suggested Motion/Action:
Approve service of alcohol at Unity Park during the Ellensburg Downtown Association sponsored 'Hoedown in the Downtown' event scheduled on August 24, 2024, from 1pm-10:00pm.

Background/Summary:
Council is being requested to approve the service of alcohol during the Hoedown in the Downtown, an event sponsored by the Ellensburg Downtown Association, which is scheduled to take place August 24, 2024 at Unity Park and Pearl Street. The events associated with the Hoedown in the Downtown include the service of beer, in addition to live music, food vendors, and the closure of Pearl Street between 4th & 5th Avenue. This year's event will also include a two-day barbecue contest and a rib fest.

Event organizers have submitted a special event permit application as well as the necessary insurance.

Previous Council Action:
None

Analysis:
Section 6.64.260 of the Ellensburg City Code requires Council approval for any special event at which alcoholic beverages are served, subject to compliance with all the other requirements set forth in the Special Events chapter. The serving of alcohol will be restricted to a beer garden located at Unity Park licensed by the Washington Liquor and Cannabis Board.

Financial Impact:
None

Budget Adjustment: No

Attachments:
None

VOUCHER APPROVAL

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

Jerica Pascoe Digitally signed by Jerica Pascoe Date: 2024.08.12 15:51:29 -07'00'

AUDITING OFFICER　　　DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **19TH DAY OF AUGUST 2024.** 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	**166941**	TO	**167074**	$	932,206.83
	EFT #'s	**6975**	TO	**7002**	$	1,274,380.04
Treasure Cash						**Total Amounts**
	EFT #'S	**678**	TO	**702**	$	366,261.88
	Check #'s	**34157**	TO	**34167**	$	2,828.29
Payroll Fund						**Total Amounts**
	Check #'s	**96281**	TO	**96284**	$	10,152.78
	Direct Deposits	**80797**	TO	**81065**	$	599,975.74

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: ______________
CITY CLERK

Agenda #6.A

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: 2023 Annual Police Report (Public Comment Opportunity)
Submitted by: Ken Wade, Police Chief
Department: Police

Suggested Motion/Action:
Informational

Background/Summary:
Each year, the Ellensburg Police Department prepares a report for City Council which summarizes the department for the previous year. This report covers the many duties and the administrative functions within the department. This year's report is a summary of 2023 and a look back at the management of the department and the projects and programs for reducing victimization and improving the quality of life for our community.

Previous Council Action:
None

Analysis:
During 2023 we saw a return to some normalcy in a post-COVID 19 pandemic world. We had a decrease in several important areas and a few troubling new trends. Overall, calls for service decreased, as did criminal contact. A reduction in crimes involving child victims, violent crimes and fewer malicious mischief calls were welcome improvements. Mental health related calls remained steady, but we saw a significant increase in crimes committed by juveniles and our drug-related deaths increased significantly.

Our crime reduction strategy of utilizing an evidence-based approach and working towards implementing technology to assist in making our community safer for residences and visitors continues, utilizing root cause analysis provided by our Crime and Intelligence Analyst, Dr. Carr.

We experienced a shuffling of personnel with the retirement of a sergeant and the hiring of two officers from CWU Police and a new officer. Added to the personnel challenges was the promotion of a new sergeant and corporal. We also hired a police records clerk and a new crime and intelligence analyst, making 5 new hires.

2023 came with the recognition of two outstanding employees. Captain Dan Hansberry was recognized with the Chief’s award for his outstanding contributions and leadership to the police department and several other important volunteer organizations. Detective Shull was recognized as the Officer of the Year, for his 12 years of hard work as a detective and for the assistance he provides to the other officers in the department. We utilized force to overcome resistance on only two occasions and had a reduction in complaints.

Training continues to take up a significant amount of our work time as we focus on the mandated and other specialized training for the officers and the department needs to improve our work for the community.

Both the patrol division and the detective division were extremely busy in 2023. With the hiring of three officers comes the 3-month field training course each must successfully complete. While detectives assisted Grant County area law enforcement with multiple investigations, including the active shooting event at the Gorge concert venue.

Our records staff, code enforcement, animal control and School Resource Officer program continued their great work serving the community.

The reserve officers provided important assistance as they helped with the rodeo and pride parades, and other calls.

We experienced another strong year with our community events. Cop-on-top, National Night Out and shop-with-a-cop and firefighter were all huge successes. Unfortunately, the participation in the citizen academy continues to struggle for participants.

New in 2023 is our child safety restraint program. Through our partnership with the Washington State Traffic Safety Commission, and other local law enforcement, we manage an inspection program focused on child safety. We are also able to assist those in financial need by providing a new child's seat at no cost to the family.We are encouraged by what we have experienced in 2023 and have shaped our programs to continue with the improvements in safety in the coming years.

Financial Impact:
None

Budget Adjustment: No

Attachments:
1. 2023 EPD Annual Report

2023

ELLENSBURG POLICE DEPARTMENT

ANNUAL REPORT

2023 was a year of highs and lows

To the Honorable Mayor, City Council and the Ellensburg Community, I present the 2023 Ellensburg Police Department Annual Report.

This past year there appears to be a return to normalcy in the post-COVID world of policing in Ellensburg. We handled 18,173 calls, 300 fewer than 2022. Officers made approximately 940 criminal contacts which was 9% fewer than 2022. Mental health-related referrals were the same as 2022. We had a 32% increase in juvenile arrests. We have seen significant improvements in crimes involving child victims, violent crimes and malicious mischief crimes. Unfortunately, drug-related deaths grew significantly. We have made continued progress of several programs and projects which will reduce crime and improve the quality of life for our community.

2023 is the first full year where the animal shelter was managed by the Yakima Humane Society. The primary benefit to the community has been the full utilization of our Animal Control Officer for animal patrols and bite investigations. We had a record year of animal-at-large calls and several significant dog bites. I anticipate the call volume to dissipate as we continue with sustained patrols and enforcement into the coming year.

In 2023, we celebrated the retirement of Sgt. Brett Koss who has served the community for more than 26 years. With Brett's retirement a vacancy for sergeant was created. At the conclusion of the testing Kliff Caillier was promoted to the rank of sergeant. Detective Ryan Potter was promoted to corporal.

HIRING

We started 2023 with three vacancies: a patrol officer, an analyst and a records clerk position. Additionally, a sergeant retired and an officer transferred to another agency leaving the department with five vacancies to fill. The hiring process has taken a lot of time and resources from our primary mission. We did not reduce our hiring standards and I'm glad to report the department is fully staffed with outstanding employees. Our new employees are Kaila Moore (Law Enforcement Records Clerk), Michel Navarro (Police Officer), Kraemer Rickman (Police Officer) Jacob Claybaugh (Police Officer), and Eliann Carr (Crime and Intel Analyst).

CRIME REDUCTION STRATEGY

Three years ago the department moved to an accountability-driven leadership model which utilizes timely data to assist in crime reduction and prevention strategies. This process further utilizes data and analysis to focus on individuals, crimes and locations where crime is occurring. In support of this strategy, the department created an analyst position. Beginning in 2021, we worked with the Bureau of Justice Assistance (BJA) on a grant to evaluate the feasibility of the department creating an analytical program. Through this partnership, BJA contracted with IDEA analytics, a Phoenix-based company specializing in law enforcement data analysis. In 2022, IDEA completed their assessment and determined we were prepared to move forward. As part of Council's 2023 – '24 budget, funding for the analyst position was approved and on Sept. 1, 2023, we hired Eliann Carr. As we further develop our analytical capacity, we look forward to reducing the victimization of our community.

Everybody in the department is working very hard to meet the needs of our community and we are excited to see what new challenges 2024 brings to the city and to our profession.

CRIME REDUCTION TECHNOLOGY

During the last couple of years crime in Washington and across the nation has dramatically increased for a variety of reasons. In Ellensburg we have been fortunate that violent crimes and overall crime is continuing in a downward trend; however, we are not immune. We are feeling the effects of criminals from outside of Kittitas County. Victimizing our community has come in many forms from pursuits involving stolen vehicles, to smash and grab burglaries to organized crime groups. Ellensburg is being targeted.

In response to these threats and others we are creating a drone program, thanks to the funding and support of the Council, to assist in locating and apprehension of criminals. This technology will also assist with scene security during tactical operations and search and rescue calls.

We are also looking at other technology, which is being commonly used to detect stolen vehicles, a growing problem both in Ellensburg and statewide.

I appreciate the opportunity to serve this wonderful community and the City of Ellensburg as your police chief.

Respectfully,

Chief Ken Wade

FROM THE CHIEF

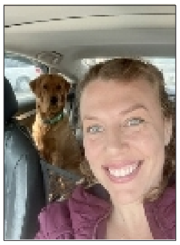
Thank you all for your service

Sgt. Brett Koss retired on June 29 after more than 26 years of service to the City of Ellensburg. Sgt Koss was hired as a police officer on Nov. 11, 1996. He was promoted to sergeant on April 1, 2008, and has served in several specialty assignments over the years, including K-9, Detective Sergeant, Reserve Coordinator, and more. Thank you for your service, Sgt Koss, and congratulations on your retirement!

Kaila Moore joined the Records team on Feb. 16, 2023. Kaila is an Ellensburg High School graduate, and her background includes working at Central Washington University as a payroll coordinator and at Winegar's as a team lead. Kaila is also a volunteer firefighter with Kittitas County Fire District 1.

Jacob Claybaugh joined the Ellensburg Police Department on Feb. 16, 2023 as a police officer. He has been an officer with the Central Washington University Police Department since 2021. Originally from Minnesota, Jacob went into the military before joining the police profession at CWU. He has two children.

Michel Navarro joined the department in November. She was born and raised in Southern California and graduated from Central Washington University with a Law and Justice degree and a minor in Sociology. Michel is a committed rugby player, which has taken her around the world and exposed her to people and culture. She retired her rugby uniform to pursue a career in law enforcement with a mission to help others. She worked at a youth corrections facility, Central Washington University Police Department, and built solid relationships in the community. She's excited to learn, serve and help the community.



Eliann Carr joined the department on Sept. 1, 2023 as the Crime and Intelligence Analyst. Eliann retired from the U.S. Airforce after 20 years of service and has worked in academia teaching psychology for the past nine years. Her knowledge in strategic planning and data analysis will help the EPD team continue to serve and support the Ellensburg community.

Kraemer Rickman is a Washington native and an Ellensburg transplant. Before joining EPD, he worked in the construction industry building homes. Becoming a police officer has been a long-standing goal and he's excited to give back to the Ellensburg community that has poured so much into him. He is excited to serve and help in his role as an officer while pursuing excellence. He enjoys spending time with his family and the great outdoors.

HELLO & GOODBYE

Recognition

Officer of the Year – Ryan Shull

The Ellensburg Police Department has selected Detective Ryan Shull as the Officer of the Year for 2023. Detective Shull has spent the past 12 years serving the department as a detective. His extensive knowledge of criminal investigations and his tireless work ethic have given him many successful resolutions to his cases. He is a team player who not only shares his investigative knowledge with others but is willing to help them in a moment's notice. Detective Shull's dedication to the police department and to the citizens of Ellensburg has not gone unnoticed.

Chief's Award – Dan Hansberry

For his many years of providing leadership and support to the Ellensburg Police Department, Washington State Special Olympics, CASA and the many committees and commission which impact the quality of life in Ellensburg.

Officers used minimal amount of force

Washington State law requires each law enforcement agency to report individual incidents where a police officer employed by the agency used force .

Of the 18,173 calls handled by officers in 2023, a response to over come the resistance of an individual occurred .00016% of the time.

There were four instances where officers were assaulted during 2023. In one of those assaults a suspect advanced on the officer with a knife. In another the suspect advanced on an officer with a rock.

The Ellensburg Police Department has a reporting system in place for any incident in which any level of force or display of force was used by an officer.

The shift supervisor completes an investigation into each incident of response to resistance and the results are documented within a software program called SmartForce.

This electronic 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. Through this process all officers were found to be in compliance.

INCIDENT TYPE	2021	2022	2023
A fatality occurred in connection with the use of force;	0	0	0
• Great bodily harm occurred in connection with the use of force;	0	0	0
• Substantial bodily harm occurred with the use of force;	0	0	0
• Discharged a firearm at or in the direction of a person;	0	0	0
• Pointed a firearm at a person;	1	0	0
• Used a chokehold or vascular neck restraint;	0	0	0
• Used an electronic control weapon, a Taser, against a person;	0	0	1
• Used oleoresin capsicum spray against a person;	0	2	0
• Discharged an impact munitions at or in the direction of a person;	0	1	0
• Struck a person using an impact weapon or instrument	0	0	0
• Used any part of their body to physically strike a person;	1	0	1
• Used a vehicle to intentionally strike a person or vehicle;	0	0	0
• Engaged in a vehicle pursuit;	1	0	0

Department investigates all complaints

The Ellensburg Police Department accepts all complaints involving any member of the department and complaints about the department itself.

- During 2023, the department received eight complaints, which included, two response to resistance, three job performance and three off-duty complaints.
- Of those eight complaints, five were unfounded and three were sustained.
- One job performance complaint alleged bias policing and was determined to be unfounded.*
- Four of the investigations were initiated by the department administration based on information received and brought to the command staff's attention.

ALL COMPLAINTS ARE:

- Reviewed by command staff and assigned to a supervisor for investigation.
- All complaints alleging criminal conduct are referred to an outside agency for criminal investigation.
- All investigations include witness statements, officer's reports, body camera footage, surveillance video and any physical evidence.
- Completed investigations are reviewed by command to ensure they are complete.
- The chief reviews the investigation and determines the findings.
- The chief notifies the involved officer(s), the complainant, the union representative in writing.
- Complaints involving discipline, a criminal violation or using force causing serious injury or death are reported to the Criminal Justice Training Commission.
  - Finding may result in de-certification.
  - All investigations are reviewed by the city attorney
  - All are reviewed by the county prosecutor
- All are entered and tracked in computer program for trend analysis and or future training needs.
- Data is compiled and shared with the city council and the public in department's annual report.

INCIDENT TYPE	2023	2022	2021
• Job Performance	3 (*1)	9 (*5)	10 (*1)
• Vehicle Operation	0	0	3
• Excessive Force	2	0	3
• Off-duty Conduct	3	1	0
• Complaint total	8	10	16

*Bias Policing allegation

*Unfounded means there was insufficient evidence to show a violation of policy occurred. Exonerated means the alleged incident did occur, but the actions were within department policy and the law.

Eyes on the road, hands on the wheel

In 2023, Ellensburg Police Officers received both classroom and practical instruction pertaining to Emergency Vehicle Operations (EVOC). In the spring of 2023, officers attended their annual in-service training where they received classroom instruction covering department policy pertaining to pursuits. Additionally, they received training in the use and application of a pursuit tactical intervention known as Stop Sticks.

That summer officers received realistic pursuit driving training at the Hanford Emergency Vehicle Operators Course in Richland. This facility is a closed course facility allowing officers to train in realistic pursuit driving conditions while in a safe location. The operation of a patrol vehicle comes with great responsibility, especially during emergency driving. For that reason about 72 hours of EVOC training was provided to officers over the course of 2023.

Continued training improves skills

Training for a police officer begins when the officer attends the Washington State Criminal Justice Training Commission's 720-hour Basic Law Enforcement Academy. Once an officer graduates, the Washington State Criminal Justice Training Commission mandates each officer attend a minimum 24 hours of continuing education each year. The Ellensburg Police Department holds an annual 40-hour in-service training which covers basic topics related to law enforcement including de-escalation, less lethal options, defensive tactics, firearms proficiency, evidence collection, and legal update. Most of those classes were taught by our own officers who received training to be state certified instructors. We also included training from outside presenters on bias-based policing, Alzheimer's, Alcoholics and Narcotics Anonymous, and financial well-being.

Officers are also encouraged to participate in additional training outside of the department that aligns with their career goals which would benefit their knowledge in law enforcement. In 2023, officers averaged 78 hours of individual training, exceeding the state mandate. The Ellensburg Police Department will continue its commitment to provide training to our officers to help give the citizens of our community with the best possible services.

TRAINING

Patrol is the department's back bone

The Ellensburg Police Department's patrol division plays a crucial role in ensuring the safety and security of the community. Patrol officers conduct routine patrols throughout the city to deter crime, maintain order and respond to emergencies. While doing so they monitor high-traffic areas, neighborhoods and commercial districts to address safety concerns and prevent criminal activity. Locations are identified for increased patrol emphasis by ongoing analysis of previous calls for service and complaints from residents. Patrol officers respond promptly to emergency calls including reports of crimes in progress, accidents, medical emergencies and disturbances.

Traffic enforcement is a primary duty of patrol officers. By enforcing traffic laws and regulations officers promote road safety and reduce the risk of accidents. Conducting traffic stops, issuing citations, warnings and educating motorists about traffic laws and safe driving practices is part of the department's goals and objectives.

Officers engage in community policing while on patrol, building positive relationships with community members through proactive engagement, outreach events and partnerships. This is accomplished by collaborating with residents, businesses, schools and community organizations to address concerns and improve quality of life for all. There are organized events throughout the year to include National Night Out, Cop on Top, Touch-a-Truck and the Citizen's Academy. Beyond these events officers are encouraged to build relationships with the community during the normal course of their shift.

Overall, the patrol division plays a vital role in maintaining public safety, preventing crime and fostering positive relationships with the community. Through proactive policing, responsive service and collaborative partnerships, officers work to create a safer and more secure environment for all residents and visitors.

There are 21 officers assigned to the patrol division. 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 7 a.m. to 7 p.m. or 7 p.m. to 7 a.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. The operations captain oversees the patrol division and works closely with the patrol sergeants toward achieving the department's goals and objectives. A full-time School Resource Officer is assigned to the patrol division and supplements the day shift squads when school is not in session.

2023 PATROL STATISTICS

Calls for service: 16,860
Reports written: 4,669
Traffic Stops: 3,010
Check welfare: 808
Suspicious: 799
Animal Problem: 798

PATROL

Detectives specialize in case type

Detectives are from left: Derek Holmes, Ryan Potter, Sgt. Cameron Clasen, Ryan Shull, Daniel Ashby and John Bean.

The Ellensburg Police Department has five detectives who are supervised by Sgt. Cameron Clasen.

Three generalist detectives investigate a variety of crimes ranging from fraud, child abuse, rape and controlled substance homicides. Cases are forwarded to the criminal investigations unit from patrol officers who take the initial report. If a case needs additional investigation that may require a lengthy process or a specialized skillset, patrol officers can refer the case to a detective. The three generalist detectives include Ryan Shull, Ryan Potter and Daniel Ashby. Ryan Shull has been in the unit since 2011, Ryan Potter was selected to be a detective in 2020 and Daniel Ashby came to the unit in late 2022. The generalist detectives investigated more than 200 incidents in 2023.

The unit also has two Anti-Crime detectives who are primarily responsible for proactive criminal investigations focusing on drug distribution and property crimes. John Bean has been an Anti-Crime detective since 2015, and Derek Holmes has been an Anti-Crime detective since 2018. Anti-Crime detectives investigated more than 50 cases in 2023 and assisted generalist detectives in larger investigations and crime scene processing.

The generalist detectives are all part of the Central Basin Investigation Team which is an independent investigative team (IIT) serving Kittitas, Grant and Adams counties. An IIT is a team of qualified and certified investigators, civilian crime scene specialists and at least two non-law enforcement community representatives who operate completely independent of any involved agency to conduct investigations of police deadly force incidents. An IIT is created when multiple law enforcement agencies enter into a written agreement to investigate police use of deadly force incidents in their geographical regions. All generalist detectives have obtained their lead investigator certificates through the Criminal Justice Training Center. The certificate indicates they have the required experience and training such as homicide investigation, interview and interrogation, violence de-escalation and mental health training.

Records staff is first to help

Records clerks from left are Renee Moore, Cammie Dixon, Kaila Moore, Lisa Tweed and Supervisor Kristy Holcombe.

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 Division 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 document 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.

Additionally, the Records Division fulfills public disclosure requests, concealed pistol license applications and processes parking ticket payments, just to name a few. Information to the National Incident Based Reporting System (NIBRS) is submitted monthly for further crime analysis.

2023 RECORDS STATISTICS

Concealed Pistol Licenses: 165
Firearms Processed: 431
Warrants Entered: 395

Court Orders Entered: 172
Public Disclosure Requests: 1367
Reports Processed: 4657

RECORDS

Officer is friendly resource in schools

The 2023 school year marks School Resource Officer Lucas Anderson's second year in the SRO position.

Officer Anderson has engrained himself in the schools and is an appreciated presence each day. He has worked hard to build relationships with both faculty and students on all Ellensburg School District campuses.

Officer Anderson splits his time between each of the schools, providing security and education to each. Not only does SRO Anderson walk the halls in the schools and various games or events, but he also provides numerous presentations in classrooms throughout the year.

Driving past or visiting one of the schools you will likely see SRO Anderson conducting school zone traffic enforcement before and after school or walking the commons and halls, interacting with students.

It’s about quality for code officers

The Code Enforcement division consists of two limited-commissioned officers who handle parking enforcement as well as nuisance ordinances throughout the City of Ellensburg. With limited parking in the downtown as well as around Central Washington University’s campus, Code Enforcement spends a significant amount of time patrolling the RPZ zones and downtown areas.

Code Enforcement also deals with quality-of-life and nuisance issues. Some of these issues include large amounts of garbage in areas, weed abatement as well as snow and ice removal in the winter months.

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

2023 CODE ENFORCEMENT STATISTICS

RPZ Time: 241 Hours
RPZ Warnings: 291
RPZ Tickets: 366
Parking Time: 526 Hours
Parking Complaints: 568
Parking Warnings: 1,605

Downtown Time: 404 Hours
Downtown Warnings: 751
Downtown Tickets: 609
Code Warnings: 258
Code Complaints: 250

Proactive Nuisance Calls: 1,023

Officer uses proactive approach

2023 marked the first complete year of the Ellensburg Police Department's Animal Control Division not being in charge of operating the animal shelter.

In the fall of 2022, the animal shelter was placed under contract with the Yakima Humane Society. This change has allowed Heidi Monson, EPD's Animal Control Officer, to be more proactive in the community as well as be more available for animal complaints and investigations.Through proactive patrols, contacts and education, the Animal Control Division is continually working on reducing non-compliance issues which often lead to bites or other issues.

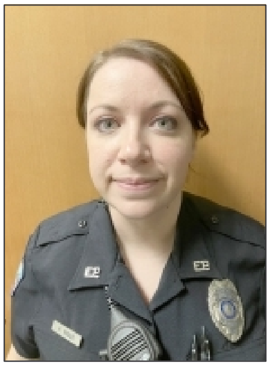
2023 ANIMAL CONTROL STATISTICS

Calls for Service: 574
Bite Investigations: 27
Impounded Animals: 139
Dangerous Animal Investigations: 14
Animal City Park Violations: 163

ANIMAL CONTROL

Reserves are essential

In 2023, the Reserve Officer Program for the Ellensburg Police Department thrived. We conducted a joint reserve academy with the Kittitas County Sheriff's Office. While the class was small, we welcomed our newest reserve Kelsie Riggs into the program. Since graduating she has been actively riding with full time officers, taking reports, investigating criminal behavior and she even made a few arrests.



The addition of Reserve Officer Riggs brings our cadre up to six officers. Those officers include school administrators, professional security officers and a food delivery driver. The reserves each received a minimum of 24 hours of continuing training this year. They trained in such exciting topics as patrol tactics, use of force, defensive tactics, de-escalation, Crisis Intervention and Duty to Intervene training.

Officers in the reserve program volunteer to serve their community as part time police officers in order to make the community safer and be positive role models in the community. In addition to working the road, reserve officers take part in many community outreach programs such as, Cop on Top, The Kittitas County Rodeo Parade, National Night Out, Shop with a Cop and school athletic events.

If you are interested in the reserve program, contact Corp. Josh Ingraham at ingrahamj@ci.ellensburg.wa.us. We would love to have you along for the ride.

2023 RESERVE STATISTICS

Reserve Officers: 6

Hours Worked: 1,705.5

Huge turn out for Eat with the Heat

The 2023 Ellensburg Police Department Eat With the Heat and National Night Out event marked the 13th anniversary that the department has sponsored the event.

Each year the Ellensburg Police Department hosts this community event geared toward child safety, on the first Tuesday in August. A free barbecue was provided to the community along with numerous displays from local law enforcement and first responder agencies which allowed community members the chance to interact with first responders in a positive manner.

Other educational booths were also present from agencies including a car seat safety inspection booth, Child ID kit booth, Kittitas Valley Hospital, Kittcom, ASPEN, CASA, 811 Call Before You Dig and more.

THE 2023 event was by far the largest turnout EPD has ever had. The food line snaked through the event and spanned the entire venue. Servers made more than 700 burgers and 250 hot dogs to eager families. The weather was perfect, and the event went off without issue.

Thank you to our partnering first responders, KVFR, WDFW, CWU PD, KCSO, DNR and WSP. Another thank you to Super One Foods, Fred Meyer, Franz Bakery, Sysco, Twin Pines Drive In and Utopia who supply the food for the event each year.

Fun for all at annual event

The 2023 Cop on Top event was a great success as Law enforcement raised more than $6,000 for Special Olympics Washington during the event.

This year's event had a couple new twists. Thanks to a grant from Fred Meyer, the department was able to obtain 150 backpacks and fill the packs with back to school items to give as goodie bags to school age children. We also raised money for the event by bringing in a dunk station where kids and community members

could take their chances at dunking a police officer. Chief Wade was the first to volunteer. Chief Wade definitely got soaked.

A hot dog barbecue was also offered by Fred Meyer, with the proceeds going to Cop on Top. Last year also marked the last year to see Capt. Dan Hansberry on the roof of Fred Meyer. Capt. Hansberry was the one who initially started Ellensburg's Cop on Top event and has been a staple on the roof each year. He will be missed as he moves into retirement.

Keeping children safe

The Ellensburg Police Department currently has two certified Car Seat Technicians – Records Specialist Cammie Dixon and Officer Christian Alviar.

In 2023, EPD hosted three Car Seat Clinics for community members. Car Seat Techs were also available for inspections and questions at the annual National Night Out barbecue held in August.

In 2023, about 102 car seat checks were performed by technicians and 25 car seats were gifted to families in need.

Giving back

In 2023, 12 EPD officers participated in the annual Kittitas County Shop with a Cop and Firefighter event this year. A total of 53 elementary children from Kittitas County met with local first responders at the Kittitas Valley Fire and Rescue station where they enjoyed a breakfast prepared by the Kittitas Valley Fire and Rescue firefighters.

Local first responders purchased bicycles so the children who needed a bicycle had the opportunity to be drawn to win one. Once the drawing was done, there were seven names that hadn't been drawn so two first responders decided to go in together to purchase the remaining seven bikes for the children who weren't drawn. This means every child who needed a bike this year got one! They were also provided with a new helmet.

The children enjoyed a shopping spree with their first responder at BiMart. Children picked out gifts for themselves as well as for others in their family. The children got to meet Santa on their way out of BiMart and get their picture taken.

New this year, 20 local elementary teachers volunteered to wrap the gifts the children purchased. Also new this year, Windermere Real Estate provided all the children and their family with a Christmas meal basket that included a ham with sides.

Money was raised from community donations, grants and from first responders. The generosity of this community amazes us each year and we are honored to participate with our local partnering agencies.

Taking a peek behind the scenes

Every year the Ellensburg Police Department puts on a Citizen's Academy for citizens of this community. The academy is focused on giving general knowledge of police operations, the hiring and selection process for officers, traffic enforcement, use of force, the detectives division and mental health issues in law enforcement and the community.

The course gives the students an opportunity to get a tour of EPD, Kittcom and the jail. Students also get to practice emergency driving, shooting in our indoor range and going through scenarios. This course is not just for people wanting a career in law enforcement, but people that want to learn more about how the EPD serves the community.

CITIZEN'S ACADEMY








WE ARE YOU

Agenda #6.B

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	2023 Crime Report (Public Comment Opportunity)
Submitted by:	Ken Wade, Police Chief
Department:	Police

Suggested Motion/Action:
Informational

Background/Summary:
Each year, the police department tracks and analyzes a variety of data from a variety of sources to include federal, state and local agencies, each made available at varying times throughout the year. We utilize this information to determine the impact crime has on our community and look for ways we can identify and address trends, focused on protecting our community and improving the quality of life in Ellensburg. Evidence-based policing, utilizing precision policing modeling, requires analysis and timely, accurate information regarding crime and factors influencing criminal behavior. The department has begun the process of utilizing focused crime information to develop strategies to reduce crime and protect our community, which will improve the quality of life for those living and working in Ellensburg. Our initial work appears promising and this year's report shows the benefits to this crime reduction strategy.

Previous Council Action:
NA

Analysis:
Our initial implementation of these focused crime reduction strategies has shown promising results. This year’s report highlights the positive outcomes of our efforts, indicating that our strategies are successfully contributing to decreased crime rates and better protection for our community. The continued use of these evidence-based methods promises further improvements in safety and quality of life for everyone in Ellensburg.

It is important to note that the data utilized for this report comes from two separate sources, the National Incident Based Reporting System (NIBRS) and department crime tracking data. NIBRS is a federal crime reporting system administered by the FBI and utilizes a structured reporting system with common definitions and procedures. A yearly report is generated utilizing NIBRS data and distributed in early to mid-July of each year. This yearly report was taken from a snapshot of the reporting system taken on March 26, 2024, and is not a calendar year report. Department tracking data is data tracked throughout the year and is a calendar year total, so comparisons to NIBRS will not show the same totals.

It is also important to note that data represented in these reports is specific to the jurisdiction of the Ellensburg Police Department and does not include information from other Kittitas County law enforcement agencies unless specifically identified in this report.

Washington state crime has shown a decrease in violent crimes, with murder dropping 6%. Crimes Against Persons saw a slight decrease of 0.6%, totaling 110,332 offenses, with domestic violence making up 47.9% of this category.Crimes Against Property decreased by 11.9%, with 358,749 offenses reported, down from 407,258 in 2022.Crimes Against Society: showed a significant increase of 22.4%, with 21,045 offenses reported compared to 17,193 in 2022.Overall, while violent and property crimes showed reductions, there were notable increases in vehicle theft and crimes against society. The rise in hate crimes and crimes against society highlights areas for continued focus and intervention.

Ellensburg crime showed a 6% increase in total calls, with each officer averaging 865 calls for calendar year 2023. Ellensburg saw a 10% decrease in NIBRS crimes to 1337 compared to 2022. There was an increase in several concerning categories; rape was up 87%, juvenile crime arrests were up 104%, motor vehicle thefts increased 20% and there was no improvement in domestic violence crimes.There was improvement in several important crimes, with aggravated assault down 30%, destruction of property down 32%, theft down 8%, and robbery down 56%.What we are happy to report is that Ellensburg had the lowest crime rate in over 20 years, with an 11% decrease compared to 2022, standing now at 63.9 per thousand.Holding criminals accountable for their actions is an important component to reducing crime. During a 2023 legislative report on crime in Washington, the Ellensburg Police Department was recognized for our 2022 clearance/arrest rate at 36.4%. During 2023, we increased our closure rate to 42%.

Mental health impacts on policing in 2023 remained steady with 3 fewer mental health referrals for a total of 452 calls, but it's important to note that suicide calls, suicide attempts, and suicide deaths continue to trend lower. Crimes related to those referred to mental health services showed a dramatic 51% decrease.

Department crime tracking for 2023 showed an 8% decrease in criminal contacts and a 28% decrease in self-initiated calls. However, criminal contacts related to unsheltered increased by 23 for a 22% increase. Repeat offenders continue to have the greatest impact on crime as they represent 22% of the suspects and account for 47% of the crimes. Our top 16 offenders accounted for 130 total criminal contacts with one offender arrested 12 times. Yakima and King County residents committing crimes in Ellensburg have the highest numbers, with 54 and 34 respectively.Although hate crimes increased at the state level, Ellensburg had none reported for the second year in a row.

Five-year trends of NIBRS data show Ellensburg had the lowest reported criminal offenses with the lowest crime rate. Ellensburg had 64% of the reported offenses with 77% of the arrests in all of Kittitas County, with the Kittitas County sheriff's office handling 27% of the offenses and 16% of the arrests.Challenges we are facing in 2024. Gang-related activity is increasing dramatically. Juvenile criminal arrests have doubled. DCYF is currently not incarcerating any new juvenile offenders. Sexual assault crimes are increasing. Increases in drug distribution and in violent crimes.

Follow up from the 2022 report. During the 2022 crime report, a precision policing project was presented which was focused on a high-density apartment complex with numerous police calls for service. This information was gathered using historical crime reports and focusing on the highest call type, in this case noise complaints. In February 2023, a letter was sent to the management of the complex informing them of the information and offering assistance in reducing calls. After a full year of monitoring, we learned that noise complaints were reduced by 30% (from 40 to 28) and overall calls were reduced by 7%. We are currently working with another complex on assisting their residents with call reduction strategies. Data sharing is an important tool for public safety, and we are currently working on several processes to educate our community. We look forward to future opportunities to share our progress and improve the quality of life for those living and working in Ellensburg.

Financial Impact:
NA

Budget Adjustment: No

Attachments:
1. 2023 Department Crime Rpt Presentation

Ellensburg Police Department
2023 Crime Report

Ellensburg City Council Crime Report

August 19, 2024

1

MISSION, VISION & VALUES

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

VISION:
Our vision is to protect our citizens and improve the quality of life for all of those in our community by providing excellence in professional law enforcement through our commitment to transparency, compassion and honor of our service.

VALUES:
As a member of the Ellensburg Police Department, we demand:
Moral, Ethical and Compassionate service to our community.
Personal Accountability.
Respect for human life.
Transparency in our practices.
Commitment to all that we serve.

2

STRATEGIC GOALS & MOTTO

<u>STRATEGIC GOALS:</u>
Reduce crime and improve traffic safety within our community.
Provide quality community services.
Provide leadership and resources.
Build trust within our community.

<u>MOTTO</u>:
Serving with Pride, Compassion and Excellence.

City of Ellensburg WASHINGTON

3

2023 Crime Report

- The Annual Crime Report was created to report and compare crime statistics for the Ellensburg Police Department.
- We utilized the National Incident Based Reporting System (NIBRS) data for this report. This system utilizes standardized definitions and reporting procedures which allow for local comparisons.
- NIBRS data is snapshot of <u>data taken on March 26, 2024</u>. Non-NIBRS data presented in this report is for calendar year 2023.
- This report details calls and criminal activity within the City of Ellensburg.

City of Ellensburg WASHINGTON

4

2023 Crime Report

(Taken from July 10, 2024, WASPC Press Release)

Summary of Washington State Crime Data for 2023

In 2023, Washington State's population rose to 7,951,649, reflecting an increase of 85,881 residents from the previous year. The number of commissioned law enforcement officers also grew, with an additional 94 officers bringing the total to 10,760 statewide.

Key crime statistics for 2023 include:

- **Murders: The state recorded 376 murders, marking a decrease of 5.8% from 2022.**
- **Violent Crime: Overall violent crime decreased by 5.5%, with a total of 31,050 reported incidents.**
- **Vehicle Theft: There was a 5.4% increase in vehicle thefts from 2022, continuing a troubling trend with a 112% rise since 2019.**
- **Hate Crimes: Hate crime incidents increased by 6%, totaling 576 reported cases.**
- **Crimes Against Persons: These crimes saw a slight decrease of 0.6%, totaling 110,332 offenses, with domestic violence making up 47.9% of this category.**
- **Crimes Against Property: This category decreased by 11.9%, with 358,749 offenses reported, down from 407,258 in 2022.**
- **Crimes Against Society: There was a significant increase of 22.4%, with 21,045 offenses reported compared to 17,193 in 2022.**

Overall, while violent and property crimes showed reductions, there were notable increases in vehicle theft and crimes against society. The rise in hate crimes and crimes against society highlights areas for continued focus and intervention.

City of Ellensburg WASHINGTON

5

2023 Crime Report

Ellensburg at a glance:

- Ellensburg 2023 population estimated 20,914 (OFM)
- 2023 - Officers per 1000 population – Total commissioned (1 to 1.48). Patrol Officers (1 to 1.02).
- Handled 18,173 calls in 2023. 6% over 2022.
- Patrol officers averaged 865 calls per officer.
- Reported 1337 NIBRS crimes. A 10.0% decrease over 2022
- 506 Group A crime related arrests. 18 more than 2022.

- **Concerning crime categories in 2023:**
  - Rape: 15 (87%)
  - Juvenile Crime Arrests: 92 (104%)
  - Motor vehicle theft: 48 (20%)
  - Domestic Offenses: 206 (same record high as 2022)
- **Improved crime categories in 2023:**
  - Aggravated Assault: 21 (-30%)
  - Destruction of property: 248 (-32%)
  - Animal Cruelty: 1 (-83%)
  - Theft: 398 (-8%)
  - Liquor violations: 15 (-41%)
  - Robbery: 4 (-56%)
- Crime rate decreased to the lowest level since reporting NIBRS data. **63.9 per thousand** an 11% decrease compared to 2022.

City of Ellensburg WASHINGTON

6

2023 Crime Report

NIBRS

Group A Crimes	2019	2020	2021	2022	2023
Murder	0	2	0	2	1
Manslaughter	0	0	6	2	0
Rape	11	9	10	8	15
Sodomy	0	0	0	1	1
Sexual Assault w/object	0	0	0	0	0
Fondling	5	12	8	12	8
Agg. Assault	30	35	31	30	21
Simple Assault	162	169	179	166	168
Intimidation	6	9	7	8	3
Kidnapping	1	1	1	0	1
Incest	0	0	0	1	0
Stat. Rape	0	0	1	0	0
Human Trafficking	0	0	0	0	0
Viol. No-Contact Order	75	62	69	90	89
Robbery	2	7	8	9	4
Burglary	86	90	95	77	75
Larceny-Theft	557	494	515	432	398
Motor Vehicle Theft	29	25	41	40	48
Arson	2	1	2	1	4
Destruction of Property	232	337	323	364	248
Counterfeiting/Forgery	20	28	17	22	19

Group A Crimes	2019	2020	2021	2022	2023
Fraud	81	101	74	124	107
Embezzelment	3	3	3	4	2
Extortion/Blackmail	0	4	6	6	6
Bribery	0	0	0	1	0
Stolen Property	14	18	23	16	23
Animal Cruelty			2	6	1
Drugs/Narco	97	95	46	29	38
Drug Eqip	25	26	20	8	22
Gambling	0	0	0	0	0
Pornography	6	4	1	3	5
Prostitution	1	2	0	0	0
Weapons Violations	16	28	38	38	30
Group B Crimes					
Bad Checks	0	0	2	0	0
Curfew	0	0	0	0	0
Disorderly	19	10	20	20	8
DUI	75	38	36	61	62
Family Offenses	1	0	0	0	0
Liquor Violations	54	37	28	36	21
Peeping Tom	1	0	0	0	0
Trespass	49	52	48	62	70
All Other Offenses	55	43	56	60	59

Crime Rate Per 1000	73.3	75.9	78.2	71.6	63.9
Property Value	$1,917,720	$1,123,219	$447,220	$1,582,003	$1,378,922

City of Ellensburg WASHINGTON

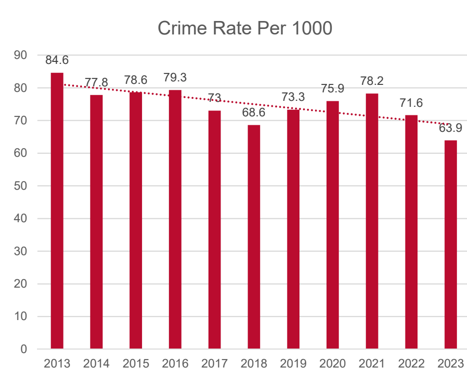
7

2023 Crime Report

NIBRS

	2019	2020	2021	2022	2023
Population	19960	20640	19510	20940	20914
Offense total	1464	1566	1526	1500	1337
#cleared	519	498	499	546	561
%cleared	35.5	31.8	32.7	36.4	42
Group A Arrest total	456	440	437	488	506
Adult Arrest	631	396	392	443	414
Juv Arrest	79	44	45	45	92

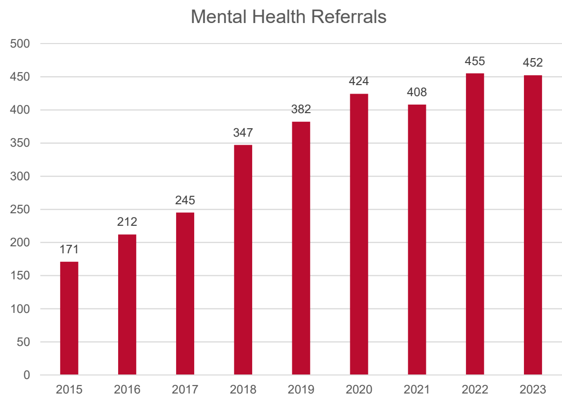
	2019	2020	2021	2022	2023
Crime Rate Per 1000	73.3	75.9	78.2	71.6	63.9
WASPC Rprt FTE	26	26	29	29	29
Offenses per FTE	56.3	60.2	52.6	51.7	46.1

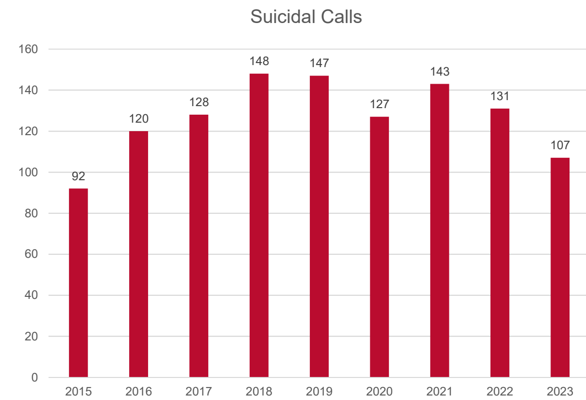


City of Ellensburg WASHINGTON

8

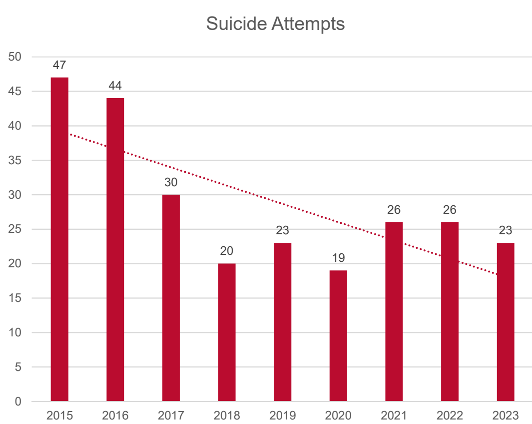
Mental Health Impacts
Calendar year

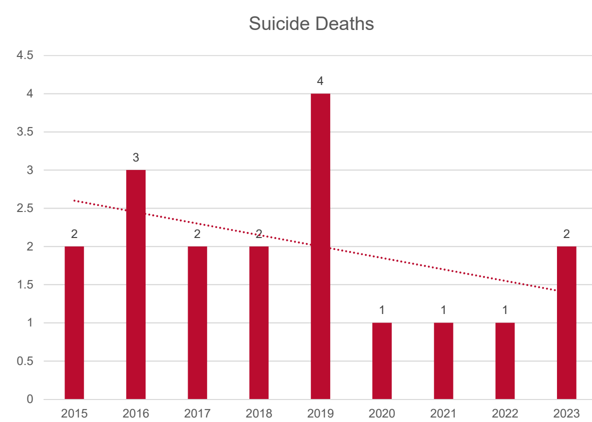




9

Mental Health Impacts
Calendar year





10

Enforcement Data

(calendar year data)

	2022	2023	%Change
Criminal enforcement	1028	941	-8%
Males	741	663	-11%
Females	287	277	-3%
Calls for service	613	640	4%
Self Initiated Contacts	415	301	-28%
Unsheltered	105	128	22%
Mental Health	88	43	-51%

City of Ellensburg WASHINGTON

11

2023 Crime Report

Calendar year

	2021	2022	2023
Criminal enforcement	826	1028	941
Total Individuals	619	721	638
Repeat offenders (2 or more)	103	150	141
Repeat offenders criminal enforcement	313	460	441
Local offenders	387	502	444
non-local	232	219	194
Traffic violation involved (Criminal)	234	244	182
Mandatory Arrest crime (dv/wrnt/Ct orders)	208	412	340
Violent Crimes	139	123	147
Avg. Age	31	31	31
Youngest	12	11	12
Oldest	83	83	79
Total Juvenile offenses	51	44	87
Total CWU off	16	29	26
Traffic viol %	28.33%	23.74%	19.34%
Mandatory arrest %	25.18%	40.08%	36.13%
Offender to enforcement total (Avg)	1.33	1.43	1.47
Repeat offenders to enforcement (Avg)	3.04	3.07	3.13
Repeat offenders %	16.64%	20.80%	22.10%
Repeat offenders' criminal enforcement	37.89%	44.75%	46.87%

City of Ellensburg WASHINGTON

12

Enforcement Data

	White	Hispanic	Black	Asian	Indigenous	Other	totals
Criminal enforcement	741	107	43	17	30	3	941
Total Individuals	484	83	35	9	24	3	638
Repeat offenders (2 or more)	113	14	7	3	4	0	141
Repeat offenders' criminal enforcement	368	37	15	11	10	0	441
Local offenders	358	51	19	7	9	0	444
non-local	126	32	16	2	15	3	194
Traffic violation involved	135	29	11	3	3	1	182
Warrant Arrest	129	16	9	6	11	1	172
Domestic Crime Arrest	118	18	12	2	5	0	155
Violent crimes	107	24	10	2	4	0	147
Avg. Age	35	29	30	36	31	31	Na
Youngest	12	12	14	21	18	28	Na
Oldest	79	68	67	66	51	33	Na
Total Juv off	74	13	1	0	0	0	87
Total CWU off	16	1	5	1	3	0	26
Traffic viol %	18.22%	27.10%	25.58%	17.65%	10.00%	33.33%	19.34%
Mandatory arrest %	15.92%	16.82%	27.91%	11.76%	16.67%	0.00%	36.13%
Offender to enforcement total (Avg)	1.53	1.29	1.23	1.89	1.25	1.00	1.47
Repeat offenders to enforcement total (Avg)	50%	35%	35%	65%	33%	0%	Na

City of Ellensburg WASHINGTON

13

Enforcement

Calendar year

2023 Offender Residency & Top 15

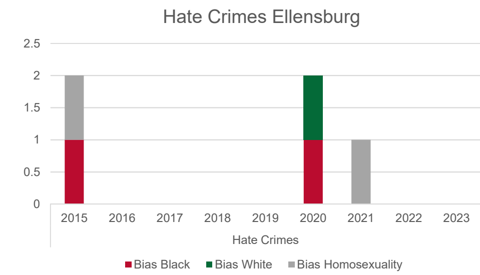
Offender residence @ time of contact	
Cle Elum/Roslyn offenders	25
King County offenders	34
Yakima County offenders	54
Grant County offenders	12
Out of State offenders	8
	133 total
Top 16 Offenders	
Total criminal contacts	
1 offenders with 12	12
1 offenders with 10	10
8 offenders with 9	72
6 offenders with 6	36
	130 Total

City of Ellensburg WASHINGTON

14

Hate Crime Reports

- **NIBRS Definition: A criminal offense committed against a person or property which is motivated in whole or in part, by the offender's bias against a race/national origin, religion, sexual orientation, mental/physical/sensory disability, gender or ethnicity.**



There were no reported Hate crimes in Ellensburg, however, there were 2 reported anti-Sikh hate crimes in Kittitas County during 2023.

15

Offense & Arrest Totals

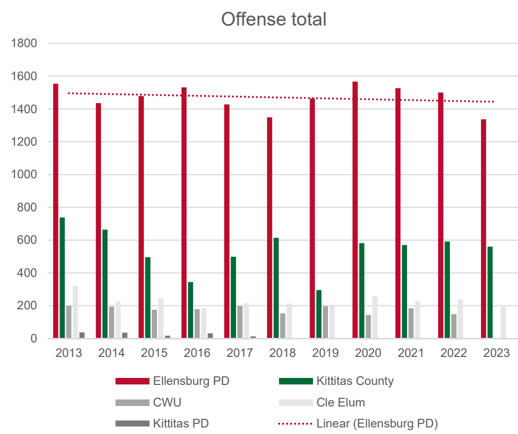
NIBRS

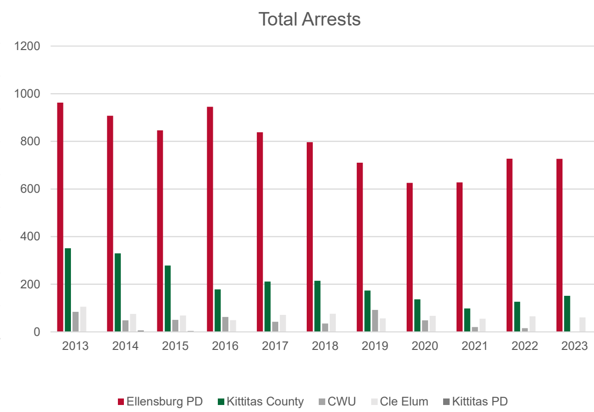
Offense total					
	2019	2020	2021	2022	2023
Ellensburg PD	1464	1566	1526	1500	1337
Kittitas County	295	581	570	591	560
CWU	196	143	184	149	0
Cle Elum	197	255	230	237	201
Kittitas PD	0	0	0	0	0
Total	2152	2545	2510	2477	2098
EPD %	68.03%	61.53%	60.80%	60.56%	63.73%
Kittitas County %	13.71%	22.83%	22.71%	23.86%	26.69%
CWU %	9.11%	5.62%	7.33%	6.02%	0.00%
Cle Elum %	9.15%	10.02%	9.16%	9.57%	9.58%
Kittitas PD %	0.00%	0.00%	0.00%	0.00%	0.00%

A + B Arrest total *					
	2019	2020	2021	2022	2023
Ellensburg PD	710	625	627	727	726
Kittitas County	173	136	98	126	151
CWU	92	48	20	15	
Cle Elum	56	67	55	65	60
Kittitas PD					
Totals	1031	876	800	933	937
EPD %	68.87%	71.35%	78.38%	77.92%	77.48%
Kittitas County %	16.78%	15.53%	12.25%	13.50%	16.12%
CWU %	8.92%	5.48%	2.50%	1.61%	0.00%
Cle Elum %	5.43%	7.65%	6.88%	6.97%	6.40%
Kittitas PD %	0.00%	0.00%	0.00%		

16

Countywide Data
NIBRS





In 2023 - EPD handled 64% of all reported crimes
EPD made 77% of all arrests

City of Ellensburg WASHINGTON

17

Challenges:

Gang related activity is increasing dramatically.
Juvenile criminal arrests have doubled.
DCYF currently not incarcerating any new offenders.
Drug related deaths have increased.
Sexual assault crimes increasing.
Increase in drug distribution
Continued increase in Violent Crime

Watching:

Suspicious fire trends
Mental Health Increase

City of Ellensburg WASHINGTON

18

Precision Policing
(Follow up)

- **2023 Project:**
- **High call volume locations**
  - Identified highest call locations in the city.
    - Analysis identified several businesses and an apartment complex with high response numbers.
  - Identified call types looking for best impacts.
    - Noise complaints - Usually social gatherings with drugs and alcohol that escalate to other crimes.
  - Response.
    - February 3, 2023, I sent a letter to the apartment management identifying the problem and asking for their assistance. 7% reduction in total calls and 30% reduction in noise complaints 2022 vs 2023.

Noise Violations Project (Apartment)	2021	2022	2023
Jan – June	26	28	11
July – Dec	23	12	17
Total	49	40	28

Ellensburg Police Department
Ken Wade, Chief of Police

February 3, 2023

Management of
Apartments

…nsburg, WA 98926

Subject: Police Response – Noise Ordinance Violations

Community Manager,

As we review our crime statistics from previous years, and prepare for 2023, I wanted to reach out to you to offer our assistance. Since May of 2019, officers of the Ellensburg Police Department have responded to your facility a total of 408 times, 123 (30%) of these calls involve complaints of noise, a city violation (5.60 Noise). This is an expensive violation with the first offense of this ordinance is a $513 fine. The 2nd offense is $1025 and every subsequent violation, within a 12-month period, would face a $2050 fine. It is our hope, with your help, we can reduce the noise violations and the need for our officers to respond.

If you could share this problem and our concerns with your tenants and ask them to be good neighbors and abide by the ordinance, I would greatly appreciate your assistance. We realize this is not a problem with most of your tenants and we apologize to those who are inconvenienced by their neighbors or their guests. We will continue to respond to all complaints or calls for assistance at your facility and take the appropriate steps to resolve the incidents or concerns.

If you have questions regarding this information, or if there is anything we can do to assist you, please do not hesitate to contact my office at 509-962-7280.

Sincerely,

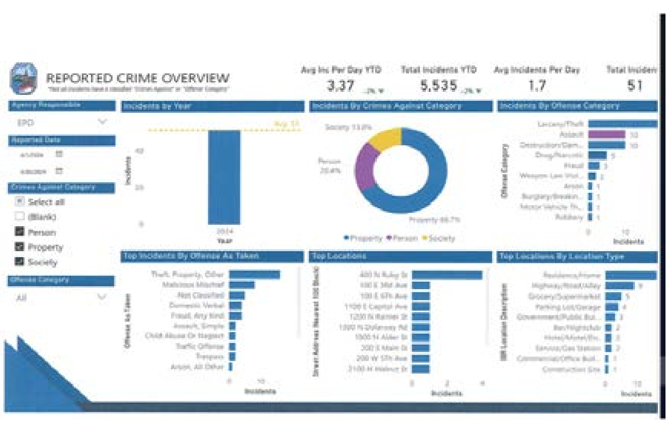
Ken Wade
Chief of Police

Phone (509) 962-7280 • FAX (509) 962-7281 • 100 North Pearl Street, Ellensburg WA 98926

City of Ellensburg WASHINGTON

19

Data Sharing



ELLENSBURG POLICE DEPARTMENT — MONTHLY STATUS REPORT — JUNE 2024

	Indicator Status	Current Month	Previous June	2024 Year to Date	2023 Year to Date
CHILD/YOUTH CRIMES					
Alcohol Crimes (minors/juveniles)		4	1	19	6
CPS Referrals		10	19	55	76
Child Abuse & Neglect		3	4	13	8
Juvenile Runaway Offenses		13	5	29	26
Child Molesting		0	0	0	0
Child Assault		0	0	4	6
DRUG/ALCOHOL CRIMES					
Drug Arrests		5	2	28	18
DUI Arrests		13	3	63	28
Overdoses		2	0	8	5
VIOLENT CRIMES					
Sex Offenses		0	1	13	12
Assaults		19	21	83	120
Assaults on Law Enforcement		1	1	3	2
Domestic Violence Crimes		3	10	51	69
OTHER CRIMES					
Malicious Mischief		20	22	120	133
Shop Lifting Thefts		3	12	50	77
Warrant Arrests		17	20	114	126
Parking Enforcement		12	27	148	141
Animal Complaints		64	49	258	202
Dog Bites		4	9	26	34
MENTAL HEALTH					
Mental Health Referrals		11	31	225	242
TOTAL		[illegible]	[illegible]	[illegible]	[illegible]

ANALYSIS
- Juvenile related alcohol crimes show an increasing annual trend that is likely to lead to more serious offenses
- Noteworthy significant increase in juvenile runaway offenses, highest monthly account in past four years
- Animal complaints are reflective of past trends of increased reports during summer period

City of Ellensburg WASHINGTON

20

Thank you for your time

Questions?

For more information regarding Statewide Crime data, see
https://waspc.memberclicks.net/assets/Crime%20in%20Washington%202023-compressed.pdf

City of Ellensburg
WASHINGTON

21

Agenda #6.C

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Washington Families Clean Energy Credits Program (Public Comment Opportunity)
Submitted by:	Buddy Stanavich , Energy Resources Manager
Department:	Public Works & Utilities

Suggested Motion/Action:
Information only

Background/Summary:
Up to 675,000 Washington households will see electricity bills reduced by a one-time $200 credit thanks to the state Climate Commitment Act. The Washington Families Clean Energy Credits Program is supported by $150 million from the state Climate Commitment Act.

The Department of Commerce will distribute grants to all electric utilities in Washington that serve residential customers, enabling them to pass on $200 bill credits to eligible customer accounts (low and moderate-income households) by September 15, 2024.

The City of Ellensburg will receive a total award amount of: $395,360.21. The contract allows for up to $19,768.01 (5%) to be used for administration and outreach, leaving $375,592.20 to be credited to eligible accounts (+/- 1,878).

Previous Council Action:
At its June 6, 2024, meeting, Council approved acceptance of the award and authorized the City Manager to sign the contract with the Department of Commerce.

Analysis:
Who is eligible for credits?
Electricity customers with low to moderate household income are eligible to receive a one-time $200 bill credit. Qualifying customers will have the bill credit applied to their active utility account by September 15, 2024. Credits may be applied automatically, and other customers can visit a website (referenced below) to see if they qualify.

If a customer is enrolled in their utility's ratepayer assistance programs, such as senior, disabled, or Low-Income Home Energy Assistance Program (LIHEAP) they may already be qualified to automatically receive a credit from the utility without taking any action.

Customers who may have enrolled in other assistance programs through local community agencies, such as home weatherization or nutrition assistance, may also qualify for an automatic credit.

Utility customers can visit WACleanEnergyCredits.com or look for information in their utility billing statement to find more information about this bill relief program.

How does the grant program work?
Every electric utility across the state that serves residential customers is eligible for grant funds in this bill relief program.

Participating utilities are required to enroll customers in the program whose household income is defined as low-income by the U.S. Department of Housing and Urban Development. If funds permit, utilities have the option to expand eligibility to households with incomes that are defined as moderate-income.

Qualifying household income of $72,000 or below, and up to $149,700 if available funding allows.

In compliance with Clean Energy Credits for Washington Families Grant Program Policies, Promise will first prioritize awards to those who are categorically eligible because they receive public benefits or utility assistance.

Process Overview:
1.) Participating electric utilities provide customer account data through a simple and secure upload portal or API.
2.) Promise matches electric utility customer data against low-income programs' participant data from the state of Washington.
3.) Promise enrolls all accounts with a matched household member and instructs utilities to award $200 to those accounts.
4.) Promise and/or utilities reach out to other targeted low- and moderate-income households, encouraging them to self-attest to their income eligibility.
5.) Promise continues to process and approve $200 awards, instructing utilities to award $200 to new accounts on an ongoing basis.

More information can be found at the following:

- https://ci.ellensburg.wa.us/1036/Conservation-Rebates
- https://wacleanenergycredits.com/relief_program
- https://www.commerce.wa.gov/program-index-2/washington-families-clean-energy-credits-grant-program/

Financial Impact:
The utility bill credits totaling up to $395,360.21 will be funded with a Department of Commerce grant.

Budget Adjustment: Yes

Attachments:
1. Clean Energy for Washington Families Grant Program Q&A
2. Washington State Dept of Commerce - Social Media Post 1 v3

3. Washington State Dept of Commerce - Social Media Post 2 v3
4. Washington State Dept of Commerce - Social Media Post 3 v3

Washington Families Clean Energy Credits Grant Program

The Washington Families Clean Energy Credits Grant Program dedicates $150 million to assist low- and moderate-income households with the clean energy transition. This initiative will offer bill credits of $200 per household to eligible residential customers through their electric utility provider. The Department of Commerce will distribute grants to all utility companies in Washington, enabling them to pass on $200 bill credits to customer accounts by September 15, 2024.

Utilities must first prioritize bill credits for customers at or below 80 percent area median income (AMI) and if funds remain, may expand bill credits for customers up to 150 percent of AMI. Customers residing in overburdened communities and vulnerable populations as defined under RCW 70A.02.010 will receive additional prioritization. This includes individuals who have participated in programs like the Low-Income Housing Energy Assistance Program (LIHEAP), utility payment plans, or other ratepayer-funded assistance programs. Utilities may also qualify customers through self-attestation.

Customers are eligible for the clean energy credit if any of the following criteria is met:

1. Within the past two years (as of January 1st, 2022) did a customer receive qualified assistance from a low-income energy assistance program, a utility payment plan, or another rate payer funded utility assistance program?

2. Did a utility determine that a customer's household income is less than or equal to 80% AMI or 150% AMI* (working with community action agencies to help determine eligible low- to moderate-income customers)?

3. Did a utility customer self-attest to their household income being equal to or less than 80% or 150% AMI*?

If the answer is yes to any of these questions the utility customer is eligible for the clean energy credit.

* Utilities must first prioritize bill credits for customers at or below 80% AMI and if funds remain, may expand bill credits for customers up to 150% AMI.

Current timeline and next steps:

The timeline of next steps will be dependent on the response time of each utility.

For the earliest distribution, complete the following steps as soon as possible:

Step 1:

- Create an account with the Department of Commerce's Contract Management System (CMS).
  - Instructions can be found in the System Access Request Form Contract Management System Portal.
  - https://www.commerce.wa.gov/wp-content/uploads/2021/12/Online-A19-External-User-Request-Form-1.docx
- Fill out this survey on how your utility plans to conduct outreach to self-attest customers that qualify for the clean energy credit. This survey will include an opportunity to update the contact person for your utility. Note: This contact person will be the recipient of the electronic contract.
  - Survey link will be available early the week of May 1st, 2024.

Step 2:

- If your utility completed Step 1, your utility will receive an electronic contract around mid-May. Note: The contract will be sent to the designated contact who filled out the survey.
- Electronically Sign the Contract.

Step 3:

- The Department of Commerce will email the designated contact your utility's final allocation amount, and a draft invoice example. Your utility will need to send that invoice back to commerce. Commerce will then provide your utility with a lump sum of the final allocation amount.
- Based on how you set up your statewide vendor number – you will receive a lump sum payment through the method you selected (ACH, paper check, etc.)

Questions and Answers:

Where can I find the proviso language and grant structure?

Final budget language, page 149: Engrossed Substitute Senate Bill 5950

> (29) $150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide clean energy for Washington families grants for public and private electric utilities to provide bill credits for low-income and moderate-income residential electricity customers to help with the clean energy transition in the amount of $200 per household, by September 15, 2024. Low and moderate-income is defined as less than 150 percent of area median income.
>
> Utilities must prioritize customers in vulnerable populations in overburdened communities as defined under RCW 70A.02.010, such as those that have participated in the low-income home energy assistance program, utility payment plans, or ratepayer funded assistance programs. Utilities must

first prioritize bill credits for customers at or below 80 percent area median income and if funds remain, may expand bill credits for customers up to 150 percent of area median income. Utilities may qualify customers through self-attestation.

Utilities may, but are not required to, work with community action agencies to administer these funds. Each utility shall disburse funds directly to customer accounts and adhere to program communications guidelines provided by the department. Utilities may use up to five percent of their grant funds for administrative costs associated with the disbursement of funds provided in this subsection.

If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

When do the grant funds need to be spent by?

Per the legislative budget proviso, each utility must disburse funds directly to customer accounts by September 15, 2024.

Which customers are eligible to receive assistance under this grant program? How do I qualify customers?

1. Each utility will self-qualify customers based on known data. See the detailed descriptions below to determine which customers are eligible to receive funding.

Per the proviso each customer who received help from the Low-Income Home Energy Assistance (LIHEAP), payment plans, or ratepayer funded assistance programs are automatically qualified. Customers who utilized other low-income energy assistance programs, such as the Low-Income Weatherization Assistance Program (LIWAP) or other ratepayer-funded programs such as senior or disability discounts also are eligible to receive funds.

Ratepayer-funded assistance programs may include but are not limited to:

- Existing Low-Income Assistance Programs: Customers on existing ratepayer-funded low-income assistance programs are eligible for assistance under the category of ratepayer funded assistance program. This may include but is not limited to low-income bill credits, low-income rates, and other forms of assistance. If a customer has received these benefits, self-attestation of need may have been used but is not required for a customer to have qualified for this assistance.
- Existing Senior, or Disabled Assistance Programs: Customers on existing ratepayer-funded senior or disabled assistance programs are eligible for assistance under the category of ratepayer funded assistance program. This may include but is not limited to senior or disabled bill credits, rates, and other forms of assistance. If a customer has received these benefits, self-attestation of need may have been used but is not required for a customer to have qualified for this assistance.

- Other rate payer funded programs administered by the utility: Customers that received grants, pledges, or direct bill assistance that was administered by the utility leveraging third party funds or assistance.

2. Each utility will work to identify qualifying customers that earn up to the two different household income thresholds. Utilities may allow customers to self-attest their income status.

   Per the proviso utilities must first prioritize bill credits for customers at or below 80% AMI and if funds remain, may expand bill credits for customers up to 150% AMI.

My utility does not collect information on low-income customers. How do I use the funds?

Each utility will self-qualify customers based on known data from low-income energy assistance programs, a utility payment plan, or another rate payer funded utility assistance program. Utilities may work with community action agencies to help determine eligible low- to moderate-income customers. Utilities may also allow customers to self-attest their income status to receive the clean energy credit.

Can utilities recover costs for this program?

Per the final budget language, utilities may use up to five percent (5%) of their grant funds for administrative costs associated with the disbursement of funds provided in this subsection.

Can credits be applied to inactive accounts?

No, bill credits cannot be applied to inactive accounts.

How did Commerce determine the funding distribution?

Per the proviso, the Department of Commerce used the number of households served by electric utility provider; and the following three criteria, weighted equally, to determine each utility's allocation:

- Utility service areas that are situated in locations experiencing disproportionate environmental health disparities;
- American Community Survey poverty data;
- The proportion of the population within a utility's service area that experience energy cost burden

The formula will utilize z-scores which tells us a criteria's "relative standing" in a data set. Relative standing is a measure of how many standard deviations above, or below, a data value is from the mean.

Use of American Community Survey poverty data for the utility allocation formula:

Commerce determined that using ACS poverty data instead of the U.S. Department of Health and Human Services area median income (AMI) data for energy credit eligibility will ensure consistency with industry standards, target households in need more effectively, and simplifies the calculations required. ACS data is readily available, whereas incorporating AMI data would require additional processing and cause delays with the allocation formula.

Self-attestation information collected by utilities will ensure that the target low- to moderate-income households (up to 80% and 150% AMI if funding is available) are served.

Commerce communication guidelines for this program:

Effective January 16, 2024, Commerce contracts related to Climate Commitment Act (CCA) funded programs and projects must include provisions consistent with guidelines released with Governor Inslee's Directive 24-01.

Commerce will be deferring to the communication guidelines released by the Governor's Office related to programs funded by the CCA, which includes CCA branding and CCA funding acknowledgements.

Please see Governor's Directive 24-01 and the **Climate Commitment Act brand and style guidelines**.

Additional questions?

Please email bill.credits@commerce.wa.gov

Need help paying your energy bills?

Low and moderate-income residential households can apply for a one-time $200 utility bill credit through September 1st. Credits awarded on a first-come first-served basis.

Visit: **http://wacleanenergycredits.com**

Clean Energy Credits for Washington

Washington State Department of Commerce

Promise.

FUNDED BY WASHINGTON'S CLIMATE COMMITMENT ACT

Do you want a $200 credit towards your energy bill?

Low and moderate income residents should apply now before funds run out! Applications close September 1st. Credits awarded on a first-come first-served basis.

Visit: **http://wacleanenergycredits.com**

Clean Energy Credits for Washington

Washington State Department of Commerce

Promise.

FUNDED BY WASHINGTON'S CLIMATE COMMITMENT ACT

Struggling with energy bills?

Apply now to see if you qualify for a $200 credit towards energy costs. Applications close September 1st. Credits awarded on a first-come first-served basis.

Visit: **http://wacleanenergycredits.com**

Clean Energy Credits for Washington

Washington State Department of Commerce

Promise.

FUNDED BY WASHINGTON'S CLIMATE COMMITMENT ACT

Agenda #9.A

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Resolution 2024-24 to Authorize Interfund Loan from the Shop and Warehouse Fund to Arterial Street Fund (Public Comment Opportunity)
Submitted by:	Ryan Lyyski, Public Works & Utilities Director
Department:	Public Works & Utilities

Suggested Motion/Action:
Move to authorize approval of Resolution 2024-24 and make necessary budget adjustments.

Background/Summary:
The Arterial Street Fund is a capital improvement fund primarily used for transportation projects. The fund receives revenue from multiple sources such as state and federal grants, motor vehicle fuel tax, and sales tax support. Examples of current projects include the University Way Overlay, Pfenning Road Pathway, Brick Road Improvements and Pfenning Road Improvements (Vantage highway to Radio Road).

Previous Council Action:
Approval of the 2023/2024 Biennial Arterial Street Budget along with Council approval of the contracts associated with the capital projects.

Analysis:
The Arterial Street Fund has an adequate budget for the approved projects; however, the fund can experience occasional cash flow issues. The cash flow issues can be created when the City is making large project payments to vendors and contractors while waiting for reimbursement from various granting agencies.

The Washington State Auditor's office recognizes that interfund loans are a legal and fiscally prudent means of investing municipal funds that are inactive or in excess of current needs. The Washington State Auditor's Budgeting, Accounting and Reporting System ("BARS") manual specifically allows for the use of interfund loans and defines the acceptable procedures for both the loaning and borrowing fund.

The City's Shop fund had adequate funds set aside for equipment replacement that are being invested in the State pool at the rate of 5.423716% per annum pending equipment replacement. Interfund loans are repaid with interest and are preferable to issuing external debt.

Financial Impact:
Interest charged to the Arterial Street Fund from the Shop Fund will be set at 5.5%, based on

the current Washington State Investment Pool rate of 5.423716%. The loan would be on an as-needed basis up to $2,000,000. A minimum repayment schedule, should the full $2,000,000 be borrowed is set below:

Payment Date	Principal	Interest	Outstanding Principal
7/31/2025	630436.44	94265.20	1369563.56
7/31/2026	665998.02	58703.63	703565.54
7/31/2027	703565.54	21136.10	0

Arterial Street may pay off the loan or make extra payments at any time during the life of the loan. It is our intent to repay the loan immediately following the receipt of grant reimbursements. A budget adjustment for both the Shop and Arterial Street funds will be needed.

Budget Adjustment: Yes

Attachments:

1. Resolution 2024-24 Interfund Loan Shop to Arterial Street

RESOLUTION NO. 2024-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG authorizing an Interfund Loan of up to $2,000,000 from the Shop Fund to the Arterial Street Fund of the City of Ellensburg for a period not to exceed three (3) years.

WHEREAS, Ordinance 2558 created the City Shop and Warehouse Fund ("Shop Fund"), codified in Ellensburg City Code ("ECC") 2.16.1000; and

WHEREAS, the Arterial Street Fund does not have the cash flow necessary to cover expenses on several City Council authorized and budgeted capital projects; and

WHEREAS, the Arterial Street Fund is awaiting reimbursements from various state and federal grants for the capital projects previously authorized by City Council; and

WHEREAS, the Washington State Auditor's office recognizes that interfund loans are a legal and fiscally prudent means of investing municipal funds that are inactive or in excess of current needs; and

WHEREAS, the Washington State Auditor's Budgeting, Accounting and Reporting System ("BARS") manual specifically allows for the use of interfund loans and defines the acceptable procedures for both the loaning and borrowing fund; and

WHEREAS, the City Council recognizes that interfund loans are repaid with interest and City Council finds that use of an interfund loan is preferable to issuing external debt; and

WHEREAS, the City's Shop fund has adequate funds set aside for equipment replacement that are being invested in the State pool at the rate of 5.423716% per annum pending equipment replacement;

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

Section 1. **Authorization and Approval**. The City Council hereby authorizes and approves an interfund loan in the amount of up to two million dollars and no/100s ($2,000,000.00) from the City's Shop Fund to the Arterial Street Fund for the purpose of maintaining a positive cash flow while awaiting state and federal grant reimbursements for various City Council authorized and budgeted capital projects.

Section 2. Terms and Conditions. The term of the loan shall be for a period not to exceed three years from the day of first advance at 5.5% (current Washington State Investments Pool's

30-day yield as of 8/11/2024 is 5.423716 %). Repayment due dates will begin within 12 months following the first draw with three (3) approximately equal annual installments of $724,701.65. The Arterial Street Fund may pay off the loan or make extra payments any time during the life of the loan. Payment schedules are as follow:

Payment Date	Principal	Interest	Outstanding Principal
7/31/2025	630,436.44	94,265.20	1,369,563.56
7/31/2026	665,998.02	58,703.63	703,565.54
7/31/2027	703,565.54	21,136.10	0

Section 3. Loan Disbursement. The Finance Director is designated on behalf of the City to process and administer a temporary loan not to exceed two million dollars and no/100s ($2,000,000.00) from available cash of the Shop fund, where money deposited therein is not immediately needed for the purposes of that fund, to the Arterial Street Fund.

Section 4. Effective Date. This resolution shall take effect and be in force from and after its adoption.

ADOPTED by the City Council of the City of Ellensburg this 19th day of August, 2024.

____
Mayor

Attest: ____________________________
City Clerk

Agenda #11.A

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Second Quarter 2024 Financial Status and Investment Reports (Public Comment Opportunity)
Submitted by:	Jerica Pascoe, Finance Director
Department:	Finance

Suggested Motion/Action:
Move to accept the Second Quarter 2024 Financial Status and Investment Reports as presented.

Background/Summary:
Attached are the Second Quarter 2024 Financial Status and Investment Reports for the period ending June 30, 2024. The Second Quarter 2024 Financial Status report represents General Fund status, Governmental fund type tax revenues, and citywide revenues and expenditures. The City's Financial Management Policy provides that Council will receive updated information relating to the City's Financial Reports on a quarterly basis.

Previous Council Action:
The Second Quarter 2024 Financial Status and Investment Reports were presented to the Finance Committee at the August 7, 2024 meeting.

Analysis:
Key items – 2024 Second Quarter:

- General Fund revenues are projected to come in slightly above budget whereas expenditures are projected to come in below budget. (Table 1, Page 1)
- Revenue remitted from State of Washington Sales Tax Activity was up **3**% above 2nd quarter 2023 (Table 2, Page 2)
  - City Assistance was up 1%
  - Hotel/Motel Lodging was up 13%
  - Local Criminal Justice was **down** 2%
  - Marijuana Excise Tax was up 9%
  - Motor Vehicle Fuel Tax (MVFT) was **down** 3%
  - Public Safety was **down** 1%
- Year-End tax revenue - projected to be 2.37% above budget. (Table 3, Page 3)
  - Sales tax revenue is projected to be 1.07% above budget. (Table 3, Page 3)
    - Local Criminal Justice .1% – $69,502 or 10.4% above budget (Table 4, Page 4)
    - Retail Sales for Public Transit .2% - $20,655 or 1.4% above budget
    - Retail Sales for Public Safety .3% - $182,452 or 11.7% above budget
    - Regular Retail Sales .85% – ($163,521) or 2.6% **below** budget
    - Retail Sales for Housing .1% – 10,797 or 1.5% above budget
    - Retail Sales for Housing (State Credit) - ($1,395) or 1.6% **below** budget
  - B&O Tax revenue is projected - 14.05% above budget. (Table 3, Page 3)

- o Other Tax revenue is projected - 7.53% **below** budget. (Table 3, Page 3)
- o Property Tax revenue is projected - 1.33% **below** budget. (Table 3, Page 3)
- o January through June 2024 sales tax receipts were 3.3% higher than January through June 2023 receipts. (Table 5, Page 5)
- o Utility tax revenues were .24% lower than 2nd quarter 2023. (Table 6, Page 6)
- o General Fund *not including managerial funds* (Table 7, Page 7)
    - ▪ Revenues - projected to be $755,651 above budget
    - ▪ Expenditures - projected to be $1,579,636 **below** budget
- o The total excess revenues over expenditures for all funds through the 2nd quarter was $4.6 million, of which $3.9 million of the excess is from the enterprise and internal service funds, in which rates are set to provide for replacement and capital projects. The General Fund (including managerial funds) saw a net loss of $1.96 million. (Table 9, Page 9)
- o The City had $87,186,848.30 in excess cash invested as of 06/30/2024.(Investment report, page 1)

These are second quarter reports and do not reflect all activities.

Financial Impact:
None

Budget Adjustment: No

Attachments:
1. 2nd Quarter 2024 Financial Status and Investment Reports

City of Ellensburg
Washington

Quarterly Financial Status Report

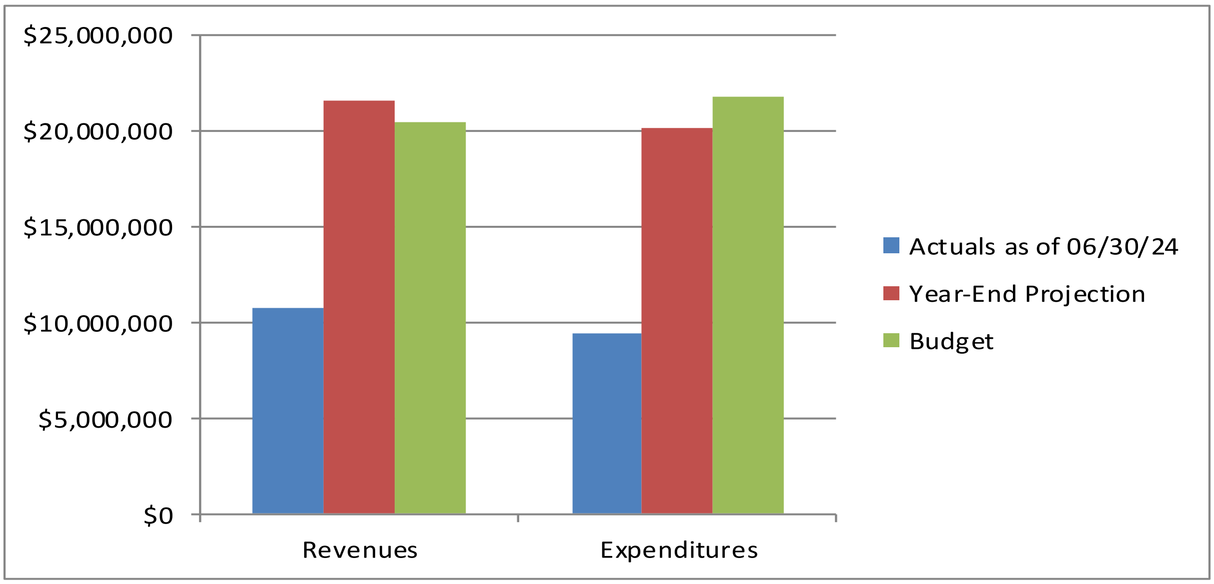
For the Quarter Ending June 30, 2024

AS OF 07/23/2024

General Fund

The Governmental Funds' major funding sources include Property Tax, Sales Tax, Utility Taxes, Licenses & Permit Fees, Intergovernmental Revenue, and Charges for Services. Sales Tax is the largest tax revenue source for the City at approximately 55%, followed by Utility Tax at 19%, Property Tax at 18%, and Other Taxes at 8% of the budgeted City tax revenue. Tax revenue is approximately 18% of the total City revenues budgeted in 2024.

Table 1



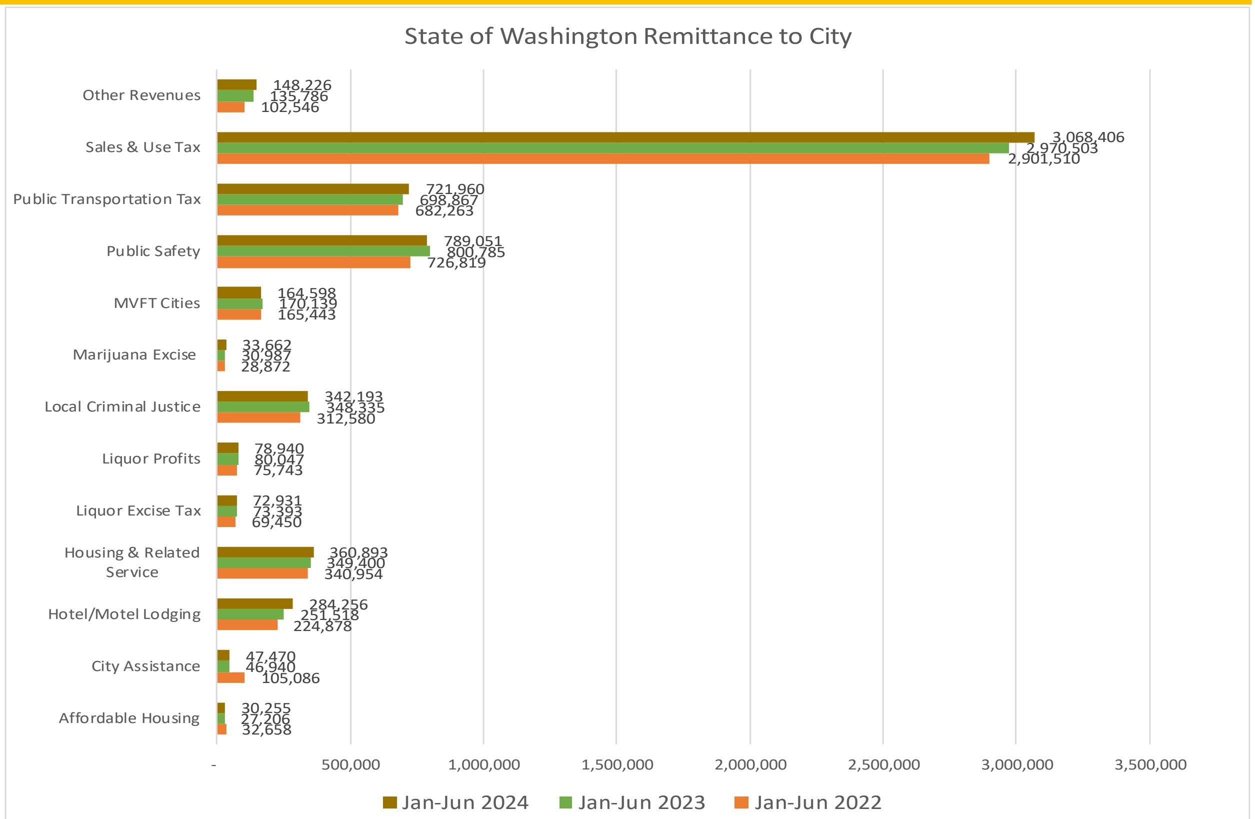
NOTE: The above graph illustrates the difference between year-to-date actuals through June, year-to-date projections as of 07/23/24, and revised budget through April 30, 2024.

Second quarter projections were made as of the current situation on 07/23/2024. Projections were made with the hope of the continued slow cooling of inflationary increases and a slight recovery of sales tax due to some additional business reporting and an uptick in construction sales tax. Please keep in mind, these projections are made based on the limited information known by local governments as of the end of June. General Fund revenues (minus the managerial funds) are expected to come in over budget. General Fund expenditures are projected to come below budget as required by Chapter 35A.33 RCW. Budgeted expenditures reflect all adjustments that were taken to Council for approval through April 30, 2024. The current slight projected underspending in the General Fund continues to be created with temporary position vacancies. A breakdown of General Fund departments is included in Table 7 of this report.

Governmental Funds Tax Revenue

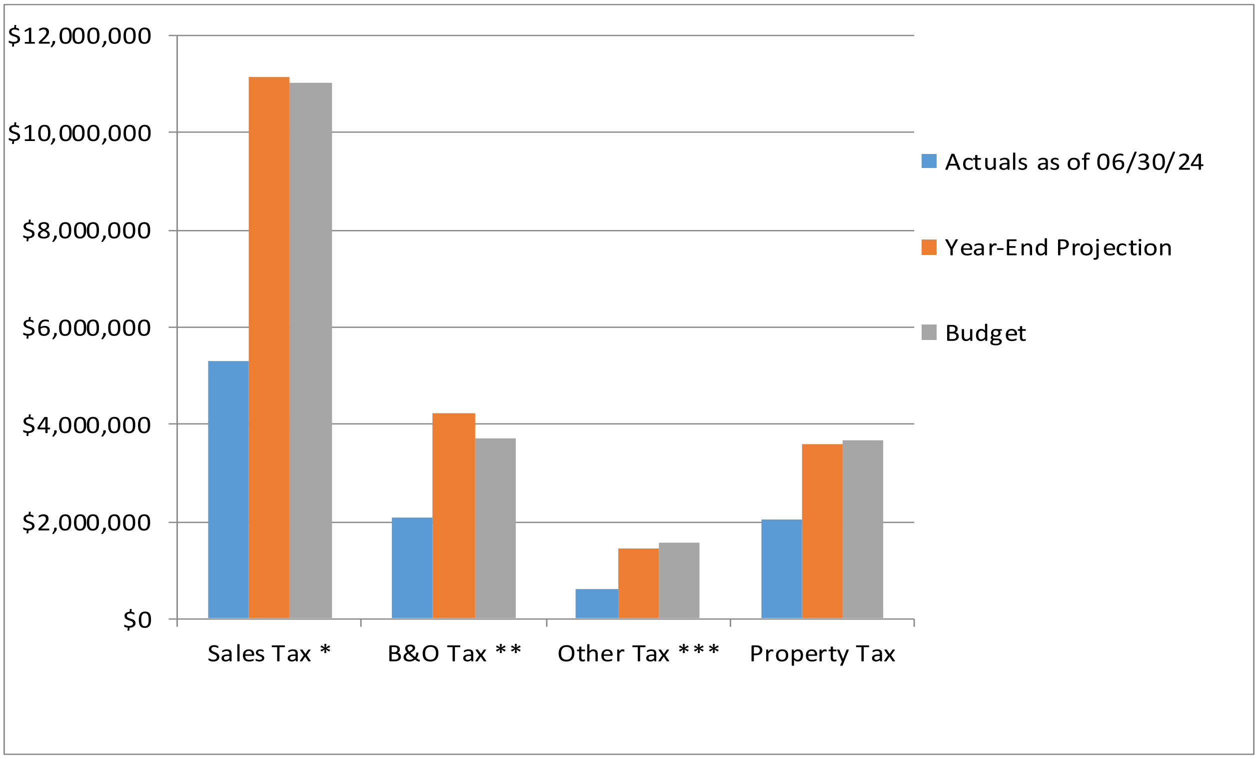
Table 2

CITY OF ELLENSDURG
Year-to-Date Revenue Remitted from State of Washington Sales Tax Activity - Cash
January-June Comparison for 2022 - 2023 - 2024
Table 2



	Receipts Dates Jan-Jun 2022	Receipts Dates Jan-Jun 2023	Receipt Dates Jan-Jun 2024	Increase/ (Decrease)	% Inc (Dec)
Affordable Housing	32,658	27,206	30,255	3,049	11%
City Assistance	105,086	46,940	47,470	530	1%
Hotel/Motel Lodging	224,878	251,518	284,256	32,738	13%
Housing & Related Service	340,954	349,400	360,893	11,493	3%
Liquor Excise Tax	69,450	73,393	72,931	(462)	-1%
Liquor Profits	75,743	80,047	78,940	(1,107)	-1%
Local Criminal Justice	312,580	348,335	342,193	(6,142)	-2%
Marijuana Excise	28,872	30,987	33,662	2,675	9%
MVFT Cities	165,443	170,139	164,598	(5,541)	-3%
Public Safety	726,819	800,785	789,051	(11,734)	-1%
Public Transportation Tax	682,263	698,867	721,960	23,093	3%
Sales & Use Tax	2,901,510	2,970,503	3,068,406	97,903	3%
Other Revenues	102,546	135,786	148,226	12,440	9%
Totals	**5,768,802**	**5,983,906**	**6,142,841**	**158,935**	**3%**

Table 3



	Actuals as of 06/30/24	Year-End Projection	Budget	Over/(Under) Budget
Sales Tax *	$5,312,757	$11,142,615	$11,024,125	1.07%
B&O Tax **	2,085,144	4,233,732	3,712,209	14.05%
Other Tax ***	620,833	1,452,681	1,571,000	-7.53%
Property Tax	2,059,126	3,604,026	3,652,565	-1.33%
	$10,077,859	$20,433,054	$19,959,899	2.37%

* SALES TAX includes tax portions for public transit, affordable housing, public safety, and regular retail sales

**B&O TAX includes utility, gambling etc.

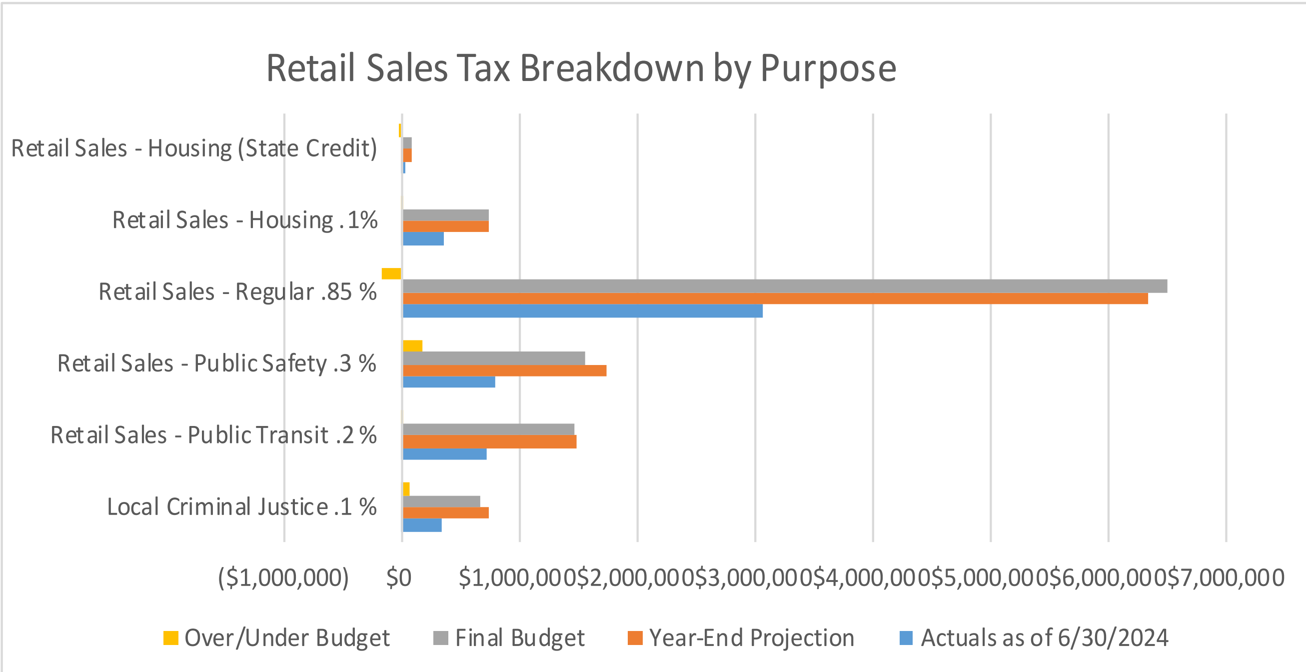
*** OTHER TAX includes leasehold and other excise taxes including hotel/motel tax

Overall governmental fund tax revenue is projected to exceed budget by approximately $473 thousand or 2.37%. Sales tax projections used a 2% increase over 2023. B&O tax projections used a range of a .93% decrease to a 10% increase over 2023 depending on the utility. Utility tax increases are based on individual utility rate increases, outstanding receivables, seasonal trends, and other forecasted utility revenue changes. “Other Taxes” is projecting a decrease in excise tax. However, the hotel/motel tax is still holding strong and projected to come in over budget.

Sales Tax

Table 4 breaks down the difference of budgeted less projected by tax purpose. It is important to note that this includes retail sales and use tax that is restricted for public transit, public safety, and affordable housing purposes. Sales tax revenue received in January is for November 2023 activity.

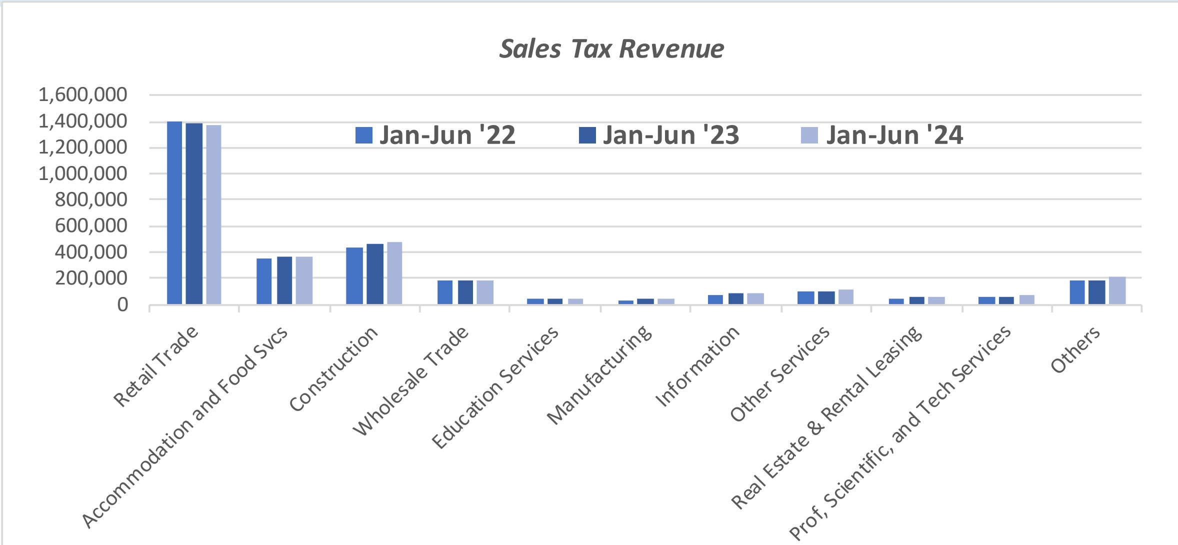
Table 4



	Actuals as of 6/30/2024	Year-End Projection	Final Budget	Projected Over/Under Budget
Local Criminal Justice .1 %	$342,193	$739,012	$669,510	$69,502
Retail Sales - Public Transit .2 %	721,960	$1,491,631	1,470,976	$20,655
Retail Sales - Public Safety .3 %	789,051	$1,738,874	1,556,422	$182,452
Retail Sales - Regular .85 %	3,068,406	$6,343,290	6,506,811	($163,521)
Retail Sales - Housing .1%	360,893	$745,203	734,406	$10,797
Retail Sales - Housing (State Credit)	30,255	$84,605	86,000	($1,395)
	$5,312,757	$11,142,615	$11,024,125	$118,490

Table 5

Year-to-Date Sales Tax Activity - Cash Basis
Jan-Jun 2022/2023/2024



	Receipts Dates Jan-Jun '22	Receipts Dates Jan-Jun '23	Receipt Dates Jan-Jun '24	Increase/ (Decrease)	% Inc (Dec)
Retail Trade	1,396,509	1,383,967	1,378,954	-5,013	-0.4%
Accommodation and Food Svcs	347,242	368,449	367,522	-927	-0.3%
Construction	432,598	459,537	484,011	24,474	5.3%
Wholesale Trade	182,111	183,781	190,430	6,649	3.6%
Education Services	42,879	39,333	41,150	1,817	4.6%
Manufacturing	35,563	43,075	52,520	9,445	21.9%
Information	77,976	84,045	88,583	4,538	5.4%
Other Services	95,717	106,312	113,017	6,705	6.3%
Real Estate & Rental Leasing	50,660	53,826	54,793	967	1.8%
Prof, Scientific, and Tech Services	60,275	66,198	77,531	11,333	17.1%
Others	179,979	181,981	219,895	37,914	20.8%
Total	**$ 2,901,509**	**$ 2,970,504**	**$ 3,068,406**	**$ 97,902**	**3.30%**

Source: Dept of Revenue Sales Tax Reports - 2024 information: reporting revenue **received** January thru June

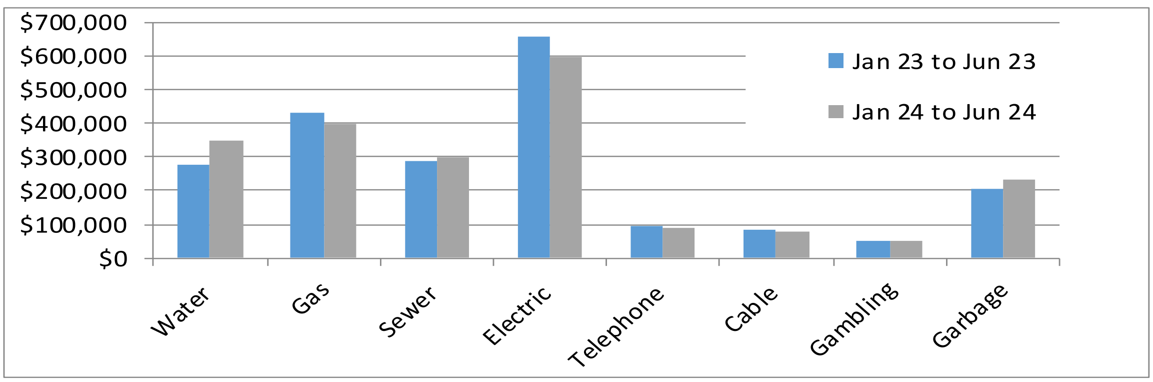
Revenue was recorded on a cash basis for this report. January will be the first month of reporting for 2024

Retail sales tax is distributed monthly reflecting 20 different categories. The above graph reflects the top ten categories with 10 categories being identified within the “Others” category. **Overall sales tax is up 3.3% compared to the 2nd quarter of 2023. Retail Trade had the highest dollar decrease with Others showing the highest dollar increase. Regular retail sales tax revenue had a .4% overall decrease under the same period last year, up from a 4.8% decrease the end of 1st quarter 2024.** Many of the category increases were due to additional business reporting and maybe one-off purchases that will not continue. This will continue to be monitored closely. These numbers do not include the.03% for criminal justice, the.02% for public transit, or the .01% for housing and related services. **These revenues are for sales from November 2023 through April 2024.**

Utility Tax – **Table 6**

The city generates utility tax revenues from the sale of the City's gas, electric, water, and sewer utilities as well as utility taxes on cable television, telephone, and garbage collection. The cable utility tax revenue includes both the General Fund and the Special Revenue funds.

CITY OF ELLENSBURG
Year-to-Date Utility Tax Activity - Cash Basis
January-June 2023 Compared to January-June 2024



	Receipt Dates Jan 23 to Jun 23	Receipt Dates Jan 24 to Jun 24	Increase/ (Decrease)	% Inc (Dec)
Water (10.5%)	$276,961	$346,064	$69,104	24.95%
Gas (6%)	433,293	396,687	(36,606)	-8.45%
Sewer (10.5%)	285,074	298,692	13,618	4.78%
Electric (6%)	656,096	595,923	(60,173)	-9.17%
Telephone (6%)	93,922	88,708	(5,213)	-5.55%
Cable (1.075%)	85,843	78,284	(7,558)	-8.81%
Gambling (varies 2%-8%)	52,681	50,637	(2,044)	-3.88%
Garbage (8.1%)	206,394	230,148	23,754	11.51%
Total	$2,090,263	$2,085,144	-$5,119	-0.24%

Revenue was recorded as cash basis for this report.

The city implemented a new utility billing system in mid-December 2023. The Finance Department is working diligently with our software vendor to continue to work through any issues. This created some delayed billing and additional reporting needs. Based on the timing of the implementation and the revision of some utility bills, additional corrections/adjustments to the cash basis reporting of $1^{st\ and}$ 2^{nd} quarter utility taxes for water, gas, sewer and electric are included in your 2^{nd} quarter report projections. Telephone and cable taxes will continue to decrease as landlines and cable television have become less common. Residents using cell phone numbers from outside of the area are not paying this local telephone tax.

Table 7

General Fund
Revenues and Expenditures - Budget and Projected
30-Jun-24

	2024 Budget	2024 Projected	2024 Actual YTD	Budget less Projected
Revenues				
Taxes	$8,059,086	$8,226,056	$4,501,433	-$166,970
Licenses & Permits	497,623	$538,232	450,290	-$40,609
Intergovernmental	1,415,631	$1,423,245	270,749	-$7,614
Charges For Fees	4,554,295	$4,551,566	2,263,729	$2,729
Fines & Forfeits	210,000	$155,551	78,581	$54,449
Misc.	332,360	$929,996	534,004	-$597,636
Transfers	5,384,363	$5,384,363	2,685,682	$0
Other Receipts	0	$0	0	$0
Total	$20,453,358	$21,209,009	$10,784,469	-$755,651
Expenditures by Dept				
NonDept	$2,066,485	$1,996,632.00	$690,844	$69,853
Finance	2,993,535	$2,707,514.00	1,318,747	286,021
City Manager	1,951,910	$1,900,911.00	878,844	50,999
Police	6,292,446	$5,814,452.00	2,907,226	477,994
Community Develop.	1,934,326	$1,598,607.50	745,573	335,719
Engineering	1,380,957	$1,335,636.00	662,311	45,321
Parks & Recreation	3,681,796	$3,451,349.50	1,586,990	230,447
Library	1,478,806	$1,395,523.50	661,838	83,283
Total	$21,780,261	$20,200,626	$9,452,373	$1,579,636
Excess of Revenues over	-$1,326,903	$1,008,384	$1,332,096	-$2,335,287
Beginning Balance	3,124,290	5,835,141	5,835,141	-$2,710,851
Other Receipts	0			$0
Ending Fund Balance	$1,797,387	$6,843,525	$7,167,237	$5,046,138

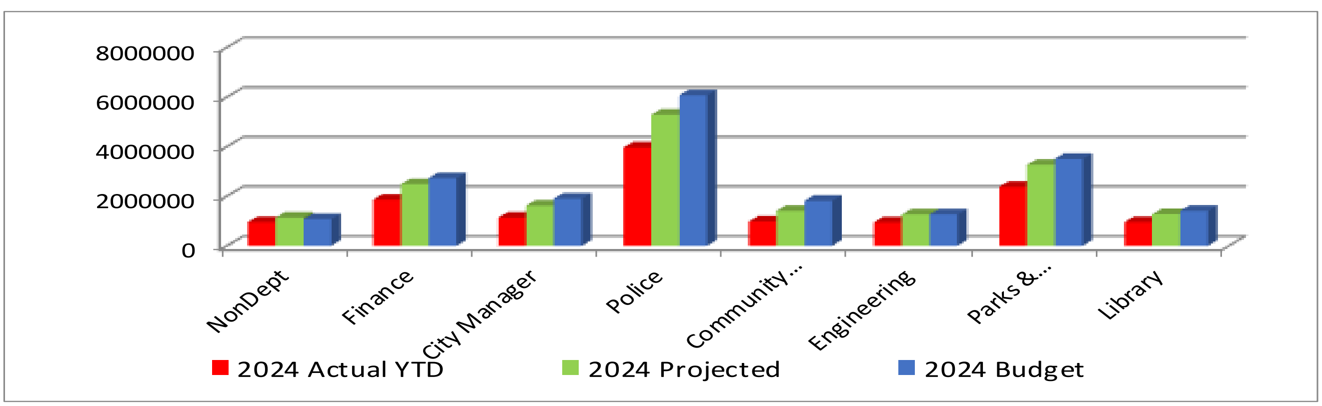


Table 8

DEBT ACTIVITIES	Issued Date	Maturity Date	Original Amount	Balance as of 06/30/24	2024 Debt Payment
General Obligation					
Maintenance Bond - Pool	2010	2030	2,935,000	1,190,331	186,403
2017 GOl Bond - Public Safety Bldg.	2017	2037	7,200,000	6,276,448	562,326
Telecom Utility - LTGO Taxable **	2016	2036	290,243	200,213	19,263
			10,425,243	7,666,992	767,991
Revenue Bonds					
Stormwater Bond *****	2020	2039	5,000,000	4,563,049	360,988
Water Sewer ****	2016	2029	6,990,000	4,205,000	762,151
Gas	2016	2036	859,015	576,082	52,459
Electric- Refunding***	2005/2014	2025	3,650,000	755,000	395,850
Electric	2014	2033	4,540,000	4,420,000	205,475
Water/Sewer *****	2021	2040	10,000,000	9,119,608	666,890
			31,039,015	23,638,739	1,776,922

** LTGO Taxable 20 year bonds in 2016

*** Electric Bonds were refunded in 2014 with a new bond which has a lower interest rate

**** Water/Sewer Bonds refunded in 2016 with a new bond at a lower interest rate

***** Up to $10 million Waterworks Utility Bond for Water and Sewer Utilities. Draw period ended Nov. 30, 2022

Citywide Report

The table on the next page- Revenues and Expenditures-Actual shows that the city brought in approximately $4.6 million more than it spent in 2024 YTD. $3.9 million of the excess revenue over expense is from the utility and internal service funds. The General Fund (including managerial funds) saw a net **loss of $1.96 million**. This loss included $1.29 million of SLFRF spending. Table 9 reduces utility revenues by the outstanding utility receivable amounts to convert revenue amounts to cash basis.

Investment Report

See attachment, which shows the breakdown of our investment portfolio. The goal of our investment is safety, liquidity, and yield. To have safety and liquidity, most of our investments reside in the State Pool.

Table 9	**All City Funds** **Revenues and Expenditures- Actual** **For the Quarter Ending June 30, 2024**		
	Revenue	Expenditures	Excess of Revenue Over Expenditures
General Fund	$10,776,721	$9,452,373	$1,324,348
Special Revenue Funds			
Street	1,462,968	1,077,109	385,859
Arterial	433,517	1,145,207	(711,690)
Traffic Impact	118,072	13,754	104,318
Ellensburg Public Transit	1,460,531	813,862	646,669
Criminal Justice	838,282	798,291	39,991
Drug Fund	899	2,215	(1,316)
Sales Tax	2,525,961	4,785,012	(2,259,051)
CATV - Operations	45,420	40,092	5,328
CATV - Capital	2,246	0	2,246
Parks Acquisition	188,980	0	188,980
Arts Acquisition	55,750	5,430	50,320
Lodging Tax	287,139	84,135	203,004
Housing & Related Service	803,703	55,736	747,967
SLFRF	0	1,286,739	(1,286,739)
Debt Funds			
Public Safety Bond	562,327	281,163	281,164
Maintenance Bond	187,003	8,537	178,466
Library Bond	0	0	0
LID Guarantee Fund	3,795	0	3,795
Capital Funds			
Fieldhouse Construction Fund	120,361	348,379	(228,018)
Capital Const. Bond Projects	0	0	0
General Fund Capital Projects Fund	0	0	0
Sidewalk	751,404	97,053	654,351
Recreational Facilities Fund	150,565	0	150,565
Enterprise Funds			
Stormwater	1,189,086	889,705	299,381
Telecommunications	287,582	141,947	145,635
Gas	7,433,978	5,564,710	1,869,268
Electric	11,603,798	9,974,873	1,628,925
Water	3,597,476	3,352,234	245,242
Sewer	3,442,280	4,022,171	(579,891)
Internal Service Funds			
Shop	1,535,009	1,260,452	274,557
General Facilities Fund	329,014	382,169	(53,155)
Health Insurance	1,563,997	1,573,089	(9,092)
Risk Management	719,242	1,083,034	(363,792)
IT	1,455,766	1,035,881	419,885
GIS	166,277	127,588	38,689
Library Trust	38,235	180	38,055
Hal Holmes	5,862	0	5,862
Fire Relief	226,103	50,405	175,698
Total	$54,369,349	$49,753,525	$4,615,824
	Managerial Funds of the General Fund		
* Utility Revenue amounts have been converted to cash basis			

CITY OF ELLENSBURG - Investment Report As of 6/30/2024

The City will diversify its investments by security type and institution. The following schedule provides the maximum holdings in any one type of investment with any one type of issuer.

Funds invested $ 87,186,848.30

Bench Marks

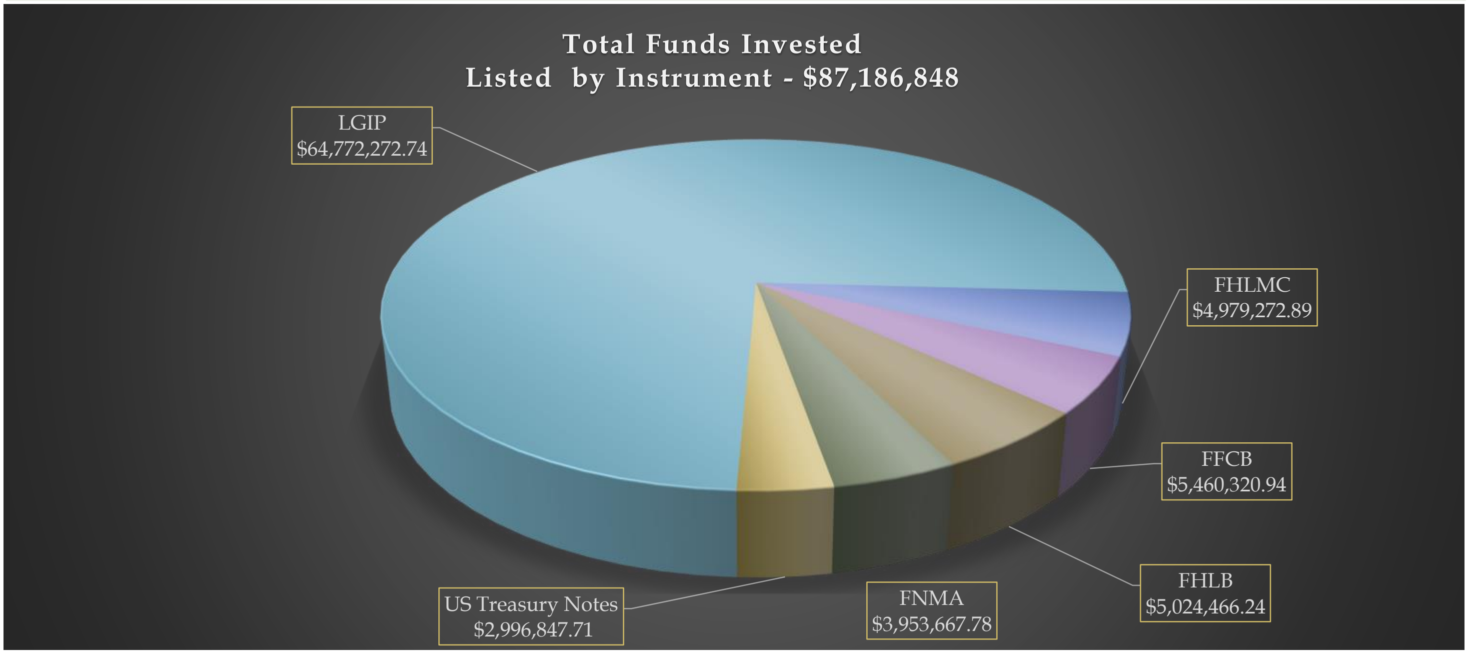
1-year Treasury Constant Maturity - 5.173%

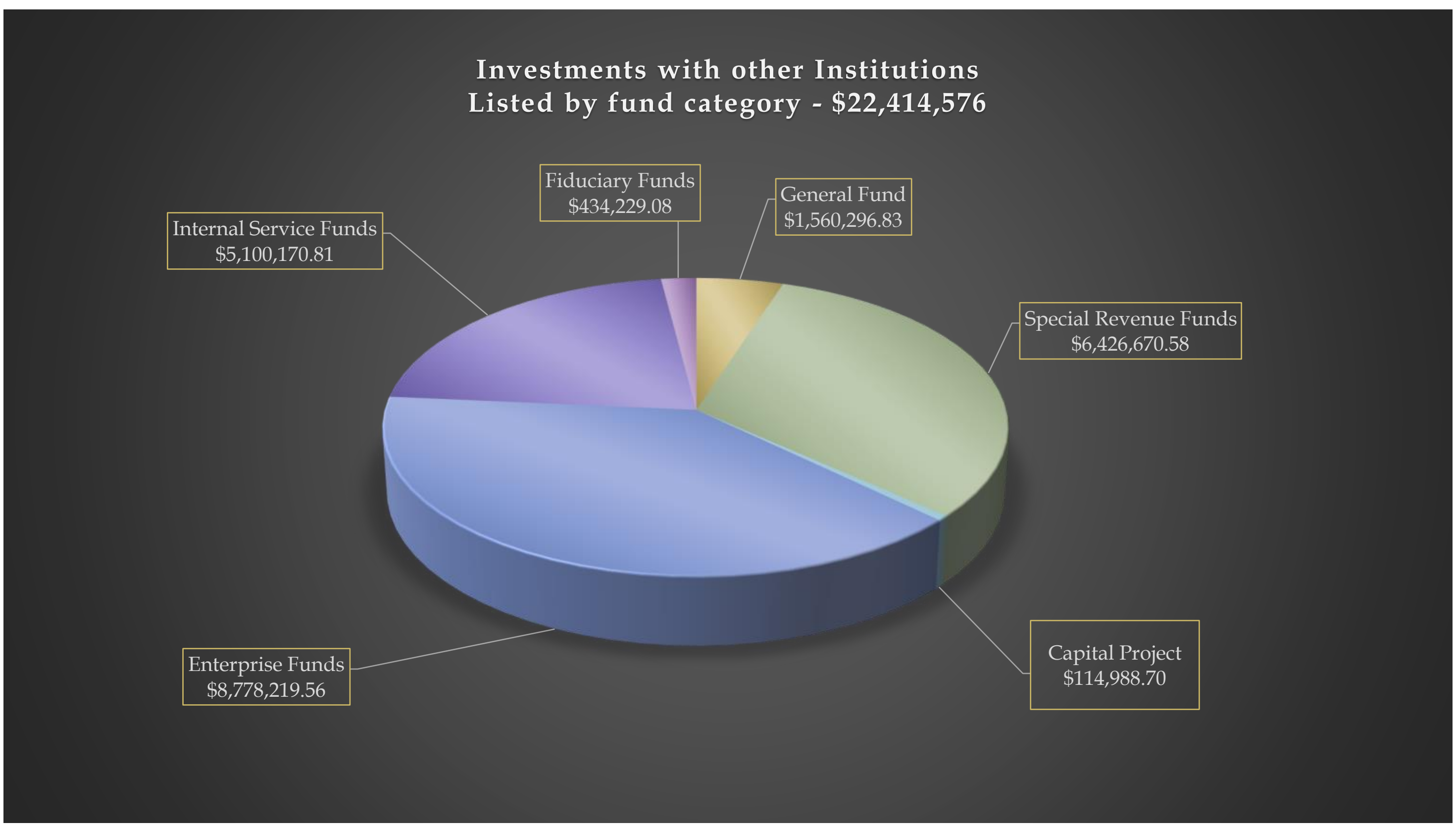
2-year Treasury Note -4.68%%

External Investments - 1.67%

Local Govt. Investment Pool (LGIP)-Gross Earnings Rate - 5.408%

Interest earned in June - $313,449





CITY OF ELLENSBURG - Investment Report As of 6/30/2024

Investments with other Institutions

Type of Authorized Security	Maximum Holdings and Issuer Limitations	maximum $ amount that can be invested	% limitation per issuer	% of portfolio invested	Current Investment Holding Amount	Name	Amount Invested w/Issuer	% of Issuer Holding	Yield to Maturity	Expected Annual Earnings
U.S. Treasury Bills, Notes, Bonds or Certificates	100% of Portfoloio	$87,186,848	no limitation	26%	$22,414,576	#57 FNMA corp Settled 01/08/2020 purchase: $1,003,603.11 Matures 10/15/24	1,000,360	1%	1.63%	16,250
						#59 FHLMC Settled 06/15/20 purchase: $998,312.89 Matures 05/27/25	998,313	1%	0.54%	5,000
						#65 Treasury Strip.45 Settled 02/11/21 purchase: $ 499,619 Matures 2/15/26	499,619	1%	0.45%	2,250
						#66 FNMA Settled 06/14/21 purchase: $995,948.42 Matures 8/25/25	995,948	1%	0.50%	3,750
						#68 FHLB Settled 8/9/21 purchase: $1,006,671.67 Matures 6/12/26	1,002,669	1%	0.65%	7,500
						#69 FHLMC Settled 08/9/21 purchase: $3,985,346 Matures 3/30/26	3,980,960	5%	0.63%	20,400
						#70 FHLB Settled 11/4/21 purchase: $1,500,192.5 Matures 1/2/25	1,500,055	2%	0.77%	11,550
						#71 FNMA Settled 3/17/22 purchase: $947,076.44 Matures 11/07/25	947,076	1%	2.07%	20,700
						#72 US Treas Settled 3/18/22 purchase: $999,073.12 Matures 8/31/24	999,073	1%	1.95%	19,500
						#73 FFCB Settled 9/22/22 purchase: $1,476,304.88 Matures 9/15/27	1,476,305	2%	3.74%	50,625
						#75 FHLB Settled 3/1/23 purchase: $1,030,566	1,022,230	1%	4.50%	39,375
						#76 FFLB Settled 3/1/23 purchase: $1,499,512 Matures 10/14/26	1,499,513	2%	4.55%	17,238
						#77 US Treas Settled 8/25/23 purchase: $1,498,156 Matures 2/15/27	1,498,156	2%	4.45%	36,225
						#78 Farmer Mac Settled 12/8/23 purchas: $1,011,425.11	1,010,283	1%	4.38%	43,750
						#79 FFCB Settled 2/14/24 purchas: $996,318.58	996,319	1%	4.21%	42,100
						#80 FFCB Settled 4/1/2024 purchas: $974031.81	974,032	1%	4.42%	31,250
						#81 FAMCA Settled 06/21/24 purchase: $2,013,665.67	2,013,666	2%	4.55%	6,400
r						Subtotal Funds	**22,414,575.56**			$ 373,863.00
							External Investments		**1.67%**	**AAY**

Investment in State of Washington Investment Pool

State of WA	100% of	$87,186,848	no limitation	74%	64,772,272.74	State of WA Local	**64,772,272.74**	74%	5.4080%	$ 3,502,884.51
							State Investment Pool		**5.41%**	**AAY**

CITY OF ELLENSBURG - Investment Report As of 6/30/2024

AAY = Average Annual Yiel FHLMC - Federal Home Loan Mtg Corp

FHLB - Federal Home Loan Bank
FFCB - Federal Farm Credit Bank
FNMA- Federal National Mortgage Assn

Sorted by Maturity

Security	Description		Rate	Par	Maturity	Months Left to Maturity	Investment #
9128282U3	US TREASURY NOTES	NONCALLABLE	1.9522	1,000,000	8/31/2024	1497	72
3135GOW66	FNMA	NONCALLABLE	1.62	1,000,000	10/15/2024	1499	57
3130APKD6	FHLB	Callable after 4/28/2022	0.77	1,500,000	1/28/2025	1502	70
3134GVYP7	FHLMC		0.54	1,000,000	5/27/2025	1506	59
3135GO5X7	FNMA	NONCALLABLE	0.375	1,000,000	8/25/2025	1509	66
3135GO6G3	FNMA	NONCALLABLE	2.07	1,000,000	11/7/2025	1511	71
912833LY4	US TREASURY NOTES	NONCALLABLE	0.45	511,000	2/15/2026	1515	65
3134GWWP7	FHLMC	Callable after 3/30/26	0.63	4,000,000	3/30/2026	1516	69
3130AMFS6	FHLB	NONCALLABLE	0.65	1,000,000	6/12/2026	1518	68
3133ENH45	FFCB	NONCALLABLE	4.42	1,000,000	8/24/2026	1521	80
3130APAC9	FHLB	CALLABLE after 1/14/	1.02	1,500,000	10/14/2026	1522	76
912828V988	US TREASURY NOTES	NONCALLABLE	4.45	1,500,000	2/15/2027	1527	77
3133ENL99	FFCB	NONCALLABLE	3.74	1,500,000	9/15/2027	1534	73
3130ATS57	FHLB	NONCALLABLE	4.17	1,000,000	3/10/2028	1539	75
31424WCR1	FAMCA	NONCALLABLE	4.38	1,000,000	12/4/2028	1548	78
3133EP3B9	FFCB	NONCALLABLE	4.21	1,000,000	2/13/2029	1551	79
			Total Par	20,511,000			

Investment by Fund/Category

General Fund	1,560,296.83
Special Revenue Funds	6,426,670.58
Capital Project	114,988.70
Enterprise Funds	8,778,219.56
Internal Service Funds	5,100,170.81
Fiduciary Funds	434,229.08
Total	**22,414,575.56**
LGIP	64,772,272.74
	-
Total	87,186,848.30

Investment by Instrument

US Treasury Notes		2,996,847.71
State of WA Bonds		-
LGIP		64,772,272.74
FHLMC		4,979,272.89
		-
FFCB		5,460,320.94
FHLB		5,024,466.24
FNMA		3,953,667.78
	Total	87,186,848.30

- difference

Agenda #11.B

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject:	Flock License Plate Reader System Purchase (Public Comment Opportunity)
Submitted by:	Jim Weed, Captain
Department:	Police

Suggested Motion/Action:
Move to authorize the City Manager to sign the Master Services Agreement and Order Form as attached or in substantially similar format with Flock Safety, and approve the necessary budget adjustments.

Background/Summary:
Flock Safety is a company that manufactures and installs its camera systems on behalf of customers ranging from governments to private neighborhoods. These systems use vehicle license plate reading technology to alert authorities to vehicles associated with criminal activity and vector police officers to intercept the vehicle and investigate the associated criminal activity. These systems have been in use for several years throughout Yakima and the entire Yakima valley, as well as Moses Lake and many other Eastern and Western Washington cities. This is not facial recognition technology and only uses the rear image of a vehicle to identify the make, model and registered owner information as well as any other information entered into the system to flag a particular vehicle.

Previous Council Action:
Council held a study session into this system and associated questions on August 5, 2024.

Analysis:
The Flock Safety system was used most recently on July 4th when a shooting incident occurred at a gas station in Ellensburg. Officers were able to determine a license plate for the offender's vehicle and asked Yakima Flock system officers to enter the plate into the system. A Flock Safety alert on that vehicle was received only a few hours after the incident in Kennewick, WA. This alert and others on the vehicle led to the apprehension of the suspect and evidence in this case. The intent of this system is to improve apprehension times, reduce vehicle theft and hold criminal actors accountable when committing crimes in our city. The Flock Safety system is the only product with a regional, and even nationwide network of camera systems which the Ellensburg Police Officers would be able to access to improve our ability to solve crimes and apprehend criminals.

The question regarding how the system's accuracy is managed by officers on the street was raised at the August 5 Study Session. Officers will receive a confidence rating through the Flock system with regard to the alert. They will then evaluate that confidence in conjunction with Kittcom and other available information to verify the plate that is alerting is, in fact, the one being sought. Officers already utilize this verification system when working with other data systems such as ACCESS, the nationwide system officers currently rely on. Flock will be another tool to make officers aware of a vehicle "hit' while they will still be expected to do their diligence to confirm alert's veracity.

In terms of record retention, unless an officer requests the information be saved for investigation purposes, all images will be hard deleted from the system after 30 days, which is consistent with the retention requirements issued by the Washington Secretary of State's guidelines for law enforcement records. A DRAFT policy for EPD's use of the system is attached.

Financial Impact:
This purchase would be covered by an adjustment to the 2024 Criminal Justice Fund budget in the amount of $41,950, which will reduce the the anticipated ending fund balance. The 2025 amount would be included in the proposed 2025 budget.

Budget Adjustment: Yes

Attachments:
1. Automated_License_Plate_Readers
2. August 19th City Council-Flock presentation
3. Flock Safety MSA and Order Form with City of Ellensburg

Automated License Plate Readers

428.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPR is used by the Ellensburg Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

428.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administration Division Commander. The Administration Division Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

428.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

(a) An ALPR shall only be used for official and legitimate law enforcement business.

(b) An ALPR may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(c) An ALPR may be used to canvass license plates around any crime scene, homicide, shooting and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(d) No member of this department shall operate ALPR equipment, or access ALPR data, without first completing department-approved training.

(e) If practicable, the officer should verify an ALPR response through the Central Computerized Enforcement Service System (ACCESS) before taking enforcement action that is based solely upon an ALPR alert.

(f) No ALPR operator may retrieve ACCESS data unless otherwise authorized to do so.

428.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Ellensburg Police Department, and because such data may contain confidential ACCESS information, it is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

All ALPR data downloaded to the server shall be stored according to the Washington State Law Enforcement Records Retention Schedule and thereafter may be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action, or is subject to a lawful action to produce records. In such circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

428.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Ellensburg Police Department will observe the following safeguards regarding access to and use of stored data:

(a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Supervisor and processed in accordance with applicable law.

(b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.

(c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

(e) ALPR system audits should be conducted on a regular basis.

Attachments

Washington State Law Enforcement Records Retention Schedule.pdf

This schedule applies to: Law Enforcement Agencies

Scope of records retention schedule

This records retention schedule covers the public records of local law enforcement agencies relating to the functions of law enforcement, criminal case investigation, and the management of the agency's assets and human resources. It is to be used in conjunction with the *Local Government Common Records Retention Schedule (CORE)* and other approved schedules that relate to the functions of the agency.

All current approved records retention schedules can be accessed online at: http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx.

Disposition of public records

Public records covered by records series within this records retention schedule must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of local resources.

Public records designated as Archival (Permanent Retention), Permanent, or Non-Archival with a retention period of "Life of the Agency" must not be destroyed. Records designated as Archival (Appraisal Required) or Potentially Archival must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency's policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with chapter 42.56 RCW. Such public records must be managed in accordance with the agency's policies and procedures for public records requests.

In addition to the minimum retention requirements specified in this schedule, there may be additional (longer) retention requirements mandated by federal, state and/or local statute, grant agreement, and/or other contractual obligations.

Revocation of previously issued records retention schedules

All previously approved disposition authorities for records that are covered by this retention schedule are revoked, including those listed in all general and agency unique retention schedules. Local government agencies must take measures to ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

Authority

This records retention schedule was approved by the Local Records Committee in accordance with RCW 40.14.070 on January 26, 2017.

Signature on File	*Signature on File*	*Signature on File*
For the State Auditor: Cindy Evans	**For the Attorney General: Matt Kernutt**	**The State Archivist: Steve Excell**

Flock Safety

Ellensburg Police Department

City of Ellensburg WASHINGTON

1

1

What is this system?

- Flock safety is a connected network of license plate reading cameras
- Supported by software that allows automated alerts for vehicles of interest in criminal incidents.
- This technology makes officers more efficient at detecting and locating vehicles and drivers involved in criminal matters.
- NOT for speed, red light, or traffic infraction enforcement.

City of Ellensburg WASHINGTON

2

Crime Solving

- The city of Yakima utilizes the Flock safety system and recovered 596 stolen cars, arrested 133 Wanted individuals and found 33 missing person in year one.
- On July 4, 2024 Officers responded to a report involving possible shots fired on University Way. Using surveillance video, Officers established a suspect vehicle license plate.

City of Ellensburg WASHINGTON

3

3

continued

- The plate was entered into the Flock system by Yakima PD on our behalf
- Approximately 3 hours later Kennewick Police advised us the vehicle had indicated on a Flock camera in their city. This alert ultimately led to the arrest of the suspect and the recovery of the firearm.

City of Ellensburg WASHINGTON

4

4

Kidnapping and missing persons

- An agency in Broken Arrow Oklahoma used the system to track down two kidnappers and return a woman to her family.
- Missing persons who are entered into the national database or Flock-such as Amber Alerts, Silver Alerts or missing and endangered will trigger LE response

City of Ellensburg WASHINGTON

5

5

City Camera Network

- The City of Ellensburg has utilized traffic cameras around town for a number of years. These have provided pivotal footage in other cases, and led to the recovery of critical evidence.
- The only difference is that the Automatic License Plate Reader function automatically queries national databases for known vehicles suspected of criminal activity or missing/endangered persons.

City of Ellensburg WASHINGTON

6

6

Data Questions

- The Flock system has a 30 day “hard delete”. This means that all information held in the system is deleted and not recoverable after that time unless we have downloaded for investigative reasons.
- There is no meta data or statistical information held back according to Flock representatives.

City of Ellensburg WASHINGTON

7

7

What About False Positives

- Yes- no technology is perfect. The Flock system will give a “confidence” indicator to the officer but its incumbent on our officers to verify hit information.
- False positive indications are a part of law enforcement life currently and we routinely work our way through these indications with our officers.
- That will continue to be the expectation.

City of Ellensburg WASHINGTON

8

8

Why Flock?

- **There are other vendors of ALPR technology.**
- **The primary and distinct difference with Flock is their network capacity. We will have the ability to access camera networks in Yakima, Kennewick, Moses Lake and multiple other jurisdictions in Washington.**
- **Transparency portal**
  - Ability to let the public know key details about what the system is being used for.
  - Audit capacity for ensuring ethical use.

City of Ellensburg WASHINGTON

9

9

The network effect

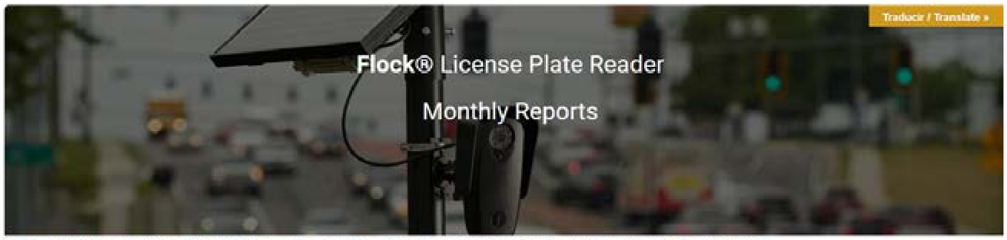
- **Since approximately 70 other agencies in Washington are using the Flock platform, we can take advantage of their information as well.**
- **Moses Lake Chief Dave Sands advised Flock implementation was a “game changer” for them. He advised their hit and run collision solvability went way up, they solved homicides and a bank robbery in around one year with the system in place.**

City of Ellensburg WASHINGTON

10

10

Transparency portal-Yakima PD



Click Here To Explore the Flock Transparency Portal for YPD

2024 Reports

January	February	March	April
May	June	July	August
September	October	November	December

City of Ellensburg WASHINGTON

11

11

Questions

City of Ellensburg WASHINGTON

12

12

Master Services Agreement

This Master Services Agreement (this "***Agreement***") is entered into by and between Flock Group, Inc. with a place of business at 1170 Howell Mill Road NW Suite 210, Atlanta, GA 30318 ("***Flock***") and the entity identified in the signature block ("***Customer***") (each a "***Party***," and together, the "***Parties***"). This Agreement is effective on the date of mutual execution ("***Effective Date***"). Parties will sign an Order Form ("***Order Form***") which will describe the Flock Services to be performed and the period for performance, attached hereto as **Exhibit A**.

RECITALS

WHEREAS, Flock offers a software and hardware situational awareness solution through Flock's technology platform that upon detection is capable of capturing audio, video, image, and recording data and provide notifications to Customer ("***Notifications***");

WHEREAS, Customer desires access to the Flock Services (defined below) on existing devices, provided by Customer, or Flock provided Flock Hardware (as defined below) in order to create, view, search and archive Footage and receive Notifications, via the Flock Services;

WHEREAS, Customer shall have access to the Footage in Flock Services. Pursuant to Flock's standard Retention Period (defined below) Flock deletes all Footage on a rolling thirty (30) day basis, except as otherwise stated on the ***Order Form***. Customer shall be responsible for extracting, downloading and archiving Footage from the Flock Services on its own storage devices; and

WHEREAS, Flock desires to provide Customer the Flock Services and any access thereto, subject to the terms and conditions of this Agreement, solely for the awareness, prevention, and prosecution of crime, bona fide investigations and evidence gathering for law enforcement purposes, ("***Permitted Purpose***").

1. DEFINITIONS

Certain capitalized terms, not otherwise defined herein, have the meanings set forth or cross-referenced in this Section 1.

1.1 "***Agreement***" means the order form (to be provided as Exhibit A, "Order Form"), these terms and conditions, and any document therein incorporated by reference in section 11.4.

1.2 "***Anonymized Data***" means Customer Data permanently stripped of identifying details and any potential personally identifiable information, by commercially available standards which irreversibly alters data in such a way that a data subject (i.e., individual person or entity) can no longer be identified directly or indirectly.

1.3 "***Authorized End User(s)***" means any individual employees, agents, or contractors of Customer accessing or using the Services, under the rights granted to Customer pursuant to this Agreement.

1.4 "***Customer Data***" means the data, media, and content provided by Customer through the Services. For the avoidance of doubt, the Customer Data will include the Footage.

1.5. "***Customer Hardware***" means the third-party camera owned or provided by Customer and any other physical elements that interact with the Embedded Software and the Web Interface to provide the Services.

1.6 "***Effective Date***" means the date this Agreement is mutually executed (valid and enforceable) by both Parties.

1.7 "***Embedded Software***" means the Flock proprietary software and/or firmware integrated with or installed on the Flock Hardware or Customer Hardware.

1.8 "***Flock Hardware***" means the Flock device(s), which may include the pole, clamps, solar panel, installation components, and any other physical elements that interact with the Embedded Software and the Web Interface, to provide the Flock Services as specifically set forth in the applicable Order Form.

1.9 "***Flock IP***" means the Services, the Embedded Software, and any intellectual property or proprietary information therein or otherwise provided to Customer and/or its Authorized End Users. Flock IP does not include Footage (as defined below).

1.10 "***Flock Services***" means the provision of Flock's software and hardware situational awareness solution, via the Web Interface, for automatic license plate detection, alerts, audio detection, searching image records, video and sharing Footage.

1.11 “***Footage***” means still images, video, audio, and other data captured by the Flock Hardware or Customer Hardware in the course of and provided via the Flock Services.

1.12 “***Installation Services***” means the services provided by Flock for installation of Flock Services.

1.13 “***Permitted Purpose***” means for legitimate public safety and/or business purpose, including but not limited to the awareness, prevention, and prosecution of crime; investigations; and prevention of commercial harm, to the extent permitted by law.

1.14 “***Retention Period***” means the time period that the Customer Data is stored within the cloud storage, as specified in the applicable Order Form. Flock deletes all Footage on a rolling thirty (30) day basis, except as otherwise stated on the Order Form. Customer shall be responsible for extracting, downloading and archiving Footage from the Flock Services on its own storage devices.

1.15 “***Term***” means the date, unless otherwise stated in the Order Form, upon which the cameras are validated by both Parties as operational.

1.16 “***Web Interface***” means the website(s) or application(s) through which Customer and its Authorized End Users can access the Services.

2. SERVICES AND SUPPORT

2.1 **Provision of Access.** Flock hereby grants to Customer a non-exclusive, non-transferable right to access the features and functions of the Flock Services via the Web Interface during the Term, solely for the Authorized End Users. The Footage will be available for Authorized End Users to access and download via the Web Interface for the Retention Period. Authorized End Users will be required to sign up for an account and select a password and username ("***User ID***"). Customer shall be responsible for all acts and omissions of Authorized End Users. Customer shall undertake reasonable efforts to make all Authorized End Users aware of all applicable provisions of this Agreement and shall cause Authorized End Users to comply with such provisions. Flock may use the services of one or more third parties to deliver any part of the Flock Services, (such as using a third party to host the Web Interface for cloud storage or a cell phone provider for wireless cellular coverage).

2.2 **Embedded Software License.** Flock grants Customer a limited, non-exclusive, non-transferable, non-sublicensable (except to the Authorized End Users), revocable right to use the Embedded Software as it pertains to Flock Services, solely as necessary for Customer to use the Flock Services.

2.3 **Support Services.** Flock shall monitor the Flock Services, and any applicable device health, in order to improve performance and functionality. Flock will use commercially reasonable efforts to respond to requests for support within seventy-two (72) hours. Flock will provide Customer with reasonable technical and on-site support and maintenance services in-person, via phone or by email at support@flocksafety.com (such services collectively referred to as ***"Support Services"***).

2.4 **Updates to Platform.** Flock may make any updates to system or platform that it deems necessary or useful to (i) maintain or enhance the quality or delivery of Flock's products or services to its agencies, the competitive strength of, or market for, Flock's products or services, such platform or system's cost efficiency or performance, or (ii) to comply with applicable law. Parties understand that such updates are necessary from time to time and will not diminish the quality of the services or materially change any terms or conditions within this Agreement.

2.5 **Service Interruption.** Services may be interrupted in the event that: (a) Flock's provision of the Services to Customer or any Authorized End User is prohibited by applicable law; (b) any third-party services required for Services are interrupted; (c) if Services are being used for malicious, unlawful, or otherwise unauthorized use; (d) there is a threat or attack on any of the Flock IP by a third party; or (e) scheduled or emergency maintenance ("***Service Interruption***"). Flock will make commercially reasonable efforts to provide written notice of any Service Interruption to Customer, to provide updates, and to resume providing access to Flock Services as soon as reasonably possible after the event giving rise to the Service Interruption is cured. Flock will have no liability for any damage, liabilities, losses (including any loss of data or profits), or any other consequences that Customer or any Authorized End User may incur as a result of a Service Interruption. To the extent that the Service Interruption is not caused by Customer's direct actions or by the actions of parties associated with the Customer, the time will be tolled by the duration of the Service Interruption (for any continuous suspension lasting at least one full day). For example, in the event of a Service Interruption lasting five (5) continuous days, Customer will receive a credit for five (5) free days at the end of the Term.

2.6 **Service Suspension.** Flock may temporarily suspend Customer's and any Authorized End User's access to any portion or all of the Flock IP or Flock Service if (a) there is a threat or attack on any of the Flock IP by Customer; (b) Customer's or any Authorized End User's use of the Flock IP disrupts or poses a security risk to the Flock IP or any other customer or vendor of Flock; (c) Customer or any Authorized End User is/are using the Flock IP for fraudulent or illegal activities; (d) Customer has violated any term of this provision, including, but not limited to, utilizing Flock Services for anything other than the Permitted Purpose; or (e) any unauthorized access to Flock Services through Customer's account ("***Service Suspension***"). Customer shall not be entitled to any remedy for the Service Suspension period, including any reimbursement, tolling, or credit. If the Service Suspension was not caused by Customer, the Term will be tolled by the duration of the Service Suspension.

2.7 **Hazardous Conditions.** Flock Services do not contemplate hazardous materials, or other hazardous conditions, including, without limit, asbestos, lead, or toxic or flammable substances. In the event any such hazardous materials are discovered in the designated locations in which Flock is to perform services under this Agreement, Flock shall have the right to cease work immediately.

3. CUSTOMER OBLIGATIONS

3.1 **Customer Obligations.** Flock will assist Customer Authorized End Users in the creation of a User ID. Authorized End Users agree to provide Flock with accurate, complete, and updated registration information. Authorized End Users may not select as their User ID, a name that they do not have the right to use, or any other name with the intent of impersonation. Customer and Authorized End Users may not transfer their account to anyone else without prior written permission of Flock. Authorized End Users shall not share their account username or password information and must protect the security of the username and password. Unless otherwise stated and defined in this Agreement, Customer shall not designate Authorized End Users for persons who are not officers, employees, or agents of Customer. Authorized End Users shall only use Customer-issued email addresses for the creation of their User ID. Customer is responsible for any Authorized End User activity associated with its account. Customer shall ensure that Customer provides Flock with up-to-date contact information at all times during the Term of this agreement. Customer shall be responsible for obtaining and maintaining any equipment and ancillary services needed to connect to, access or otherwise use the Flock Services (e.g., laptops, internet connection, mobile devices, etc.). Customer shall (at its own expense) provide Flock with reasonable access and use of Customer facilities and Customer personnel in order to enable Flock to perform Services (such obligations of Customer are collectively defined as ***"Customer Obligations"***).

3.2 **Customer Representations and Warranties.** Customer represents, covenants, and warrants that Customer shall use Flock Services only in compliance with this Agreement and all applicable laws and regulations, including but not limited to any laws relating to the recording or sharing of data, video, photo, or audio content.

4. DATA USE AND LICENSING

4.1 **Customer Data.** As between Flock and Customer, all right, title and interest in the Customer Data, belong to and are retained solely by Customer. Customer hereby grants to Flock a limited, non-exclusive, royalty-free, irrevocable, worldwide license to use the Customer Data and perform all acts as may be necessary for Flock to provide the Flock Services to Customer. Flock does not own and shall not sell Customer Data.

4.2 **Customer Generated Data.** Flock may provide Customer with the opportunity to post, upload, display, publish, distribute, transmit, broadcast, or otherwise make available, messages, text, illustrations, files, images, graphics, photos, comments, sounds, music, videos, information, content, ratings, reviews, data, questions, suggestions, or other information or materials produced by Customer (***"Customer Generated Data"***). Customer shall retain whatever legally cognizable right, title, and interest in Customer Generated Data. Customer understands and acknowledges that Flock has no obligation to monitor or enforce Customer's intellectual property rights of Customer Generated Data. Customer grants Flock a non-exclusive, irrevocable, worldwide, royalty-free, license to use the Customer Generated Data for the purpose of providing Flock Services. Flock does not own and shall not sell Customer Generated Data.

4.3 **Anonymized Data.** Flock shall have the right to collect, analyze, and anonymize Customer Data and Customer Generated Data to the extent such anonymization renders the data non-identifiable to create Anonymized Data to use and perform the Services and related systems and technologies, including the training of machine learning algorithms. Customer hereby grants Flock a non-exclusive, worldwide, perpetual, royalty-free right to use and distribute such Anonymized Data to improve and enhance the Services and for other development, diagnostic and corrective purposes, and other Flock offerings. Parties understand that the aforementioned license is required for continuity of Services. Flock does not own and shall not sell Anonymized Data.

5. CONFIDENTIALITY; DISCLOSURES

5.1 **Confidentiality.** To the extent required by any applicable public records requests, each Party (the "***Receiving Party***") understands that the other Party (the "***Disclosing Party***") has disclosed or may disclose business, technical or financial information relating to the Disclosing Party's business (hereinafter referred to as "***Proprietary Information***" of the Disclosing Party). Proprietary Information of Flock includes non-public information regarding features, functionality and performance of the Services. Proprietary Information of Customer includes non-public data provided by Customer to Flock or collected by Flock via Flock Services, which includes but is not limited to geolocation information and environmental data collected by sensors. The Receiving Party agrees: (i) to take the same security precautions to protect against disclosure or unauthorized use of such Proprietary Information that the Party takes with its own proprietary information, but in no event less than commercially reasonable precautions, and (ii) not to use (except in performance of the Services or as otherwise permitted herein) or divulge to any third person any such Proprietary Information. The Disclosing Party agrees that the foregoing shall not apply with respect to any information that the Receiving Party can document (a) is or becomes generally available to the public; or (b) was in its possession or known by it prior to receipt from the Disclosing Party; or (c) was rightfully disclosed to it without restriction by a third party; or (d) was independently developed without use of any Proprietary Information of the Disclosing Party. Nothing in this Agreement will prevent the Receiving Party from disclosing the Proprietary Information pursuant to any judicial, governmental order or in response to a request made under the Washington Public Records Act, ch. 42.56 RCW, provided that the Receiving Party gives the Disclosing Party reasonable prior notice of such disclosure to contest such order or request. At the termination of this Agreement, all Proprietary Information will be returned to the Disclosing Party, destroyed or erased (if recorded on an erasable storage medium), together with any copies thereof, when no longer needed for the purposes above, or upon request from the Disclosing Party, and in any case upon termination of the Agreement. Notwithstanding any termination, all confidentiality obligations of Proprietary Information that is trade secret shall continue in perpetuity or until such information is no longer trade secret.

5.2 **Usage Restrictions on Flock IP.** Flock and its licensors retain all right, title and interest in and to the Flock IP and its components, and Customer acknowledges that it neither owns nor acquires any additional rights in and to the foregoing not expressly granted by this Agreement. Customer further acknowledges that Flock retains the right to use the foregoing for any purpose in Flock's sole discretion. Customer and Authorized End Users shall not: (i) copy or duplicate any of the Flock IP; (ii) decompile, disassemble, reverse engineer, or otherwise attempt to obtain or perceive the source code from which any software component of any of the Flock IP is compiled or interpreted, or apply any other process or procedure to derive the source code of any software included in the Flock IP; (iii) attempt to modify, alter, tamper with or repair any of the Flock IP, or attempt to create any derivative product from any of the foregoing; (iv) interfere or attempt to interfere in any manner with the functionality or proper working of any of the Flock IP; (v) remove, obscure, or alter any notice of any intellectual property or proprietary right appearing on or contained within the Flock Services or Flock IP; (vi) use the Flock Services for anything other than the Permitted Purpose; or (vii) assign, sublicense, sell, resell, lease, rent, or otherwise transfer, convey, pledge as security, or otherwise encumber, Customer's rights. There are no implied rights.

5.3 **Disclosure of Footage.** Subject to and during the Retention Period, Flock may access, use, preserve and/or disclose the Footage to law enforcement authorities, government officials, and/or third parties, if legally required to do so or if Flock has a good faith belief that such access, use, preservation or disclosure is reasonably necessary to comply with a legal process, enforce this Agreement, or detect, prevent or otherwise address security, privacy, fraud or technical issues, or emergency situations.

6. PAYMENT OF FEES

6.1 **Billing and Payment of Fees**. Customer shall pay the fees set forth in the applicable Order Form based on the billing structure and payment terms as indicated in the Order Form. To the extent the Order Form is silent, Customer shall pay all invoices net thirty (30) days from the date of receipt. If Customer believes that Flock has billed Customer incorrectly, Customer must contact Flock no later than thirty (30) days after the closing date on the first invoice in which the error or problem appeared to receive an adjustment or credit. Customer acknowledges and agrees that a failure to contact Flock within this period will serve as a waiver of any claim. If any undisputed fee is more than thirty (30) days overdue, Flock may, without limiting its other rights and remedies, suspend delivery of its service until such undisputed invoice is paid in full. Flock shall provide at least thirty (30) days' prior written notice to Customer of the payment delinquency before exercising any suspension right.

6.2 **Notice of Changes to Fees.** In the event of any changes to fees, Flock shall provide Customer with sixty (60) days' notice (email sufficient) prior to the end of the Initial Term or Renewal Term (as applicable). Any such changes to fees shall only impact subsequent Renewal Terms.

6.3 **Taxes.** To the extent Customer is not a tax exempt entity, Customer is responsible for all taxes, levies, or duties, excluding only taxes based on Flock's net income, imposed by taxing authorities associated with the order. If Flock has the legal obligation to pay or collect taxes, including amount subsequently assessed by a taxing authority, for which Customer is responsible, the appropriate amount shall be invoice to and paid by Customer unless Customer provides Flock a legally sufficient tax exemption certificate and Flock shall not charge Customer any taxes from which it is exempt. If any deduction or withholding is required by law, Customer shall notify Flock and shall pay Flock any additional amounts necessary to ensure that the net amount that Flock receives, after any deduction and withholding, equals the amount Flock would have received if no deduction or withholding had been required.

7. TERM AND TERMINATION

7.1 **Term.** The initial term of this Agreement shall be for the period of time set forth on the Order Form (the "***Term***"). Unless otherwise indicated on the Order Form, the Term shall commence upon first installation of Flock Hardware, as applicable. Following the Term, unless otherwise indicated on the Order Form, this Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a "***Renewal Term***") unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.

7.2 **Termination.** Upon termination or expiration of this Agreement, Flock will remove any applicable Flock Hardware at a commercially reasonable time period. In the event of any material breach of this Agreement, the non-breaching Party may terminate this Agreement prior to the end of the Term by giving thirty (30) days prior written notice to the breaching Party; provided, however, that this Agreement will not terminate if the breaching Party has cured the breach prior to the expiration of such thirty (30) day period ("***Cure Period***"). Either Party may terminate this Agreement (i) upon the institution by or against the other Party of insolvency, receivership or bankruptcy proceedings, (ii) upon the other Party's making an assignment for the benefit of creditors, or (iii) upon the other Party's dissolution or ceasing to do business. In the event of a material breach by Flock, and Flock is unable to cure within the ***Cure Period***, Flock will refund Customer a pro-rata portion of the pre-paid fees for Services not received due to such termination.

7.3 **Survival**. The following Sections will survive termination: 1, 3, 5, 6, 7, 8.3, 8.4, 9, 11.1 and 11.6.

8. REMEDY FOR DEFECT; WARRANTY AND DISCLAIMER

8.1 **Manufacturer Defect.** Upon a malfunction or failure of Flock Hardware or Embedded Software (a **"*Defect*"**), Customer must notify Flock's technical support team. In the event of a

Defect, Flock shall make a commercially reasonable attempt to repair or replace the defective Flock Hardware at no additional cost to the Customer. Flock reserves the right, in its sole discretion, to repair or replace such Defect, provided that Flock shall conduct inspection or testing within a commercially reasonable time, but no longer than seven (7) business days after Customer gives notice to Flock.

8.2 **Replacements.** In the event that Flock Hardware is lost, stolen, or damaged, Customer may request a replacement of Flock Hardware at a fee according to the reinstall fee schedule (https://www.flocksafety.com/reinstall-fee-schedule). In the event that Customer chooses not to replace lost, damaged, or stolen Flock Hardware, Customer understands and agrees that Flock is not liable for any resulting impact to Flock service, nor shall Customer receive a refund for the lost, damaged, or stolen Flock Hardware.

8.3 **Warranty.** Flock shall use reasonable efforts consistent with prevailing industry standards to maintain the Services in a manner which minimizes errors and interruptions in the Services and shall perform the Installation Services in a professional and workmanlike manner. Services may be temporarily unavailable for scheduled maintenance or for unscheduled emergency maintenance, either by Flock or by third-party providers, or because of other causes beyond Flock's reasonable control, but Flock shall use reasonable efforts to provide advance notice in writing or by e-mail of any scheduled service disruption.

8.4 **Disclaimer.** THE REMEDY DESCRIBED IN SECTION 8.1 ABOVE IS CUSTOMER'S SOLE REMEDY, AND FLOCK'S SOLE LIABILITY, WITH RESPECT TO DEFECTS. FLOCK DOES NOT WARRANT THAT THE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE; NOR DOES IT MAKE ANY WARRANTY AS TO THE RESULTS THAT MAY BE OBTAINED FROM USE OF THE SERVICES. EXCEPT AS EXPRESSLY SET FORTH IN THIS SECTION, THE SERVICES ARE PROVIDED "AS IS" AND FLOCK DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THIS DISCLAIMER ONLY APPLIES TO THE EXTENT ALLOWED BY THE GOVERNING LAW OF THE STATE MENTIONED IN SECTION 11.6.

8.5 **Insurance.** Flock will maintain commercial general liability policies as stated in Exhibit B.

8.6 **Force Majeure.** Parties are not responsible or liable for any delays or failures in performance from any cause beyond their control, including, but not limited to acts of God, changes to law or regulations, embargoes, war, terrorist acts, pandemics (including the spread of variants), issues of national security, acts or omissions of third-party technology providers, riots, fires, earthquakes, floods, power blackouts, strikes, supply chain shortages of equipment or supplies, financial institution crisis, weather conditions or acts of hackers, internet service providers or any other third party acts or omissions.

9. LIMITATION OF LIABILITY; INDEMNITY

9.1 **Limitation of Liability.** NOTWITHSTANDING ANYTHING TO THE CONTRARY, FLOCK, ITS OFFICERS, AFFILIATES, REPRESENTATIVES, CONTRACTORS AND EMPLOYEES SHALL NOT BE RESPONSIBLE OR LIABLE WITH RESPECT TO ANY SUBJECT MATTER OF THIS AGREEMENT OR TERMS AND CONDITIONS RELATED THERETO UNDER ANY CONTRACT, NEGLIGENCE, STRICT LIABILITY, PRODUCT LIABILITY, OR OTHER THEORY: (A) FOR LOSS OF REVENUE, BUSINESS OR BUSINESS INTERRUPTION; (B) INCOMPLETE, CORRUPT, OR INACCURATE DATA; (C) COST OF PROCUREMENT OF SUBSTITUTE GOODS, SERVICES OR TECHNOLOGY; (D) FOR ANY INDIRECT, EXEMPLARY, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES; (E) FOR ANY MATTER BEYOND FLOCK'S ACTUAL KNOWLEDGE OR REASONABLE CONTROL INCLUDING REPEAT CRIMINAL ACTIVITY OR INABILITY TO CAPTURE FOOTAGE; OR (F) FOR ANY AMOUNTS THAT, TOGETHER WITH AMOUNTS ASSOCIATED WITH ALL OTHER CLAIMS, EXCEED TWO TIMES (2X) THE FEES PAID AND/OR PAYABLE BY CUSTOMER TO FLOCK FOR THE SERVICES UNDER THIS AGREEMENT) PRIOR TO THE ACT OR OMISSION THAT GAVE RISE TO THE LIABILITY, IN EACH CASE, WHETHER OR NOT FLOCK HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THIS LIMITATION OF LIABILITY OF SECTION ONLY APPLIES TO THE EXTENT ALLOWED BY THE GOVERNING LAW OF THE STATE REFERENCED IN SECTION 11.6. NOTWITHSTANDING ANYTHING TO THE CONTRARY, THE FOREGOING LIMITATIONS OF LIABILITY SHALL NOT APPLY (I) IN THE EVENT OF GROSS NEGLIGENCE OR WILLFUL MISCONDUCT, OR (II) INDEMNIFICATION OBLIGATIONS.

9.2 **Responsibility.** Each Party to this Agreement shall assume the responsibility and liability for the acts and omissions of its own employees, officers, or agents, in connection with the performance of their official duties under this Agreement. Each Party to this Agreement shall be liable for the torts of its own officers, agents, or employees.

9.3 **Flock Indemnity.** Flock shall indemnify and hold harmless Customer, its agents and employees, from liability of any kind, including claims, costs (including defense) and expenses, on account of: (i) any copyrighted material, patented or unpatented invention, articles, device or appliance manufactured or used in the performance of this Agreement; or (ii) any damage or injury to property or person directly caused by Flock's installation of Flock Hardware, except for where such damage or injury was caused solely by the negligence of the Customer or its agents, officers or employees. Flock's performance of this indemnity obligation shall not exceed the fees paid and/or payable for the services rendered under this Agreement in the preceding twenty-four (24) months.

10. INSTALLATION SERVICES AND OBLIGATIONS

10.1 **Ownership of Hardware**. Flock Hardware is owned and shall remain the exclusive property of Flock. Title to any Flock Hardware shall not pass to Customer upon execution of this Agreement, except as otherwise specifically set forth in this Agreement. Except as otherwise expressly stated in this Agreement, Customer is not permitted to remove, reposition, re-install, tamper with, alter, adjust or otherwise take possession or control of Flock Hardware. Customer agrees and understands that in the event Customer is found to engage in any of the foregoing restricted actions, all warranties herein shall be null and void, and this Agreement shall be subject to immediate termination for material breach by Customer. Customer shall not perform any acts which would interfere with the retention of title of the Flock Hardware by Flock. Should Customer default on any payment of the Flock Services, Flock may remove Flock Hardware at Flock's discretion. Such removal, if made by Flock, shall not be deemed a waiver of Flock's rights to any damages Flock may sustain as a result of Customer's default and Flock shall have the right to enforce any other legal remedy or right.

10.2 **Deployment Plan**. Flock shall advise Customer on the location and positioning of the Flock Hardware for optimal product functionality, as conditions and locations allow. Flock will collaborate with Customer to design the strategic geographic mapping of the location(s) and implementation of Flock Hardware to create a deployment plan ("***Deployment Plan***"). In the event that Flock determines that Flock Hardware will not achieve optimal functionality at a designated location, Flock shall have final discretion to veto a specific location, and will provide alternative options to Customer.

10.3 **Changes to Deployment Plan.** After installation of Flock Hardware, any subsequent requested changes to the Deployment Plan, including, but not limited to, relocating, re-positioning, adjusting of the mounting, removing foliage, replacement, changes to heights of poles will incur a fee according to the reinstall fee schedule located at (https://www.flocksafety.com/reinstall-fee-schedule). Customer will receive prior notice and confirm approval of any such fees.

10.4 **Customer Installation Obligations**. Customer is responsible for any applicable supplementary cost as described in the Customer Implementation Guide, attached hereto as Exhibit C. Customer represents and warrants that it has, or shall lawfully obtain, all necessary right title and authority and hereby authorizes Flock to install the Flock Hardware at the designated locations and to make any necessary inspections or maintenance in connection with such installation.

10.5 **Flock's Obligations**. Installation of any Flock Hardware shall be installed in a professional manner within a commercially reasonable time from the Effective Date of this Agreement. Upon removal of Flock Hardware, Flock shall restore the location to its original condition, ordinary wear and tear excepted. Flock will continue to monitor the performance of Flock Hardware for the length of the Term. Flock may use a subcontractor or third party to perform certain obligations under this Agreement, provided that Flock's use of such subcontractor or third party shall not release Flock from any duty or liability to fulfill Flock's obligations under this Agreement.

11. MISCELLANEOUS

11.1 **Compliance With Laws.** Parties shall comply with all applicable local, state and federal laws, regulations, policies and ordinances and their associated record retention schedules, including responding to any subpoena request(s).

11.2 **Severability.** If any provision of this Agreement is found to be unenforceable or invalid, that provision will be limited or eliminated to the minimum extent necessary so that this Agreement will otherwise remain in full force and effect.

11.3 **Assignment.** This Agreement is not assignable, transferable or sublicensable by either Party, without prior consent. Notwithstanding the foregoing, either Party may assign this Agreement, without the other Party's consent, (i) to any parent, subsidiary, or affiliate entity, or (ii) to any purchaser of all or substantially all of such Party's assets or to any successor by way of merger, consolidation or similar transaction.

11.4 **Entire Agreement.** This Agreement, together with the Order Form(s), the reinstall fee schedule (https://www.flocksafety.com/reinstall-fee-schedule), and any attached exhibits are the complete and exclusive statement of the mutual understanding of the Parties and supersedes and cancels all previous or contemporaneous negotiations, discussions or agreements, whether written and oral, communications and other understandings relating to the subject matter of this Agreement. All waivers and modifications must be in a writing signed by both Parties, except as otherwise provided herein. None of Customer's purchase orders, authorizations or similar documents will alter the terms of this Agreement, and any such conflicting terms are expressly rejected. Any mutually agreed upon future purchase order is subject to these legal terms and does not alter the rights and obligations under this Agreement, except that future purchase orders may outline additional products, services, quantities and billing terms to be mutually accepted by Parties. In the event of any conflict of terms found in this Agreement or any other terms and conditions, the terms of this Agreement shall prevail. Customer agrees that Customer's purchase is neither contingent upon the delivery of any future functionality or features nor dependent upon any oral or written comments made by Flock with respect to future functionality or feature.

11.5 **Relationship.** No agency, partnership, joint venture, or employment is created as a result of this Agreement and Parties do not have any authority of any kind to bind each other in any respect whatsoever. Flock shall at all times be and act as an independent contractor to Customer.

11.6 **Governing Law; Venue.** This Agreement shall be governed by the laws of the state of Washington. The Parties hereto agree that venue would be proper in the Superior Court of Kittitas County. The Parties agree that the United Nations Convention for the International Sale of Goods is excluded in its entirety from this Agreement.

11.7 **Special Terms.** Flock may offer certain special terms which are indicated in the Order Form and will become part of this Agreement, upon Customer's prior written consent and the mutual execution by authorized representatives ("***Special Terms***"). To the extent that any terms of this Agreement are inconsistent or conflict with the Special Terms, the Special Terms shall control.

11.8 **Publicity.** Upon prior written consent, Flock has the right to reference and use Customer's name and disclose the nature of the Services in business and development and marketing efforts. Nothing contained in this Agreement shall be construed as conferring on any Party, any right to use the other Party's name as an endorsement of product/service.

11.9 **Feedback.** If Customer or Authorized End User provides any suggestions, ideas, enhancement requests, feedback, recommendations or other information relating to the subject matter hereunder, Agency or Authorized End User hereby assigns to Flock all right, title and interest (including intellectual property rights) with respect to or resulting from any of the foregoing.

11.10 **Export.** Customer may not remove or export from the United States or allow the export or re-export of the Flock IP or anything related thereto, or any direct product thereof in violation of any restrictions, laws or regulations of the United States Department of Commerce, the United States Department of Treasury Office of Foreign Assets Control, or any other United States or foreign Customer or authority. As defined in Federal Acquisition Regulation ("FAR"), section 2.101, the Services, the Flock Hardware and Documentation are "commercial items" and according to the Department of Defense Federal Acquisition Regulation ("DFAR") section 252.2277014(a)(1) and are deemed to be "commercial computer software" and "commercial computer software documentation." Flock is compliant with FAR Section 889 and does not contract or do business with, use any equipment, system, or service that uses the enumerated banned Chinese telecommunication companies, equipment or services as a substantial or essential component of any system, or as critical technology as part of any Flock system. Consistent with DFAR section 227.7202 and FAR section 12.212, any use, modification, reproduction, release, performance, display, or disclosure of such commercial software or commercial software documentation by the U.S. Government will be governed solely by the terms of this Agreement and will be prohibited except to the extent expressly permitted by the terms of this Agreement.

11.11 **Headings.** The headings are merely for organization and should not be construed as adding meaning to the Agreement or interpreting the associated sections.

11.12 **Authority.** Each of the below signers of this Agreement represent that they understand this Agreement and have the authority to sign on behalf of and bind the Parties they are representing upon the Effective Date.

11.13 **Conflict.** In the event there is a conflict between this Agreement and any applicable statement of work, or Customer purchase order, this Agreement controls unless explicitly stated otherwise.

11.14 **Notices.** All notices under this Agreement will be in writing and will be deemed to have been duly given when received, if personally delivered; when receipt is electronically confirmed, if transmitted by email; the day after it is sent, if sent for next day delivery by recognized overnight delivery service; and upon receipt to the address listed on the Order Form (or, if different, below), if sent by certified or registered mail, return receipt requested.

11.15 **Non-Appropriation.** Notwithstanding any other provision of this Agreement, all obligations of the Customer under this Agreement which require the expenditure of public funds are conditioned on the availability of said funds appropriated for that purpose. To the extent applicable, Customer shall have the right to terminate this Agreement for non appropriation with thirty (30) days written notice without penalty or other cost.

.

FLOCK NOTICES ADDRESS:

1170 HOWELL MILL ROAD, NW SUITE 210
ATLANTA, GA 30318
ATTN: LEGAL DEPARTMENT
EMAIL: legal@flocksafety.com

Customer NOTICES ADDRESS:

ADDRESS:	Ellensburg Police Department
	100 N. Pearl Street
	Ellensburg, WA 98926
ATTN:	Ellensburg Police Chief Wade
EMAIL:	wadek@ci.ellensburg.wa.us

EXHIBIT B

INSURANCE

A. Insurance Term

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

B. No Limitation

The Consultant's maintenance of insurance as required by the Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the Public Entity's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance

The Consultant shall obtain insurance of the types and coverage described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written at least as broad as Insurance Services Office (ISO) form CA 00 01.

2. Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap, independent contractors and personal injury and advertising injury. The Public Entity shall be named as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the Public Entity using an additional insured endorsement at least as broad as ISO endorsement form CG 20 26.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

4. Technology Errors & Omissions (E&O)

5. Network Security (Cyber) and Privacy Insurance shall include, but not be limited to, coverage, including defense, for the following losses or services:

    Liability arising from theft, dissemination, and/or use of Public Entity confidential and personally identifiable information, including but not limited to, any information about an individual maintained by the Public Entity, including (i) any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (ii) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information regardless of how or where the information is stored or transmitted.

Network security liability arising from (i) the unauthorized access to, use of, or tampering with computer systems, including hacker attacks; or (ii) the inability of an authorized third party to gain access to supplier systems and/or Public Entity data, including denial of service, unless caused by a mechanical or electrical failure; (iii) introduction of any unauthorized software computer code or virus causing damage to the Public Entity or any other third party data.

Lawfully insurable fines and penalties resulting or alleging from a data breach.

Event management services and first-party loss expenses for a data breach response including crisis management services, credit monitoring for individuals, public relations, legal service advice, notification of affected parties, independent information security forensics firm, and costs to re-secure, re-create and restore data or systems.

D. Minimum Amounts of Insurance

The Consultant shall maintain the following insurance limits:

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

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

3. Technology Errors & Omissions (E&O) shall be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

4. Network Security (Cyber) and Privacy Insurance shall be written with limits no less than $2,000.000 per claim $2,000,000 policy aggregate for network security and privacy coverage, $100,000 per claim for regulatory action (fines and penalties), and $100,000 per claim for event management services.

E. Other Insurance Provision

The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the Public Entity. Any insurance, self-insurance, or self-insured pool coverage maintained by the Public Entity shall be excess of the Contractor's insurance and shall not contribute with it.

Agenda #11.C

Meeting Date: August 19, 2024
City of Ellensburg
City Council Agenda Report

Agenda Subject: Stan Bassett Youth Center Roof Project Budget Carryforward
Submitted by: Brad Case, Parks & Recreation Director
Department: Parks & Recreation

Suggested Motion/Action:
Approve budget carryforward from 2023 to 2024 for the Stan Bassett Youth Center reproofing project.

Background/Summary:
The 2023 budget included funding to reroof the Stan Bassett Youth Center, but the project wasn't completed. Funding for this project comes from the 2017 Capital Construction Bond.

Previous Council Action:
Council adopted 2023 budget for this project and approved use 2017 Capital Construction Bond dollars in 2023.

Analysis:
The youth center roof is in poor condition, there are a number of leaks throughout the building. Staff was able to secure a contractor to do the work while the facility is closed during its annual end of summer shut down, thus not having an impact on the delivery of services.

The cost of the project is $51,436.00 plus tax.

Financial Impact:
Funding will be taken from the 2017 Capital Construction Bond.

Budget Adjustment: Yes

Attachments:
None

MANAGER'S REPORT

DATE: August 19, 2024

TO: Ellensburg City Council

FROM: Heidi Behrends Cerniwey, City Manager

---

1. Closed Record Public Hearing
   Staff would like to advise Council that a public hearing has been set for September 3, 2024 to consider application #P22-059, a Type IV Preliminary Plat submitted by Whipple Consulting Engineers, agents for the property owner for the Foster North Long Plat Subdivision located North of Dry Creek Rd, East of Reecer Creek Road, south of the Palouse to Cascade Trail, and adjacent to the original Foster Subdivision plat, in the City of Ellensburg, WA, Kittitas County Assessor's Parcel Numbers: 14599, 14600,14602, & 851033.

2. 2025 Grant Applications Available
   Applications are available on the City website for 2025 Council-funded Grants and Arts Commission Grants for work to be completed in 2025. Applications are due by 5:00 p.m. on Friday, August 30, 2024. Information and application materials for each program are available on the City's website at: www.ellensburgwa.gov/grants.

3. Natural Gas Purchase Notification
   Staff is notifying City Council, as required by Chapter 9.80 of the ECC, of a recent natural gas purchase commitment to Shell Energy North America. The purchase commitment is for 1,000 MMBtus per day starting September 1, 2024, ending October 31, 2024, at $1.82/MMBtu. Total purchase commitment of 61,000 MMBtus, for a total cost of $111,020.

4. Cold Weather Shelter Location Secured
   Kittitas County Board of County Commissioners approved use of a room at the Western Village facility for the 2024-2025 Cold Weather Shelter (CWS). The facility offers approx. 2,000 square feet of open congregate area, a commercial kitchen, restrooms, fenced facility, and optional showers. HopeSource has been selected as the operator and will work with County staff to develop a scope of work. The County received a special distribution award from the State from the Consolidated Homelessness Grant program in the amount of ~$170K to support operations of the Cold Weather Shelter. Agreements will be managed through Kittitas County. Use of volunteers will be encouraged. Our staff are working on some materials to share with the community over the next few days/weeks to maximize opportunities to capture volunteers.

5. Lodging Tax Funding Applications for 2025 Due September 20

Kittitas County is now accepting applications for 2025 Lodging Tax Fund Grants for Special Events and Projects. This grant program is for special events and projects and is a collaborative undertaking between Kittitas County and each city that collects lodging tax. Applicants only need to complete one application to be eligible for consideration. The County and the cities of Ellensburg, Cle Elum, and Roslyn will jointly review and award funding. Funds awarded through this process may be used for tourism marketing; the marketing and operations of special events and festivals designed to attract tourists; and supporting the operation of tourism-related facilities owned or operated by non-profit organizations. Completed grant applications are due no later than September 20, 2024. More information is available online at the following link:
https://www.co.kittitas.wa.us/auditor/accounting/lodging-tax/default.aspx

6. Homelessness Survey – Please Share

Your input is needed to help shape Kittitas County's 5-year plan to address homelessness. Your insights are invaluable in guiding our efforts to support those in need and create effective solutions. Please take a few minutes to complete this brief survey. English version available at: Community Survey on Homelessness: Informing Our 5-Year Plan (surveymonkey.com)

Spanish version available at: Encuesta Comunitaria sobre la Falta de Vivienda: Informando Nuestro Plan de 5 Años. Survey (surveymonkey.com)

Help Shape Our Community's 5-Year Homelessness Plan

Your Voice Matters!

We need your input to develop a comprehensive 5-year plan to address homelessness in our community. Your feedback is crucial in guiding our efforts to support those in need and create effective solutions.

Scan the QR Code or Visit:

www.surveymonkey.com/r/P7H5V3B

For More Information Contact: Brittany Bouchouari, bbouchouari@hopesource.us

Thank you for your participation and commitment to our community

Ayúdenos a crear nuestro plan comunitario para la falta de vivienda de 5 años

¡Su voz es importante!

Necesitamos su participación para desarrollar un plan integral de 5 años para abordar la falta de vivienda en nuestra comunidad. Sus comentarios son cruciales para guiar nuestros esfuerzos para apoyar a aquellos que lo necesitan y crear soluciones eficientes.

Escanee el código QR o visite

www.surveymonkey.com/r/P7H5V3B

Para más información, póngase en contacto con:
Brittany Bouchouari, bbouchouari@Hopesource.us

¡Gracias por su participación y compromiso hacia nuestra comunidad!