

# CITY COUNCIL AGENDA

July 7, 2025



Ellensburg City Council welcomes and encourages public participation in their public meetings. Meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at [ectv2.com](http://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\\_hMe5FnNzQhi\\_sxpbGjA8\\_A](https://us02web.zoom.us/webinar/register/WN_hMe5FnNzQhi_sxpbGjA8_A)

The 6 p.m. Study Session will take place in the City Council Chambers, 501 N Anderson Street, Ellensburg, WA 98926. No public comment will be accepted. The meeting is available to livestream on YouTube at ECTV Ellensburg.

## Accessibility

The City of Ellensburg strives to make our services, programs, and activities readily accessible.

- 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."
- Members of the public who do not speak English or who have limited proficiency may request an interpreter if they wish to participate in public meetings.
- The City will provide reasonable accommodation for members of the public with disabilities.

*Please submit requests for language assistance or reasonable accommodation to the HR Director/ADA Coordinator by calling (509) 962-7222 or by email at [ADAACoordinator@ellensburgwa.gov](mailto:ADAACoordinator@ellensburgwa.gov). Five (5) business days' notice is appreciated.*

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| <b>COUNCIL MEETING</b><br><b>GUIDELINES FOR PUBLIC PARTICIPATION</b> |
|----------------------------------------------------------------------|

All City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at [www.ectv2.com](http://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](mailto: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](mailto: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, July 7, 2025  
6:00 PM – Study Session  
7:00 PM - Regular Meeting**

**Study Session**

A Comprehensive Plan Introduction (No Public Comment) 7

**Pledge of Allegiance**

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

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

**3. Awards and Recognitions**

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

**5. Consent Agenda** (No Public Comment)

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

5.A Approve Minutes of June 16, 2025 Regular Meeting 20

5.B Approve Minutes of June 16, 2025 Joint Study Session 25

5.C Acknowledge Minutes of Boards and Commissions 26

5.D Resolution 2025-16 Approving Blewett Blue Properties' Street Tree Removal Request at 401 W 12<sup>th</sup> Avenue 42

5.E Dynamics GP Software and Support Renewal 47

5.F Approval of Special Events Where Alcohol is Served 49

5.G 2024 City of Ellensburg Annual Financial Statement Report 50

5.H Laserfiche RMS Purchases 87

5.I Approve July 7, 2025 Voucher Listing 98

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



|            |                                                                                                                                                                                                                                                     |     |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 6.A        | Kittitas County Hospital District 1 Levy Presentation (Public Comment Opportunity)                                                                                                                                                                  |     |
| 6.B        | Boards & Commissions Appointment - Planning Commission (Public Comment Opportunity)                                                                                                                                                                 | 99  |
| 6.C        | Boards & Commissions Appointments - Landmarks & Design Commission (Public Comment Opportunity)                                                                                                                                                      | 103 |
| <b>7.</b>  | <b>Public Comment on Non-agenda Issues</b>                                                                                                                                                                                                          |     |
| <b>8.</b>  | <b>Business Requiring Public Hearings</b>                                                                                                                                                                                                           |     |
| 8.A        | Proposed Resolutions No. 2025-14 and No. 2025-15, Calling for a Special Election Ballot Proposition to Fund Ellensburg Public Transit, and Contingent Repeal of the Existing Transportation Sales and Use Tax (Public Comment Opportunity)          | 113 |
| <b>9.</b>  | <b>Introduction and Adoption of Ordinances and Resolutions</b>                                                                                                                                                                                      |     |
| 9.A        | Second Reading of Ordinance 4964 Traffic Code Revisions (Public Comment Opportunity)                                                                                                                                                                | 129 |
| 9.B        | Proposed Ordinance 4965 (First Reading)-Telecommunications Franchise Agreement with Ziply Fiber Pacific, LLC (Public Comment Opportunity)                                                                                                           | 135 |
| 9.C        | Proposed Ordinance 4966 (First Reading)-Telecommunications Franchise Agreement with Wholesail Networks, LLC (Public Comment Opportunity)                                                                                                            | 157 |
| 9.D        | Resolution 2025-11 Amending the Fiscal Year 2025 Pay Plan for Non-Represented Employees (Public Comment Opportunity)                                                                                                                                | 178 |
| 9.E        | Resolution 2025-13 Amending the City Council Rules of Procedure (Public Comment Opportunity)                                                                                                                                                        | 186 |
| 9.F        | Resolution 2025-18 - Adoption of the Public Participation Plan for the 2026 Comprehensive Plan Periodic Update (Public Comment Opportunity)                                                                                                         | 220 |
| <b>10.</b> | <b>Unfinished Business</b>                                                                                                                                                                                                                          |     |
| 10.A       | Fieldhouse Discussion (Public Comment Opportunity)                                                                                                                                                                                                  | 232 |
| <b>11.</b> | <b>New Business</b>                                                                                                                                                                                                                                 |     |
| <b>12.</b> | <b>Miscellaneous</b>                                                                                                                                                                                                                                |     |
| 12.A       | Manager's Report (No Public Comment)                                                                                                                                                                                                                | 304 |
| 12.B       | Councilmembers' Reports (No Public Comment)                                                                                                                                                                                                         |     |
| <b>13.</b> | <b>Executive Session</b>                                                                                                                                                                                                                            |     |
| 13.A       | RCW 42.30.110(1)(i)(iii) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the |     |

governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.(iii) Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency.

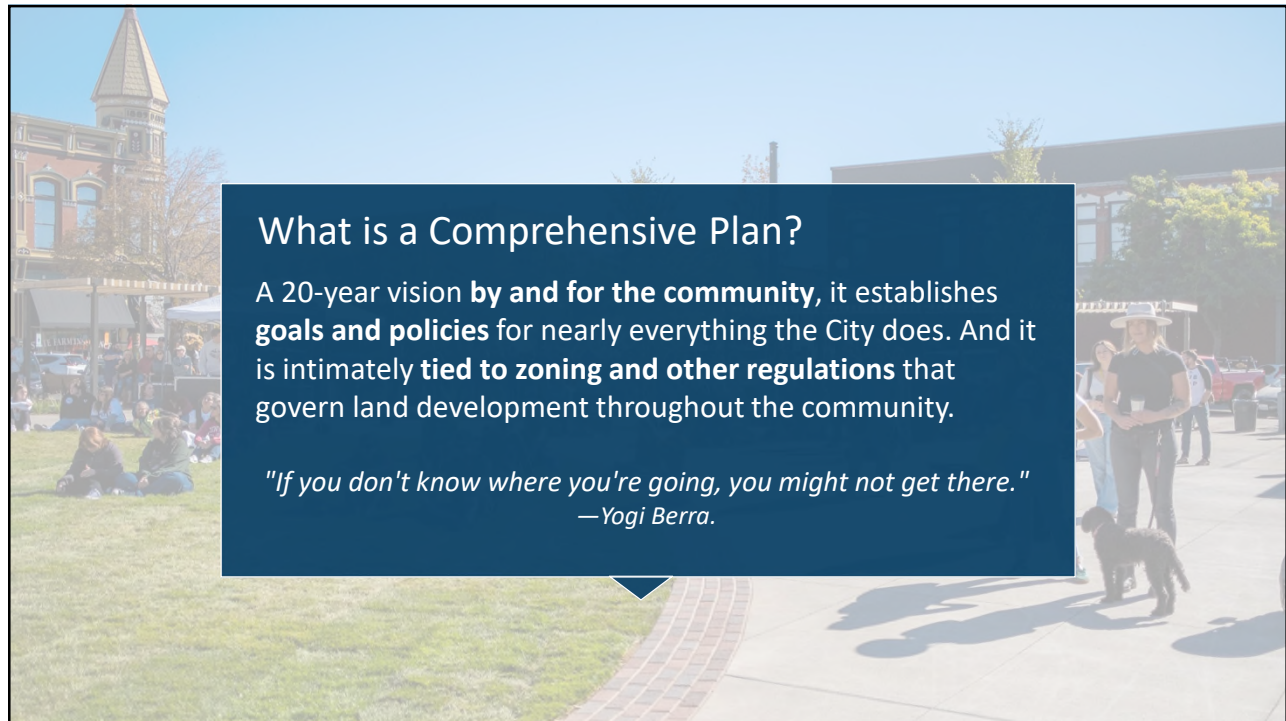
#### **14. Adjournment**



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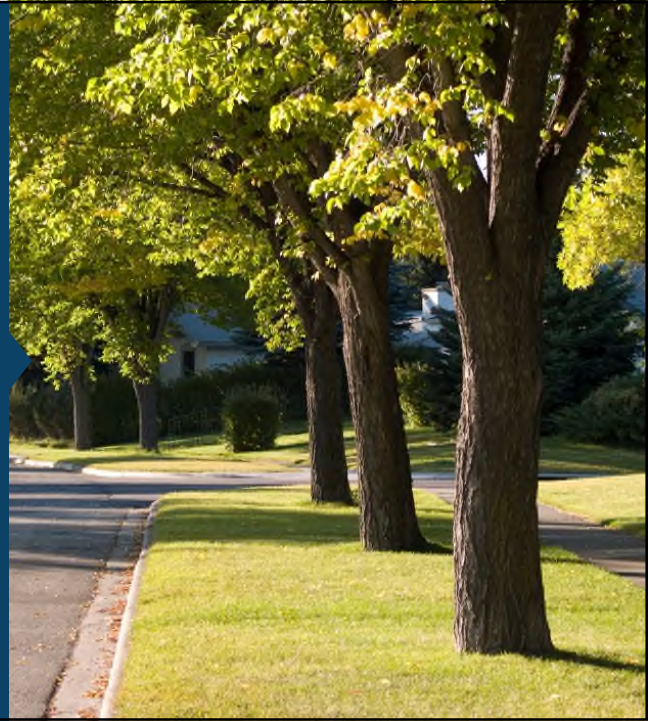


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### Why have a Comprehensive Plan?

- State Law Requires It!
- Sets the stage for what can be built where
- Development decisions are not "on the fly" but made in the context of a broader **vision by the community**
- Provides a degree of predictability for property owners, businesses, and residents
- Is the **legal basis** for zoning and other development regulations



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### Why have a Comprehensive Plan?

- Can be used as an interagency negotiation tool.
- Supports grant applications
- A budgetary tool such as for capital facilities
- Provides consistent policy direction as it may apply to various elements (land use, transportation, econ dev., etc.)

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## Comprehensive Plan vs Zoning (and other regs)

### Comprehensive Plan Guides

- ✓ Guiding document
- ✓ Legal basis for zoning
- ✓ Long range (20-year) community vision
- ✓ Existing trends, data and growth forecasting
- ✓ GMA provides requirements

### Zoning & Subdivision Regs, etc. Implements

- ✓ Zoning *in accordance* with the plan
- ✓ Determines what uses/densities go where
- ✓ Establishes lot sizes, setbacks, height limits
- ✓ Other development and design standards
- ✓ Subdivisions: public infrastructure

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## What Makes a Successful Comprehensive Plan?

**Plans are only as good as the community support behind them!**

- ✓ Robust Community Engagement
- ✓ Community Buy-In
- ✓ Transparency Leading Up to Adoption
- ✓ Understandable
- ✓ Implementable
- ✓ Complies with GMA
- ✓ Consistent with County CPPs



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## Mandatory Elements (RCW 36.70A.070)

- ✓ Land Use
- ✓ Housing
- ✓ Capital Facilities Plan
- ✓ Utilities
- ✓ Rural Development (counties only)
- ✓ Transportation
- ✓ Climate Change and Resiliency
- ✓ Ports (mandatory for cities with annual maritime port revenues exceeding \$60 million, RCW 36.70A.085)

## Optional Elements

- ✓ Economic Development
- ✓ Parks and Recreation
- ✓ Conservation (RCW 36.70A.080)
- ✓ Solar Energy (RCW 36.70A.080)
- ✓ Recreation (RCW 36.70A.080)
- ✓ Subarea Plans
- ✓ Ports (optional for cities with annual maritime port revenues of \$20 million to \$60 million, RCW 36.70A.085)
- ✓ Other

## com·pre·hen·sive

/ˌkæmprəˈhensiv/

*adjective*

1. complete; including all or nearly all elements or aspects of something.



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## Final Document

### Identified Goals & Policies

- ✓ Reflects **community's vision**
- ✓ **Goals** - broad, long-term aspirations
- ✓ **Policies** – specific, directional guidance
- ✓ **Actions** – concrete, implementable steps

**Goal CFU-6** *Provide quality library materials and services to fulfill the current and projected educational, information, cultural, and recreational needs of the entire community in a location and environment that is welcoming and accessible.*

- Policy A** Maintain and enhance the library collection to meet the lifelong learning needs and recreational interests of the entire community.
- Policy B** Seek funding to meet and maintain the Level of Service Standards for our growing population.
- Policy C** Maintain sufficient facilities to provide a range of library services that meet current and projected community needs.
- Policy D** Maintain current programming and community space at the Hal Holmes Center for Library and community use.

**Goal CFU-7** *Uphold law and order while maintaining peace and safety for citizens and police officers by providing the best in public safety services.*

- Policy A** Maintain accreditation through the Washington Association of Sheriffs and Police Chiefs.
- Policy B** Maintain sufficient facilities to provide public safety services that meet current and projected community needs.
- Policy C** Continue to seek and provide innovative training opportunities for staff and volunteers.
- Policy D** Use social networking and other data sharing opportunities, as appropriate, to provide information and education to create better citizen understanding of Ellensburg Police Department services.

Example from Ellensburg's Existing Comprehensive Plan

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## Comprehensive Plan Updates

### Periodic Updates

- Mandatory
- Required Every 10 years (previously 8)
- Population and Employment Projections
- UGA Changes
- Changes in State Law
- New Community Priorities

### Annual Updates

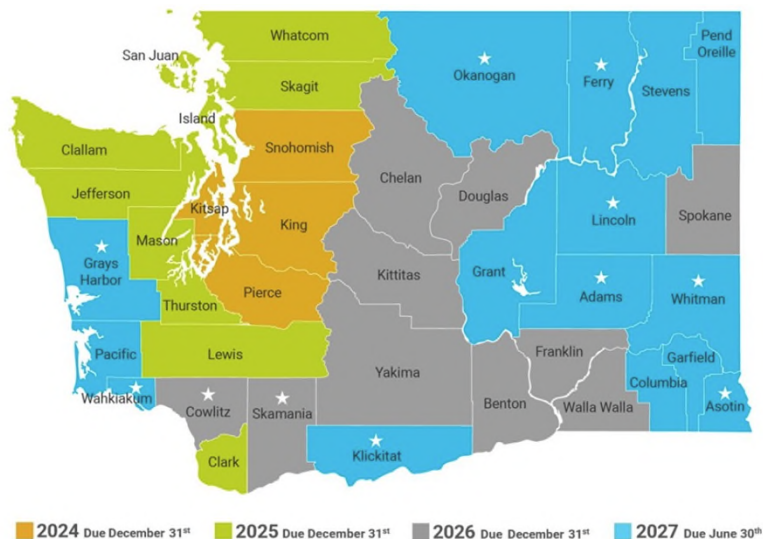
- Optional
- Only Allowed Once per Year
- Allows Changes in Between Periodic Updates
- Allows for Cumulative Impacts of Changes to be Considered Together
- ECC 15.250.090 Provides Procedures and Timelines for Annual Updates

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## Timeline for Periodic Updates

Counties and cities planning under the GMA are required to complete periodic updates to their comprehensive plans and development.

These deadlines vary by location and are set by the Washington State Department of Commerce, as shown on the map



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## Project Team for Periodic Update



**Genevieve Dial**  
Principal-In-Charge



**Whitney Holm, PE**  
Capital Facilities and Utilities



**Laura Barker, AICP**  
Policy Analysis



**Spencer Easton**  
Environmental Planning



**Malissa Paulsen**  
Stakeholder Engagement



**Kirsten Peterson**  
Project Manager



**Zoë Tapert**  
Code Updates



**Daniel Dye, PE**  
Transportation Engineering



**Kendra Breiland, AICP**  
Transportation Planning



**Siddharth Sivakumar**  
Transportation Planning



**David Fiske**  
Market and Housing Analysis Lead



**Andrew Oliver**  
Market and Housing Analysis Support



**Nicole Gutierrez**  
Climate Policy

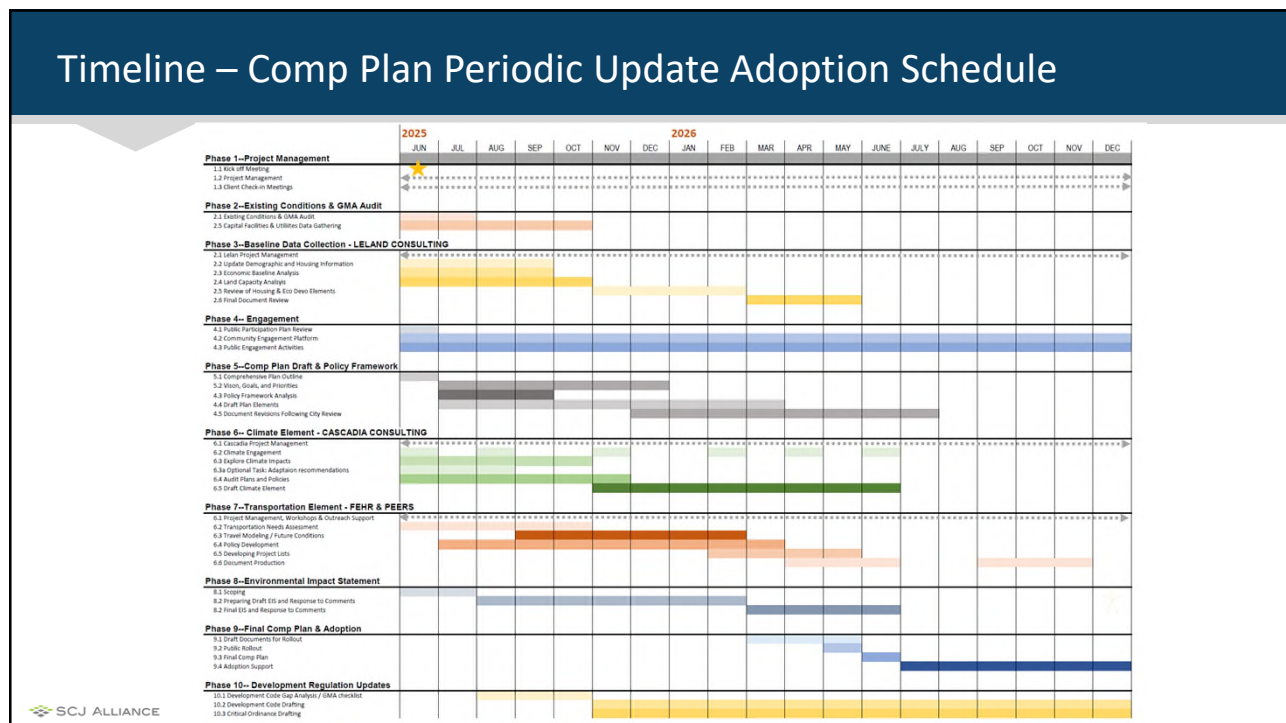


**Meg Horst**  
Climate Policy



**Company Key:**
● SCJ Alliance 
 ● Leland Consulting Group 
 ● Cascadia Consulting Group 
 ● Fehr & Peers

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## Alignment with State Legislation

### HB 1220 – Housing for All

- Housing Needs by Income Band
- Adequate Provisions
- Racially Disparate Impacts

### HB 1181 – Climate-Ready Planning

- Climate Resilience Planning
- Multimodal Transportation

### HB 1337 – Accessory Dwelling Units

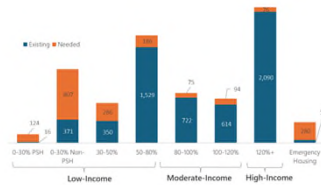
- Two ADUs allowed on all single-family lots
- Impact fee caps, ban on owner-occupancy requirements

### HB 1110 and HB 2321 – Middle Housing Options

- Not applicable to Ellensburg at this time
- Housing Diversity identified as priority in HAP and City Council Strategic Vision



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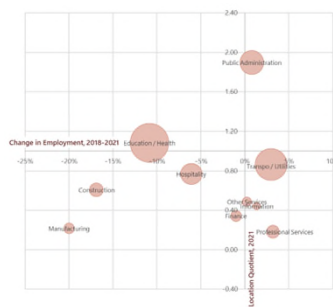
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## Market Analysis & Economic Development



### Market Analysis

- Local and regional analysis of residential, office, industrial, and retail markets
- Industry cluster analysis
- Existing and emerging industries



### Economic Development

- Placemaking and downtown strategies
  - Farmers Market
  - Potential corridor improvements
  - Wayfinding
- Housing and Economic Development
- Partnerships and Marketing
- Opportunity sites
- Business community engagement

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## Climate Element Synergy with Comprehensive Plan

### Climate change is a *cross-sectoral issue*.

#### Collaboration areas include:

- **Policy audit** – review Comprehensive Plan, Hazard Mitigation Plan and others for existing resiliency-focused policies
- **Engagement** – capitalize on community outreach opportunities between both projects
- **Policy development** – tactical options to include climate resiliency policies

#### Coordination tactics include:

- Sync up timelines
- Scoping conversations
- Deliverable collaboration/review
- Recurring check-in meetings

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## Ellensburg Considerations



- Surrounded by agricultural lands, grasslands, and close to the Yakima River
- Diverse and growing population
- Natural amenities and recreation
- Home to Central WA University
- Have a recent Sustainability and Energy Plan (2024) focused on GHG emission reductions
- City does not have an existing Climate Element but does have resilience and GHG emission reduction policy to expand and build from

#### Extreme weather and climate impacts

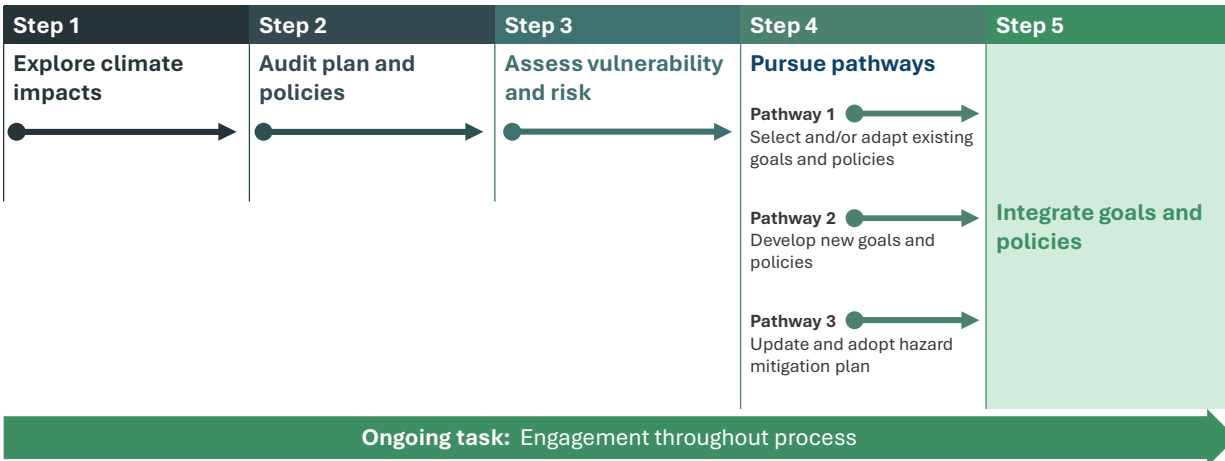
- Water availability and drought
- Heat
- Changing precipitation
- Wildfire risk and air quality

#### Sensitive sectors and communities

- Agriculture
- Outdoor recreation
- Seniors and youth

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## Approach: Resilience

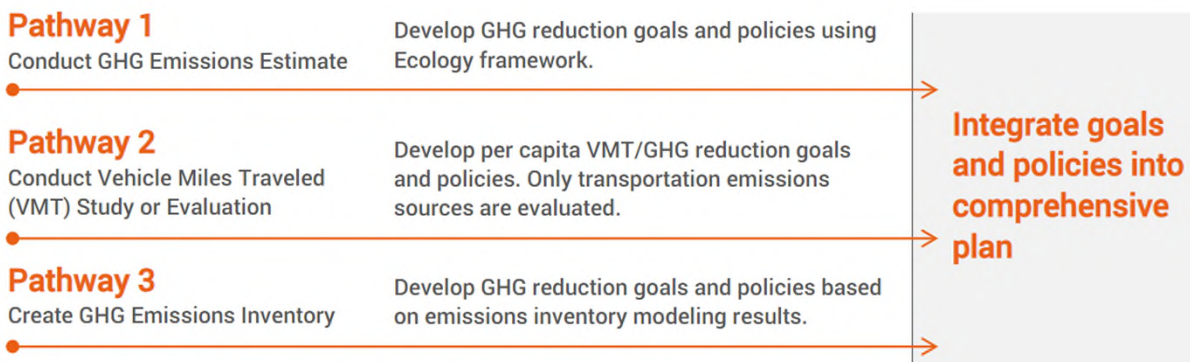


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## Approach: GHG Emissions Reduction



The City is not required to have a GHG emission sub-element, however, jurisdictions can voluntarily comply or take the opportunity to integrate GHG emission reduction policy. We can build from the recent Sustainability and Energy Plan (2024) - which focuses on GHG emission reductions - and integrate key/high-impact strategies and actions.



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Thank you! Any questions?





**CITY OF ELLENSBURG**

**Date of Meeting**

**Time of Meeting**

**Place of Meeting**

**Minutes of City Council, Regular Meeting**

**June 16, 2025**

**7:00 PM**

**Council Chambers**

**501 North Anderson Street**

**Ellensburg, WA 98926**

**And remotely via Zoom**

**Pledge of Allegiance**

The Pledge of Allegiance was led by Councilmember Thompson

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

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

Others present in person: City Manager Behrends Cerniwey, City Attorney Horner, City Clerk Leader, Associate Planner Pederson, Community Development Director Carlson, City Engineer Mattson, Public Works Director Lyyski and approximately 50 members of the public

Others present remotely via Zoom: Five members of the public

**2. Proclamations**

2.A Juneteenth Day of Observance

**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 June 2, 2025 Regular Meeting

5.B Approve Minutes of June 2, 2025 Special Meeting

5.C Approve Minutes of May 8, 2025 Special Meeting

5.D Acknowledge Minutes of Boards and Commissions

5.E Reecer Creek Floodplain Mapping and Levee Certification Support Services Project

5.F Execution of a contract renewal with 120 Water, Inc. for consulting services related to the Lead Service Line Inventory

- 
- 5.G Accept Bid Call 2021-16 Electrical Utility On Call Construction Services as complete
  - 5.H Traffic Impact Fee Annual Report
  - 5.I Amendment to the Public Transit Operating Agreement
  - 5.J Paratransit Operating Agreement Amendment
  - 5.K Amendment to the Cabulance Operating Agreement
  - 5.L Resignation of Jill Scheffer from the Arts Commission
  - 5.M Resignation from Peter Stone from the Affordable Housing Commission
  - 5.N Approve June 16, 2025 Voucher Listing

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

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

- 6.A 2025 State Legislative Session Update by Josh Weiss (Public Comment Opportunity)  
Josh Weiss and Devin Gayton with Columbia Policy Advisors, presented information concerning the 2025 legislative session. Council asked questions of Mr. Weiss.

## **7. Public Comment on Non-agenda Issues**

- Tylene Carnell, Ellensburg resident, speaking for herself, spoke regarding DEI
- Beryl Kelley, Ellensburg resident, representing herself, spoke regarding DEI
- Jennifer Patteson, County resident, spoke regarding DEI in the Comprehensive Plan
- Angie Lang, Ellensburg resident, representing herself, spoke regarding Craigs Hill and Memorial Pool
- Amanda Russert, Ellensburg resident, Director of Helen House, spoke regarding DEI
- Hanna Fredeen, Ellensburg resident, representing herself, spoke regarding DEI
- Susan Waddle, City resident, speaking for herself, spoke regarding DEI
- Adrea Bezdicek-Donogh, County resident, spoke regarding DEI
- Alison Durmond, Ellensburg resident, speaking for herself, spoke regarding DEI
- Anastasia Newman, Ellensburg resident, speaking for herself, spoke regarding DEI

Councilmember Palmer moved to include an additional ten minutes at the end of the Agenda for public comment on non-agenda items. **Motion Approved 7-0**

## **8. Business Requiring Public Hearings**

- 8.A Public Hearing (Legislative) to consider a Resolution adopting the City's Six-Year Transportation Improvement Plan (TIP) 2026-2031 and provide an annual 'Complete Streets Update' (Public Comment Opportunity)

Mayor Elliott opened the public hearing. Josh Mattson, Assistant City Engineer, presented information in the staff report.

- Adrea Bezdicek-Donogh, County resident, asked about use of funds
- Victoria Thomas (speaking remotely), Ellensburg resident, requested a roundabout at the Mtn View/Willow intersection
- Susan Waddle, City resident, speaking for herself, spoke regarding Mtn View Ave
- Mary Monahan (speaking remotely), City resident, speaking for herself, spoke regarding pedestrians

Council asked questions of staff.

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

Councilmember Lillquist moved to adopt proposed Resolution 2025-12 approving the TIP for 2026-2031 and authorize staff to submit listed projects for funding as grant opportunities become available. **Motion Approved 7-0**

## 9. Introduction and Adoption of Ordinances and Resolutions

- 9.A Ordinance 4963 (2nd Reading) - Approving Rezone of Parcel #954442 (Public Comment Opportunity)

Chase Pederson, Associate Planner, presented information in the staff report.

Councilmember Goodloe moved to conduct second reading and adoption of Ordinance 4963, approving rezone of parcel #954442 from Light Industrial (I-L) to Regional Center Mixed Use (RCMU). **Motion Approved 7-0**

- 9.B Proposed Ordinance 4964 Traffic Code Revisions – First Reading (Public Comment Opportunity)

Josh Mattson, Assistant City Engineer, presented information in the staff report.

- Pat Kelleher, County resident, spoke regarding parking signage
- Adrea Bezdicek-Donogh, County resident, inquired about speed limit reduction

Councilmember Miller moved to conduct first reading of Ordinance 4964 for Traffic Code Revisions. **Motion Approved 7-0**

## 10. Unfinished Business

### 11. New Business

Mayor Elliott recessed for a break at 8:53 pm

Council reconvened at 9:00 pm

- 11.A Acceptance of the City of Ellensburg Transportation Safety Action Plan and Adoption of the Zero Fatality and Serious Injury Commitment (Public Comment



Opportunity)

Josh Mattson, Assistant City Engineer, introduced Karissa Witthuhn, with Psomas Engineers, who reviewed the project summary. Council asked questions of staff.

- Victoria Thomas, (speaking remotely), City resident, speaking for herself, commented on the report and survey

Councilmember Goodloe moved to accept the City of Ellensburg Transportation Safety Action Plan and adopt the recommended Vision Zero Fatality and Serious Injury Commitment. **Motion Approved 7-0**

11.B Council Rules Discussion (Public Comment Opportunity)

Heidi Behrends Cerniwey, City Manager, presented information in the staff report.

Councilmember Palmer and Thompson requested amendments to the document.

- William Coleman, Kittitas resident, spoke regarding public comment
- Adrea Bezdicek-Donogh, County resident, spoke regarding public comment
- Carrie Vickers, County resident, spoke regarding time limits for public comment

11.C Memorandum of Understanding - Emergency Drought Relief in Yakima River Basin

Ryan Lyyski, Public Works Director, presented information in the staff report.

Councilmember Palmer moved to authorize the City Manager to sign a Memorandum of Understanding with the US Bureau of Reclamation and Washington State Department of Ecology's Office of the Columbia River, in a substantially similar form, as well as sign all associated documents necessary to finalize this agreement. **Motion Approved 7-0**

## 12. Miscellaneous

12.A Manager's Report (No Public Comment)

Heidi Behrends Cerniwey, City Manager, presented the report. The Mayor's signature was requested on a letter of support to the Kittitas County Conference of Governments for Standard of Coverage.

Councilmember Lillquist moved to approve the Mayor's signature on the letter of support. **Motion Approved 7-0**

12.B Councilmembers' Reports (No Public Comment)

- 
- Councilmember Miller reported on PTAC and requested an excused absence for the August 4, 2025 regular meeting.

Councilmember Goodloe moved to approve an excused absence for Councilmember Miller at the August 4, 2025 meeting. **Motion Approved 6-0 (Miller abstained)**

- Councilmember Palmer reported on Yakima Basin Fish & Wildlife, Affordable Housing Commission, Steer I-90 Committee and reminded the public about the Wall that Heals volunteer sign-up
- Councilmember Thompson attended the Parks & Recreation Commission meeting
- Councilmember Beauchamp reported on Library programs
- Councilmember Goodloe attended the DEI and Developmental Disabilities meetings and spoke about HopeSource's Pathways project
- Councilmember Lillquist reported on the County Airport Advisory Committee, attended an air quality workshop, the Wastewater Treatments Plant tour and remotely attended a Resource Adequacy Workshop
- Mayor Elliott spoke regarding wildland incident management to date, attended the State 911 meeting, will be speaking in Kennewick regarding small city disaster management and attended Coffee with Council. He asked staff if there were issues at the memorial pool and asked about what legal risks there are concerning DEI

### 13. Executive Session

### 14. Adjournment

Meeting adjourned at 9:57 pm

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**CITY OF ELLENSBURG**

**Date of Meeting**

**Time of Meeting**

**Place of Meeting**

**Minutes of City Council, Joint Study Session**

**June 16, 2025**

**6:00 PM**

**Council Chambers**

**501 North Anderson Street**

**Ellensburg, WA 98926**

**And remotely via Zoom**

**Joint Study Session With Diversity, Equity & Inclusion Commission**

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

DEI Commission members present: Phil Backlund (attending remotely), Tylene Carnell, Kande Cleary, Teresa Divine, Amber Hoefer, M. Eliatamby-O'Brien

Others present in person: City Manager Behrends Cerniwey, City Attorney Horner, City Clerk Leader, Public Information Officer Klauss, and approximately 15 members of the public

Others present remotely via Zoom: DEI Commission member Backlund

- A Joint Study Session with Diversity, Equity & Inclusion Commission  
Amber Hoefer, DEI Commission Co-Vice Chair, began the conversation with Council and other DEI members reviewed information in a presentation.

Council and the DEI Commission members engaged in discussion regarding the role and scope of the DEI Commission, information sharing and partnership.

**14. Adjournment**

Meeting adjourned at 6:50 pm

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**CITY OF ELLENSBURG**  
**Meeting Date of Meeting**  
**Start Time of Meeting**  
**Place of Meeting**

**Arts Commission Meeting Minutes**  
**May 8, 2025**  
**4:01 PM**  
**Council Conference Room, City Hall**

### **1. Call to Order and Roll Call of Members**

1.A Chair Eyre, Commissioner Dougherty, Commissioner Kooser,  
Commissioner Marchand, Commissioner Oostra, , Commissioner Snedeker,  
Commissioner Scheffer, and City Council Member Miller  
Absent: Commissioner Scheffer  
Welcome guest: Cathy Houck

### **2. Approval of Agenda**

Motion to approve May 8, 2025, Arts Commission meeting agenda as presented.  
By: Commissioner Snedeker  
Seconded: Commissioner Oostra  
In Favor: All in favor  
Opposed: None  
Abstain: None  
Motion Carries

### **3. Approval of Minutes**

Motion to approve April 10, 2025, Arts Commission meeting minutes as presented.  
By: Commissioner Oostra  
Seconded: Commissioner Kooser  
In Favor: All  
Opposed: None  
Abstain: None  
Motion Carries

### **4. Budget/Financial Report**

4.A 2025 Arts Commission Budget Update  
Staff gave brief overview of 2025 Arts Commission budget.

### **5. New Business**

5.A Call for Artist: Bus Shelters  
Staff update commission on the proposed locations of the new shelters.  
One call: three artists: 3 bus shelters  
Discussion on opening up to previously selected artist.  
Can existing commissioners submit art, if they recuse themselves.

Update on 5<sup>th</sup> and Water: PR and Article in DR, etc. staff plan. Staff to get

number of bus shelters with art from Betsy.

#### 5.B 2026 Project Grant Application Process

Commissioners discussed what if any missing information there was in the application?

Staff asked commissioners to get edits back to staff by: May 26, 2025 so edits could be made and be put into the June 12<sup>th</sup> agenda packet. (tight timeline)

### 6. Unfinished Business

#### 6.A Arts Treasure & Arts Advocate Nomination Forms and Timeline

Staff will send out Jot Form to commissioners to test drive by Monday, May 12<sup>th</sup> and returned by May 20<sup>th</sup> in time for June 1<sup>st</sup> nomination opening.

Motion to approve the revised language noted in the subcommittee report for both the Arts Treasure Award Nomination and Arts Advocate Award Nomination as presented by the Awards and Distinction subcommittee.

By: Commissioner Eyre

Seconded: Commissioner Snedeker

In Favor: All

Opposed: None

Abstain: None

Motion Carries

#### 6.B Reappointment and Appointment Process and Timeline

Staff reviewed reappointment requirements and timeline.

#### 6.C City Art Policy Review: Assignments:

Edits will be as follows:

Review/update policy by corresponding subcommittee:

**Focus Area 1:** Public Art: Will be reviewed by: Jerry Dougherty, Jeff Snedeker, and Alex Eyre.

**Focus Area 2:** Community Engagement: This section is a combination of Art Walk, Advocacy, and Awards & Distinction. Will be reviewed by: Marie Marchand, Jill Scheffer, Jerry Dougherty, Jeff Snedeker, and Erin Oostra.

**Focus Area 3:** Arts Enrichment: Grants Funding: Will be reviewed by: Marie Marchand, Jerry Dougherty, and Jill Scheffer.

**Focus Area 4:** Ellensburg Creative District: Staff will add Focus Area 4. Once written by Staff, it will be reviewed by Brian Kooser, Jeff Snedeker, and Alex Eyre.



### **Action Items:**

- Chairs of subcommittees set up meetings to review documents/edits.
- Staff will review entire document and create master editing (redline) version. Subcommittee will send edits over to staff to compile into the Master document.

- 6.D Poet Laureate Program Outline: Revised April 2025  
Reviewed the subcommittee report on the revisions of the Poet Laureate Program. Commission Marchand and Commission Snedeker reviewed changes. Changes reflect encouragement rather than requirement.

Commission received a subcommittee report for the Poet Laureate Nomination Process. Commission agreed to the changes presented by the subcommittee in report. No vote required

- 6.E *Harmonize*, by Crista Ann Ames Progress Report

### **7. Subcommittee Business:**

- 7.A 1. Funding & Advocacy: Jerry/Jill/Marie: Reviewed Subcommittee work
2. First Friday Art Walk: Jill/Erin/Brian: Commissioner Oostra will get quotes on sidewalk signs for 2026 budgeting purposes.
- Motion: Alex Jeff (2) waive fee for 2025 for EDE
3. City Art/Public Art: Jerry/Jeffy/Alex: Not had a meeting. Will set up meeting and review inventory list.
- Committee reviewed unplaced art in the archives in the library.
4. Awards & Distinctions: Marie/Jeff/Alex: Arts Treasure see above
5. Ellensburg Creative District: Jeff/Brian/Alex/Staff: See staff updates below.

### **8. Citizen Comment**

Cathy Houck:

Spoke in favor the wrapping of the traffic cabinets in art. Had seen other communities doing this, noted Yakima and others. She would like the Arts Commission to explore this idea for Ellensburg.

### **9. Staff Update/Discussion Items:**

- Open Show-Public Art Selection/Purchase

May 15<sup>th</sup> at 4:00 pm at Gallery One—Need citizen and council member

- Wayfinding Presentation and Next Steps
- Upcoming Sister District Summit: May 22<sup>nd</sup>
- Pending Creative District Planning Meeting (setting date—in process)
- Creative District Convening: June 6 & 7<sup>th</sup>
- IGNITE the ARTS: July 4<sup>th</sup> Update

**10. Commission Representative Update:**

**11. Adjournment Time 5:20 pm**



**CITY OF ELLENSBURG**

**Minutes of Public Transit Advisory Committee, Regular Meeting**

**Date of Meeting**

**May 13, 2025**

**Time of Meeting**

**3:30 PM**

**Place of Meeting**

**PW Conference Room  
501 North Anderson Street  
Ellensburg, WA 98926  
And remotely via Zoom**

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

1.A Call the May 13, 2025, PTAC Meeting to order.

Chair Miller called the May 13, 2025, PTAC Meeting to order at 3:30 PM.

1.B Roll Call of PTAC Members.

The following PTAC members were in attendance: Chair David Miller, Vice Chair Amy Spitznas, Joey Bryant, Ann Miller, Jim Hurson.

Absent: Deja Blanchard had an excused absence.

Also in attendance: Betsy Dunbar - COE, Keiko Walsh - HopeSource, Spencer Klewin - HopeSource.

A Staff member and one member of the community were also in attendance.

**2. Approval of Agenda**

2.A Motion to Approve the May 13, 2025, PTAC Meeting Agenda.

A motion to approve the May 13, 2025, PTAC Meeting Agenda was made by Vice Chair Spitznas.

The motion carried 5-0.

**3. Approval of Minutes**

3.A Motion to approve the April 15, 2025, Meeting Minutes

A motion to approve the April 15, 2025, PTAC Meeting Minutes was made by committee member Hurson.

The motion carried 5-0.

#### **4. Guest Speakers**

4.A None

#### **5. Follow Up Items**

5.A Public Transit Funding Discussion.

Chair Miller informed the committee members of an update regarding the Mayor and the City Council's discussion regarding the ballot measure language. More information to follow.

5.B Future Transit Capital Projects Discussion.

Transit Manager Dunbar shared information regarding the six-year Transit Capital Project List which will be included in the Transit Development Plan as well as the Transportation Information Plan. All committee members contributed to the future capital projects discussion and gave direction on possible ways to move forward along with some additional projects to add to the list.

#### **6. Ridership Stats**

6.A April 2025 Ridership Stats

April ridership stats were shared with the committee.

#### **7. Agenda Items**

7.A None

#### **8. Transit Marketing Updates**

8.A Marketing Updates.

A marketing media and digital shoot is scheduled for May 29th from 8 to 12. All were invited to be apart of the experience.

#### **9. Transit Updates**

9.A Legislative Update

A State Budget update was presented with a concentration around grant funding levels.

#### **10. Member Updates**

10.A Member updates as time permits.

New SWAG items were ordered for the upcoming community and CWU events. Items include new stress buses, Frisbees and pens with the updated logo.

#### **11. Next PTAC Meeting**

11.A June 24, 2025.

## **12. Adjournment**

The May 13, 2025, PTAC Meeting was adjourned at 4:49 PM.



**CITY OF ELLENSBURG**

**Minutes of Public Transit Advisory Committee, Special Meeting**

**Date of Meeting**

**June 6, 2025**

**Time of Meeting**

**3:30 PM**

**Place of Meeting**

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

## **1. Call to Order and Roll Call of Members**

### **1.A**

Call the June 6, 2025, PTAC Special Meeting to order.

Chair Miller called the June 6, 2025, Special PTAC Meeting to order at 3:30 PM.

### **1.B**

Roll Call of PTAC Members.

The following PTAC members were in attendance: Chair David Miller, Vice Chair Amy Spitznas, Joey Bryant, Ann Miller, Jim Hurson, Deja Blanchard.

Also in attendance: Betsy Dunbar - COE, Keiko Walsh - HopeSource.

Several staff members and one member of the community were also in attendance.

## **2. Approval of Agenda**

### **2.A**

Motion to Approve the June 6, 2025, PTAC Meeting Agenda.

A motion to approve the June 6, 2025, Special PTAC Meeting Agenda was made by Vice Chair Spitznas.

The motion carried 6-0.

## **3. Approval of Minutes**

### **3.A**

Motion to Approve the May 13, 2025, Meeting Minutes.



A motion to approve the May 13, 2025, Meeting Minutes was made by Committee member Deja Blanchard.

The motion carried 6-0.

#### **4. Guest Speakers**

4.A  
None

#### **5. Follow Up Items**

5.A  
None

#### **6. Ridership Stats**

6.A  
None

#### **7. Agenda Items**

7.A  
Capital Project List Approval

A motion to approve the Capital Project List was made by committee member Bryant.

The motion carried 6-0.

7.B  
Paratransit Operating Amendment Agreement

A motion to approve the Paratransit Operating Amendment Agreement was made by Vice Chair Spitznas.

The motion carried 6-0.

7.C  
Public Transit Operating Amendment Agreement

A motion to approve the Public Transit Operating Amendment Agreement was made by committee member Bryant.

The motion carried 6-0.

7.D  
Cabulance Operating Amendment Agreement

A motion to approve the Cabulance Operating Amendment Agreement was made by committee member Blanchard.

The motion carried 6-0.

**8. Transit Marketing Updates**

8.A

None

**9. Transit Updates**

9.A

None

**10. Member Updates**

10.A

None

**11. Next PTAC Meeting**

11.A

June 24, 2025

**12. Adjournment**



**CITY OF ELLENSBURG**

**Minutes of Public Transit Advisory Committee, Regular Meeting**

**Date of Meeting**

**April 15, 2025**

**Time of Meeting**

**3:30 PM**

**Place of Meeting**

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

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

**1.A**

Call the April 15, 2025, PTAC Meeting to order.

Chair Miller called the April 15, 2025, PTAC Meeting to order at 3:39 PM.

**1.B**

Roll Call of PTAC Members.

The following PTAC members were in attendance: Chair David Miller, Vice Chair Amy Spitznas, Joey Bryant, Ann Miner.

Absent: Jim Hurson's had an excused absence, Deja Blanchard.

Also in attendance: Betsy Dunbar - COE, Keiko Walsh - HopeSource, Spencer Klewin - HopeSource.

Justin Leighton with WSTA and several staff members were in attendance.

**2. Approval of Agenda**

**2.A**

Motion to Approve the April 15, 2025, PTAC Meeting Agenda.

A motion to approve the April 15, 2025, PTAC Meeting Agenda was made by Vice Chair Spitznas.

The motion carried 4-0.

**3. Approval of Minutes**

**3.A**

Motion to Approve the April 15, 2025, PTAC Minutes.

A motion to approve the April 15, 2025, meeting minutes was made by Committee member Joey Bryant.

Motion carried 4-0.

#### **4. Guest Speakers**

##### **4.A**

Justin Leighton, WSTA Executive Director

WSTA Executive Director Justin Leighton provided updates on the legislative session in Olympia and the potential effects on the operating state grants.

#### **5. Agenda Items**

##### **5.A None**

#### **6. Ridership Stats**

##### **6.A**

Review March Ridership Stats

The March 2025 Ridership Stats were reviewed.

#### **7. Follow Up Items**

#### **8. Transit Marketing Updates**

##### **8.A**

Marketing Updates

Marketing updates were shared with the committee members.

#### **9. Transit Updates**

##### **9.A**

Proposed Commissions Update

City Manager Heidi Behrends Cerniwey shared the proposed makeup and name change of the Public Transit Advisory Committee. This change would combine Transportation with Transit to create the Transportation System Advisory Committee (TSAC).

##### **9.B**

ADA Project Update

The 2025 ADA Capital Projects were shared, which include 17 planned projects ranging from the movement of bus stops, adding ADA landing pads, bus shelters and bench seating.

9.C

#### On-Time Performance Information

The On-Time Performance Module reports show that in the first quarter of 2025, the fixed route system performed well over the 90% on-time performance requirement.

### **10. Member Updates**

Vice Chair Spitznas discussed the importance of having a Transit Training program. Staff member Dunbar requested all requests for travel training be referred to her.

### **11. Next PTAC Meeting**

11.A

May 20, 2025

### **12. Adjournment**

The meeting was adjourned at 16:59.



**CITY OF ELLENSBURG**

**Date of Meeting**

**Time of Meeting**

**Place of Meeting**

**Minutes of Utility Advisory Committee, Regular Meeting**

**May 15, 2025**

**3:30 PM**

**Council Chambers**

**501 North Anderson Street**

**Ellensburg, WA 98926**

**And remotely via Zoom**

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

Chair Bousson called the meeting to order at 3:30 pm.

Members present: Nancy Lillquist, City Council; Delano Palmer, City Council; Jeff Bousson, CWU; Audrey Huerta, Utility Customer. Not present: Bryan Clark, KITTCOM (Absent/no telecom items)

Also present: Buddy Stanavich, Energy Services Director; Kim Bowie, Operations Analyst; Nicole Baker, Sustainability & Energy Coordinator (Zoom); Heidi Behrends-Cerniwey, City Manager; Ryan Lyyski, Public Works Director; Mike Helgeson, Assistant Public Works Director.

One member of the public via Zoom.

**2. Approval of Agenda**

Committee member Palmer moved to approve the agenda as presented. **Motion approved.**

**4-0**

**3. Approval of Minutes**

3.A April 17 UAC regular meeting minutes

Committee member Huerta moved to approve the regular meeting minutes. **Motion approved. 4-0**

**4. Approval of Consent Agenda**

4.A 2024-2025 Annual Stormwater Management Plan Update

4.B Award Bid Call 2025-06 Middle Reach Reecer Creek Flood Hazard Reduction and Floodplain Restoration Project - Phase II

Committee member Lillquist moved to approve the consent agenda. **Motion approved. 4-0**

## 5. Correspondence and Citizen Comments on Non-Agenda Items

No public comment.

## 6. Telecommunications Utility Discussion Items

No telecommunication items.

## 7. Electric, Natural Gas, Water, Wastewater, Stormwater Utility Discussion Items

### 7.A Reschedule June 19th UAC meeting

Committee member Lillquist moved to reschedule the June 19<sup>th</sup> UAC meeting to June 18<sup>th</sup>.

**Motion approved. 4-0**

### 7.B Board and Commission Changes

Committee member Huerta moved to publish the draft ordinance with next month's agenda to give the Committee more time to review. **Motion approved. 4-0**

### 7.C Community Solar Expansion Program

Committee member Palmer moved to open item 7.C to public comment. **Motion approved. 4-0.** Brandon O'Rourke spoke in favor of community solar.

Committee member Palmer moved to recommend City Council authorize participation in the community solar expansion program and approve \$250,000 annually in signing authority for incentive programs. **Motion approved. 4-0**

### 7.D Expansion of Low-Income Utility Discount Program to include 40% AMI

Committee member Lillquist moved to recommend City Council adopt an ordinance extending the low-income discount program eligibility threshold to those at or below 40% AMI. **Motion approved. 4-0**

## 8. Staff Informational Items

### 8.A 2025 Aquifer Level Presentation

Mike Helgeson presented 2025 static well levels.

### 8.B BPA - Provider of Choice Contract

Buddy Stanavich explained the upcoming BPA contract.

### 8.C Public Works and Utilities Updates

Staff shared Public Works updates.

## 9. Commission Representative Update

Delano Palmer said Central is going to continue looking for opportunities for federal grant funding.

Jeff Bousson spoke about Central's solar and decarbonization plan and offered to do a presentation at a later date.



Nancy Lillquist informed the Committee that the subcommittee interviewed Fred Springsteen and will forward a favorable recommendation to Council.

**10. Adjournment**

Meeting adjourned at 4:58 pm



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Resolution 2025-16 Approving Blewett Blue Properties' Street Tree Removal Request at 401 W 12<sup>th</sup> Avenue.  
**Submitted by:** Erin McGowan, Stormwater/Urban Forestry  
**Department:** Public Works

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**Suggested Motion/Action:**

Adopt Resolution 2025-16, authorizing Blewett Blue Properties to remove the designated street trees at 401 W 12<sup>th</sup> Avenue.

**Background/Summary:**

Blewett Blue Properties, the property owner at 401 W 12th Avenue, has requested the removal of two English Hawthorns and one European Mountain Ash located within the City right-of-way. The property owner plans to further develop the lot by constructing a second detached accessory dwelling unit (ADU). The existing trees are in conflict with the proposed driveway, parking area, and primary access to the new unit.

Tree Condition: The two English Hawthorns and one European Mountain Ash are all in good condition.

City Infrastructure damage: None observed.

Tree Maintenance Activity by the City: None known.

Species Suitability to the Location: The European Mountain Ash is included on the City's approved street tree list and is considered suitable for this location. The English Hawthorns, however, are classified as a Class C noxious weed and are not considered appropriate for planting within the right-of-way.

Private damage claims processed by the City: None known.

**Previous Council Action:**

On August 19, 2024, City Council approved Resolution No. 2024-23, authorizing Blewett Blue Properties to remove two street trees to accommodate the development of a detached ADU at 401 W 12th Avenue.

**Analysis:**

The City Arborist supports the proposed tree removals. While the European Mountain Ash is a suitable species for the site, its removal is necessary due to its location in relation to the proposed development footprint and associated access requirements. The two English

Hawthorns, though currently in good condition, are an invasive species and not appropriate for retention in the public right-of-way. Given the conflict with site development plans and the unsuitability of the Hawthorn species, staff supports the property owner's request. Replanting of approved species will be required as a condition of removal.

**Financial Impact:**

None for the City. All costs associated with tree removals, stump grinding, and replacement trees will be the borne by the applicant.

Budget Adjustment: No

**Attachments:**

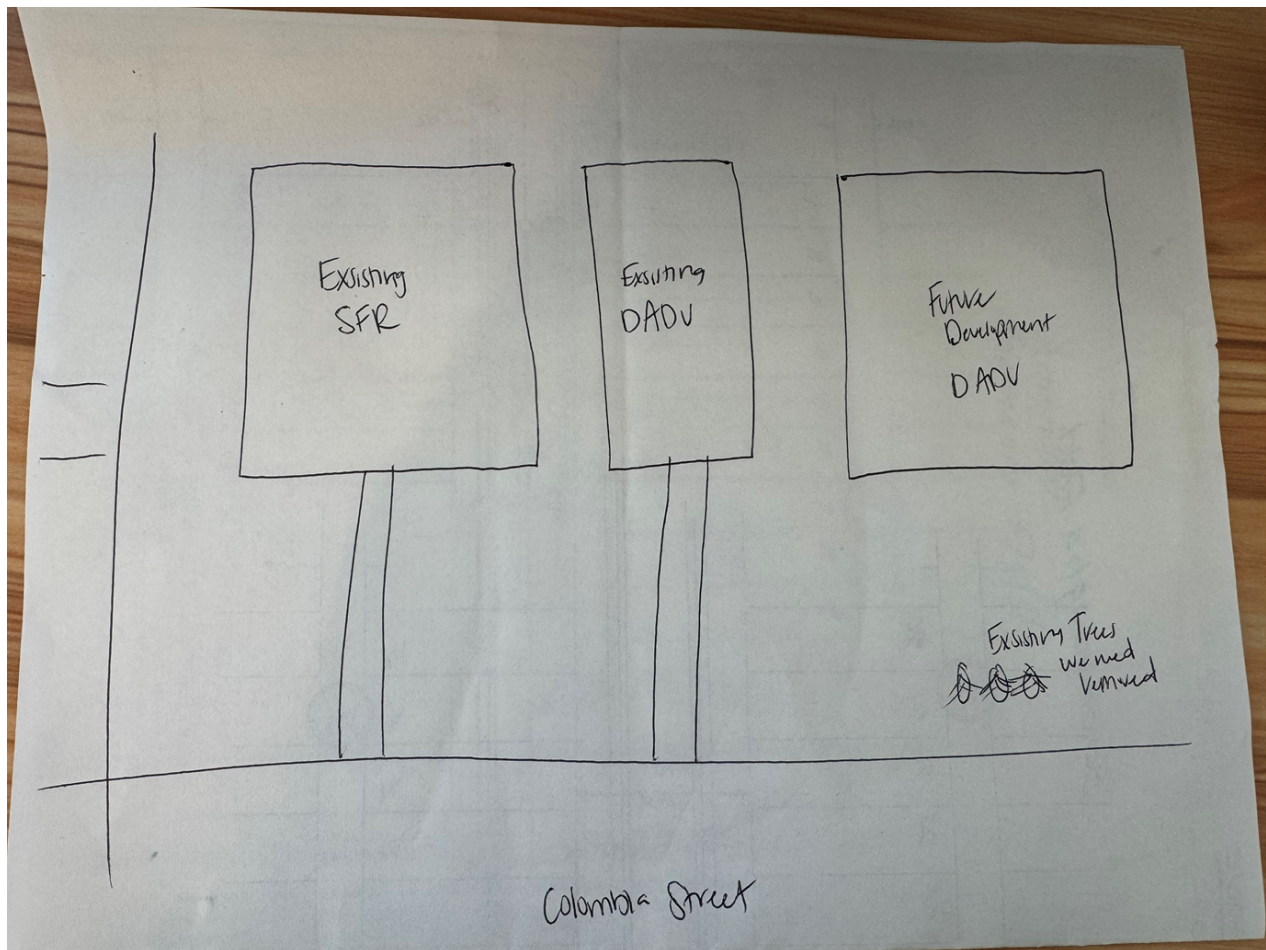
1. 401 W 12th Ave - Blewett Blue Properties - Street Tree Removal Request
2. 401 W 12th Avenue - Blewett Blue Properties - Street Tree Graphics
3. Resolution 2025-16 401 W 12th Ave Street Tree Removals

Hi Erin,

Great meeting you this morning!

We would like to remove three trees from our property located at 401 W 12<sup>th</sup> Ave Ellensburg. We will eventually be building a 2nd DADU and they are in the right of way. We will plan to plant three new trees on the property. Please see the attachment.

Thank you,  
Gina Sanders  
(253) 561-4318





## 401 W 12<sup>th</sup> Avenue – Street Tree Removal Graphics



**English Hawthorn  
(multi-stemmed clump  
& single leader)**

**European Mountain  
Ash  
(multi-stemmed clump)**

**RESOLUTION NO. 2025-16**

A RESOLUTION of the Ellensburg City Council authorizing Blewett Blue Properties to remove three street trees located at 401 W 12<sup>th</sup> 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, Blewett Blue Properties has requested permission to remove three 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. Blewett Blue Properties is authorized to remove three street trees located at 401 W 12<sup>th</sup> Avenue. Approval is conditioned upon Blewett Blue Properties first receiving a Street Tree Permit and Public Works Permit from the City of Ellensburg Public Works Department for removal of the trees at Blewett Blue Properties expense including removal of the stumps, and replanting three street tree from the City's Street Tree List in the City right of way in an approved location, within one year.

Section 2. A \$800 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 July 7, 2025.

\_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
CITY CLERK



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Dynamics GP Software and Support Renewal  
**Submitted by:** Jim Goeben, IT Director, Ben Faubion, IT/Telecomm Manager  
**Department:** Information Technology

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**Suggested Motion/Action:**

Request Council approve the payment of \$92,027.11, including a budget adjustment for 2025 in the amount of \$3,450.

**Background/Summary:**

The City of Ellensburg has been using the Dynamics GP finance system since the early 2000s. Each year the software licensing and support must be renewed. The utility billing portion of the system was replaced at the end of 2023 with a new utility billing system and is no longer included in the software renewal; however, Dynamics GP is still used as the City's Enterprise Resource Planning (ERP) solution.

**Previous Council Action:**

The software license and support agreement was previously approved by Council and the renewal cost is included in the 2025/2026 budget, also approved by Council.

**Analysis:**

N/A

**Financial Impact:**

The \$92,027.11 renewal cost exceeds the 2025/2026 budgeted amount by \$3,450.

Budget Adjustment: Yes

**Attachments:**

1. ELLE01 - COGMN0000542

|                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------|
| <b>Bill To</b>                                                                                                      |
| Ellensburg, City of<br>Beth Leader & Jerica Pascoe<br>501 North Anderson Street<br>Ellensburg, WA 98926-3147<br>USA |

|                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------|
| <b>Ship To</b>                                                                                                      |
| Ellensburg, City of<br>Beth Leader & Jerica Pascoe<br>501 North Anderson Street<br>Ellensburg, WA 98926-3147<br>USA |

| Purchase order No | Customer ID. | Salesperson ID | Shipping Method | Payment Terms |
|-------------------|--------------|----------------|-----------------|---------------|
|                   | ELLE01       |                | LOCAL DELIVERY  | MN JUL        |

| Ordered | Item Number | Description                                                                                      | Unit Price            | Ext Price            |
|---------|-------------|--------------------------------------------------------------------------------------------------|-----------------------|----------------------|
| 1.00    | NOTE        | Reissue of COGMN0000529 for period 07/01/2025 to 06/30/2026.                                     | US\$0.00              | US\$0.00             |
| 1.00    | TPM-GP-CIS  | ELLE108  Microsoft Dynamics GP Software: 7/1/2025 to 6/30/2026                                   | US\$75,000.00         | US\$75,000.00        |
| 1.00    | TPM-EONE    | ELLE109  eOne - Smartlist Builder and SmartConnect: 7/1/2025 to 6/30/2026                        | US\$4,200.00          | US\$4,200.00         |
| 1.00    | TPM-MEKORM  | ELLE110  Mekorma - MICR US Payroll, Payables (QUO-4525): 7/1/2025 to 6/30/2026                   | US\$3,200.00          | US\$3,200.00         |
| 1.00    | SUBS REV    | ELLE111  Winthrop - GP Power Tools Admin, Developer, DB Module (QUO-4525): 7/1/2025 to 6/30/2026 | US\$2,339.51          | US\$2,339.51         |
|         |             |                                                                                                  | <b>Subtotal</b>       | <b>US\$84,739.51</b> |
|         |             |                                                                                                  | <b>Misc</b>           | <b>US\$0.00</b>      |
|         |             |                                                                                                  | <b>Tax</b>            | <b>US\$7,287.60</b>  |
|         |             |                                                                                                  | <b>Freight</b>        | <b>US\$0.00</b>      |
|         |             |                                                                                                  | <b>Trade Discount</b> | <b>US\$0.00</b>      |
|         |             |                                                                                                  | <b>Total</b>          | <b>US\$92,027.11</b> |

Invoice Questions? Please call Ekta Kanani at 613-223-0581 OR e-mail ekanani@harriscomputer.com





Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Approval of Special Events Where Alcohol is Served  
**Submitted by:** Brad Case, Parks & Recreation Director  
**Department:** Parks & Recreation

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**Suggested Motion/Action:**

Approve the service of alcohol at Unity Park for the following events; Ellensburg Music Festival, Blank Canvas Party, and Hoedown in the Downtown.

**Background/Summary:**

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.

**Previous Council Action:**

**Analysis:**

Council is being requested to approve the service of alcohol during the following events; Ellensburg Music Festival, an event sponsored by Jazz in the Valley/Laughing Horse Arts Foundation July 25-27, 2025 at Unity Park; the Blank Canvas Party, sponsored by the Ellensburg Downtown Association on August 15, 2025, in the alley behind Gallery One; Hoedown in the Downtown, an event sponsored by the Ellensburg Downtown Association, scheduled to take place August 23, 2025 at Unity Park. Event organizers have submitted a special event permit application as well as the necessary insurance.

**Financial Impact:**

Budget Adjustment: No

**Attachments:**

None



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** 2024 City of Ellensburg Annual Financial Statement Report  
**Submitted by:** Sarah Thorson, Accounting Manager  
**Department:** Finance

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**Suggested Motion/Action:**

Approve the 2024 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 in January 2025. 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 2024 Annual Financial Statements were completed and timely filed prior to the deadline on May 31, 2025.

**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. C4
2. C5
3. Notes to the Financial Statements
4. Schedule of Liabilities Schedule 9
5. Schedule of State Financial Assistance Schedule 15
6. Schedule of Federal Awards Schedule 16
7. SEFA Notes Schedule 16

**City of Ellensburg**  
**Fund Resources and Uses Arising from Cash Transactions**  
**For the Year Ended December 31, 2024**

|                                                     |                                | <b>Total for All<br/>Funds<br/>(Memo Only)</b> | <b>001 General<br/>Fund</b> | <b>120 Street Fund</b> | <b>125 Traffic<br/>Impact Fee<br/>Fund</b> |
|-----------------------------------------------------|--------------------------------|------------------------------------------------|-----------------------------|------------------------|--------------------------------------------|
| <b>Beginning Cash and Investments</b>               |                                |                                                |                             |                        |                                            |
| 308                                                 | Beginning Cash and Investments | 88,870,929                                     | 15,276,144                  | 2,748,241              | 452,964                                    |
| 388 / 588                                           | Net Adjustments                | -                                              | -                           | -                      | -                                          |
| <b>Revenues</b>                                     |                                |                                                |                             |                        |                                            |
| 310                                                 | Taxes                          | 21,700,497                                     | 15,690,867                  | -                      | -                                          |
| 320                                                 | Licenses and Permits           | 726,632                                        | 719,789                     | 6,324                  | -                                          |
| 330                                                 | Intergovernmental Revenues     | 9,748,856                                      | 989,800                     | 2,289,106              | -                                          |
| 340                                                 | Charges for Goods and Services | 59,700,659                                     | 2,094,146                   | 590,282                | 257,491                                    |
| 350                                                 | Fines and Penalties            | 181,641                                        | 181,165                     | -                      | -                                          |
| 360                                                 | Miscellaneous Revenues         | 7,876,620                                      | 1,169,031                   | 119,240                | 25,607                                     |
| Total Revenues:                                     |                                | 99,934,905                                     | 20,844,798                  | 3,004,952              | 283,098                                    |
| <b>Expenditures</b>                                 |                                |                                                |                             |                        |                                            |
| 510                                                 | General Government             | 9,641,507                                      | 2,514,195                   | 70,384                 | -                                          |
| 520                                                 | Public Safety                  | 7,868,257                                      | 6,077,512                   | -                      | -                                          |
| 530                                                 | Utilities                      | 39,752,790                                     | -                           | -                      | -                                          |
| 540                                                 | Transportation                 | 8,299,715                                      | 1,447,585                   | 2,895,917              | 39,437                                     |
| 550                                                 | Natural/Economic Environment   | 3,406,562                                      | 1,865,463                   | -                      | -                                          |
| 560                                                 | Social Services                | 220,489                                        | 220,489                     | -                      | -                                          |
| 570                                                 | Culture and Recreation         | 4,773,878                                      | 4,773,878                   | -                      | -                                          |
| Total Expenditures:                                 |                                | 73,963,198                                     | 16,899,122                  | 2,966,301              | 39,437                                     |
| Excess (Deficiency) Revenues over Expenditures:     |                                | 25,971,707                                     | 3,945,676                   | 38,651                 | 243,661                                    |
| <b>Other Increases in Fund Resources</b>            |                                |                                                |                             |                        |                                            |
| 391-393, 596                                        | Debt Proceeds                  | -                                              | -                           | -                      | -                                          |
| 397                                                 | Transfers-In                   | 3,846,138                                      | -                           | 3,096,808              | -                                          |
| 385                                                 | Special or Extraordinary Items | -                                              | -                           | -                      | -                                          |
| 381, 382, 389,<br>395, 398                          | Other Resources                | 5,196,790                                      | 10,687                      | 1,056,867              | -                                          |
| Total Other Increases in Fund Resources:            |                                | 9,042,928                                      | 10,687                      | 4,153,675              | -                                          |
| <b>Other Decreases in Fund Resources</b>            |                                |                                                |                             |                        |                                            |
| 594-595                                             | Capital Expenditures           | 19,446,386                                     | 2,642,827                   | 5,562,490              | -                                          |
| 591-593, 599                                        | Debt Service                   | 3,676,856                                      | 65,124                      | -                      | -                                          |
| 597                                                 | Transfers-Out                  | 3,846,138                                      | 3,349,330                   | -                      | 13,754                                     |
| 585                                                 | Special or Extraordinary Items | 545,980                                        | -                           | -                      | -                                          |
| 581, 582, 589                                       | Other Uses                     | 3,534,642                                      | 71,254                      | -                      | -                                          |
| Total Other Decreases in Fund Resources:            |                                | 31,050,002                                     | 6,128,535                   | 5,562,490              | 13,754                                     |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>3,964,633</b>                               | <b>(2,172,172)</b>          | <b>(1,370,164)</b>     | <b>229,907</b>                             |
| <b>Ending Cash and Investments</b>                  |                                |                                                |                             |                        |                                            |
| 50821                                               | Nonspendable                   | -                                              | -                           | -                      | -                                          |
| 50831                                               | Restricted                     | 25,095,811                                     | 1,449,460                   | -                      | 537,149                                    |
| 50841                                               | Committed                      | 390,117                                        | 201,609                     | -                      | -                                          |
| 50851                                               | Assigned                       | 57,503,160                                     | 1,606,415                   | 1,378,078              | 145,722                                    |
| 50891                                               | Unassigned                     | 9,846,484                                      | 9,846,484                   | -                      | -                                          |
| <b>Total Ending Cash and Investments</b>            |                                | <b>92,835,572</b>                              | <b>13,103,968</b>           | <b>1,378,078</b>       | <b>682,871</b>                             |

*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, 2024**

|                                                     |                                | <b>127 Public<br/>Transit Fund</b> | <b>130 Criminal<br/>Justice Sales<br/>Tax Fund</b> | <b>137 Drug Fund</b> | <b>150 Ellensburg<br/>Community TV</b> |
|-----------------------------------------------------|--------------------------------|------------------------------------|----------------------------------------------------|----------------------|----------------------------------------|
| <b>Beginning Cash and Investments</b>               |                                |                                    |                                                    |                      |                                        |
| 308                                                 | Beginning Cash and Investments | 3,868,732                          | 2,819,826                                          | 28,426               | 109,136                                |
| 388 / 588                                           | Net Adjustments                | -                                  | -                                                  | -                    | -                                      |
| <b>Revenues</b>                                     |                                |                                    |                                                    |                      |                                        |
| 310                                                 | Taxes                          | 1,619,208                          | 1,784,369                                          | -                    | 85,350                                 |
| 320                                                 | Licenses and Permits           | -                                  | -                                                  | -                    | -                                      |
| 330                                                 | Intergovernmental Revenues     | 875,774                            | -                                                  | -                    | -                                      |
| 340                                                 | Charges for Goods and Services | 62,500                             | -                                                  | -                    | -                                      |
| 350                                                 | Fines and Penalties            | -                                  | -                                                  | 476                  | -                                      |
| 360                                                 | Miscellaneous Revenues         | 175,431                            | 98,398                                             | 1,350                | 4,138                                  |
| Total Revenues:                                     |                                | 2,732,913                          | 1,882,767                                          | 1,826                | 89,488                                 |
| <b>Expenditures</b>                                 |                                |                                    |                                                    |                      |                                        |
| 510                                                 | General Government             | -                                  | -                                                  | -                    | -                                      |
| 520                                                 | Public Safety                  | -                                  | 1,786,780                                          | 3,965                | -                                      |
| 530                                                 | Utilities                      | -                                  | -                                                  | -                    | -                                      |
| 540                                                 | Transportation                 | 1,999,744                          | -                                                  | -                    | -                                      |
| 550                                                 | Natural/Economic Environment   | -                                  | 86,659                                             | -                    | 80,936                                 |
| 560                                                 | Social Services                | -                                  | -                                                  | -                    | -                                      |
| 570                                                 | Culture and Recreation         | -                                  | -                                                  | -                    | -                                      |
| Total Expenditures:                                 |                                | 1,999,744                          | 1,873,439                                          | 3,965                | 80,936                                 |
| Excess (Deficiency) Revenues over Expenditures:     |                                | 733,169                            | 9,328                                              | (2,139)              | 8,552                                  |
| <b>Other Increases in Fund Resources</b>            |                                |                                    |                                                    |                      |                                        |
| 391-393, 596                                        | Debt Proceeds                  | -                                  | -                                                  | -                    | -                                      |
| 397                                                 | Transfers-In                   | -                                  | -                                                  | -                    | -                                      |
| 385                                                 | Special or Extraordinary Items | -                                  | -                                                  | -                    | -                                      |
| 381, 382, 389,<br>395, 398                          | Other Resources                | -                                  | 127                                                | -                    | -                                      |
| Total Other Increases in Fund Resources:            |                                | -                                  | 127                                                | -                    | -                                      |
| <b>Other Decreases in Fund Resources</b>            |                                |                                    |                                                    |                      |                                        |
| 594-595                                             | Capital Expenditures           | 301,687                            | -                                                  | -                    | -                                      |
| 591-593, 599                                        | Debt Service                   | 202                                | 41,950                                             | -                    | -                                      |
| 597                                                 | Transfers-Out                  | -                                  | -                                                  | -                    | -                                      |
| 585                                                 | Special or Extraordinary Items | -                                  | -                                                  | -                    | -                                      |
| 581, 582, 589                                       | Other Uses                     | -                                  | -                                                  | -                    | -                                      |
| Total Other Decreases in Fund Resources:            |                                | 301,889                            | 41,950                                             | -                    | -                                      |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>431,280</b>                     | <b>(32,495)</b>                                    | <b>(2,139)</b>       | <b>8,552</b>                           |
| <b>Ending Cash and Investments</b>                  |                                |                                    |                                                    |                      |                                        |
| 50821                                               | Nonspendable                   | -                                  | -                                                  | -                    | -                                      |
| 50831                                               | Restricted                     | 3,778,233                          | 2,462,874                                          | 20,296               | -                                      |
| 50841                                               | Committed                      | -                                  | -                                                  | -                    | 117,688                                |
| 50851                                               | Assigned                       | 521,779                            | 324,459                                            | 5,990                | -                                      |
| 50891                                               | Unassigned                     | -                                  | -                                                  | -                    | -                                      |
| <b>Total Ending Cash and Investments</b>            |                                | <b>4,300,012</b>                   | <b>2,787,333</b>                                   | <b>26,286</b>        | <b>117,688</b>                         |

*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, 2024**

|                                                     |                                | <b>155 Ellensburg<br/>Community TV<br/>Capital</b> | <b>160 Park<br/>Acquisition &amp;<br/>Improvement</b> | <b>165 Lodging<br/>Tax Fund</b> | <b>172 Affordable<br/>Housing Fund</b> |
|-----------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------------------------|---------------------------------|----------------------------------------|
| <b>Beginning Cash and Investments</b>               |                                |                                                    |                                                       |                                 |                                        |
| 308                                                 | Beginning Cash and Investments | 66,951                                             | 445,635                                               | 1,320,169                       | 2,412,282                              |
| 388 / 588                                           | Net Adjustments                | -                                                  | -                                                     | -                               | -                                      |
| <b>Revenues</b>                                     |                                |                                                    |                                                       |                                 |                                        |
| 310                                                 | Taxes                          | -                                                  | -                                                     | 832,762                         | 905,587                                |
| 320                                                 | Licenses and Permits           | 519                                                | -                                                     | -                               | -                                      |
| 330                                                 | Intergovernmental Revenues     | -                                                  | 1,851                                                 | -                               | 1,043,916                              |
| 340                                                 | Charges for Goods and Services | -                                                  | 220,684                                               | -                               | -                                      |
| 350                                                 | Fines and Penalties            | -                                                  | -                                                     | -                               | -                                      |
| 360                                                 | Miscellaneous Revenues         | 3,350                                              | 20,648                                                | 5,367                           | 118,920                                |
| Total Revenues:                                     |                                | 3,869                                              | 243,183                                               | 838,129                         | 2,068,423                              |
| <b>Expenditures</b>                                 |                                |                                                    |                                                       |                                 |                                        |
| 510                                                 | General Government             | -                                                  | -                                                     | -                               | -                                      |
| 520                                                 | Public Safety                  | -                                                  | -                                                     | -                               | -                                      |
| 530                                                 | Utilities                      | -                                                  | -                                                     | -                               | -                                      |
| 540                                                 | Transportation                 | -                                                  | -                                                     | -                               | -                                      |
| 550                                                 | Natural/Economic Environment   | -                                                  | -                                                     | 317,083                         | 1,056,421                              |
| 560                                                 | Social Services                | -                                                  | -                                                     | -                               | -                                      |
| 570                                                 | Culture and Recreation         | -                                                  | -                                                     | -                               | -                                      |
| Total Expenditures:                                 |                                | -                                                  | -                                                     | 317,083                         | 1,056,421                              |
| Excess (Deficiency) Revenues over Expenditures:     |                                | 3,869                                              | 243,183                                               | 521,046                         | 1,012,002                              |
| <b>Other Increases in Fund Resources</b>            |                                |                                                    |                                                       |                                 |                                        |
| 391-393, 596                                        | Debt Proceeds                  | -                                                  | -                                                     | -                               | -                                      |
| 397                                                 | Transfers-In                   | -                                                  | -                                                     | -                               | -                                      |
| 385                                                 | Special or Extraordinary Items | -                                                  | -                                                     | -                               | -                                      |
| 381, 382, 389,<br>395, 398                          | Other Resources                | -                                                  | -                                                     | -                               | -                                      |
| Total Other Increases in Fund Resources:            |                                | -                                                  | -                                                     | -                               | -                                      |
| <b>Other Decreases in Fund Resources</b>            |                                |                                                    |                                                       |                                 |                                        |
| 594-595                                             | Capital Expenditures           | -                                                  | 16,580                                                | -                               | -                                      |
| 591-593, 599                                        | Debt Service                   | -                                                  | -                                                     | -                               | -                                      |
| 597                                                 | Transfers-Out                  | -                                                  | -                                                     | -                               | -                                      |
| 585                                                 | Special or Extraordinary Items | -                                                  | -                                                     | -                               | -                                      |
| 581, 582, 589                                       | Other Uses                     | -                                                  | -                                                     | -                               | -                                      |
| Total Other Decreases in Fund Resources:            |                                | -                                                  | 16,580                                                | -                               | -                                      |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>3,869</b>                                       | <b>226,603</b>                                        | <b>521,046</b>                  | <b>1,012,002</b>                       |
| <b>Ending Cash and Investments</b>                  |                                |                                                    |                                                       |                                 |                                        |
| 50821                                               | Nonspendable                   | -                                                  | -                                                     | -                               | -                                      |
| 50831                                               | Restricted                     | -                                                  | 570,907                                               | 1,763,110                       | 3,142,582                              |
| 50841                                               | Committed                      | 70,820                                             | -                                                     | -                               | -                                      |
| 50851                                               | Assigned                       | -                                                  | 101,330                                               | 78,106                          | 281,702                                |
| 50891                                               | Unassigned                     | -                                                  | -                                                     | -                               | -                                      |
| <b>Total Ending Cash and Investments</b>            |                                | <b>70,820</b>                                      | <b>672,237</b>                                        | <b>1,841,216</b>                | <b>3,424,284</b>                       |

*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, 2024**

|                                                     |                                | <b>210 Facilities<br/>Improvement<br/>Debt Service</b> | <b>225 2010<br/>Maintenance<br/>Bond Debt</b> | <b>325 Fieldhouse<br/>Fund</b> | <b>340 Capital<br/>Improvement<br/>Bond Fund</b> |
|-----------------------------------------------------|--------------------------------|--------------------------------------------------------|-----------------------------------------------|--------------------------------|--------------------------------------------------|
| <b>Beginning Cash and Investments</b>               |                                |                                                        |                                               |                                |                                                  |
| 308                                                 | Beginning Cash and Investments | 362,380                                                | 87,815                                        | 4,877,900                      | 404,141                                          |
| 388 / 588                                           | Net Adjustments                | -                                                      | -                                             | -                              | -                                                |
| <b>Revenues</b>                                     |                                |                                                        |                                               |                                |                                                  |
| 310                                                 | Taxes                          | -                                                      | -                                             | -                              | -                                                |
| 320                                                 | Licenses and Permits           | -                                                      | -                                             | -                              | -                                                |
| 330                                                 | Intergovernmental Revenues     | -                                                      | -                                             | -                              | -                                                |
| 340                                                 | Charges for Goods and Services | -                                                      | -                                             | -                              | -                                                |
| 350                                                 | Fines and Penalties            | -                                                      | -                                             | -                              | -                                                |
| 360                                                 | Miscellaneous Revenues         | -                                                      | -                                             | 231,388                        | -                                                |
| Total Revenues:                                     |                                | -                                                      | -                                             | 231,388                        | -                                                |
| <b>Expenditures</b>                                 |                                |                                                        |                                               |                                |                                                  |
| 510                                                 | General Government             | -                                                      | -                                             | -                              | -                                                |
| 520                                                 | Public Safety                  | -                                                      | -                                             | -                              | -                                                |
| 530                                                 | Utilities                      | -                                                      | -                                             | -                              | -                                                |
| 540                                                 | Transportation                 | -                                                      | -                                             | -                              | -                                                |
| 550                                                 | Natural/Economic Environment   | -                                                      | -                                             | -                              | -                                                |
| 560                                                 | Social Services                | -                                                      | -                                             | -                              | -                                                |
| 570                                                 | Culture and Recreation         | -                                                      | -                                             | -                              | -                                                |
| Total Expenditures:                                 |                                | -                                                      | -                                             | -                              | -                                                |
| Excess (Deficiency) Revenues over Expenditures:     |                                | -                                                      | -                                             | 231,388                        | -                                                |
| <b>Other Increases in Fund Resources</b>            |                                |                                                        |                                               |                                |                                                  |
| 391-393, 596                                        | Debt Proceeds                  | -                                                      | -                                             | -                              | -                                                |
| 397                                                 | Transfers-In                   | 562,327                                                | 187,003                                       | -                              | -                                                |
| 385                                                 | Special or Extraordinary Items | -                                                      | -                                             | -                              | -                                                |
| 381, 382, 389,<br>395, 398                          | Other Resources                | -                                                      | -                                             | 986,476                        | -                                                |
| Total Other Increases in Fund Resources:            |                                | 562,327                                                | 187,003                                       | 986,476                        | -                                                |
| <b>Other Decreases in Fund Resources</b>            |                                |                                                        |                                               |                                |                                                  |
| 594-595                                             | Capital Expenditures           | -                                                      | -                                             | 488,145                        | 56,591                                           |
| 591-593, 599                                        | Debt Service                   | 562,326                                                | 186,403                                       | -                              | -                                                |
| 597                                                 | Transfers-Out                  | -                                                      | -                                             | -                              | -                                                |
| 585                                                 | Special or Extraordinary Items | -                                                      | -                                             | -                              | -                                                |
| 581, 582, 589                                       | Other Uses                     | -                                                      | -                                             | -                              | -                                                |
| Total Other Decreases in Fund Resources:            |                                | 562,326                                                | 186,403                                       | 488,145                        | 56,591                                           |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>1</b>                                               | <b>600</b>                                    | <b>729,719</b>                 | <b>(56,591)</b>                                  |
| <b>Ending Cash and Investments</b>                  |                                |                                                        |                                               |                                |                                                  |
| 50821                                               | Nonspendable                   | -                                                      | -                                             | -                              | -                                                |
| 50831                                               | Restricted                     | -                                                      | -                                             | -                              | -                                                |
| 50841                                               | Committed                      | -                                                      | -                                             | -                              | -                                                |
| 50851                                               | Assigned                       | 362,382                                                | 88,415                                        | 5,607,619                      | 347,551                                          |
| 50891                                               | Unassigned                     | -                                                      | -                                             | -                              | -                                                |
| <b>Total Ending Cash and Investments</b>            |                                | <b>362,382</b>                                         | <b>88,415</b>                                 | <b>5,607,619</b>               | <b>347,551</b>                                   |

*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, 2024**

|                                                     |                                | <b>365 General<br/>Capital<br/>Facilities Fund</b> | <b>366 Sidewalk<br/>Fund</b> | <b>370 Capital<br/>Facilities Fund</b> | <b>431 Stormwater<br/>Utility Fund</b> |
|-----------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|----------------------------------------|----------------------------------------|
| <b>Beginning Cash and Investments</b>               |                                |                                                    |                              |                                        |                                        |
| 308                                                 | Beginning Cash and Investments | 116,203                                            | 555,127                      | 389,182                                | 1,354,636                              |
| 388 / 588                                           | Net Adjustments                | -                                                  | -                            | -                                      | -                                      |
| <b>Revenues</b>                                     |                                |                                                    |                              |                                        |                                        |
| 310                                                 | Taxes                          | -                                                  | 391,177                      | 391,177                                | -                                      |
| 320                                                 | Licenses and Permits           | -                                                  | -                            | -                                      | -                                      |
| 330                                                 | Intergovernmental Revenues     | -                                                  | -                            | -                                      | 40,000                                 |
| 340                                                 | Charges for Goods and Services | -                                                  | -                            | -                                      | 2,087,494                              |
| 350                                                 | Fines and Penalties            | -                                                  | -                            | -                                      | -                                      |
| 360                                                 | Miscellaneous Revenues         | -                                                  | 65,843                       | 26,576                                 | 74,512                                 |
| Total Revenues:                                     |                                | -                                                  | 457,020                      | 417,753                                | 2,202,006                              |
| <b>Expenditures</b>                                 |                                |                                                    |                              |                                        |                                        |
| 510                                                 | General Government             | -                                                  | -                            | -                                      | -                                      |
| 520                                                 | Public Safety                  | -                                                  | -                            | -                                      | -                                      |
| 530                                                 | Utilities                      | -                                                  | -                            | -                                      | 1,628,195                              |
| 540                                                 | Transportation                 | -                                                  | 296,775                      | -                                      | -                                      |
| 550                                                 | Natural/Economic Environment   | -                                                  | -                            | -                                      | -                                      |
| 560                                                 | Social Services                | -                                                  | -                            | -                                      | -                                      |
| 570                                                 | Culture and Recreation         | -                                                  | -                            | -                                      | -                                      |
| Total Expenditures:                                 |                                | -                                                  | 296,775                      | -                                      | 1,628,195                              |
| Excess (Deficiency) Revenues over Expenditures:     |                                | -                                                  | 160,245                      | 417,753                                | 573,811                                |
| <b>Other Increases in Fund Resources</b>            |                                |                                                    |                              |                                        |                                        |
| 391-393, 596                                        | Debt Proceeds                  | -                                                  | -                            | -                                      | -                                      |
| 397                                                 | Transfers-In                   | -                                                  | -                            | -                                      | -                                      |
| 385                                                 | Special or Extraordinary Items | -                                                  | -                            | -                                      | -                                      |
| 381, 382, 389,<br>395, 398                          | Other Resources                | -                                                  | -                            | -                                      | 127,992                                |
| Total Other Increases in Fund Resources:            |                                | -                                                  | -                            | -                                      | 127,992                                |
| <b>Other Decreases in Fund Resources</b>            |                                |                                                    |                              |                                        |                                        |
| 594-595                                             | Capital Expenditures           | -                                                  | -                            | -                                      | 129,553                                |
| 591-593, 599                                        | Debt Service                   | -                                                  | -                            | -                                      | 361,332                                |
| 597                                                 | Transfers-Out                  | -                                                  | 483,054                      | -                                      | -                                      |
| 585                                                 | Special or Extraordinary Items | -                                                  | -                            | -                                      | -                                      |
| 581, 582, 589                                       | Other Uses                     | -                                                  | -                            | -                                      | 123,823                                |
| Total Other Decreases in Fund Resources:            |                                | -                                                  | 483,054                      | -                                      | 614,708                                |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>-</b>                                           | <b>(322,809)</b>             | <b>417,753</b>                         | <b>87,095</b>                          |
| <b>Ending Cash and Investments</b>                  |                                |                                                    |                              |                                        |                                        |
| 50821                                               | Nonspendable                   | -                                                  | -                            | -                                      | -                                      |
| 50831                                               | Restricted                     | -                                                  | 43,526                       | 773,838                                | 429,250                                |
| 50841                                               | Committed                      | -                                                  | -                            | -                                      | -                                      |
| 50851                                               | Assigned                       | 116,203                                            | 188,793                      | 33,098                                 | 1,012,482                              |
| 50891                                               | Unassigned                     | -                                                  | -                            | -                                      | -                                      |
| <b>Total Ending Cash and Investments</b>            |                                | <b>116,203</b>                                     | <b>232,319</b>               | <b>806,936</b>                         | <b>1,441,732</b>                       |

*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, 2024**

|                                                     |                                | <b>451 Telecom<br/>Utility Fund</b> | <b>461 Natural Gas<br/>Utility Fund</b> | <b>471 Electric<br/>Utility Fund</b> | <b>481 Water Utility<br/>Fund</b> |
|-----------------------------------------------------|--------------------------------|-------------------------------------|-----------------------------------------|--------------------------------------|-----------------------------------|
| <b>Beginning Cash and Investments</b>               |                                |                                     |                                         |                                      |                                   |
| 308                                                 | Beginning Cash and Investments | 431,946                             | 3,072,815                               | 14,757,623                           | 9,320,250                         |
| 388 / 588                                           | Net Adjustments                | -                                   | -                                       | -                                    | -                                 |
| <b>Revenues</b>                                     |                                |                                     |                                         |                                      |                                   |
| 310                                                 | Taxes                          | -                                   | -                                       | -                                    | -                                 |
| 320                                                 | Licenses and Permits           | -                                   | -                                       | -                                    | -                                 |
| 330                                                 | Intergovernmental Revenues     | -                                   | 4,077,572                               | 333,968                              | 96,869                            |
| 340                                                 | Charges for Goods and Services | 475,867                             | 10,350,469                              | 21,614,584                           | 6,351,715                         |
| 350                                                 | Fines and Penalties            | -                                   | -                                       | -                                    | -                                 |
| 360                                                 | Miscellaneous Revenues         | 19,829                              | 948,988                                 | 777,428                              | 1,882,618                         |
| Total Revenues:                                     |                                | 495,696                             | 15,377,029                              | 22,725,980                           | 8,331,202                         |
| <b>Expenditures</b>                                 |                                |                                     |                                         |                                      |                                   |
| 510                                                 | General Government             | -                                   | -                                       | -                                    | -                                 |
| 520                                                 | Public Safety                  | -                                   | -                                       | -                                    | -                                 |
| 530                                                 | Utilities                      | 211,094                             | 10,171,714                              | 17,967,896                           | 5,057,362                         |
| 540                                                 | Transportation                 | -                                   | -                                       | -                                    | -                                 |
| 550                                                 | Natural/Economic Environment   | -                                   | -                                       | -                                    | -                                 |
| 560                                                 | Social Services                | -                                   | -                                       | -                                    | -                                 |
| 570                                                 | Culture and Recreation         | -                                   | -                                       | -                                    | -                                 |
| Total Expenditures:                                 |                                | 211,094                             | 10,171,714                              | 17,967,896                           | 5,057,362                         |
| Excess (Deficiency) Revenues over Expenditures:     |                                | 284,602                             | 5,205,315                               | 4,758,084                            | 3,273,840                         |
| <b>Other Increases in Fund Resources</b>            |                                |                                     |                                         |                                      |                                   |
| 391-393, 596                                        | Debt Proceeds                  | -                                   | -                                       | -                                    | -                                 |
| 397                                                 | Transfers-In                   | -                                   | -                                       | -                                    | -                                 |
| 385                                                 | Special or Extraordinary Items | -                                   | -                                       | -                                    | -                                 |
| 381, 382, 389,<br>395, 398                          | Other Resources                | -                                   | 533,655                                 | 1,167,057                            | 398,189                           |
| Total Other Increases in Fund Resources:            |                                | -                                   | 533,655                                 | 1,167,057                            | 398,189                           |
| <b>Other Decreases in Fund Resources</b>            |                                |                                     |                                         |                                      |                                   |
| 594-595                                             | Capital Expenditures           | 434,440                             | 494,801                                 | 3,707,889                            | 2,677,622                         |
| 591-593, 599                                        | Debt Service                   | 19,327                              | 58,450                                  | 627,833                              | 740,942                           |
| 597                                                 | Transfers-Out                  | -                                   | -                                       | -                                    | -                                 |
| 585                                                 | Special or Extraordinary Items | -                                   | -                                       | 545,980                              | -                                 |
| 581, 582, 589                                       | Other Uses                     | -                                   | 516,170                                 | 1,128,874                            | 385,115                           |
| Total Other Decreases in Fund Resources:            |                                | 453,767                             | 1,069,421                               | 6,010,576                            | 3,803,679                         |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>(169,165)</b>                    | <b>4,669,549</b>                        | <b>(85,435)</b>                      | <b>(131,650)</b>                  |
| <b>Ending Cash and Investments</b>                  |                                |                                     |                                         |                                      |                                   |
| 50821                                               | Nonspendable                   | -                                   | -                                       | -                                    | -                                 |
| 50831                                               | Restricted                     | -                                   | 4,955,132                               | 834,576                              | 1,983,737                         |
| 50841                                               | Committed                      | -                                   | -                                       | -                                    | -                                 |
| 50851                                               | Assigned                       | 262,780                             | 2,787,234                               | 13,837,614                           | 7,204,867                         |
| 50891                                               | Unassigned                     | -                                   | -                                       | -                                    | -                                 |
| <b>Total Ending Cash and Investments</b>            |                                | <b>262,780</b>                      | <b>7,742,366</b>                        | <b>14,672,190</b>                    | <b>9,188,604</b>                  |

*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, 2024**

|                                                     |                                | <b>491 Wastewater<br/>Utility Fund</b> | <b>531 Shop &amp;<br/>Warehouse<br/>Fund</b> | <b>535 General<br/>Facilities Fund</b> | <b>540 Health &amp;<br/>Benefits Fund</b> |
|-----------------------------------------------------|--------------------------------|----------------------------------------|----------------------------------------------|----------------------------------------|-------------------------------------------|
| <b>Beginning Cash and Investments</b>               |                                |                                        |                                              |                                        |                                           |
| 308                                                 | Beginning Cash and Investments | 8,098,530                              | 9,873,720                                    | 38,461                                 | 1,300,791                                 |
| 388 / 588                                           | Net Adjustments                | -                                      | -                                            | -                                      | -                                         |
| <b>Revenues</b>                                     |                                |                                        |                                              |                                        |                                           |
| 310                                                 | Taxes                          | -                                      | -                                            | -                                      | -                                         |
| 320                                                 | Licenses and Permits           | -                                      | -                                            | -                                      | -                                         |
| 330                                                 | Intergovernmental Revenues     | -                                      | -                                            | -                                      | -                                         |
| 340                                                 | Charges for Goods and Services | 5,725,224                              | 2,681,832                                    | 891,911                                | 2,468,762                                 |
| 350                                                 | Fines and Penalties            | -                                      | -                                            | -                                      | -                                         |
| 360                                                 | Miscellaneous Revenues         | 1,440,541                              | 384,211                                      | 3,420                                  | 80,786                                    |
| Total Revenues:                                     |                                | 7,165,765                              | 3,066,043                                    | 895,331                                | 2,549,548                                 |
| <b>Expenditures</b>                                 |                                |                                        |                                              |                                        |                                           |
| 510                                                 | General Government             | -                                      | -                                            | 752,482                                | 3,153,220                                 |
| 520                                                 | Public Safety                  | -                                      | -                                            | -                                      | -                                         |
| 530                                                 | Utilities                      | 4,716,529                              | -                                            | -                                      | -                                         |
| 540                                                 | Transportation                 | -                                      | 1,620,257                                    | -                                      | -                                         |
| 550                                                 | Natural/Economic Environment   | -                                      | -                                            | -                                      | -                                         |
| 560                                                 | Social Services                | -                                      | -                                            | -                                      | -                                         |
| 570                                                 | Culture and Recreation         | -                                      | -                                            | -                                      | -                                         |
| Total Expenditures:                                 |                                | 4,716,529                              | 1,620,257                                    | 752,482                                | 3,153,220                                 |
| Excess (Deficiency) Revenues over Expenditures:     |                                | 2,449,236                              | 1,445,786                                    | 142,849                                | (603,672)                                 |
| <b>Other Increases in Fund Resources</b>            |                                |                                        |                                              |                                        |                                           |
| 391-393, 596                                        | Debt Proceeds                  | -                                      | -                                            | -                                      | -                                         |
| 397                                                 | Transfers-In                   | -                                      | -                                            | -                                      | -                                         |
| 385                                                 | Special or Extraordinary Items | -                                      | -                                            | -                                      | -                                         |
| 381, 382, 389,<br>395, 398                          | Other Resources                | 317,094                                | 70                                           | 16                                     | 598,362                                   |
| Total Other Increases in Fund Resources:            |                                | 317,094                                | 70                                           | 16                                     | 598,362                                   |
| <b>Other Decreases in Fund Resources</b>            |                                |                                        |                                              |                                        |                                           |
| 594-595                                             | Capital Expenditures           | 2,357,722                              | 520,629                                      | -                                      | -                                         |
| 591-593, 599                                        | Debt Service                   | 691,700                                | 2,521                                        | -                                      | -                                         |
| 597                                                 | Transfers-Out                  | -                                      | -                                            | -                                      | -                                         |
| 585                                                 | Special or Extraordinary Items | -                                      | -                                            | -                                      | -                                         |
| 581, 582, 589                                       | Other Uses                     | 306,414                                | 1,002,992                                    | -                                      | -                                         |
| Total Other Decreases in Fund Resources:            |                                | 3,355,836                              | 1,526,142                                    | -                                      | -                                         |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>(589,506)</b>                       | <b>(80,286)</b>                              | <b>142,865</b>                         | <b>(5,310)</b>                            |
| <b>Ending Cash and Investments</b>                  |                                |                                        |                                              |                                        |                                           |
| 50821                                               | Nonspendable                   | -                                      | -                                            | -                                      | -                                         |
| 50831                                               | Restricted                     | 2,351,141                              | -                                            | -                                      | -                                         |
| 50841                                               | Committed                      | -                                      | -                                            | -                                      | -                                         |
| 50851                                               | Assigned                       | 5,157,881                              | 9,793,434                                    | 181,326                                | 1,295,483                                 |
| 50891                                               | Unassigned                     | -                                      | -                                            | -                                      | -                                         |
| <b>Total Ending Cash and Investments</b>            |                                | <b>7,509,022</b>                       | <b>9,793,434</b>                             | <b>181,326</b>                         | <b>1,295,483</b>                          |

*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, 2024**

|                                                     |                                | <b>545 Risk<br/>Management<br/>Fund</b> | <b>550 IT Fund</b> | <b>555 GIS Fund</b> |
|-----------------------------------------------------|--------------------------------|-----------------------------------------|--------------------|---------------------|
|                                                     |                                |                                         |                    |                     |
| <b>Beginning Cash and Investments</b>               |                                |                                         |                    |                     |
| 308                                                 | Beginning Cash and Investments | 1,736,766                               | 2,108,471          | 435,666             |
| 388 / 588                                           | Net Adjustments                | -                                       | -                  | -                   |
| <b>Revenues</b>                                     |                                |                                         |                    |                     |
| 310                                                 | Taxes                          | -                                       | -                  | -                   |
| 320                                                 | Licenses and Permits           | -                                       | -                  | -                   |
| 330                                                 | Intergovernmental Revenues     | -                                       | -                  | -                   |
| 340                                                 | Charges for Goods and Services | 685,791                                 | 2,832,643          | 309,264             |
| 350                                                 | Fines and Penalties            | -                                       | -                  | -                   |
| 360                                                 | Miscellaneous Revenues         | 63,522                                  | 113,024            | 22,454              |
| Total Revenues:                                     |                                | 749,313                                 | 2,945,667          | 331,718             |
| <b>Expenditures</b>                                 |                                |                                         |                    |                     |
| 510                                                 | General Government             | 1,129,095                               | 1,687,933          | 334,198             |
| 520                                                 | Public Safety                  | -                                       | -                  | -                   |
| 530                                                 | Utilities                      | -                                       | -                  | -                   |
| 540                                                 | Transportation                 | -                                       | -                  | -                   |
| 550                                                 | Natural/Economic Environment   | -                                       | -                  | -                   |
| 560                                                 | Social Services                | -                                       | -                  | -                   |
| 570                                                 | Culture and Recreation         | -                                       | -                  | -                   |
| Total Expenditures:                                 |                                | 1,129,095                               | 1,687,933          | 334,198             |
| Excess (Deficiency) Revenues over Expenditures:     |                                | (379,782)                               | 1,257,734          | (2,480)             |
| <b>Other Increases in Fund Resources</b>            |                                |                                         |                    |                     |
| 391-393, 596                                        | Debt Proceeds                  | -                                       | -                  | -                   |
| 397                                                 | Transfers-In                   | -                                       | -                  | -                   |
| 385                                                 | Special or Extraordinary Items | -                                       | -                  | -                   |
| 381, 382, 389,<br>395, 398                          | Other Resources                | -                                       | 156                | 42                  |
| Total Other Increases in Fund Resources:            |                                | -                                       | 156                | 42                  |
| <b>Other Decreases in Fund Resources</b>            |                                |                                         |                    |                     |
| 594-595                                             | Capital Expenditures           | -                                       | 55,410             | -                   |
| 591-593, 599                                        | Debt Service                   | -                                       | 318,745            | 1                   |
| 597                                                 | Transfers-Out                  | -                                       | -                  | -                   |
| 585                                                 | Special or Extraordinary Items | -                                       | -                  | -                   |
| 581, 582, 589                                       | Other Uses                     | -                                       | -                  | -                   |
| Total Other Decreases in Fund Resources:            |                                | -                                       | 374,155            | 1                   |
| <b>Increase (Decrease) in Cash and Investments:</b> |                                | <b>(379,782)</b>                        | <b>883,735</b>     | <b>(2,439)</b>      |
| <b>Ending Cash and Investments</b>                  |                                |                                         |                    |                     |
| 50821                                               | Nonspendable                   | -                                       | -                  | -                   |
| 50831                                               | Restricted                     | -                                       | -                  | -                   |
| 50841                                               | Committed                      | -                                       | -                  | -                   |
| 50851                                               | Assigned                       | 1,356,984                               | 2,992,205          | 433,228             |
| 50891                                               | Unassigned                     | -                                       | -                  | -                   |
| <b>Total Ending Cash and Investments</b>            |                                | <b>1,356,984</b>                        | <b>2,992,205</b>   | <b>433,228</b>      |

*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, 2024**

|           |                                                  | <b>Custodial</b> |
|-----------|--------------------------------------------------|------------------|
| 308       | Beginning Cash and Investments                   | 3,762            |
| 388 & 588 | Net Adjustments                                  | -                |
| 310-390   | Additions                                        | 45,329           |
| 510-590   | Deductions                                       | 41,440           |
|           | Net Increase (Decrease) in Cash and Investments: | 3,889            |
| 508       | Ending Cash and Investments                      | 7,650            |

*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, 2024**

**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. In addition, the city owns and operates six utility systems: stormwater, telecommunications, natural gas, electricity, water, and wastewater.

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.

Street Fund – accounts for maintenance of transportation improvements within the public rights of way. Includes snow removal, pavement repair, pavement preservation, flood response, tree trimming, and weed control. Revenue sources include state shared revenues, motor vehicle fuel tax, charges for services, interdepartmental services, transfers in from other funds, State and Federal grants, and interest income.

Traffic Impact Fee Fund – accounts for traffic impact fees restricted to aiding improvement to transportation system capacity that will reasonably benefit new development. Revenue sources include traffic impact fees and interest income.

Public Transit Fund – accounts for safe, reliable, fare-free public transit services which meets the needs of the riders while being good stewards of the taxpayers funding. Revenue sources include Transportation Benefit District retail sales tax 0.2% funding for public transit, state grants, and interest income.

Criminal Justice Fund – accounts for proceeds of criminal justice sales tax 3/10<sup>th</sup> of a cent and interest income and is expended on police operations and animal control.

Drug Fund – accounts for drug fund assessment and interest income and use of those resources for drug related investigations.

Ellensburg Community TVTV Fund – accounts for television cable 2% franchise fees restricted for supporting ECTV, television cable utility taxes, and interest income.

Ellensburg Community TV Capital Fund – accounts for cable franchise fees restricted for designated purposes supporting operation of ECTV and related systems.

Park Acquisition & Improvement Fund – accounts for park impact fees and a portion of gas tax restricted for park land acquisition, park development, and trail development. Revenue sources include Gas Tax and Impact Fees, along with interest income.

Lodging Tax Fund – accounts for Hotel/Motel tax revenues and distributions to enhance tourism in the city and to support visitor facilities. Revenue sources are from a 4% Hotel/Motel tax the city imposes on hospitality services and interest income.

Affordable Housing Fund – accounts for Housing and Related Services Sales & Use Tax revenue, Affordable and Supporting Housing Sales & Use Tax revenue, and interest income, used to support and develop affordable housing and related services.

#### 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.

2017 Facilities Improvement Debt Service Fund – accounts for debt service on City issued bond to finance various capital improvement projects including renovation of the public safety building. Revenue source is a transfer-in from the General Fund.

2010 Maintenance Bond Debt Service Fund – accounts for debt service on City issued bonds to finance various capital projects including roof replacement on municipal buildings. Revenue source is a transfer in from the General Fund.

#### 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.

Fieldhouse Development Fund – Fieldhouse Development Fund – accounts for resources designated for acquisition or construction of a Fieldhouse to replace the Ellensburg Raquet and Recreation Center which was destroyed by arson in December 2022.

2017 Facility Improvement Bond Capital Project Fund – accounts for issued debt to finance various capital improvement projects.

General Capital Facilities Fund – accounts for resources designated for capital facility purposes, including specific proceeds from the sale of surplus property restricted for park improvements.

Sidewalk Fund – accounts for resources designated for construction and maintenance of the City’s sidewalks, including Real Estate Excise Tax (REET “1”) and interest income.

Capital Facilities Fund – accounts for resources designated for capital facility purposes, specifically REET “2” revenue designated for parks and recreation facilities.

#### 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.

Water Utility Fund – accounts for activities to provide safe, high-quality water to utility customers, while maintaining a utility rate structure that supports the expenses of the fund and maintains adequate fund balance, including monitoring, testing, repairing, and upgrading the City’s water sources and distribution system.

Wastewater Utility (Sewer) Fund – accounts for activities to provide efficient, economical wastewater collections and treatment, while maintaining a utility rate structure that supports the expenses of the fund and maintains adequate fund balance, including monitoring, testing, repairing, and upgrading the City’s collection system, and meeting permitted discharge standards.

Stormwater Utility Fund – accounts for activities to maintain public stormwater infrastructure, create public awareness about stormwater, enhance and improve water quality and our natural resources while providing future development with solutions that meet City, State and Federal requirements, while maintaining a utility rate structure that supports the expenses of the fund and maintains adequate fund balance, including requiring projects to obtain the proper permits for the design and construction of both private and public projects related to water quality, educating the public about water quality, and eliminating illicit discharges.

Natural Gas Utility Fund – accounts for activities to provide affordable, safe, and reliable gas services to customers, including administrative, engineering, operating, and maintenance services, while maintaining a utility rate structure that supports the expenses of the fund and maintains adequate fund balance, including monitoring, testing, repairing, and upgrading the utility’s infrastructure.

Electric Utility Fund – accounts for activities to provide affordable, safe, and reliable electric services to customers, including administrative, engineering, operating, and maintenance services, while maintaining a utility rate structure that supports the expenses of the fund and maintains adequate fund balance, including monitoring, testing, repairing, and upgrading the utility’s infrastructure.

Telecommunications Utility Fund – accounts for activities to operate and expand access to the City’s municipal fiber-optic network, including offering internet, fast Ethernet, and dark fiber to government entities, retail telecommunications service providers, and city departments, with limited public service offerings.

##### 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.

Shop and Warehouse Fund – accounts for activities to provide efficient and economical vehicle and equipment purchasing, equipment repairs, warehousing services for all City departments, including determining the proper rates to charge City departments for equipment rental, following City procurement policies, and maintaining warehouse inventory items.

General Facilities Fund– accounts for activities to provide efficient and economical facilities for providing city services. Customer funds/departments occupy space in facilities maintained by this fund including City Hall.

Health & Benefits Fund – principally accounts for the activities of providing self-insured employee health insurance to the other funds of the City.

Risk Management Fund – accounts for activities to provide risk management products and services to other funds of the City, including programs to reduce liability for the City.

Information Technology Fund – accounts for activities to provide Information Technology services to internal and external customers, including hardware and software support for financial management, utility billing system, permit tracking system, internet access, the City’s website and the voice network.

Geographic Information Systems (GIS) Fund – accounts for activities to provide GIS systems and support to other funds of the City.

#### 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.

Intergovernmental Custodial Activities Fund – accounts for collection and remittance of retail sales tax, leasehold excise tax, and concealed pistol license fees.

#### 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

It is the city’s policy to invest all temporary cash surpluses. The interest on these investments is prorated to the various funds. For further information 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 inventory when purchased and assigned to capital expenditures or supplies as appropriate when assigned to a project for use.

#### E. Compensated Absences

City policy and collective bargaining agreements allow accumulation of various types of leave based on the employees’ classification. Upon termination of employment for any reason employees receive payment for their eligible 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:

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

#### F. Liabilities

See Note 5, *Long-term Liabilities*.

#### G. Leases and Subscription Based Information Technology Arrangements (SBITA)

Leases and SBITAs are reported as liabilities. For more information see Note 12 – Leases and Note 13 – SBITA.

#### H. 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                          | \$1,651,070 | External Restriction/Restrictions by Donors/Art Grant                                  |
| Traffic Impact Fees              | 537,149     | Traffic Impact Fees Restricted by law RCW 82.02.050                                    |
| Transportation Benefit District  | 3,778,233   | RCW 82.14.045 Voter approved sales tax                                                 |
| Criminal Justice                 | 2,462,874   | Local Criminal Justice Tax RCW 82.14.340(4)-(5)                                        |
| Drug Fund                        | 20,296      | RCW 69.50.505                                                                          |
| CATV Operations Fund             | 117,688     | Cable TV Utility Tax                                                                   |
| CATV Capital Fund                | 70,820      | Cable TV Utility Tax                                                                   |
| Park Acquisition                 | 570,907     | Gas tax is externally restricted RCW 46.68.110/RCW 47.24.040                           |
| Lodging Tax                      | 1,763,110   | RCW 67.28.180                                                                          |
| Housing                          | 3,142,582   | RCW 82.14.045 Voter Approved Sales Tax & State Affordable Housing Credit               |
| Capital Fund - Sidewalk Fund     | 43,526      | Capital Projects identified in RCW 82.46.030 and 82.45.180                             |
| Capital Fund - Facilities        | 773,838     | Capital Projects identified in RCW 82.46.030 and 82.45.180                             |
| Enterprise - Stormwater          | 429,250     | Bond Reserve Requirements and Utility Deposits                                         |
| Enterprise - Natural Gas Utility | 4,955,132   | Bond Reserve Requirements and Utility Deposits/HEAR Grant/Climate Commitment Act Funds |
| Enterprise - Electric Utility    | 834,576     | Bond Reserve Requirements and Utility Deposits                                         |
| Enterprise - Water Utility       | 1,983,737   | Bond Reserve Requirements, Bond Cash, Plant Investment Fees, and Utility Deposits      |
| Enterprise - Sewer Utility       | \$2,351,141 | Bond Reserve Requirements, Bond Cash, Plant Investment Fees, and Utility Deposits      |

## **Note 2 – Deposits and Investments**

Investments are reported at amortized cost. Deposits and Investments by type on December 31, 2024, 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              | \$4,001,264.50                                    | \$7,650.00                                                       | \$4,008,914.50  |
| L.G.I.P.                   | \$66,438,764.87                                   |                                                                  | \$66,438,764.87 |
| U.S. Government securities | \$22,395,542.63                                   |                                                                  | \$22,395,542.63 |
| Total                      | \$92,835,572.00                                   | \$7,650.00                                                       | \$92,843,222.00 |

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](http://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 2024 was approximately \$5,756,349.

**Note 3 - Joint Operations and Related Parties**

A. 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 2024 operations are as follows:

|                    | Budget    | Actual    |
|--------------------|-----------|-----------|
| Kittitas County    | \$49,000  | \$ 76,910 |
| City Of Ellensburg | 141,850   | 97,023    |
| Tour Fees          | 5,000     | 5,073     |
| Other Revenues     | 17,760    | 16,018    |
| Total Support      | \$213,610 | \$195,024 |

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

B. Related Party Transactions

The Ellensburg Business Development Authority (EBDA), doing business as Centerfuse, operated as an independent non-profit corporation from 1995 until 2024. As part of the winding-up and dissolution of the entity the City received title to a business park facility and assumed lease of property formerly leased by EBDA. The city provided funding for economic development services provided. The city is identified as the beneficiary at dissolution, although continuing operation of several EBDA functions and related assets were disposed of separately. City staff are assisting the independent EBDA board with dissolution activities. Complete dissolution is projected to occur in 2025.

**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 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.

| Property Tax Calendar |                                                                                                |
|-----------------------|------------------------------------------------------------------------------------------------|
| January 1             | Tax is levied and becomes enforceable lied 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 is established for next year’s levy at 100 percent of market value. |
| October 31            | Second installment is due.                                                                     |

The City’s regular levy for the year 2024 was \$1.314970 per \$1,000 on an assessed valuation of \$2,740,766,919 for a total regular levy of \$3,604,026.28.

## Note 5 – Budget Compliance

### A. Budgets

The City adopts biennial appropriated budgets for thirty-seven 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 - 2024 Final Budget and Actual Expenditures

| Fund                                              | 2024 Original<br>Budget | 2024 Final<br>Budget | 2024 Actuals<br>(Budgetary Basis) | Total Reconcile<br>to Cash BARS<br>Basis | 2024 Actuals<br>(Cash BARS<br>Basis) | Variance      |
|---------------------------------------------------|-------------------------|----------------------|-----------------------------------|------------------------------------------|--------------------------------------|---------------|
| Total Budgeted General Fund                       | \$ 19,368,990           | \$ 22,018,898        | \$ 19,747,803                     | \$ (3,046,086)                           | -                                    | \$ 2,271,095  |
| Managerial Funds of the General Fund              |                         |                      |                                   |                                          |                                      | -             |
| Economic Development                              | -                       | 10,000               | 2,083                             | -                                        | -                                    | 7,917         |
| Sales Tax Reserve Fund                            | 6,825,007               | 8,770,693            | 8,770,693                         | (5,421,363)                              | -                                    | -             |
| Art Acquisition Fund                              | 59,000                  | 74,000               | 40,043                            | -                                        | -                                    | 33,957        |
| COVID-19 Grants                                   | -                       | 4,645,659            | 3,839,748                         | (1,025,628)                              | -                                    | 805,911       |
| *LID Guaranty Fund                                | -                       | -                    | -                                 | -                                        | -                                    | -             |
| Library Trust Fund                                | 8,800                   | 8,800                | 227                               | -                                        | -                                    | 8,573         |
| Hal Holmes Trust Fund                             | 10,000                  | 10,000               | -                                 | -                                        | -                                    | 10,000        |
| Fire Relief & Pension Trust Fund                  | 147,594                 | 255,986              | 102,510                           | -                                        | -                                    | 153,477       |
| *LID Debt Service Fund                            | -                       | -                    | -                                 | 16,015                                   | -                                    | -             |
| Total Managerial Funds of the General Fund        | 7,050,401               | 13,775,138           | 12,755,305                        | (6,430,977)                              | -                                    | 1,019,833     |
| Total General Fund for Annual Financial Reporting | \$ 26,419,391           | \$ 35,794,036        | \$ 32,503,107                     | \$ (9,477,062)                           | \$ 23,026,045                        | \$ 3,290,929  |
| Street Fund                                       | \$ 6,712,360            | \$ 10,594,515        | \$ 9,301,782                      | \$ (772,991)                             | \$ 8,528,791                         | \$ 1,292,733  |
| Traffic Impact Fees Fund                          | 797,500                 | 657,385              | 53,191                            | -                                        | 53,191                               | 604,194       |
| Public Transit Fund                               | 2,482,106               | 2,791,717            | 2,301,633                         | -                                        | 2,301,633                            | 490,084       |
| Criminal Justice Sales Tax Fund                   | 1,716,760               | 2,364,125            | 1,915,389                         | -                                        | 1,915,389                            | 448,736       |
| Drug Fund                                         | 5,000                   | 5,000                | 3,965                             | -                                        | 3,965                                | 1,035         |
| Ellensburg Community TV                           | 98,646                  | 111,582              | 80,936                            | -                                        | 80,936                               | 30,646        |
| Parks Acquisition Fund                            | -                       | 16,581               | 16,580                            | -                                        | 16,580                               | 1             |
| Lodging Tax Fund                                  | 330,313                 | 366,066              | 317,083                           | -                                        | 317,083                              | 48,983        |
| Housing Fund                                      | 682,500                 | 1,892,772            | 1,056,421                         | -                                        | 1,056,421                            | 836,351       |
| Facilities Improvement Debt Service               | 562,326                 | 563,326              | 562,326                           | -                                        | 562,326                              | 1,000         |
| 2010 Maintenance Bond Debt Service                | 187,003                 | 188,003              | 186,403                           | -                                        | 186,403                              | 1,600         |
| Field House                                       | -                       | 1,383,613            | 488,145                           | -                                        | 488,145                              | 895,468       |
| Capital Improvement Bond Projects                 | -                       | 55,757               | 56,591                            | -                                        | 56,591                               | (834)         |
| Sidewalk Fund                                     | 586,000                 | 769,402              | 779,829                           | -                                        | 779,829                              | (10,427)      |
| Recreation Facilities                             | 760,000                 | 760,000              | -                                 | -                                        | -                                    | 760,000       |
| Stormwater Utility Fund                           | 2,069,506               | 3,646,854            | 2,039,950                         | 123,823                                  | 2,242,902                            | 1,606,904     |
| Stormwater Bond Fund                              | -                       | 79,130               | 79,130                            | -                                        | -                                    | (0)           |
| Telecommunications Utility Fund                   | 368,013                 | 1,019,737            | 664,862                           | -                                        | 664,862                              | 354,875       |
| Gas Utility Fund                                  | 13,224,241              | 17,483,307           | 10,562,833                        | 678,303                                  | 11,241,136                           | 6,920,474     |
| Electric Utility Fund                             | 23,355,697              | 26,882,568           | 22,379,846                        | 1,598,626                                | 23,978,472                           | 4,502,722     |
| Water Utility Fund                                | 7,378,390               | 9,577,316            | 8,315,177                         | 545,863                                  | 8,861,040                            | 1,262,139     |
| Water Construction                                | 1,210,000               | 543,650              | 543,649                           | -                                        | -                                    | 1             |
| Wastewater Utility Fund                           | 7,104,576               | 12,308,177           | 7,763,542                         | 308,824                                  | 8,072,366                            | 4,544,635     |
| Shop Fund                                         | 2,534,407               | 5,158,298            | 3,139,243                         | 7,156                                    | 3,146,399                            | 2,019,055     |
| General Facilities                                | 550,383                 | 777,906              | 752,482                           | -                                        | 752,482                              | 25,424        |
| Health Insurance                                  | 2,703,393               | 4,348,612            | 3,153,220                         | -                                        | 3,153,220                            | 1,195,392     |
| Risk Management Fund                              | 937,098                 | 1,240,711            | 1,129,095                         | -                                        | 1,129,095                            | 111,616       |
| Information Technology Fund                       | 2,879,734               | 3,846,667            | 2,062,088                         | -                                        | 2,062,088                            | 1,784,579     |
| GIS Fund                                          | 352,137                 | 490,993              | 334,199                           | -                                        | 334,199                              | 156,794       |
| All Funds                                         | \$ 106,007,479          | \$ 145,717,807       | \$ 125,298,002                    | \$ (6,987,458)                           | \$ 105,011,589                       | \$ 20,419,805 |

Table 2 - Reconciling Items Budgetary Basis to BARS Cash Basis

| Fund                                 | 2024 Actuals               |                              |                             |                              |                             | Total                     |                                    |
|--------------------------------------|----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|---------------------------|------------------------------------|
|                                      | 2024 Admin.<br>Elimination | 2024 400/441<br>Reallocation | 2024 Interfund<br>Transfers | 2024 Inventory<br>Conversion | Non-Budget<br>Limited Funds | Non Budgeted<br>Gross Ups | Reconcile to<br>Cash BARS<br>Basis |
| Total Budgeted General Fund          | \$ (2,905,005)             | \$ -                         | \$ (141,081)                | \$ -                         | \$ -                        | \$ 71,254                 | \$ (3,046,086)                     |
| Managerial Funds of the General Fund |                            |                              |                             |                              |                             |                           | -                                  |
| Sales Tax Reserve Fund               |                            |                              | (5,421,363)                 |                              |                             |                           | (5,421,363)                        |
| COVID-19                             |                            |                              | (1,025,628)                 |                              |                             |                           | (1,025,628)                        |
| LID Debt Service Fund                |                            |                              |                             |                              | 16,015                      |                           | 16,015                             |
| Total Managerial Funds               | 0                          | 0                            | (6,446,992)                 | 0                            | 16,015                      |                           | (6,430,977)                        |
| Total General Fund                   | (2,905,005)                | -                            | (6,588,073)                 | -                            | 16,015                      | 71,254                    | (9,477,062)                        |
| Street Fund                          |                            |                              | (773,667)                   | 676                          |                             |                           | (772,991)                          |
| Stormwater                           |                            | 123,823                      |                             | -                            |                             |                           | 123,823                            |
| Gas Utility Fund                     |                            | 516,170                      |                             | 162,133                      |                             |                           | 678,303                            |
| Electric Utility Fund                |                            | 1,128,875                    |                             | 469,751                      |                             |                           | 1,598,626                          |
| Water Utility Fund                   |                            | 385,114                      |                             | 160,749                      |                             |                           | 545,863                            |
| Sewer Utility Fund                   |                            | 306,414                      |                             | 2,410                        |                             |                           | 308,824                            |
| Shop Fund                            |                            |                              |                             | 7,156                        |                             |                           | 7,156                              |
| <b>All Funds</b>                     | <b>\$ (2,905,005)</b>      | <b>\$ 2,460,396</b>          | <b>\$ (7,361,740)</b>       | <b>\$ 802,875</b>            | <b>\$ 16,015</b>            | <b>\$ 71,254</b>          | <b>\$ (6,987,458)</b>              |

The City of Ellensburg budgets for “expenditure” of administrative activities in the General Fund, and “expenditure” from beneficiary funds to pay for those services, with revenue budgeted in the General Fund. This activity must be allocated and eliminated for annual financial reporting purposes.

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 interfund transfers between managerial funds of the same fund are eliminated for annual financial reporting purposes. Gross-up of non-budgeted activities are reported for annual financial reporting purposes, specifically inventory conversion between budgetary and BARS Cash basis and receipt and payment of deposits.

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 5 – Long-Term Liabilities**

The following tables provide details of the outstanding debt of the City and summarizes the City’s debt transactions for the year ended December 31, 2024.

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

| <b>General Obligation Bonds</b> |              |              |              |
|---------------------------------|--------------|--------------|--------------|
|                                 | Principal    | Interest     | Total        |
| 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                            | \$ 619,223   | \$ 129,506   | \$ 748,729   |
| 2030-2034                       | \$ 2,548,590 | \$ 420,141   | \$ 2,968,732 |
| 2035-2039                       | \$ 1,606,704 | \$ 80,273    | \$ 1,686,977 |
| Total                           | \$ 7,104,849 | \$ 1,294,505 | \$ 8,399,354 |

| <b>General Obligation Debt Issued for Business-Type Activities</b> |            |           |            |
|--------------------------------------------------------------------|------------|-----------|------------|
|                                                                    | Principal  | Interest  | Total      |
| 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                                                               | \$ 15,366  | \$ 3,897  |            |
| 2030-2034                                                          | \$ 83,934  | \$ 12,381 | \$ 96,315  |
| 2035-2039                                                          | \$ 37,054  | \$ 1,369  | \$ 38,423  |
| Total                                                              | \$ 193,524 | \$ 37,529 | \$ 231,053 |

| <b>Revenue Bonds</b> |               |              |               |
|----------------------|---------------|--------------|---------------|
|                      | Principal     | Interest     | Total         |
| 2025                 | \$ 1,797,776  | \$ 644,323   | \$ 2,442,099  |
| 2026                 | \$ 1,846,777  | \$ 593,814   | \$ 2,440,591  |
| 2027                 | \$ 1,896,280  | \$ 541,771   | \$ 2,438,051  |
| 2028                 | \$ 1,955,504  | \$ 489,061   | \$ 2,444,565  |
| 2029                 | \$ 2,006,830  | \$ 433,073   |               |
| 2030-2034            | \$ 6,981,367  | \$ 1,431,752 | \$ 8,413,119  |
| 2035-2039            | \$ 4,776,784  | \$ 2,078,815 | \$ 6,855,599  |
| 2040-2044            | \$ 654,275    | \$ 16,630    | \$ 670,905    |
| Total                | \$ 21,915,592 | \$ 6,229,240 | \$ 28,142,109 |

| <b>Assesment Debt/Liabilities (with commitments)</b> |           |          |        |
|------------------------------------------------------|-----------|----------|--------|
|                                                      | Principal | Interest | Total  |
| 2025                                                 | \$ 153    | \$ -     | \$ 153 |
| Total                                                | \$ 153    | \$ -     | \$ 153 |

*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.

## Interfund Loans

Interfund loans at fiscal year-end were as follows:

| Borrowing Fund | Lending Fund            | Balance 1/1/2024 | New Loans      | Repayments | Balance 12/31/2024 |
|----------------|-------------------------|------------------|----------------|------------|--------------------|
| Street Fund    | Shop and Warehouse Fund | \$0              | \$1,002,991.96 | \$0        | \$1,002,991.96     |



## Compensated Absences

During the year ended December 31, 2024, the following changes occurred in compensated absences:

|                       | <b>Balance<br/>1/1/2024</b> | <b>Additions</b> | <b>Reductions</b> | <b>Balance<br/>12/31/2024</b> |
|-----------------------|-----------------------------|------------------|-------------------|-------------------------------|
| Compensated Absences* | \$2,080,428                 | \$243,789        | \$0               | \$2,324,217                   |

\*Additions and reductions are reported as a net change

## 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, under cost-sharing, multiple-employer public employee defined benefit and defined contribution retirement plans. The states Legislature establishes, and amends, laws pertaining to the creation and administration of all public retirement systems.

The Department of Retirement Systems (DRS), 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

The DRS ACFR may be downloaded from the DRS website at [www.drs.wa.gov](http://www.drs.wa.gov).

### Public Employees' Retirement System (PERS)

PERS members include elected officials; state employees; employees of local governments; and higher education employees not participating in higher education retirement programs.

PERS is composed of and reported as three separate plans for accounting purposes: Plan 1, Plan 2/3 and Plan 3. Plan 1 accounts for the defined benefits of Plan 1 members. Plan 2/3 accounts for the defined benefits of Plan 2 members and the defined benefit portion of benefits for Plan 3 members. Plan 3 accounts for the defined contribution portion of benefits for Plan 3 members. Although employees can be a member of only Plan 2 or Plan 3, the defined benefits of Plan 2 and Plan 3 are accounted for in the same pension trust fund. All assets of Plan 2/3 may legally be used to pay the defined benefits of any Plan 2 or Plan 3 members or beneficiaries.

PERS Plan 1 provides retirement,

At June 30, 2024, (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:

|          | <b>Employer<br/>Contributions</b> | <b>Allocation<br/>Percentage*</b> | <b>Liability<br/>(Asset)</b> |
|----------|-----------------------------------|-----------------------------------|------------------------------|
| PERS 2/3 | \$830,532                         | 0.084379%                         | \$(2,781,615)                |
| LEOFF 1  | \$0                               | 0.041031%                         | \$(1,166,876)                |
| LEOFF 2  | \$155,341                         | 0.063403%                         | \$(1,187,377)                |

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. Local Government Pension Plans

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, 2024, there were a total of 4 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 2024 was \$141,081. This is not considered a special funding situation.

## **Note 7 – Risk Management**

### A. Pool Insurance

#### **Washington Cities Insurance Authority (WCIA)**

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. As of December 31, 2024, WCIA had a total of 168 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 \$1,000,000, 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.

#### **Association of Washington Cities Employee Benefit Trust Health Care Program**

Beginning January 1, 2025, the City of Ellensburg is a member of the Association of Washington Cities Employee Benefit Trust Health Care Program (AWC Trust HCP). Chapter 48.62 RCW provides that two or more local government entities may, by Interlocal agreement under Chapter 39.34 RCW, form together or join a pool or organization for the joint purchasing of insurance, and/or joint self-insurance, to the same extent that they may individually purchase insurance or self-insure.

An agreement to form a pooling arrangement was made pursuant to the provisions of Chapter 39.34 RCW, the Interlocal Cooperation Act. The AWC Trust HCP was formed on January 1, 2014, when participating cities, towns, and non-city entities of the AWC Employee Benefit Trust in the State of Washington joined together by signing an Interlocal Governmental Agreement to jointly self-insure certain health benefit plans and programs for participating employees, their covered dependents and other beneficiaries through a designated account within the Trust.

As of December 31, 2024, 268 cities/towns/non-city entities participate and have enrollment in the AWC Trust HCP.

The AWC Trust HCP allows members to establish a program of joint insurance and provides health and welfare services to all participating members.

In April 2020, the Board of Trustees adopted a large employer policy, requiring newly enrolling groups with 600 or more employees to submit medical claims experience data in order to receive a quote for medical coverage. Outside of this, the AWC Trust HCP pools claims without regard to individual member experience. The pool is actuarially rated each year with the assumption of projected claims run-out for all current members.

The AWC Trust HCP includes medical, dental and vision insurance through the following carriers: Kaiser Foundation Health Plan of Washington, Kaiser Foundation Health Plan of Washington Options, Inc., Regence BlueShield, Asuris Northwest Health, Delta Dental of Washington, Willamette Dental Group, and Vision Service Plan. Eligible members are

cities and towns within the state of Washington. Non-City Entities (public agency, public corporation, intergovernmental agency, or political subdivision within the state of Washington) are eligible to apply for coverage into the AWC Trust HCP, submitting application to the Board of Trustees for review as required in the Trust Agreement.

Participating employers pay monthly premiums to the AWC Trust HCP. The AWC Trust HCP is responsible for payment of all covered claims. In 2024, the AWC Trust HCP purchased medical stop loss insurance for Regence/Asuris and Kaiser plans at an Individual Stop Loss (ISL) of \$2 million through United States Fire Insurance Company. The aggregate policy is for 200% of expected medical claims.

Participating employers contract to remain in the AWC Trust HCP for a minimum of three years. Participating employers with over 250 employees must provide written notice of termination of all coverage a minimum of 12 months in advance of the termination date, and participating employers with under 250 employees must provide written notice of termination of all coverage a minimum of 6 months in advance of termination date. When all coverage is being terminated, termination will only occur on December 31. Participating employers terminating a group or line of coverage must notify the AWC Trust HCP a minimum of 60 days prior to termination. A participating employer's termination will not obligate that member to past debts, or further contributions to the AWC Trust HCP. Similarly, the terminating member forfeits all rights and interest to the AWC Trust HCP Account.

The operations of the Health Care Program are managed by the Board of Trustees or its delegates. The Board of Trustees is comprised of four regionally elected officials from Trust member cities or towns, the Employee Benefit Advisory Committee Chair and Vice Chair, and two appointed individuals from the AWC Board of Directors, who are from Trust member cities or towns. The Trustees or its appointed delegates review and analyze Health Care Program related matters and make operational decisions regarding premium contributions, reserves, plan options and benefits in compliance with Chapter 48.62 RCW. The Board of Trustees has decision authority consistent with the Trust Agreement, Health Care Program policies, Chapter 48.62 RCW and Chapter 200-110-WAC.

The accounting records of the AWC Trust HCP are maintained in accordance with methods prescribed by the State Auditor's office under the authority of Chapter 43.09 RCW. The AWC Trust HCP also follows applicable accounting standards established by the Governmental Accounting Standards Board ("GASB"). In 2018, the retiree medical plan subsidy was eliminated, and is noted as such in the report for the fiscal year ending December 31, 2018. Year-end financial reporting is done on an accrual basis and submitted to the Office of the State Auditor as required by Chapter 200-110 WAC. The audit report for the AWC Trust HCP is available from the Washington State Auditor's office.

#### B. Partial Self Insurance

As of December 31, 2024, the city is no longer 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 \$2.12 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 \$2.12 million, the city has \$ 2.55 million in operating revenues in 2024. In 2024 the city had \$560,451 in stop loss recoveries and prescription drug rebates.

#### **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 2024, expenditures of \$168,163 were recognized for other post-employment benefits.

The City of Ellensburg’s OPEB liability as of December 31, 2024, was \$6,368,894 and was calculated using the Office of the Washington State Actuary alternative measurement method tool.

**Note 10 – Contingencies and Litigations**

Presently there is one lawsuit pending against the city for personal injury. The amount of damages alleged in the claim is \$21,000,000. The city denies any liability and has retained outside counsel to handle this litigation.

**Note 11 – Leases**

The city leases copiers from Copiers NW for a total of \$2,805 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 is one five-year mailing machine lease with Pitney Bowes \$33,862 per quarter. The city has a 3- year lease with the Bonneville Power Administration for a substation for \$16,875 per year.

| Year Ended December 31 | Total    |
|------------------------|----------|
| 2025                   | \$60,788 |
| 2026                   | \$56,848 |
| 2027                   | \$33,673 |
| 2028                   | \$23,618 |
| 2029                   | \$4,027  |

## **Note 12 – Subscription Based Information Technology Arrangements**

The city has five agreements in place for operating systems, geographic information systems, utility billing, library cataloging, and public safety software ranging from two to five-year arrangements. Total amount paid in 2024 was \$388,756.

| Year Ended December 31 | Total     |
|------------------------|-----------|
| 2025                   | \$386,543 |
| 2026                   | \$288,912 |
| 2027                   | \$22,319  |

## **Note 13 – Special Items**

### **Foster Plat Development Refund**

The City refunded the Foster Plat developer \$545,980.03 that they were invoiced for in 2022 to provide power to 141 houses. The refund was due to the number of houses in the first phase of the development being reduced from 141 to 15. The City invoiced the developer \$115,539.17 in 2024 for the 15 houses included in the modified plan.

## **Note 14 – Significant Commitments**

The City has active projects and contracts as of December 31, 2024.  
These commitments include:

| <b>Project/Contract</b>                                                             | <b>Spent to Date</b> | <b>Amount<br/>Remaining on<br/>Contract</b> |
|-------------------------------------------------------------------------------------|----------------------|---------------------------------------------|
| Bid Call 2021-01 Main Street Corridor Project                                       | \$1,121,337.90       | \$90,162.10                                 |
| Bid Call 2021-13 Illinois Well Facility                                             | \$3,506,019.20       | \$313,681.39                                |
| Bid Call 2023-04 Main St./Wildcat Way Overlay & CBD Slurry Seal                     | \$1,242,924.58       | \$123,424.70                                |
| Bid Call 2023-16 University Way Overlay                                             | \$906,334.92         | \$40,588.68                                 |
| Bid Call 2023-17 Anderson Road Sewer Extension                                      | \$1,723,030.00       | \$57,786.88                                 |
| Bid Call 2023-18 Craig's Hill Pressure Zone Improvements                            | \$1,930,787.84       | \$76,465.09                                 |
| Bid Call 2023-12 Unity Park                                                         | \$2,611,505.88       | \$45,010.12                                 |
| Bid Call 2024-03 2024/2025 City Property Groundskeeping                             | \$204,300.15         | \$215,176.65                                |
| Bid Call 2024-05 2024 Electrical Utility On-Call const. services                    | \$9,060.13           | \$694,923.24                                |
| Bid Call 2024-06 Cured-in-Place Sewer Line Rehab                                    | \$246,774.44         | \$28,487.85                                 |
| Bid Call 2024-10 Brick Rd Improvements                                              | \$1,395,001.99       | \$170,128.85                                |
| Bid Call 2024-11 Kittitas County Courthouse Sidewalk Improvements                   | \$278,723.35         | \$20,116.65                                 |
| Bid Call 2024-12 Pfenning Road Sidewalk Extension                                   | \$1,153,792.92       | \$204,848.74                                |
| Bid Call 2024-13 City Wide Crosswalk Striping                                       | \$118,473.64         | \$13,850.16                                 |
| Bid Call 2024-16 Annual Tree Trimming Contract                                      | \$256,412.38         | \$39,761.42                                 |
| Bid Call 2024-19 Seattle Ave. Utility Extension                                     | \$-                  | \$551,826.46                                |
| Bid Call 2024-23 Anderson Rd Sewer Extension Phase 2                                | \$-                  | \$3,732,862.40                              |
| Agreement A2137 -02 Anderson Sewer Main                                             | \$192,123.39         | \$51,086.61                                 |
| Agreement A2213-01 Aquifer Storage and Recovery Feasibility                         | \$244,287.47         | \$55,712.53                                 |
| Agreement 2230 & -01 Gateway II Stormwater LID Retrofit Project                     | \$649,541.16         | \$327,587.84                                |
| Agreement A2274 -01, -02 General Sewer Plan/Aeration System Improvements            | \$358,750.63         | \$24,791.37                                 |
| Agreement A2334 -02 Secondary Clarifier Rehabilitation                              | \$337,750.94         | \$31,767.06                                 |
| Agreement A2344 -01, -02, -03 Reservoir Siting Study New 4.0 MG 1824 Zone Reservoir | \$51,855.39          | \$17,840.61                                 |
| Agreement A2345 -01, -02 Craig Hill Pressure Zone Improvements                      | \$298,836.62         | \$58,425.38                                 |
| Agreement A2350 -01 -02 SCADA & Electrical Engineering - on call support for 2023   | \$12,458.90          | \$107,541.10                                |

|                                                                                            |              |                |
|--------------------------------------------------------------------------------------------|--------------|----------------|
| Agreement A2374 -01, -02 GIS Support Services                                              | \$145,090.29 | \$27,409.71    |
| Agreement A2400 -01 -02 Granite Service & System Loop                                      | \$153,365.17 | \$15,059.83    |
| Agreement Fieldhouse Project - Rec Center 1 Legal Services                                 | \$27,545.00  | \$34,655.00    |
| Agreement A2487 -01 Cultural Resource Consulting for Dolarway Levee Project                | \$25,771.11  | \$26,426.14    |
| Agreement A2506 Urban Flooding Analysis                                                    | \$26,858.01  | \$234,641.99   |
| Agreement A2507 Ellensburg Fieldhouse Project                                              | \$99,277.33  | \$535,954.35   |
| Agreement A2529-01 -02 -03 Anderson Rd South Sewer Extension                               | \$53,452.53  | \$36,515.67    |
| Agreement A2531 Helena Ave Street Improvements/Extension Design                            | \$35,332.61  | \$126,280.44   |
| Agreement A2537 -01 Software & Services Agreement for Laserfiche                           | \$79,391.87  | \$23,845.93    |
| Agreement A2541 2024 Transportation Safety Action Plan                                     | \$61,627.97  | \$138,235.04   |
| Agreement A2544 City Reservoir & Substation Acquisition                                    | \$6,991.82   | \$89,188.18    |
| Agreement A2545 Renewable Natural Gas Feasibility Study                                    | \$26,597.26  | \$28,811.74    |
| Agreement A2561 Flock Safety camera infrastructure & implementation                        | \$45,473.80  | \$35,476.20    |
| Agreement A2562 -01 Public Transit Marketing Services                                      | \$7,562.50   | \$92,437.50    |
| Agreement A2573-01 Home Electrification and Appliance Rebates (HEAR) professional services | \$60,638.44  | \$2,355,649.56 |
| Agreement A2577 Consultant Services for RFQ R24-09 - Joint Use Pole Load Analysis          | \$-          | \$75,500.00    |
| Agreement A2599 Tree Inventory, Urban Forest Management Plan & Municipal Tree Ord Project  | \$-          | \$247,024.09   |
| Agreement A2600 Owner/Design-Build Agreement for Fieldhouse Project                        | \$-          | \$423,381.00   |
| Agreement A2601 Creation of sculpture artwork at Unity Park                                | \$-          | \$45,000.00    |

#### **Note 14 – Subsequent Events**

##### **Organizational Changes**

The 2025/2026 Biennial Budget effected several changes to the administrative structure of the City effective 1/1/2025 and throughout 2025.

- Operations of the Electric Utility and Natural Gas Utility split from the Public Works and Utilities Department to form two departments: the Public Works Department and Energy Services Department. Buddy Stanavich was selected to head the Energy Services Department.
- The Assistant City Manager/City Attorney position was eliminated upon retirement of Terry Weiner, who had served in that capacity since 2018, and replaced with a City Attorney position. Chris Horner was selected to fill the City Attorney position.

**City of Ellensburg  
Schedule of Liabilities  
For the Year Ended December 31, 2024**

| <b>ID. No.</b>                                       | <b>Debt ID Title</b>               | <b>Description</b>                     | <b>Due Date</b> | <b>Beginning Balance</b> | <b>Additions</b> | <b>Reductions</b> | <b>Ending Balance</b> |
|------------------------------------------------------|------------------------------------|----------------------------------------|-----------------|--------------------------|------------------|-------------------|-----------------------|
| <b>General Obligation Debt/Liabilities</b>           |                                    |                                        |                 |                          |                  |                   |                       |
| 251.11                                               | Non-voted General obligation bonds | 2010 GO Debt Refi                      | 12/1/2030       | 1,190,331                | -                | 169,328           | 1,021,003             |
| 251.11                                               | Non-voted General obligation bonds | LTGO Bonds, 2017                       | 12/1/2037       | 6,466,371                | -                | 382,525           | 6,083,846             |
| 251.11                                               | Non-voted General obligation bonds | LTGO Bonds, 2016, issued for Telecom   | 12/1/2036       | 206,804                  | -                | 13,280            | 193,524               |
| 263.56                                               | Leases, SBITA, and PPPs            | Leases copiers - monthly               |                 | 67,082                   | 49,236           | 32,911            | 83,407                |
| 263.56                                               | Leases, SBITA, and PPPs            | Leases - Mailing Equipment - quarterly |                 | 1,288                    | 77,248           | 16,739            | 61,797                |
| 263.56                                               | Leases, SBITA, and PPPs            | Leases - Substation - annual           |                 | -                        | 50,625           | 16,875            | 33,750                |
| 263.56                                               | Leases, SBITA, and PPPs            | SBITA                                  |                 | 604,278                  | 482,685          | 389,189           | 697,774               |
| <b>Total General Obligation Debt/Liabilities:</b>    |                                    |                                        |                 | <b>8,536,154</b>         | <b>659,794</b>   | <b>1,020,847</b>  | <b>8,175,101</b>      |
| <b>Revenue and Other (non G.O.) Debt/Liabilities</b> |                                    |                                        |                 |                          |                  |                   |                       |
| 252.11                                               | Non-voted Revenue bonds            | Electric Refunding Bond - 2014         | 12/1/2025       | 755,000                  | -                | 370,000           | 385,000               |
| 252.11                                               | Non-voted Revenue bonds            | Electric Bond - 2014                   | 12/1/2034       | 4,420,000                | -                | 10,000            | 4,410,000             |
| 252.11                                               | Non-voted Revenue bonds            | Gas 2016                               | 12/1/2036       | 596,230                  | -                | 40,502            | 555,728               |
| 252.11                                               | Non-voted Revenue bonds            | Water Sewer Refunding 2016             | 12/1/2029       | 4,205,000                | -                | 660,000           | 3,545,000             |
| 252.11                                               | Non-voted Revenue bonds            | Stormwater 2020 Bond                   | 12/1/2039       | 4,563,049                | -                | 227,693           | 4,335,356             |
| 252.11                                               | Non-voted Revenue bonds            | 2021 Waterworks Bond                   | 12/1/2040       | 9,119,608                | -                | 435,100           | 8,684,508             |
| 259.12                                               | Compensated Absences               | Compensated Absences                   |                 | 2,080,428                | 243,789          | -                 | 2,324,217             |



**City of Ellensburg  
Schedule of Liabilities  
For the Year Ended December 31, 2024**

| <b>ID. No.</b>                                                   | <b>Debt ID Title</b>                                          | <b>Description</b>            | <b>Due Date</b> | <b>Beginning<br/>Balance</b> | <b>Additions</b> | <b>Reductions</b> | <b>Ending<br/>Balance</b> |
|------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------|-----------------|------------------------------|------------------|-------------------|---------------------------|
| 264.30                                                           | Pension Liabilities                                           | Net Pension Liability         |                 | 1,479,370                    | -                | 321,671           | 1,157,699                 |
| 264.40                                                           | OPEB Liabilities                                              | OPEB                          |                 | 6,115,783                    | 737,456          | 484,345           | 6,368,894                 |
| <b>Total Revenue and Other (non G.O.)<br/>Debt/Liabilities:</b>  |                                                               |                               |                 | <b>33,334,468</b>            | <b>981,245</b>   | <b>2,549,311</b>  | <b>31,766,402</b>         |
| <b>Assessment Debt/Liabilities (with commitments)</b>            |                                                               |                               |                 |                              |                  |                   |                           |
| 253.43                                                           | Local Improvement District (LID)<br>Warrants with Commitments | LID Warrants with Commitments | 7/29/2025       | 14,980                       | -                | 14,827            | 153                       |
| <b>Total Assessment Debt/Liabilities (with<br/>commitments):</b> |                                                               |                               |                 | <b>14,980</b>                | <b>-</b>         | <b>14,827</b>     | <b>153</b>                |
| <b>Total Liabilities:</b>                                        |                                                               |                               |                 | <b>41,885,602</b>            | <b>1,641,039</b> | <b>3,584,985</b>  | <b>39,941,656</b>         |

**City of Ellensburg**  
**Schedule of Expenditures of State Financial Assistance**  
**For the Year Ended December 31, 2024**

| <b>State Agency Name</b>                      | <b>Program Title</b>                                      | <b>Identification Number</b> | <b>Total</b>     |
|-----------------------------------------------|-----------------------------------------------------------|------------------------------|------------------|
| State Award from Department of Commerce       | Home Electrification and Appliance Rebates (HEAR) Program | 24-92701-004                 | 887,044          |
| State Award from Department of Commerce       | Washington Families Clean Energy Credits                  | 24-52242-009                 | 333,968          |
| State Award from Department of Commerce       | Coordinating Low Income Housing Planning                  | 24-63336-201                 | 0                |
| State Award from Department of Commerce       | Periodic Update Grant                                     | 25-63335-130                 | 0                |
| State Award from Department of Commerce       | NTIA-WSBO Matching Grant                                  | 968R0250                     | 4,211            |
| <b>Sub-Total:</b>                             |                                                           |                              | <b>1,225,223</b> |
| State Award from Other Environmental Agencies | Certified Local Government- City of Ellensburg            | FFY25-CLG-ELLENSBURG         | 15,000           |
| <b>Sub-Total:</b>                             |                                                           |                              | <b>15,000</b>    |
| State Award from Department of Transportation | State Rural Mobility                                      | PTD0617                      | 915,960          |
| State Award from Department of Transportation | Helena Ave Improvements                                   | HLP-6904(001)                | 47,268           |
| <b>Sub-Total:</b>                             |                                                           |                              | <b>963,228</b>   |
| State Award from Department of Ecology        | Water Quality Combined Financial Assistance               | WQC-2021-EllePW-00053        | 83,704           |
| State Award from Department of Ecology        | Water Resources Yakima Basin Inegrated Planning Agreement | WRYBIP-2123-EllePW-00028     | 84,341           |
| State Award from Department of Ecology        | 2023-2025 Bienial Stormwater Capacity Grants              | WQSWCAP-2325_EllePW-00073    | 130,000          |
| <b>Sub-Total:</b>                             |                                                           |                              | <b>298,045</b>   |

| <b>State Agency Name</b>                                | <b>Program Title</b>                        | <b>Identification Number</b> | <b>Total</b>     |
|---------------------------------------------------------|---------------------------------------------|------------------------------|------------------|
| State Award from Transportation Improvement Board (TIB) | City of Ellensburg's Pfenning Road Sidewalk | 8-4-175(021)-1               | 283,864          |
| State Award from Transportation Improvement Board (TIB) | Complete Streets Improvements               | C-175(003)-1                 | 405,547          |
| <b>Sub-Total:</b>                                       |                                             |                              | <b>689,411</b>   |
| State Award from Arts Commission                        | State Arts Grant - Creative District        | 387-CD24-005                 | 3,854            |
| <b>Sub-Total:</b>                                       |                                             |                              | <b>3,854</b>     |
| <b>Total State Grants Expended:</b>                     |                                             |                              | <b>3,194,761</b> |

**City of Ellensburg**  
**Schedule of Expenditures of Federal Awards**  
**For the Year Ended December 31, 2024**

| Federal Agency<br>(Pass-Through Agency)                                                                                         | Federal Program                                                  | ALN<br>Number | Other Award<br>Number | Expenditures                    |                       |         | Passed through<br>to<br>Subrecipients | Note |
|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|---------------|-----------------------|---------------------------------|-----------------------|---------|---------------------------------------|------|
|                                                                                                                                 |                                                                  |               |                       | From Pass-<br>Through<br>Awards | From Direct<br>Awards | Total   |                                       |      |
| FOREST SERVICE,<br>AGRICULTURE, DEPARTMENT<br>OF (via WADNR)                                                                    | Inflation Reduction Act<br>Urban & Community<br>Forestry Program | 10.727        | 93-107975             | 9,776                           | -                     | 9,776   | -                                     |      |
| RURAL HOUSING SERVICE,<br>AGRICULTURE, DEPARTMENT<br>OF                                                                         | Community Facilities<br>Loans and Grants                         | 10.766        | CLSS00000079<br>940   | -                               | 344,375               | 344,375 | 344,375                               | 7    |
| NATIONAL<br>TELECOMMUNICATIONS AND<br>INFORMATION<br>ADMINISTRATION,<br>COMMERCE, DEPARTMENT OF<br>(via Department of Commerce) | Broadband<br>Infrastructure Program                              | 11.031        | 968G0220              | 183,457                         | -                     | 183,457 | -                                     | 7    |
| OFFICE OF JUSTICE<br>PROGRAMS, JUSTICE,<br>DEPARTMENT OF                                                                        | Bulletproof Vest<br>Partnership Program                          | 16.607        | N/A                   | -                               | 4,810                 | 4,810   | -                                     | 7    |
| FEDERAL HIGHWAY<br>ADMINISTRATION,<br>TRANSPORTATION,<br>DEPARTMENT OF (via WSDOT)                                              | Highway Planning and<br>Construction                             | 20.205        | N/A                   | 139,557                         | -                     | 139,557 | -                                     | 7    |
| FEDERAL HIGHWAY<br>ADMINISTRATION,<br>TRANSPORTATION,<br>DEPARTMENT OF (via WSDOT)                                              | Highway Planning and<br>Construction                             | 20.205        | STPUS-6909            | 866,909                         | -                     | 866,909 | -                                     | 7    |
| FEDERAL HIGHWAY<br>ADMINISTRATION,<br>TRANSPORTATION,<br>DEPARTMENT OF (via WSDOT)                                              | Highway Planning and<br>Construction                             | 20.205        | STBGUS-6900<br>(010)  | 626,571                         | -                     | 626,571 | -                                     | 7    |

*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, 2024**

| Federal Agency<br>(Pass-Through Agency)                                                                                     | Federal Program                                                 | ALN<br>Number | Other Award<br>Number                | Expenditures                    |                       |                  | Passed through<br>to<br>Subrecipients | Note |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------|--------------------------------------|---------------------------------|-----------------------|------------------|---------------------------------------|------|
|                                                                                                                             |                                                                 |               |                                      | From Pass-<br>Through<br>Awards | From Direct<br>Awards | Total            |                                       |      |
|                                                                                                                             |                                                                 |               | <b>Total ALN 20.205:</b>             | <b>1,633,037</b>                | <b>-</b>              | <b>1,633,037</b> | <b>-</b>                              |      |
| FEDERAL TRANSIT<br>ADMINISTRATION,<br>TRANSPORTATION,<br>DEPARTMENT OF (via WSDOT)                                          | Formula Grants for<br>Rural Areas and Tribal<br>Transit Program | 20.509        | PTD0617                              | 330,133                         | -                     | 330,133          | -                                     | 7    |
| <b>Highway Safety Cluster</b>                                                                                               |                                                                 |               |                                      |                                 |                       |                  |                                       |      |
| NATIONAL HIGHWAY TRAFFIC<br>SAFETY ADMINISTRATION,<br>TRANSPORTATION,<br>DEPARTMENT OF (via WA<br>Traffic SafetyCommission) | State and Community<br>Highway Safety                           | 20.600        | N/A                                  | 24,041                          | -                     | 24,041           | -                                     |      |
| NATIONAL HIGHWAY TRAFFIC<br>SAFETY ADMINISTRATION,<br>TRANSPORTATION,<br>DEPARTMENT OF (via WA<br>Traffic SafetyCommission) | National Priority Safety<br>Programs                            | 20.616        | N/A                                  | 3,394                           | -                     | 3,394            | -                                     |      |
| NATIONAL HIGHWAY TRAFFIC<br>SAFETY ADMINISTRATION,<br>TRANSPORTATION,<br>DEPARTMENT OF (via WA<br>Traffic SafetyCommission) | National Priority Safety<br>Programs                            | 20.616        | N/A                                  | 894                             | -                     | 894              | -                                     |      |
|                                                                                                                             |                                                                 |               | <b>Total ALN 20.616:</b>             | <b>4,288</b>                    | <b>-</b>              | <b>4,288</b>     | <b>-</b>                              |      |
|                                                                                                                             |                                                                 |               | <b>Total Highway Safety Cluster:</b> | <b>28,329</b>                   | <b>-</b>              | <b>28,329</b>    | <b>-</b>                              |      |
| OFFICE OF THE SECRETARY,<br>TRANSPORTATION,<br>DEPARTMENT OF                                                                | Safe Streets and Roads<br>for All                               | 20.939        | 693JJ32340149                        | -                               | 37,375                | 37,375           | -                                     |      |

*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, 2024**

| Federal Agency<br>(Pass-Through Agency)                                                                    | Federal Program                                                                                                  | ALN<br>Number | Other Award<br>Number | Expenditures                    |                       |                  | Passed through<br>to<br>Subrecipients | Note |
|------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------|-----------------------|---------------------------------|-----------------------|------------------|---------------------------------------|------|
|                                                                                                            |                                                                                                                  |               |                       | From Pass-<br>Through<br>Awards | From Direct<br>Awards | Total            |                                       |      |
| DEPARTMENTAL OFFICES,<br>TREASURY, DEPARTMENT OF<br>THE                                                    | CORONAVIRUS STATE<br>AND LOCAL FISCAL<br>RECOVERY FUNDS                                                          | 21.027        | N/A                   | -                               | 3,839,748             | 3,839,748        | -                                     |      |
| DEPARTMENTAL OFFICES,<br>TREASURY, DEPARTMENT OF<br>THE (via Department of<br>Commerce)                    | CORONAVIRUS STATE<br>AND LOCAL FISCAL<br>RECOVERY FUNDS                                                          | 21.027        | N/A                   | 663,416                         | -                     | 663,416          | -                                     |      |
| <b>Total ALN 21.027:</b>                                                                                   |                                                                                                                  |               |                       | <b>663,416</b>                  | <b>3,839,748</b>      | <b>4,503,164</b> | -                                     |      |
| <b>Aging Cluster</b>                                                                                       |                                                                                                                  |               |                       |                                 |                       |                  |                                       |      |
| ADMINISTRATION FOR<br>COMMUNITY LIVING (ACL),<br>HEALTH AND HUMAN<br>SERVICES, DEPARTMENT OF<br>(via DSHS) | Special Programs for<br>the Aging, Title III, Part<br>B, Grants for Supportive<br>Services and Senior<br>Centers | 93.044        | N/A                   | 4,781                           | -                     | 4,781            | -                                     | 7    |
| <b>Total Aging Cluster:</b>                                                                                |                                                                                                                  |               |                       | <b>4,781</b>                    | <b>-</b>              | <b>4,781</b>     | -                                     |      |
| <b>Total Federal Awards Expended:</b>                                                                      |                                                                                                                  |               |                       | <b>2,852,929</b>                | <b>4,226,308</b>      | <b>7,079,237</b> | <b>344,375</b>                        |      |

*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, 2024

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.

Note 7 – Program Cost

The amounts shown as current year expenditures represent only the federal award portion of the program costs. Entire program cost, including the City's portion are more than shown. Such expenditures are recognized following the cost principles contained in Title 2 U.S. Code Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, wherein certain types of expenditures are not allowable or are limited as to reimbursement.



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Laserfiche RMS Purchases  
**Submitted by:** Jim Goeben, IT Director  
**Department:** Information Technology

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**Suggested Motion/Action:**

Authorize the City Manager's signature on invoices for the purchase of Laserfiche software subscriptions and vendor support, not to exceed the previously approved budgeted expenses of \$100,000, and on annual software renewals.

**Background/Summary:**

The 2024-2029 Ellensburg City Council Strategic Vision identifies a priority to advance the technology roadmap including records management.

The 2024 budget set aside \$50,000 for the purchase of Laserfiche records management solution (RMS) software subscriptions and implementation of 3 departments' records, and the 2025 budget included an additional \$50,000 for vendor support and implementation of the remaining departments.

On June 28, 2024, the City Manager signed a Software & Services Purchase Agreement with Cities Digital for the purchase of Laserfiche software and vendor support, including implementation of 3 departments, at a cost of \$51,544.20.

The annual software subscription renewal is currently \$29,362.73.

**Previous Council Action:**

Resolution 2024-14 adopted the 2024-2029 Ellensburg City Council Strategic Vision. Council adopted budgets including expenses identified in this staff report.

**Analysis:**

Cities Digital and city staff are prepared to continue the implementation of Laserfiche for the remaining departments. Costs for the continued work would bring the project total above the City Manager's signature authority.

**Financial Impact:**

All costs through 2026 have been budgeted and approved by Council. No additional funds are needed at this time. Annual software subscription renewals will be included in future budgets.

Budget Adjustment: No



**Attachments:**

1. City of Ellensburg Contract - Laserfiche Cloud



## Software & Services Purchase Agreement

This agreement is made and entered into on, 6/28/24 by and between:

Seller: Cities Digital, Inc. D.B.A. "CDI"  
2000 O'Neil Road  
Suite 150  
Hudson, WI 54016  
herein referred to as "Seller";

And

Buyer: City of Ellensburg  
Buyer Address 1: 501 N Anderson Street  
Buyer Address 2:  
City, State, Zip: Ellensburg, WA 98926  
herein referred to as "Buyer."

### WITNESSETH

WHEREFORE, in consideration of the mutual covenants herein contained, and other valuable consideration, the receipt of which is acknowledged, the parties agree as follows:

**1. Agreement to Sell and Purchase:** Seller hereby agrees to sell to Buyer, and Buyer agrees to purchase from Seller those software products, services, maintenance agreements, and upgrades set forth in Exhibit "A".

**2. License Agreement:** It is specifically agreed and acknowledged that the software products sold by Seller to Buyer as described in Section 1 hereinabove, are being sold subject to the restrictions, duties and obligations of Seller pursuant to License Agreements referenced in "Exhibit D." Buyer, by its execution of this agreement, agrees to fully abide by the terms and conditions of such License Agreements, and further agrees to fully indemnify, protect, and hold Seller harmless from any claims, suits, actions, liabilities, damages (including all legal costs incurred by Seller) resulting from any violation by Buyer under the terms thereof.

**3. Term of Agreement:** The term of this Agreement shall be for 1 year from the date first written above and shall renew for a one-year term, unless terminated by either party with or without cause.

**4. Purchase Price, Payments & Renewals:** The purchase price for the software products and services being purchased by Buyer from Seller are set forth in the quotation in Exhibit "A" and shall be due and payable from Buyer to Seller as follows:

- a. In consideration of the initial purchase of products and/or services, the Buyer shall pay Seller commensurate with payment schedule below. Initial invoices for software and services are due upon receipt. Future invoices will be paid within thirty (30) days of invoice date. Invoices not paid within thirty (30) days of invoice may be subject to a one and ½ percent (1.5%) monthly interest charge (eighteen percent (18%) per year).
- b. It is acknowledged that certain items set forth in "Exhibit A" if necessary are based on Seller's estimates, including fees from the "Fee Sheet" included in "Exhibit B." The sums payable by Buyer for maintenance and upgrades as described in "Exhibit A" are in addition to being payable as set forth above, payable annually on the anniversary of the purchase date. Such sums may be subject to a price increase after payment for the initial year, provided that, the price shall only be increased by Seller in the event that Seller's costs therefore are increased by CompuLink Management Center, Inc. or its successor in interest. Buyer shall have no legal obligation to continue paying for the maintenance (software updates) and technical support provided Buyer does not see value in said service.
- c. It is agreed that the estimates for those items set forth in "Exhibit A" will not be exceeded by Seller without prior written approval by Buyer. In the event that the estimates are exceeded with approval of Buyer, then Buyer shall pay the difference with the payment set forth in "Exhibit A" hereinabove. It is agreed that Seller may need to adjust billable rates periodically, as well as mileage and per-diem charges, as part of this Purchase Agreement. This change will happen not more frequently than once per year. The Buyer will be notified of this change at least 30 days in advance of this change.
- d. Renewal and payment of maintenance, subscription products and Laserfiche Cloud need to be completed prior to client's renewal date to avoid disruption of support or subscription services. Cancellation of subscription products from Laserfiche requires a 90-day notice prior to renewal date.

#### Payment Schedule

| Payment Date             | Description / Percentage                      | Payment Amount |
|--------------------------|-----------------------------------------------|----------------|
| Upon Receipt of Licenses | Software, Maintenance & Services in Exhibit A | \$51,544.20    |
|                          |                                               |                |

**5. Limitation:** It is specifically acknowledged and agreed that all techniques, procedures and methodologies used and implemented by Seller in the performance of its work under this agreement are not included in the sale, and all intellectual property rights to such techniques, procedures and methodologies shall be retained by Seller, or by such third parties with whom Seller may contract with or have licenses through.

**6. Independent Contractor:** It is specifically acknowledged that Seller is an independent contractor, and that no agent, employee, or subcontractor of Seller shall be deemed an employee of Buyer or be entitled to any compensation from Buyer except as specifically set forth in this agreement.

**7. Confidentiality:** Seller shall keep confidential all non-public aspects of the work performed under this contract, including but not limited to all communications regarding that work and all Buyer data and information to which Seller obtains access in the course of performing services under this agreement. Seller shall limit internal access to information regarding work under this contract to those members of Seller's own staff or subcontractors of Seller who are directly involved in the work or otherwise have a need for access to the information. Unless otherwise required by law, Seller shall not disclose any non-public information to anyone other than the Buyer's project manager and Seller's own staff and subcontractors without the Buyer's prior written consent. Seller shall ensure that all individuals and subcontractors engaged directly or indirectly by Seller to provide services under this agreement are advised of and required to comply with the forgoing confidentiality obligation.

**8. Sharing Information:** Upon the Buyer's written request and authorization, Seller shall share any project information designated by the Buyer and shall fully cooperate with all corporations, firms, contractors, governmental entities, and persons involved in or associated with the project and designated by the Buyer in the request. Seller shall not communicate with representatives of any of the news media regarding work under this contract; any communications with news media representatives regarding this contract shall be exclusively through the Buyer.

**9. Commitment and Completion:** It is agreed that Seller shall commence work within 14 days of receipt by Seller from Buyer of a written authorization to proceed and shall be completed pursuant to Exhibit "A." Notwithstanding such schedules, it is acknowledged that delays resulting from any acts or omissions of Buyer, or circumstances beyond the control of Seller, including, but not limited to acts of war or terror, natural disasters, material shortages, and acts of God, shall not be deemed a breach of this agreement.

**10. Insurance:** Seller shall maintain occurrence for commercial general liability and automobile liability insurance which shall include personal injury, bodily injury, including death, and broad form property damage including loss of use of property, occurring in the course of or in any way related to Seller's operations, in an amount not less than \$2,000,000 combined single limits per occurrence; Seller shall maintain Workers' Compensation and Employer's liability for all consultants' employees who are subject to Worker's Compensation statute either as a carrier-insured employer or as a self-insured employer. Seller shall maintain cyber breach, professional errors and omissions liability insurance for the protection of the Seller and its employees and subcontractors, insuring against losses arising out of or resulting from breach, their professional acts, omissions, activities or services, in an amount not less than \$2,000,000 per claim. At the request of Buyer, Seller shall furnish the Buyer with certificates evidencing the date, amount, and type of insurance required by this contract.

**11. Warranty and Limitations:** Except as otherwise set forth herein, Seller's warranty is specifically limited to successful completion of installation and operation of Laserfiche software program with respect to scanning and capturing documents of Buyer as provided in Exhibit "B", and that, except as may be available through CompuLink Management Center, Inc., Seller gives no other warranties, express or implied. In the event the software is unable to perform as warranted by Seller within 30 days of completion of installation, Buyer shall be entitled to a full refund of the purchase price. It is specifically acknowledged and agreed that Seller's warranty is limited and shall not apply to performance by the Seller under this agreement of specifications other than those specifically warranted above, such exclusions to include, but are not limited to: 1) the integration of the system to be installed by Seller with existing software of Buyer; and 2) the importation of documents into the system, due to the fact Seller currently has insufficient knowledge of the documentation. In addition, said warranties shall not apply: a) To the extent of any problems encountered with the integration of external databases with the software installation; b) To the extent of any problems encountered as a result of the failure of the Buyer to install and configure the hardware necessary to operate the software in accordance with the hardware specifications previously provided by the Seller; or c) To the extent of any problems encountered as a result of the failure of the Buyer's computing equipment, servers, networks or operating systems.

**12. Limitation and Damages:** BUYER AGREES THAT SELLER'S TOTAL AGGREGATE LIABILITY, IF ANY, SHALL NOT EXCEED FEES PAID TO SELLER BY BUYER FOR THE PRODUCTS AND/OR SERVICES INVOLVED. The Seller will endeavor to provide high quality services and a high-quality product. However, the Seller is not, and will not be responsible for any consequential or incidental damages resulting from any interruptions of service, or data loss (including lost transactions). With the exception of Buyer subscribing to Server Hosting, day-to-day data backup is the Buyer's

responsibility and Seller is not and cannot be liable for data loss due to poor or nonexistent or insufficient backup or any other issues associated and/or caused by Buyer's day-to-day server data backup.

**13. Attorney's Fees:** In case suit, action, or arbitration is instituted to enforce or rescind any of the rights or provisions expressed in this agreement, the party not prevailing agrees to pay the prevailing party's costs and disbursements related to said proceedings and such sums as the court or arbitrator, may adjudge reasonable for the attorney's fees at trial or appeal of said suit or action.

**14. Governing Law:** This agreement shall be governed and construed under the laws of Saint Croix County, Wisconsin.

**15. Severability:** If any provision of this agreement shall be prohibited or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this agreement.

**16. Complete Agreement:** This represents the complete and final agreement of the parties regarding the purchase and sale of software products and other services to be rendered by Seller on behalf of Buyer and supersedes and replaces any oral or written agreements heretofore made. Any modification to this agreement shall only be valid in writing and signed by the parties hereto.

**17. Sales Tax & Use Tax:** Buyer understands that CDI does not collect sales tax in all states and localities. Buyer agrees to pay all applicable sales or use taxes required by their local jurisdictions not already outlined in this contract.

**18. Paperless Billing:** By selecting "Accepted" below Buyer signifies preference for paperless billing and will receive a digital copy of invoices emailed to a designated email address for processing.

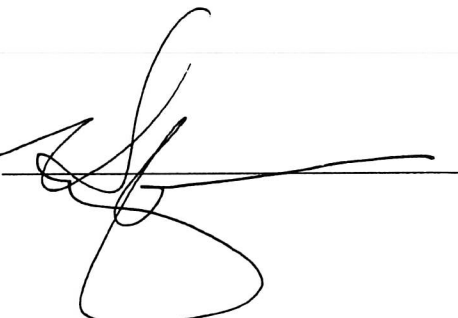
ACCEPTED ☒ DECLINED ☐

Email Address: goebenj@ellensburgwa.gov

Seller: Cities Digital, Inc.  
Name: Patrick Welsch  
Title: President  
Date: 6/28/2024

Buyer: City of Ellensburg  
Name: Heidi Behrends Cerniwey  
Title: City Manager  
Date: 6/28/2024

DocuSigned by:  
By: Patrick Welsch  
B1049741FF5544C...

By: 



**EXHIBIT A: Quotation**

## Software &amp; Renewal

| Product                                               | Software Quantity | Soft. Unit Cost | Renewal Quantity | Renewal Unit Cost | Total              |
|-------------------------------------------------------|-------------------|-----------------|------------------|-------------------|--------------------|
| Laserfiche Cloud Municipality Site License (CLXGOV25) | 1.00              | \$ .00          | 1.0000           | \$25,750.00       | \$25,750.00        |
|                                                       |                   |                 |                  | Software:         | \$ .00             |
|                                                       |                   |                 |                  | Renewal:          | \$25,750.00        |
|                                                       |                   |                 |                  | Tax:              | \$2,163.00         |
|                                                       |                   |                 |                  | Total:            | <b>\$27,913.00</b> |

## Services

| Service                                                                                                                                                                                                            | Service Quantity | Service Unit Cost | Total              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------|--------------------|
| Gold - Advanced Service Package (40 hours) - Prepaid Service Hours (CD6000)<br><i>Laserfiche Cloud setup, configuration, consulting, and training.</i>                                                             | 1.00             | \$7,400.00        | \$7,400.00         |
| Platinum - Advanced Service Package (80 hours) - Prepaid Service Hours (CD7000)<br><i>Laserfiche Records Management setup, configuration, consulting, and training - Large RM project (up to 20 record types).</i> | 1.00             | \$14,400.00       | \$14,400.00        |
|                                                                                                                                                                                                                    |                  | Service:          | \$21,800.00        |
|                                                                                                                                                                                                                    |                  | Tax:              | \$1,831.20         |
|                                                                                                                                                                                                                    |                  | Total:            | <b>\$23,631.20</b> |

**Laserfiche Cloud Municipality Site License - What's Included:**

- 150 Business User Licenses – Full User Licenses
- 10TB of Storage
- Unlimited Public Portal
- Forms Professional
- Unlimited Forms Portal
- Records Management
- 1 Workflow Bot for Process Automation
- 10 Quick Field Complete with Agent
- Advanced Audit Trail
- Direct Share
- Import Agent
- Connector and SDK
- Laserfiche APIs (100,000 calls/month)

**CDI includes:**

1. Unlimited phone, email and remote support at no additional cost.
2. "Hands and Eyes" service – no cost 15-minute sessions with our consulting team to help troubleshoot Laserfiche workflows, business processes, or any other guidance.
3. Complimentary annual Laserfiche system audit.
4. "Training Tuesday" – free bi-weekly training sessions with our Laserfiche Platinum certified trainer.
5. Monthly Newsletter - <https://www.cdi.support/cdi-newsletter>.
6. Complimentary Laserfiche webinars - <https://www.cdi.support/webinars>.
7. Extensive Laserfiche integrations expertise. CDI is Laserfiche's top integration partner - <https://www.cdi.support/laserfiche-integrations>.
8. Extensive Laserfiche YouTube video library full of exciting content - <https://www.youtube.com/user/CitiesDigital/videos>.
9. Complimentary passes to Laserfiche's annual Empower conference.

**EXHIBIT B: Software Support Policy, "LSAP" (Laserfiche Software Assurance Plan) or "Annual Maintenance"**

The initial purchase of a software system also requires purchasing maintenance for each component. Annual Maintenance is a software assurance program initiated by Cities Digital and required by the manufacturer to ensure that buyers are able to receive regular product updates and basic software support through their value-added reseller. Cities Digital has developed this policy with regard to services that are included with the purchase of Annual Maintenance in order to serve all buyers with access to hotfixes and expert technical support.

**Services included in base LSAP costs:**

- Cities Digital technical support hotline:
  - 855-714-2800
  - [Support@CDI.support](mailto:Support@CDI.support)
  - <https://www.cdi.support/support>
- Software updates including hotfixes and new feature releases
- LogMeIn remote support (allows support technicians to access buyer's computer remotely)
- Customer portal access: Submit & track tickets, view contracts, access videos and documentation
- Annual consulting meeting & strategy session
- Annual software performance audit

**Description of Support Services**

|                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Laserfiche Software Assurance Plan (LSAP)</b>                                        | <p>Fee is based upon software components that have been purchased. The support plan is renewable each year.</p> <p>Seller support is provided as a part of the Laserfiche annual support fee. Technical support is considered assistance with software malfunctions (break/fix) or "bugs." Technical Support does include assisting buyer with how-to questions and assistance with configuration of the software.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Response Time and Definition</b>                                                     | <p>Responses provided within 24 hours of initial report. Most responses and technical troubleshooting will happen within an hour, if not immediately through chat / remote support. Responses consist of diagnosing the problem and if possible, resolving it immediately. If it is not possible to resolve immediately a time will be scheduled to attempt resolution of the problem at the buyer's convenience.</p> <p>Seller provides a technical support hotline during weekday and non-holiday business hours 8:00 AM to 7:00 PM Central Time. The technical support staff processes assistance telephone calls, emails and remote connections as they arrive. The Support Director assesses difficulty of tasks and assigns cases to the tiered support staff. This process is in place to provide support to our customers based on the impact on their on-going operations.</p> <p>Non-emergency calls for support are typically responded to within one hours (or less). Critical calls (delay in work or loss of data due to system issues) may be responded to immediately. Support calls may be escalated internally to other technicians as needed.</p> |
| <b>Options for Coverage During Non-Standard Business Hours or "After Hours Support"</b> | <p>Appointments may be scheduled with the Director of Support at <a href="mailto:support@citiesdigital.com">support@citiesdigital.com</a>.</p> <p>After hours support requires a two-week prior notification, unless case of emergency. Upgrades, development, training &amp; other services conducted after hours will be subject to billable rates and availability. Billable rates for buyers with current Laserfiche Software Assurance Plans are \$250/hr before 8:00am and after 7:00pm Central Time and weekends.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Cities Digital Closed on Six Federal Holidays</b>                        | Cities Digital will be closed New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Capability for Remote Diagnostics</b>                                    | A web-based tool for remote diagnostics and support called LogMeIn is utilized. With specific prior written authorization from Buyer an unattended access tool is available for use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Update Installation Limitations (does not apply to Laserfiche Cloud)</b> | <p>Product updates are installed, in-place on the same server where Laserfiche is already installed. The installation service is free of charge for clients with standard Annual Maintenance. Limitations on the installation services are as follows:</p> <ol style="list-style-type: none"> <li>1. Installations in new environments or new servers requires planning and project management services outside the scope of free installations.</li> <li>2. New environments are defined as new domains, installing into a new cloud environment such as Azure or AWS.</li> <li>3. Installations must be scheduled in advance using the scheduling request form online. Installations are not available same-day. Installations during off-hours, weekends or holidays are subject to off-hours support charges.</li> <li>4. Testing of all workflows, forms, business processes, quick fields sessions and integrations are the responsibility of the client. Advanced implementations or mission critical systems may require project management and consulting services for advanced user acceptance testing (UAT).</li> <li>5. Client is responsible for installing Windows operating systems, MS SQL, configuring domain users and network security.</li> <li>6. CDI limits the number of free server installations to one production and one test environment. The client may install additional test environments, development environments, etc.</li> </ol> |
| <b>Maintenance Cost for Fixes, Major Releases and Platform Changes</b>      | <p>Maintenance that is done over the phone or remote access is included in annual maintenance agreement at no additional cost. Software upgrade packages are available to Buyer at support.laserfiche.com or by request from Support@CitiesDigital.com.</p> <p>Major and infrequent upgrades referred to as "platform changes" may be subject to a fee. The fee is set by the manufacturer when the platform is released.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Support Escalation Procedures</b>                                        | <ol style="list-style-type: none"> <li>1. Problem is reported, a support case is opened and documented. The case is resolved over the phone or remotely.</li> <li>2. If immediate resolution is not possible, problem is reported to second tier support.</li> <li>3. If there is no existing solution, Cities Digital development will write a script, solution or "work around" to fix the problem. Cities Digital will then implement the solution.</li> </ol> <p>Cities Digital creates technical support cases on behalf of the Buyer with the manufacturer upon diagnosis of the problem if the problem cannot be immediately resolved by Cities Digital.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Tracking Database</b>                                                    | All support cases are tracked in a ticketing system. The tracking software assigns incident numbers and the buyer may call and request the status on any support case at any time during work hours or by visiting the client portal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Third-Party IT Contractors</b>                                           | Buyers that utilize a third-party IT contractor for management of servers and networking should expect their IT contractor to assign remote-access to Cities Digital for installation and configuration. Should unattended access not be permissible third-party IT consultants may need to be present during installation or configuration. Additional configuration pertaining to Buyer's network IP addresses, network security and access may be necessary from time-to-time. Charges from third-party IT consultants may be assigned. Cities Digital is not responsible for such charges. It is the policy of Cities Digital to copy Buyer on all communication between third-party IT contractors unless explicitly instructed not to.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



**Services not included in base LSAP costs, Rates Sheet:**

|                                                                                                  |                   |               |
|--------------------------------------------------------------------------------------------------|-------------------|---------------|
| Technical services, design, configuration                                                        | Per hour          | \$220         |
| Project management (per hour)                                                                    | Per hour          | \$220         |
| Development, integration and conversion (per hour)                                               | Per hour          | \$330         |
| Cancelled Meeting within 24 Hours (1/2 hour/person)                                              | Per hour          | \$110 - \$165 |
| Off-hours work, outside normal business hours excluding holidays (per hour)                      | Per hour          | \$330         |
| Encrypted drive shipment – Export/Import (per request)                                           | Per export/import | \$500         |
| Managed Services including configuration of domains, IP addresses, certificates, firewall or SQL | Per hour          | \$300         |
| Mileage reimbursement                                                                            | Per mile          | \$ .585       |
| Per diem minimum when providing onsite service                                                   | Per day           | \$250         |
| Completion of private security due diligence examinations                                        | Per hour          | \$250         |

**Government Services Rate:**

|                                                                                                  |                   |               |
|--------------------------------------------------------------------------------------------------|-------------------|---------------|
| Technical services, design, configuration                                                        | Per hour          | \$200         |
| Project management (per hour)                                                                    | Per hour          | \$200         |
| Development, integration and conversion (per hour)                                               | Per hour          | \$300         |
| Cancelled Meeting within 24 Hours (1/2 hour/person)                                              | Per hour          | \$100 - \$150 |
| Off-hours work, outside normal business hours excluding holidays (per hour)                      | Per hour          | \$300         |
| Encrypted drive shipment – Export/Import (per request)                                           | Per export/import | \$500         |
| Managed Services including configuration of domains, IP addresses, certificates, firewall or SQL | Per hour          | \$300         |
| Mileage reimbursement                                                                            | Per mile          | \$ .585       |
| Per diem minimum when providing onsite service                                                   | Per day           | \$250         |
| Completion of private security due diligence examinations                                        | Per hour          | \$250         |

## Exhibit D: End User License Agreements

### EXHIBIT D: End User License Agreement or "EULA"

The licensing agreements listed below pertain to Microsoft and Laserfiche. The Microsoft licensing pertains to use of hosting services from Cities Digital. Should clients not be utilizing hosting services the following eight points should not be considered applicable.

#### MICROSOFT SOFTWARE LICENSING AGREEMENT or "EULA"

Buyer agrees to accept the following conditions related to Software Licensing:

1. This Agreement is binding in all applicable jurisdictions.
2. Buyer is prohibited from reverse engineering, decompiling, or disassembling the Products, except to the extent that such activity is expressly permitted by applicable law.
3. Microsoft or its suppliers are hereby indemnified for any damages, whether direct, indirect, or consequential, arising from the Software Services.
4. Seller or a third party on Buyer's behalf (and not Microsoft or its suppliers) will provide technical support for the Cloud Server.
5. The Products are licensed to Buyer from an affiliate of the Microsoft Corporation (collectively "Microsoft"). Microsoft Products are protected by copyright and other intellectual property rights. Products and other Product elements including but not limited to any images, photographs, animations, video, audio, music, text and "applets" incorporated into the Products are owned by Microsoft or its suppliers. You may not remove, modify or obscure any copyright trademark or other proprietary rights notices that are contained in or on the Products. The Products are protected by copyright laws and international copyright treaties, as well as other intellectual property laws and treaties. Your possession, access, or use of the Products does not transfer any ownership of the Products or any intellectual property rights to you.
6. Buyer agrees to permitting Seller to disclose Buyer's contact information where required to satisfy license registration with software manufacturers such as Laserfiche or Microsoft.
7. The Products are not fault-tolerant and are not guaranteed to be error free or to operate uninterrupted. You must not use the Products in any application or situation where the Product(s) failure could lead to death or serious bodily injury of any person, or to severe physical or environmental damage ("High Risk Use").
8. Microsoft will be an intended third-party beneficiary of this Agreement, with the right to enforce provisions of the End User Agreement and to verify the compliance of the End User.
9. The **Laserfiche End User License Agreement** is available for reference in entirety on our website at [cdi.support/eula](http://cdi.support/eula)

VOUCHER APPROVAL

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

**Jerica Pascoe**

Digitally signed by Jerica Pascoe  
Date: 2025.06.30 13:40:28 -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 **7TH DAY OF JULY 2025**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

|                      |               |    |               |                      |              |
|----------------------|---------------|----|---------------|----------------------|--------------|
| <b>Claims Fund</b>   |               |    |               | <b>Total Amounts</b> |              |
| Check #'s            | <b>170530</b> | TO | <b>170761</b> | \$                   | 1,301,910.43 |
| EFT #'s              | <b>7473</b>   | TO | <b>7508</b>   | \$                   | 1,645,005.48 |
| <b>Treasure Cash</b> |               |    |               | <b>Total Amounts</b> |              |
| EFT #'S              | <b>1227</b>   | TO | <b>1248</b>   | \$                   | 547,047.20   |
| Check #'s            | <b>34359</b>  | TO | <b>34372</b>  | \$                   | 1,654.97     |
| <b>Payroll Fund</b>  |               |    |               | <b>Total Amounts</b> |              |
| Check #'s            | <b>96432</b>  | TO | <b>96438</b>  | \$                   | 7,962.72     |
| Direct Deposits      | <b>86385</b>  | TO | <b>86659</b>  | \$                   | 580,452.58   |

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

ATTEST: \_\_\_\_\_  
CITY CLERK

| <b>Boards and Commissions</b>              | <b>Affordable Housing Commission</b> | <b>Arts Commission</b> | <b>Civil Service Commission</b> | <b>Diversity, Equity &amp; Inclusion Commission</b> | <b>Environmental Commission</b> | <b>Landmarks and Design Commission</b> | <b>LEOFF Board</b> | <b>Library Board</b> | <b>Lodging Tax Advisory Committee</b> | <b>Parks and Recreation Commission</b> | <b>Planning Commission</b> | <b>Public Transit Advisory Committee</b> | <b>Utility Advisory Committee</b> |
|--------------------------------------------|--------------------------------------|------------------------|---------------------------------|-----------------------------------------------------|---------------------------------|----------------------------------------|--------------------|----------------------|---------------------------------------|----------------------------------------|----------------------------|------------------------------------------|-----------------------------------|
| <b>MEMBERS</b>                             | <b>7</b>                             | <b>7</b>               | <b>3</b>                        | <b>9</b>                                            | <b>7</b>                        | <b>7</b>                               | <b>5</b>           | <b>7</b>             | <b>7</b>                              | <b>7</b>                               | <b>7</b>                   | <b>7</b>                                 | <b>7</b>                          |
| <b>Residency Requirements</b>              | Y                                    | N                      | Y                               | Y                                                   | Y                               | Y                                      | Y                  | Y                    | N                                     | Y                                      | Y                          | N                                        | Y                                 |
| <b>Current Members within City Limits</b>  | 5                                    | 3                      | 3                               | 8                                                   | 5                               | 3                                      | 3                  | 7                    | 3                                     | 6                                      | 6                          | 6                                        | 6                                 |
| <b>Current Members Outside City Limits</b> | 1                                    | 2                      | 0                               | 0                                                   | 1                               | 1                                      | 1                  | 0                    | 3                                     | 1                                      | 0                          | 1                                        | 0                                 |
| <b>Current Members Outside but in UGA</b>  | 0                                    | 0                      | 0                               | 0                                                   | 0                               | 0                                      | 0                  | 0                    | 0                                     | 0                                      | 0                          | 0                                        | 0                                 |
| <b>VACANCIES</b>                           | <b>1</b>                             | <b>2</b>               | <b>0</b>                        | <b>1</b>                                            | <b>2</b><br>1-EHS               | <b>3</b>                               | <b>1</b>           | <b>0</b>             | <b>1</b>                              | <b>0</b>                               | <b>1</b>                   | <b>0</b>                                 | <b>1</b><br>(1-Tele)              |
| <b>APPLICANTS:</b>                         |                                      |                        |                                 |                                                     |                                 |                                        |                    |                      |                                       |                                        |                            |                                          |                                   |
| Joe Sheeran                                |                                      |                        |                                 |                                                     |                                 |                                        |                    |                      |                                       |                                        | 1st                        |                                          |                                   |

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Gretchen Delaford](#)  
**Subject:** [Ext] Online Form Submittal: Application for Appointment  
**Date:** Monday, April 14, 2025 8:07:41 AM

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## Application for Appointment

# Application for Appointment

For volunteering to serve on a Board or Commission

Boards & Commissions Planning Commission

Have you attended a meeting for the board or commission you are applying to?

Yes

Name of Applicant: joseph sheeran

Address

Mailing Address (If Different) Field not completed.

City ellensburg

State WA

Zip 98926-5117

Email Address

Phone Number

Length of Residency in Kittitas County 21

Do you live within the city limits? Yes

ECC 1.12.120 Residency qualification. Except where a commission, board or committee specifically requires city residency as a condition of appointment, members of all other commissions, boards and committees shall maintain

residency within the Kittitas County limits. "Residency," as used herein, means residing within the city or county limits, as applicable, both at the time of appointment and for at least 270 days within each calendar year for the duration of the member's term, but shall not include any period for which a member is absent due to military service.

---

|                                   |                                                                                                                                                                                                                                           |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Occupation Status and Background: | Retired. Worked at Central WA University Registrar Office for 20 years. Have Masters degree in Environmental Studies. Served as Chair of Environmental Commission and Parks & Recreation Commissions. Served on Critical Areas Committee. |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

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|                                  |                                                                                                                                                                                                                                                                |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Why are you seeking appointment? | Interested in having smart growth in Ellensburg and to mitigate environmental impacts of growth in UGA and within city. Have extensive experience serving on City Commissions and would like to ensure that Ellensburg does not have unmitigated urban sprawl. |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

---

|                                                             |     |
|-------------------------------------------------------------|-----|
| Will you be able to attend meetings regularly if appointed? | Yes |
|-------------------------------------------------------------|-----|

---

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

---

|                      |                          |
|----------------------|--------------------------|
| Boards & Commissions | Environmental Commission |
|----------------------|--------------------------|

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|                      |                          |
|----------------------|--------------------------|
| Boards & Commissions | Environmental Commission |
|----------------------|--------------------------|

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**TO: City Council**  
**FROM: Planning Commission**  
**DATE: July 7, 2025 – Council Meeting Date**  
  
**RE: Recommendation of Appointment**

---

Joe Sheeran submitted an Application for Appointment to the Planning Commission on April 14, 2025. He attended the May 22, 2025 Planning Commission meeting. An interview subcommittee consisting of Councilmember David Miller, PC Chair Ed Harrell, and Planning Manager Stacey Henderson, conducted the interview on May 30, 2025.

The Planning Commission currently has one vacancy. Based on the interview, Joe's professional and volunteer background, including a Master's Degree in Environmental Studies, and previous service on the Environmental and Parks and Recreation Commission, make him uniquely qualified to serve on this commission. He is passionate about planning and serving his community, and hopes to do so on the Planning Commission. The subcommittee is recommending that the City Council appoint Joe Sheeran to the vacant Planning Commission position.

| <b>Boards and Commissions</b>              | <b>Affordable Housing Commission</b> | <b>Arts Commission</b> | <b>Civil Service Commission</b> | <b>Diversity, Equity &amp; Inclusion Commission</b> | <b>Environmental Commission</b> | <b>Landmarks and Design Commission</b> | <b>LEOFF Board</b> | <b>Library Board</b> | <b>Lodging Tax Advisory Committee</b> | <b>Parks and Recreation Commission</b> | <b>Planning Commission</b> | <b>Public Transit Advisory Committee</b> | <b>Utility Advisory Committee</b> |
|--------------------------------------------|--------------------------------------|------------------------|---------------------------------|-----------------------------------------------------|---------------------------------|----------------------------------------|--------------------|----------------------|---------------------------------------|----------------------------------------|----------------------------|------------------------------------------|-----------------------------------|
| <b>MEMBERS</b>                             | <b>7</b>                             | <b>7</b>               | <b>3</b>                        | <b>9</b>                                            | <b>7</b>                        | <b>7</b>                               | <b>5</b>           | <b>7</b>             | <b>7</b>                              | <b>7</b>                               | <b>7</b>                   | <b>7</b>                                 | <b>7</b>                          |
| <b>Residency Requirements</b>              | Y                                    | N                      | Y                               | Y                                                   | Y                               | Y                                      | Y                  | Y                    | N                                     | Y                                      | Y                          | N                                        | Y                                 |
| <b>Current Members within City Limits</b>  | 5                                    | 3                      | 3                               | 8                                                   | 5                               | 3                                      | 3                  | 7                    | 3                                     | 6                                      | 6                          | 6                                        | 6                                 |
| <b>Current Members Outside City Limits</b> | 1                                    | 2                      | 0                               | 0                                                   | 1                               | 1                                      | 1                  | 0                    | 3                                     | 1                                      | 0                          | 1                                        | 0                                 |
| <b>Current Members Outside but in UGA</b>  | 0                                    | 0                      | 0                               | 0                                                   | 0                               | 0                                      | 0                  | 0                    | 0                                     | 0                                      | 0                          | 0                                        | 0                                 |
| <b>VACANCIES</b>                           | <b>1</b>                             | <b>2</b>               | <b>0</b>                        | <b>1</b>                                            | <b>2</b><br>1-EHS               | <b>3</b>                               | <b>1</b>           | <b>0</b>             | <b>1</b>                              | <b>0</b>                               | <b>1</b>                   | <b>0</b>                                 | <b>1</b><br>(1-Tele)              |
| <b>APPLICANTS:</b>                         |                                      |                        |                                 |                                                     |                                 |                                        |                    |                      |                                       |                                        |                            |                                          |                                   |
| Joe Sheeran                                |                                      |                        |                                 |                                                     |                                 |                                        |                    |                      |                                       |                                        | 1st                        |                                          |                                   |
| Fred Redmon                                |                                      |                        |                                 |                                                     |                                 | Re-<br>Appt                            |                    |                      |                                       |                                        |                            |                                          |                                   |
| Maurice Blackson                           |                                      |                        |                                 |                                                     |                                 | Re-<br>Appt                            |                    |                      |                                       |                                        |                            |                                          |                                   |
| Scott Carlson                              |                                      |                        |                                 |                                                     |                                 | 1st                                    |                    |                      |                                       |                                        |                            |                                          |                                   |



**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Gretchen Delaford](#)  
**Subject:** [Ext] Online Form Submittal: Application for Reappointment  
**Date:** Monday, April 28, 2025 6:04:20 PM

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## Application for Reappointment

# Application for Reappointment

For volunteering to serve on a Board or Commission

|                             |                                 |
|-----------------------------|---------------------------------|
| Name of Board or Commission | Landmarks and Design Commission |
|-----------------------------|---------------------------------|

|                      |                        |
|----------------------|------------------------|
| Current Term Expires | May 31 of current year |
|----------------------|------------------------|

|                      |      |
|----------------------|------|
| First Name of Member | Fred |
|----------------------|------|

|                     |        |
|---------------------|--------|
| Last Name of Member | Redmon |
|---------------------|--------|

|           |  |
|-----------|--|
| Address 1 |  |
|-----------|--|

|           |                      |
|-----------|----------------------|
| Address 2 | Field not completed. |
|-----------|----------------------|

|      |            |
|------|------------|
| City | Ellensburg |
|------|------------|

|       |    |
|-------|----|
| State | WA |
|-------|----|

|     |       |
|-----|-------|
| Zip | 98926 |
|-----|-------|

|              |  |
|--------------|--|
| Phone Number |  |
|--------------|--|

|               |  |
|---------------|--|
| Email Address |  |
|---------------|--|

|                                                                                |   |
|--------------------------------------------------------------------------------|---|
| I am requesting to be considered for reappointment for another ____ year term. | 4 |
|--------------------------------------------------------------------------------|---|

|                                    |                                                                                                                                                                                                     |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Why are you seeking reappointment? | I have served on the Landmark and Design Commission for the past four years. I've been both a professional member as a retired architect and a resident of the Railroad Addition Historic District. |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The commission has filled all vacant positions and is now proceeding to act on a work plan that includes refocusing community involvement in preservation through public outreach while continuing our review and advise functions. We will also be making recommendations for updates to the comprehensive plan and assisting with revisions to the design standards that are part of the preservation standard for Ellensburg. I would very much like to be involved in these efforts as well as others that have been proposed. My first term has made me aware of the benefits to be realized in a community like Ellensburg of an active historic preservation policy.

---

Type your name as  
your electronic  
signature

Fred G Redmon

---

Date

4/28/2025

---

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**TO: City Council**  
**FROM: Landmarks & Design Commission**  
**DATE: July 7, 2025 – Council Meeting Date**

**RE: Recommendation of Reappointment**

---

Fred Redmon submitted an application for reappointment to the Landmarks & Design Commission on April 25, 2025. Mr. Redmon's most recent term on the Landmarks & Design Commission ran from 2021 - 2025. An interview subcommittee consisting of Councilmember Joshua Thompson, LDC Commissioner Jeff Watson, and Associate Planner Chace Pedersen, conducted an interview with Mr. Redmon on June 25, 2025.

The Landmarks & Design Commission currently has three vacancies. Based on the interview, Mr. Redmon's professional background, and previous service on the Landmarks & Design Commission, Mr. Redmon is qualified to serve on this commission. He is passionate about Historic Preservation and serving his community. The subcommittee is recommending City Council reappoint Fred Redmon to the vacant Landmarks & Design Commission position.

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Gretchen Delaford](#)  
**Subject:** [Ext] Online Form Submittal: Application for Reappointment  
**Date:** Wednesday, April 16, 2025 11:22:35 AM

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## Application for Reappointment

# Application for Reappointment

For volunteering to serve on a Board or Commission

|                                                                                |                                                                                                                                                    |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Name of Board or Commission                                                    | Landmarks and Design Commission                                                                                                                    |
| Current Term Expires                                                           | May 31 of current year                                                                                                                             |
| First Name of Member                                                           | Maurice                                                                                                                                            |
| Last Name of Member                                                            | Blackson                                                                                                                                           |
| Address 1                                                                      |                                                                                                                                                    |
| Address 2                                                                      |                                                                                                                                                    |
| City                                                                           | Ellensburg                                                                                                                                         |
| State                                                                          | WA                                                                                                                                                 |
| Zip                                                                            | 98926                                                                                                                                              |
| Phone Number                                                                   |                                                                                                                                                    |
| Email Address                                                                  |                                                                                                                                                    |
| I am requesting to be considered for reappointment for another ____ year term. | 4                                                                                                                                                  |
| Why are you seeking reappointment?                                             | I enjoy helping to preserve the historic character of Ellensburg. It is important to remmeber and preserve some aspects of the past for posterity. |

Type your name as  
your electronic  
signature

Maurice Blackson

---

Date

4/16/2025

---

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**TO: City Council**  
**FROM: Landmarks & Design Commission**  
**DATE: July 7, 2025 – Council Meeting Date**

**RE: Recommendation of Reappointment**

---

Maurice Blackson submitted an application for reappointment to the Landmarks & Design Commission on April 16, 2025. Mr. Blackson's most recent term on the Landmarks & Design Commission ran from 2021 - 2025. An interview subcommittee consisting of Councilmember Joshua Thompson, LDC Commissioner Jeff Watson, and Associate Planner Chace Pedersen, conducted an interview with Mr. Blackson on June 25, 2025.

The Landmarks & Design Commission currently has three vacancies. Based on the interview, Mr. Blackson's professional background, and previous service on the Landmarks & Design Commission, Mr. Blackson is qualified to serve on this commission. He is passionate about Historic Preservation and making the public aware of historic properties in Ellensburg. The subcommittee is recommending City Council reappoint Maurice Blackson to the vacant Landmarks & Design Commission position.

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Cynthia LaChappelle](#)  
**Subject:** [Ext] Online Form Submittal: Application for Appointment  
**Date:** Friday, January 10, 2025 11:47:36 AM

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

## Application for Appointment

# Application for Appointment

For volunteering to serve on a Board or Commission

Boards & Commissions Landmarks and Design Commission

Have you attended a meeting for the board or commission you are applying to?

No

Name of Applicant: Scott J Carlson

Address

[REDACTED]

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

City Ellensburg

State WA

Zip 98926

Email Address

[REDACTED]

Phone Number

[REDACTED]

Length of Residency in Kittitas County 9 Years

Do you live within the city limits? Yes

ECC 1.12.120 Residency qualification. Except where a commission, board or committee specifically requires city residency as a condition of appointment, members of all other commissions, boards and committees shall maintain

residency within the Kittitas County limits. "Residency," as used herein, means residing within the city or county limits, as applicable, both at the time of appointment and for at least 270 days within each calendar year for the duration of the member's term, but shall not include any period for which a member is absent due to military service.

|                                                                                                                                   |                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Occupation Status and Background:                                                                                                 | I am currently a Construction Project Manager for a custom home builder in Kittitas County. In the past, I have worked as a Construction Project Manager with Millig Design Build, Central Washington University, and the University of Washington. |
| Organization Affiliations:                                                                                                        | I am a member of the Design Build Institute of America, Ellensburg Morning Rotary, Veterans of Foreign Wars, American Legion and an active Kittitas County Planning Commissioner.                                                                   |
| Why are you seeking appointment?                                                                                                  | My family and I live in a historic home here in Ellensburg, so I have a vested interest in the work this commission does. I also like to be involved and informed.                                                                                  |
| Will you be able to attend meetings regularly if appointed?                                                                       | Yes                                                                                                                                                                                                                                                 |
| If your first choice, as listed above, is not available, which other boards or commissions would you be interested in serving on? |                                                                                                                                                                                                                                                     |
| Boards & Commissions                                                                                                              | Planning Commission                                                                                                                                                                                                                                 |
| Boards & Commissions                                                                                                              | Parks and Recreation Commission                                                                                                                                                                                                                     |

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**TO: City Council**  
**FROM: Landmarks & Design Commission**  
**DATE: July 7, 2025 – Council Meeting Date**  
  
**RE: Recommendation of Appointment**

---

Scott Carlson submitted an application for appointment to the Landmarks & Design Commission on January 10, 2025. Mr. Carlson attended the May 20, 2025, Landmarks & Design Commission meeting. An interview subcommittee consisting of Councilmember Joshua Thompson, LDC Commissioner Jeff Watson, and Associate Planner Chace Pedersen, conducted an interview with Mr. Carlson on June 25, 2025.

The Landmarks & Design Commission currently has three vacancies. Based on the interview, Mr. Carlson's professional background in the construction industry, volunteer background, and previous service with various commissions organizations, he is uniquely qualified to serve on this commission. He is passionate about the Ellensburg Community and maintaining the historic character in residential areas and the Downtown District. The subcommittee is recommending City Council appoint Scott Carlson to the vacant Landmarks & Design Commission position.



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Proposed Resolutions No. 2025-14 and No. 2025-15, Calling for a Special Election Ballot Proposition to Fund Ellensburg Public Transit, and Contingent Repeal of the Existing Transportation Sales and Use Tax (Public Comment Opportunity)

**Submitted by:** Heidi Behrends Cerniwey, City Manager

**Department:** City Manager

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**Suggested Motion/Action:**

- 1) Conduct a public hearing regarding the proposed resolutions;
- 2) Move to adopt the proposed Resolution No. 2025-14 calling for a special election on November 4, 2025, regarding a two-tenths of one percent (0.2%) sales and use tax for public transportation (transit) funding (RCW 82.14.045); and
- 3) Move to adopt the proposed Resolution No. 2025-15 to repeal the existing two-tenths of one percent (0.2%) transportation sales and use tax (RCW 82.14.0455), contingent upon voter approval of the public transit funding proposition at the November 4, 2025 special election.

**Background/Summary:**

With the goal to maintain public service levels while continuing to practice public resource stewardship, the City Council adopted the 2025-2026 Biennial Budget, which was balanced by a combination of measures: reallocation of one-time Federal, State and Local Fiscal Recovery Funds (SLFRF) monies, maximized use of restricted revenues, deferred some maintenance activities, slowed technology projects, and perhaps most importantly, assumed renewal of the voted transit funding and formally expanded its use for street preservation to reduce increasing pressures on the General Fund. Through subsequent City Council discussion in 2025, Council determined to separate and prioritize the transit funding issue and revisit sustainable transportation funding as a separate issue, later in the year.

Voters in Ellensburg approved a 2016 ballot measure for the Transportation Benefit District (TBD) funding of 0.2% (two-tenths percent) sales and use tax revenue for a public transportation system. The measure included a ten-year period sunset clause and continued funding must therefore be renewed by voters before September 2026.

Transportation Benefit Districts (TBDs) as authorized by RCW 36.73 are one of the few locally enacted sales and use tax options available to cities to fund transportation system maintenance, preservation, and capital improvements. Ellensburg's current TBD is unusual because the majority of funding is reserved for public transportation (transit) system services.

The ability to fund transportation system improvements is broadly authorized by state law (RCW 82.14.0455) and codified in Ellensburg City Code (ECC) Chapter 2.27.

Ellensburg Central Transit, the City's public transit service, is funded by a combination of 0.2% TBD sales and use tax (since 2016) and has successfully acquired operating grants for many years, receives \$75,000 in CWU student fee funding annually, and in recent years, has been steadily gaining fund balance. Federal and state grant funding provided for approximately 32% of revenue in 2024.

Staff continue to work with the Public Transit Advisory Committee to develop balanced reserve policy targets and capital improvement plans for sustained transit system enhancements to continue to exercise responsive fiscal stewardship over these funds.

**Previous Council Action:**

Resolution 2016-03 was approved by the Council on January 19, 2016, placing a ballot measure on the April 16, 2016, ballot for the voters of Ellensburg to consider a 0.2% sales and use tax to fund the Ellensburg Transportation Benefit District for a period of not more than ten years, for the purpose of paying for or financing the costs of public transportation maintenance, operation and improvement projects identified in Resolution 2016-03.

On December 2, 2024, Council adopted Ordinance No. 4950, 2025-2026 Biennial Budget.

At a Joint City Council and Public Transit Advisory Board (PTAC) study session on January 21, 2025, staff reviewed legal, financial, and operational aspects and trade-offs of renewing the Transportation Benefit District sales and use tax with increased flexibility for funding transportation system maintenance in addition to transit system activities. Members of PTAC requested time to discuss the proposal and were provided with two months to develop a recommendation to Council on the issue of funding for transit services.

At the February 3, 2025, meeting, Council reviewed the issue and requested to bring the item back for consideration in April. PTAC held their regular meetings in February and March 2025, plus a special meeting on March 4, 2025, to review trade-offs and recommend funding for future transit and transportation services.

At the April 7, 2025, meeting, Council voted unanimously to direct staff to prepare a resolution to renew Transportation Benefit District (RCW 36.73) at the rate of 0.3% (0.2% to be used for sustained Ellensburg Central Transit operations; and 0.1% to be used for transportation system street preservation activities) to be placed on the November 4, 2025, General Election ballot. At the following meeting on April 21, 2025, Council voted unanimously to bring the discussion back for reconsideration [potentially using RCW 82.14 and separating a voted transit system measure from transportation system (street preservation) funding issue] at a future meeting.

At the May 19, 2025, meeting, Council voted unanimously to direct staff to prepare resolutions that would place a voted transit system measure (authorized by RCW 82.14.045) on the November 4, 2025 general election ballot, as well as repeal the existing Transportation Benefit District 0.2% sales and use tax, which is already set to expire September 30, 2026. These goals are best accomplished by adopting two separate

resolutions, which are attached, and listed in the alternate ballot measure option described below.

## **Analysis:**

### **Balancing the 2025-2026 Biennial Budget**

City Council has the ultimate responsibility for establishing service levels and prioritizing investments across the City's services, including the transportation system. Council adopts a biennial budget, which serves as a policy document for investments and service levels over a two-year period.

Maintaining service levels across the multi-modal transportation system was a priority during staff preparation and Council adoption of the City's 2025-2026 biennial budget. The Ellensburg Central Transit program is budgeted to maintain service levels for this biennium and maintain reserve balances in line with City policy to preserve capacity to respond to future funding uncertainty. Transportation system maintenance, especially the street preservation program within the Street Fund, was reduced by 50 percent (%) in 2025 due to revenue constraints and competing priorities in the General Fund.

Matters and restrictions outside the City's control for the 2025-2026 budget cycle made the budget development particularly challenging. Principally, the City's budget continues to be constrained by a structural imbalance between the growth rate of cost of activities supported by general governmental resources, and the revenues that support those expenditures.

This imbalance has been magnified since COVID and is prevalent in cities across the country. Most cities in Washington face the same set of challenges:

- Inflation and other increases to costs of maintaining services and infrastructure.
- Supply chain delays, which in addition to increasing costs, increase project risks.
- Limits on revenue (property tax annual increase limited to 1% while property values and costs to maintain services increase).

The City employed several strategies to close the structural gap in the current 2025-2026 Biennial Budget:

- Find and capture efficiency savings.
- Reallocating \$1 million of COVID Relief Grants (SLFRF) from Sewer Utility to the General Fund.
- Pursuing fee analysis to balance the costs of providing services while maintaining affordability.
- Joining a larger health insurance benefit pool to control employee benefit costs.
- Service level reductions for governmental services.
- Continuing to pursue transportation and transit funding opportunities that foster and enhance the current and future City system.

Notably, 2025-2026 budget adjustments include reducing service levels for preventative maintenance of streets for 2025 and spending down fund balances, where eligible, for use as

strategic investments in infrastructure. Although some service levels are reduced for 2025, the investments in transportation service levels adopted in the biennial budget substantially target projects that span multiple transportation modes that bring in grant money to fund significant investments--expanding the available resources to meet the City's infrastructure needs and reflect the connections between modes.

Since the initial budget and TBD funding discussions, sustained grant funding levels have become more uncertain.

### **State and Federal Grant Funding Require Consistent Sales Tax Rates:**

- WSDOT added parameters to transportation funding bills in the 2025-2027 fiscal biennium that require public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium," which apply to all grant programs: Special Needs, Rural Mobility, Commute Trip Reduction, Regional Mobility, Green Transit Grants, and Transit Support Grants.

### **The City's Public Transit Advisory Board (PTAC) Recommended Increased Funding for Transit and Transportation System Services:**

- Following several meetings, members of PTAC recommend renewing the Transportation Benefit District (TBD) sales and use tax to continue to fund transit services at 0.2% and requested that Council ask Ellensburg voters to increase the rate by 0.1% specifically for transportation system maintenance (street preservation) services. See attached memo.
- PTAC also explored "transit sales tax" option where a city or town may levy a sales tax between 0.1 and 0.9% (in increments of 0.1%) for public transportation purposes (RCW 82.14.045). Enacting this funding requires simple majority voter approval.

### **Ballot Measure Options and Trade-offs Considered:**

- **Option 1:** Ask voters to renew the 0.2% Transportation Benefit District (TBD) Sales and Use Tax per RCW 36.73. Share funding for street maintenance while maintaining a stable Transit fund balance and services.
  - Risks some grant funding which will reduce total available resources for transit and transportation/street services.
  - Renews current sales and use tax only for an additional ten years.
  - This option does not increase the local sales tax rate during a time of economic uncertainty.
- **Option 2:** Ask voters to renew the 0.2% Transportation Benefit District (TBD) Sales and Use Tax per RCW 36.73 and enact an additional 0.1% TBD for street preservation activities.
  - Increases local sales and use tax by 0.1%
  - Provides more sustainable funding for both transit and transportation system.

- Uses the full 0.3% of TBD authority available to cities, limited by State law, which limits capacity for enacting additional authority for future street preservation needs.
- **Option 3:** Ask voters to renew the 0.3% Transportation Benefit District (TBD) Sales and Use Tax per RCW 36.73 for transit and transportation system (streets).
  - Increases local sales and use tax by 0.1%.
  - Addresses longer-term structural deficit challenge by creating new revenue for a service that has been increasing pressure on General Fund and reducing available resources for other services.
  - Provides flexibility for future funding to shift between transportation/transit system service needs (restricted to those authorized by RCW only).
  - Risks some grant funding which will reduce total available resources for transit and transportation/street services.
  - Uses the full 0.3% of TBD authority available to cities, limited by State law.
- **Option 4:** Ask Ellensburg voters to approve a 0.3% Transit Sales Tax per RCW 82.14.045 (no sunset). Also, enact a 0.1% TBD sales and use tax per RCW 36.73 to fund street maintenance. (Councilmanic or ballot measure)
  - Increases sales and use tax rate by 0.2% for transit and transportation projects.
  - No sunset on Transit sales tax, RCW 82.14.
  - Fund balance in transit potentially increases over time without long-term transit system expansion.
- **Option 5:** Ask Voters to approve a 0.2% Transit Sales Tax per RCW 82.14.045 (no sunset). Also, enact a .1% TBD tax to fund street maintenance (Councilmanic--a measure enacted by the City Council or by a ballot measure).
  - Councilmanic (meaning a measure enacted by the City Council) which is allowed by RCW 36.73 for the first 0.1% TBD only.
  - Councilmanic tax increases are not popular.
  - Unless established, there is no sunset on Transit sales tax, RCW 82.14.

**Option Selected by Council:** Ask voters to approve a replacement Transit Sales Tax of 0.2% (no sunset) and suspend 0.2% TBD sales tax, effective April 1 or July 1, 2026; revisit street maintenance/structural funding issue separately at a future date.

- This option would not increase the local sales tax rate during a time of economic uncertainty.
- Based upon further staff review and analysis, the recommended ballot measure would ask voter approval for sales and use tax for public transportation (transit) per RCW 82.14.045, as indicated in proposed Resolution No 2025-14. Council, acting as the TBD board, would approve a separate Resolution (No 2025-15) to repeal the TBD sales tax (RCW 36.73), contingent upon voter approval of the transit sales tax (RCW 82.14.045).
- This option allows separation of issues facing the City. It would address one issue: renewal of the expiring sales tax revenue for transit system operations. However, it

defers the discussion on additional general fund revenue support for transportation system maintenance and the street preservation program.

- This option reserves full capacity available to the City for future TBD (RCW 36.73) funding for transportation system and street preservation program of 0.3%. Council could enact a .1% TBD tax to fund street maintenance at a future date (Councilmanic-a measure enacted by the City Council or by a future ballot measure).
- The City will need to revisit the adopted 2025-2026 Biennial Budget to adjust revenues and service levels for 2026.

#### **Ballot Measure Timing:**

| <b>Election Date</b>          | <b>Resolution Deadline</b> | <b>Waiver Deadline</b> | <b>Pamphlet to Printer</b> | <b>Pamphlets mailed   Ballots mailed</b> |
|-------------------------------|----------------------------|------------------------|----------------------------|------------------------------------------|
| November 4, 2025              | August 5, 2025             | September 5, 2025      | September 5, 2025          | October 8   October 14, 2025             |
| <b>2026 February Election</b> |                            |                        |                            |                                          |
| February 10, 2026             | December 12, 2025          | December 12, 2025      | December 31, 2025          | January 22, 2026                         |

The Department of Revenue requires sufficient notice to implement new tax collection activities. If Council were to delay a ballot measure, February 10, 2026, is the last election to avoid interruption to tax revenue collection (scheduled to sunset on September 30, 2026).

#### **Election Costs:**

- Ballot measure costs are determined by the City's share mailing and administrative expenses. If Ellensburg is the only jurisdiction with a ballot measure in a special election, the cost is estimated to be around \$20,000, but this amount could be less since the November 4, 2025 special election will be run concurrently with the general election.

#### **Financial Impact:**

The current authorized 0.2% sales and use tax for the Transportation Benefit District (RCW 36.73) provides approximately \$1.6 million in funding for service delivery. Without further authorization by voters, the TBD sales tax must be reduced, effective July 1, 2026. State law no longer allows local governments to change sales and use tax rates on October 1.

Budget Adjustment: No

#### **Attachments:**

1. Resolution 2025-14-Public Transit Ballot Proposition
2. Resolution 2025-15-Contingent Repeal TBD Tax
3. Resolution 2016-03 Transportation Benefit District Ballot Proposition 1-19-16

**CITY OF ELLENSBURG, WASHINGTON  
RESOLUTION NO. 2025-14**

**A RESOLUTION** of the City Council of the City of Ellensburg, Washington, providing for the submission to the qualified voters of the City of a proposition authorizing the collection of a sales and use tax of up to two-tenths of one percent (0.2%) for the purpose of funding public transportation (transit) systems; and requesting that the Kittitas County Auditor place the proposition on the November 4, 2025 ballot.

**WHEREAS**, under RCW 35.92.060, the City of Ellensburg, Washington ("City") is authorized to construct, condemn and purchase, purchase, acquire, add to, alter, maintain, operate, or lease transportation facilities; and

**WHEREAS**, under RCW 35.95.030, the City is authorized to appropriate general funds for the operation, maintenance, and capital needs of City-owned or -leased and City-operated public transportation (transit) systems; and

**WHEREAS**, under RCW 82.14.045, the City, with voter approval, is authorized to impose a sales and use tax of up to nine-tenths of one percent (0.9%) upon the occurrence of any taxable event within the boundaries of the City to provide funds for the operation, maintenance, or capital needs of public transportation (transit) systems; and

**WHEREAS**, the City of Ellensburg ("City") has established through Ordinance No. 4707, codified as Chapter 1.82 of the Ellensburg City Code ("ECC"), a transportation benefit district pursuant to RCW 35.21.225 and Chapter 36.73 RCW ("TBD"); and

**WHEREAS**, Ordinance No. 4719 amended Chapter 1.82 ECC to provide that the City Council would thereafter assume the rights, powers, immunities, functions, and obligations of the governing board of the TBD, thereby abolishing its governing board; and

**WHEREAS**, Central Transit, operated by HopeSource through a combination of funding provided by the State of Washington, the City, and the Associated Students of Central Washington University, provides bus transportation and paratransit services for persons with disabilities throughout the City; and

**WHEREAS**, under Resolution No. 2016-3, approved by the voters at the April 16, 2016 election, Chapter 36.73 RCW, RCW 82.14.0455, and Chapter 2.27 ECC, the TBD imposed a sales and use tax of 0.2% commencing October 1, 2016 for a period of ten years (expiring September 20, 2016); and

**WHEREAS**, the City Council now desires to fund the operation, maintenance, or capital needs of public transportation (transit) systems by imposing a sales and use tax of up to two-tenths of one percent (0.2%) in accordance with RCW 82.14.045, upon voter approval thereof; and



**WHEREAS**, pursuant to Resolution No. 2025-15, the City Council has repealed the sales and use tax currently imposed by the TBD effective on the date the sales and use tax authorized by this resolution is approved by the voters and collected by the City;

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

**Section 1. Submittal to voters.** To provide the necessary funding for the public transportation systems identified in Section 2 of this resolution, including Central Transit, the City Council shall submit to the qualified voters of the City a proposition authorizing the City to fix and impose a sales and use tax of up to two-tenths of one percent (0.2%), pursuant to RCW 82.14.045.

**Section 2. Use of revenues and description of public transportation (transit) systems.** The sales and use tax authorized by this resolution shall be used by the City to fund public transportation (transit) systems, including, but not limited to, the following purposes:

1. The provision of public transportation (transit) services by personnel, equipment, and maintenance necessary to operate a public transportation system in the City;
2. The planning, marketing, and public engagement for the provision of public transportation (transit) services; and
3. The acquisition, maintenance, and replacement of public transportation (transit) vehicles, equipment, and supporting infrastructure facilities outlined in the City's adopted transit development plan;

**Section 3. Ballot proposition.** The City Council hereby finds and declares that the best interests of the City require the submission to the qualified voters of the City a proposition of whether the City shall impose a sales and use tax within the limitations established in RCW 82.14.045 for their approval or rejection. The Kittitas County Auditor as *ex officio* supervisor of elections in Kittitas County, Washington is hereby requested to call and conduct a special election to be held within the City on November 4, 2025, and to submit to the qualified voters of the City for their approval or rejection a proposition to impose a sales and use tax of up to two-tenths of one percent (0.2%) of the selling price in the case of a sales tax or value of the article used in the case of the use tax. The sales and use tax authorized by this resolution is in addition to any other taxes authorized by law and shall be collected from those persons who are taxable by the State of Washington under Chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the boundaries of the City. Upon approval by the voters of the proposition hereinafter set forth and the sales and use tax authorized by this resolution is collected, the sales and use tax currently imposed by the TBD will be repealed and the City may use the sales and use tax authorized by this resolution for the purposes described in this resolution. The City Clerk is hereby authorized and directed to certify to the Kittitas County Auditor,

no later than August 5, 2025, a copy of this resolution and the following proposition to be submitted to the qualified voters at that election, in substantially the following form:

**CITY OF ELLENSBURG, WASHINGTON**  
**PROPOSITION 1**  
**SALES AND USE TAX FOR**  
**PUBLIC TRANSPORTATION (TRANSIT) SYSTEMS**

The City Council of Ellensburg, Washington adopted Resolution No. 2025-14 concerning sales and use taxes to fund public transportation (transit) systems. This resolution would authorize the collection of a sales and use tax at a rate of up to 0.2% on all taxable retail sales within the City, in accordance with RCW 82.14.045, upon which the existing 0.2% sales and use tax imposed by the City transportation benefit district will be repealed, all for the purpose of funding operation, maintenance, or capital needs of City public transportation (transit) systems identified in Resolution No. 2025-14, including Central Transit.

Should this resolution be approved?

YES ☐

NO ☐

For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates the City Clerk (Beth Leader, [leaderb@ellensburgwa.gov](mailto:leaderb@ellensburgwa.gov)) and the City Attorney (Christopher Horner, [hornerc@ellensburgwa.gov](mailto:hornerc@ellensburgwa.gov)) as the individuals to whom such notice should be provided. The City Attorney and City Clerk are each individually authorized to approve changes to the ballot title, if any, deemed necessary by the Kittitas County Auditor.

The City Clerk is authorized to make necessary clerical corrections to this resolution, including the correction of scrivener's or clerical errors, references, resolution numbering, section numbers, and any reference thereto.

The proper City officials are authorized to perform such duties as are necessary or required by law to submit the question of whether the sales and use tax shall be imposed, as provided in this resolution, to the qualified voters of the City at the November 4, 2025 election.

**Section 4. Severability.** If any provision of this resolution shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions and shall in no way affect the validity of the other provisions or of the imposition or collection of the tax authorized herein.

ADOPTED by the City Council of the City of Ellensburg this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

**ELLENSBURG TRANSPORTATION BENEFIT DISTRICT  
RESOLUTION NO. 2025-15**

**A RESOLUTION** of the Ellensburg Transportation Benefit District repealing the existing sales and use tax imposed by the TBD upon the approval by voters and collection of a sales and use tax of up to two-tenths of one percent (0.2%) imposed by the City of Ellensburg for the purpose of funding public transportation systems.

**WHEREAS**, the City of Ellensburg ("City") has established through Ordinance No. 4707, codified as Chapter 1.82 of the Ellensburg City Code ("ECC"), a Transportation Benefit District pursuant to Chapter 36.73 RCW ("TBD"); and

**WHEREAS**, Ordinance No. 4719 amended Chapter 1.82 ECC to provide that the City Council would thereafter assume the rights, powers, immunities, functions, and obligations of the governing board of the TBD, thereby abolishing the board; and

**WHEREAS**, Central Transit, operated by HopeSource through a combination of funding provided by the State of Washington, the City, and the Associated Students of Central Washington University, provides bus transportation and paratransit services for persons with disabilities throughout the City; and

**WHEREAS**, under Resolution No. 2016-03, approved by the voters at the April 16, 2016 election, Chapter 36.73 RCW, RCW 82.14.0455, and Chapter 2.27 ECC, the TBD imposed a sales and use tax of 0.2% commencing October 1, 2016 for a period of ten years; and

**WHEREAS**, the City Council now desires to fund the operation, maintenance, or capital needs of public transportation (transit) systems by imposing a sales and use tax of up to two-tenths of one percent (0.2%) in accordance with RCW 82.14.045, upon voter approval thereof;

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

**Section 1. Repeal of tax.** Upon approval by the voters of a proposition authorizing the City to fix and impose a sales and use tax of up to two-tenths of one percent (0.2%), pursuant to RCW 82.14.045 and effective upon the collection of the sales and use tax imposed by the City, the existing sales and use tax imposed by the TBD is hereby repealed.

ADOPTED by the City Council of the City of Ellensburg this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

**ELLENSBURG TRANSPORTATION BENEFIT  
DISTRICT RESOLUTION NO. 2016-03**

**A RESOLUTION** of the Ellensburg Transportation Benefit District ("TBD" or "District"), providing for a ballot proposition to be submitted to the qualified voters of the District at a special election to be held on April 26, 2016, authorizing an additional sales and use tax within the district to be levied in an amount of up to two-tenths of one percent for a period of not more than ten years, commencing not earlier than October 1, 2016, for the purpose of paying for or financing the cost of public transportation improvements.

**WHEREAS**, the City of Ellensburg has established through Ordinance No. 4707, codified as Chapter 1.82 of the Ellensburg City Code ("ECC"), a Transportation Benefit District pursuant to Chapter 36.73 RCW; and

**WHEREAS**, Ordinance 4719 amended Chapter 1.82 ECC to provide that the City Council would thereafter assume the rights, powers, immunities, functions, and obligations of the governing board of the governing board of the TBD, thereby abolishing the board; and

**WHEREAS**, Central Transit, provides public transportation services operated by HopeSource through a combination of funding provided by the State of Washington, the City and the Associated Students of Central Washington University, provides bus transportation and paratransit services for persons with disabilities throughout the City; and

**WHEREAS**, the City of Ellensburg desires to support public transportation through a local sustainable funding source; and

**WHEREAS**, RCW 35.95.2721 provides that municipalities are authorized to acquire, construct, operate, and maintain public transportation systems in Washington; and

**WHEREAS**, with voter approval, the District may impose a sales and use tax upon the occurrence of any taxable event within the boundaries of the District to fund transportation improvements; and

**WHEREAS**, under RCW 36.73.015(6) and Chapter 1.82 of the Ellensburg City Code, transportation improvement funds may be used for public transportation improvements that preserve, maintain, operate, construct and reconstruct the existing public transportation system and infrastructure of the city; and

**WHEREAS**, the Ellensburg City Council now desires to fund the TBD and implement the public transportation improvements through the imposition by the District of a sales and use tax to be levied in an amount of up to two-tenths of one percent in

accordance with RCW 82.14.0455, consistent with Chapter 36.73 RCW, upon voter approval thereof;

**WHEREAS**, it is the intent of the TBD to allocate funds from the voter approved sales and use tax in a manner that supports sustainable funding and potential expansion of public transportation services and operations during the ten (10) year period of the levy; and

**WHEREAS**, the City provided notice of and conducted the public hearing on January 19, 2016 regarding the proposed resolution placing a measure on the April 26, 2016 special election ballot to fund the Transportation Benefit District;

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

**Section 1. Tax submittal to voters.** To provide the necessary funding for the transportation projects identified in Section 2 of this resolution, the City Council shall submit to the qualified electors of the district a proposition authorizing the TBD to fix and impose, for a period of not more than ten years, a sales and use tax to be levied in an amount of up to two-tenths of one percent (0.2%), commencing not earlier than October 1, 2016, pursuant to RCW 36.73.040(3)(a) and RCW 82.14.0455.

**Section 2. Use of revenues and description of transportation improvements.**

A. The sales and use tax revenue shall be used by the district consistent with Chapter 36.73 RCW and this resolution to fund public transportation improvements permitted by Chapter 36.73 RCW, including but not limited to, the acquisition, construction, operation, improvement, provision, maintenance, and preservation of public transportation facilities, equipment, services and programs.

B. Specifically, the transportation improvements carried out with the sales and use tax revenues must be projects or programs contained in the City of Ellensburg Public Transportation Development Plan, including:

1. The provision of public transportation services, including but not limited to, providing the personnel, equipment and maintenance necessary to operate a public transportation system in Ellensburg;

2. The service planning, marketing and public engagement for the provision of public transportation services;

3. The acquisition and replacement of public transportation vehicles, equipment and facilities, as well as the planning, design, construction and implementation of public transportation capital improvements; and



4. The implementation of transportation demand management programs.

**Section 3. Ballot Proposition.** The City Council hereby finds and declares that the best interests of the TBD require the submission to the qualified voters of the District a proposition of whether the TBD shall impose a sales and use tax within the limitations established in RCW 82.14.0455 for their approval or rejection. The Kittitas County Auditor as *ex officio* supervisor of elections in Kittitas County, Washington is hereby requested to call and conduct such special election to be held within the District on April 26, 2016, and to submit to the qualified electors of the District for their approval or rejection a proposition to impose a sales and use tax to be levied in the amount of up to two-tenths of one percent (0.2%) of the selling price in the case of a sales tax or value of the article used in the case of the use tax. The sales and use tax authorized by this section is in addition to any other taxes authorized by law shall be collected from those persons who are taxable by the State of Washington under Chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the boundaries of the District and shall be imposed for a period of not more than ten years from its first date of collection. Upon approval of the voters of the proposition hereinafter set forth **the District may use proceeds of such sales and use tax for the purposes described in this resolution.** The City Clerk is hereby authorized and directed to certify, no later than February 26, 2016, to the Director of Elections, a copy of this resolution and the following proposition to be submitted to the qualified electors at that election, in substantially the following form:

**ELLENSBURG TRANSPORTATION BENEFIT DISTRICT  
ELLENSBURG, WASHINGTON  
PROPOSITION 1  
SALES AND USE TAX FOR  
TRANSPORTATION IMPROVEMENTS**

The City Council of Ellensburg, Washington adopted Resolution No. 2016-03 concerning a sales and use tax to fund public transportation improvements within the Ellensburg Transportation Benefit District. This proposition would authorize collection of a sales and use tax at a rate of up to 0.2% of all taxable retail sales within the Ellensburg Transportation Benefit District, in accordance with RCW 82.14.0455, for a period of not more than ten years, **for the purpose of paying for or financing the costs of public transportation maintenance, operation and improvement projects identified in Resolution No. 2016-03.**

Should this proposition be approved?

YES..... ☐  
NO ..... ☐

For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates: (a) the City Clerk; and (b) the



City Attorney, as the individuals to whom such notice should be provided. The City Attorney and City Clerk are each authorized individually to approve changes to the ballot title, if any, deemed necessary by the Director of Elections.

The City Clerk is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's or clerical errors, references, resolution numbering, section/subsection numbers, and any reference thereto.

The proper TBD officials are authorized to perform such duties as are necessary or required by law to submit the question of whether the sales and use tax shall be imposed, as provided in this resolution, to the electors of the District at the April 26, 2016, special election.

**Section 4. Severability.** If any provision of this resolution shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions and shall in no way affect the validity of the other provisions, or of the imposition or collection of the tax authorized herein.

ADOPTED by the City Council of the City of Ellensburg this 19<sup>th</sup> day of January, 2016.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Second Reading of Ordinance 4964 Traffic Code Revisions  
(Public Comment Opportunity)  
**Submitted by:** Josh Mattson, Assistant City Engineer  
**Department:** Public Works

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**Suggested Motion/Action:**

Move to consider second reading and adoption of the Traffic Code Ordinance No. 4964.

**Background/Summary:**

An ordinance is required to revise regulatory signing on the city street system. The proposed changes include updates to the following code sections:

- ECC 8.28.040 Municipal Parking Lots
- ECC 8.42.020 Speed Limits

**Previous Council Action:**

First reading of Ordinance No. 4964 was held at the June 16<sup>th</sup>, 2025 regular Council meeting.

**Analysis:**

Staff have reviewed and are in support of the following code revisions:

- Update of the Municipal Parking Lots section to reflect the recent construction completion of Unity Park at the northwest corner of Pearl St. and Seventh Ave.
- Reduction of the speed limit on Bull Road south of Mountain View Ave. from 35 miles per hour to 25 miles per hour (ECC 8.02, WAC 308-330-423, RCW 46.61.400). Staff supports this speed reduction due to the significant increase in residential development on the street and lack of outlet south of Umptanum Road.
- Reduction of the speed limit on Umptanum Road, from just west of I90 to the west city limits, from 50 miles per hour to 35 miles per hour. Staff supports this speed reduction to match Kittitas County's similar approved speed reduction on Umptanum Road west of city limits. Also, add to the Traffic Code the existing Umptanum Road speed limit, from a point 520 feet west of Lakeshore Way to the west side of I90, as 35 miles per hour.

**Financial Impact:**

No Fiscal Impact

Budget Adjustment: No

**Attachments:**

1. Ordinance 4964 - 2025 Traffic Update

ORDINANCE NO. 4964

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO TITLE 8 “TRAFFIC” AND AMENDING SECTIONS 8.28.040 AND 8.42.020 OF THE ELLENSBURG CITY CODE.

WHEREAS, staff is requesting an update to ECC 8.28.040 Municipal parking lots to reflect the recent completion of construction for Unity Park; and

WHEREAS, City staff is requesting the reduction of the speed limit on Bull Road, south of Mountain View Ave from 35 miles per hour to 25 miles per hour due to lack of an outlet south of Umptanum Road and significantly increased residential development; and

WHEREAS, City staff is requesting the reduction of the speed limit on Umptanum Road, from 520 feet west of Lakeshore Way to the west city limits, from 50 miles per hour to 35 miles per hour to be consistent with Kittitas County’s recent speed limit reduction to 35 miles per hour west of the city limits;

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington do hereby ordain as follows:

**Section 1. Section 8.28.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4948, is hereby amended to read as follows:**

**8.28.040 - Municipal parking lots.**

A. It is unlawful for any person to stand or park any motor vehicle on the municipal parking lots located at the following locations in violation of the posted time and lot cleaning limitations:

| Intersecting street names                  | Description                   |
|--------------------------------------------|-------------------------------|
| Pearl St. and Second Ave.                  | Southwest Corner              |
| Pearl St. north of First Ave.              | West of Pearl St.—Midblock    |
| Pine St. and Second Ave.                   | Southeast Corner              |
| Ruby St. and Second Ave.                   | Northwest Corner              |
| Main St. and Third Ave.                    | Southwest Corner—Behind Alley |
| Pine St. and Fifth Ave.                    | Northwest Corner—Behind Alley |
| Anderson St. from Fifth Ave. to Sixth Ave. | West of Anderson St.          |

|                            |                  |
|----------------------------|------------------|
| Pearl St. and Seventh Ave. | Southeast Corner |
| Pearl St. and Fourth Ave.  | Northwest Corner |

B. Motor vehicle parking in these lots shall be limited to 24 hours.

C. Appropriate signs shall be conspicuously placed on these parking lots.

D. Any vehicle found standing or parking in violation of this section may be removed under the direction of the chief of police and held for the cost of such removal.

E. Any person, firm or corporation who violates any of the parking restrictions of this section shall, upon a finding of committed, be subject to a fine of \$25.00.

(Ord. No. 4948, § 1, 12-2-2024; Ord. 4842 § 6, 2019; Ord. 4800 § 1, 2018; Ord. 4770 § 1, 2017; Ord. 4490 § 4, 2007; Ord. 4287, 2001; Ord. 3322 §§ 1—6, 1981)

**Section 2. Section 8.42.020 of the Ellensburg City Code, as last amended by Section 4 of Ordinance 4948, is hereby amended to read as follows:**

**8.42.020 - Speed limits.**

| Street name                               | Speed Limit | Location                                                                |
|-------------------------------------------|-------------|-------------------------------------------------------------------------|
| Airport Road                              | 35          | Helena to north city limits.                                            |
| Alley between Anderson St. and Walnut St. | 10          | From Seventh Ave. to University Way.                                    |
| Anderson Road                             | 35          | From a point 2,260 feet north of Umptanum Road to the south city limits |
| Bender Road                               | 35          | Airport Road to west city limits.                                       |
| Bull Road                                 | 35          | <del>From Mountain View Ave. to the south city limits.</del>            |
| Canyon Road                               | 35          | From the south city limits to the centerline of Mountain View Ave.      |
| Dolarway Road                             | 35          | From Cascade St. to University Way.                                     |

|                    |           |                                                                                        |
|--------------------|-----------|----------------------------------------------------------------------------------------|
| Dry Creek Road     | 35        | From the west city limits to a point 2,500 feet east of Reecer Creek Road.             |
| Fifth Ave.         | 20        | From Chestnut St. to Poplar St.                                                        |
| Fourth Ave.        | 20        | From Main St. to Ruby St.                                                              |
| Mountain View Ave. | 35        | From the centerline of Maple St. to the east city limits.                              |
| Old Highway 10     | 50        | From the west city limits to Reecer Creek Road.                                        |
| Pearl St.          | 20        | From Third Ave. to Fifth Ave.                                                          |
| Pfenning Road      | 35        | From Radio Road to north city limits.                                                  |
| Pine St.           | 20        | From Third Ave. to Fifth Ave.                                                          |
| Poplar St.         | 20        | From Fifth Ave. to Sixth Ave.                                                          |
| Reecer Creek Road  | 35        | From University Way to Dry Creek Road.                                                 |
| Sanders Road       | 35        | Within city limits.                                                                    |
| Sixth Ave.         | 20        | From Chestnut St. to Poplar St.                                                        |
| State Route 97     | 40        | From mile post 134.16 (intersection of SR 97 and University Way) north to city limits. |
| <u>Umptanum Rd</u> | <u>35</u> | <u>From a point 520 feet west of Lakeshore Way to the west city limits.</u>            |
| University Way     | 35        | From Cora St. to a point 500 feet east of Reecer Creek Road.                           |
| University Way     | 40        | From Dolarway Road east to a point 500 feet east of Reecer Creek Road.                 |
| University Way     | 20        | From Pearl St. to Chestnut St.                                                         |
| Vantage Highway    | 35        | From Vista Road to the east city limits.                                               |

(Ord. No. [4948](#), § 4, 12-2-2024; Ord. 4891 § 5, 2022; Ord. 4805 § 3, 2018; Ord. 4697 § 4, 2015; Ord. 4490 § 7, 2007; Ord. 4417 § 6, 2005; Ord. 4387, 2004; Ord. 4301, 2001; Ord. 4256, 2000;

Ord. 3865 § 2, 1993; Ord. 3624 § 2, 1988; Ord. 3510 § 1, 1985; Ord. 3463 § 1, 1984; Ord. 3443 § 1, 1984; Ord. 3387 § 12, 1983)

**Section 3. Severability.** If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

**Section 4. Corrections.** Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

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

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the \_\_\_\_\_ day of July, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4964 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4964 was published as required by law.

\_\_\_\_\_  
BETH LEADER



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Proposed Ordinance 4965 (First Reading)-  
Telecommunications Franchise Agreement with Ziplly Fiber  
Pacific, LLC (Public Comment Opportunity)

**Submitted by:** Christopher Horner, City Attorney

**Department:** City Attorney

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**Suggested Motion/Action:**

Move to approve first reading of Ordinance 4965, the Ziplly Fiber Telecommunications Franchise Agreement.

**Background/Summary:**

The applicant, Ziplly Fiber Pacific, LLC, is seeking a new, non-exclusive, 10 year telecommunications franchise with the City right-of-way.

**Previous Council Action:**

This is a new franchise agreement.

**Analysis:**

RCW 35A.11.020 grants the City broad authority to regulate the use of the public right-of-way. RCW 35A.47.040 and Chapter 11.40 of the Ellensburg City Code grant the City broad authority to grant non-exclusive franchises.

City staff and Ziplly Fiber Pacific, LLC's staff (in coordination with staff from Wholesail Networks, as both companies are wholly owned subsidiaries of Northwest Fiber, LLC) have been negotiating the proposed Ordinance since January, 2025. Ziplly Fiber Pacific, LLC and Wholesail Networks each submitted franchise applications, rather than one joint application, at the request of City staff, given these are two separate corporations seeking a franchise.

The agreement clearly outlines the parameters of Ziplly Fiber Pacific's allowed use of the City's rights-of-way, and outlines the parameters for future relocation when the public convenience would require such a change. The Franchise term is ten (10) years, with an option for renewal for another five (5) year period.

One item in particular to note with this proposed Ordinance is Ziplly Fiber Pacific, LLC may be acquired by another corporation in the next year, and the proposed Ordinance provides City approval for this change in corporate control, without need for additional Council action, as long as the change of control occurs within 12 months of Council approval of this Ordinance, and the change of control involves BCE, Inc or Network FiberCo. Any other change of control will still require Council approval.



**Financial Impact:**

None

Budget Adjustment: No

**Attachments:**

1. Ordinance 4965-Ziply Fiber Ellensburg Telecom Franchise Agreement

ORDINANCE NO. 4965

AN ORDINANCE OF THE CITY OF ELLENSBURG, WASHINGTON, GRANTING ZIPLY FIBER PACIFIC, LLC A NON-EXCLUSIVE FRANCHISE FOR TEN YEARS TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS NETWORK WITHIN THE CITY OF ELLENSBURG, WASHINGTON, AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE.

WHEREAS, the City desires to grant a non-exclusive franchise to Ziplly Fiber Pacific, LLC (“Franchisee”) for a period of ten years for the operation and maintenance of a telecommunications network within the City Right-of-Way; and

WHEREAS, as a non-charter code city, RCW 35A.11.020 grants the City broad authority to regulate the use of the public right-of-way; and

WHEREAS, RCW 35A.47.040 grants the City broad authority to grant non-exclusive franchises; and

WHEREAS, the City Council has determined that it is in the best interest of and consistent with the convenience and necessity of the City to grant a Franchise within the confines of the City to Ziplly Fiber Pacific, LLC, and subject to the terms and conditions hereinafter set forth; and

WHEREAS, the City desires to set forth the terms and conditions by which Ziplly Fiber Pacific, LLC shall use the public ways of the City,

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON DOES ORDAIN AS FOLLOWS:

**Section 1. Definitions.** Where used in this Franchise the following terms shall be defined as follows:

“City” means the City of Ellensburg, Washington, a municipal corporation of the State of Washington.

“Council” means the Ellensburg City Council acting in its official capacity.

“Facilities” means any and all lines, poles, anchors, wires, cables, conduit, laterals, and other appurtenances, necessary and convenient to Franchisee’s provision of telecommunications service over its “System” defined below.

“Franchise Area” means the area within the city limits of the City of Ellensburg, including areas annexed during the term of this Franchise, that the Franchisee is authorized to serve by the terms of its franchise or by operation of law, and shown in Exhibit A attached hereto.

“Franchisee” means Ziply Fiber Pacific, LLC, and its respective successors and assigns if consented to by the City of Ellensburg as provided in Section 14 herein.

“Public ways” or “right-of-way” means the public streets, alleys and easements which, under the Ellensburg City Code (“ECC”), ordinances and applicable laws, the city has authority to grant franchises, permits, or licenses for use thereof or over which the city has regulatory authority.

“System” means the lines, poles, anchors, wires, cables, conduit, laterals, and other appurtenances, necessary and convenient to Franchisee’s provision of telecommunications service for the purpose of a wholesale communications business in accordance with applicable law.

“Telecommunications System” means all wires, cables, ducts, conduits, vaults, poles and other necessary Facilities owned or used by Franchisee for the purpose of providing telecommunications services and located in, under and above the City streets and/or rights-of-way, excluding ducts, conduits and vaults leased from another City franchisee, licensee or permittee.

“Utility Poles” means poles, and crossarms, devices, and attachments directly affixed to such poles which are used for the transmission and distribution of electrical energy, signals, or other methods of communication.

## **Section 2. Grant of Franchise.**

2.1. Pursuant to RCW 35A.47.040 and Chapter 11.40 of the Ellensburg City Code (“ECC”), the City of Ellensburg, a Washington municipal corporation (hereinafter the “City”), hereby grants to Franchisee, its heirs successors, legal representatives and assigns, subject to the terms and conditions hereinafter set forth. This franchise ordinance grants Franchisee the right, privilege, and authority to construct, operate, maintain, replace, acquire, sell, lease and use all necessary Facilities for its Telecommunications System, in, under, on, across, over, through, along or below the public rights-of-way located in the City of Ellensburg, as approved pursuant to City permits issued pursuant to this franchise. Franchisee shall construct, install, operate, maintain, repair, and remove its facilities at its sole expense.

2.2. Nothing in this Franchise grants authority to Franchisee to enter, occupy, or use City property.

2.3. Nothing in this Franchise excuses Franchisee of its obligation to identify its Facilities and proposed Facilities and their location or proposed location in the public ways and to obtain use and/or development authorization and permits from the City before entering, occupying, or using public ways to construct, install, operate, maintain, repair, or remove such Facilities.

2.4. Nothing in this Franchise grants authority to Franchisee to impair or damage any City property, public way, other ways or other property, whether publicly or privately owned.

2.5. Nothing in this Franchise shall be construed to create a duty upon the City to be responsible for construction of facilities or to modify public ways to accommodate Franchisee's facilities.

2.6. Nothing in this Franchise grants authority to Franchisee to provide or offer cable television service as defined in the Cable Communication Policy Act of 1984, as amended, 47 U.S.C. §§ 521, et. seq.

**Section 3. Franchise Term.** The term of this Franchise shall be ten (10) years from the date the Acceptance of Franchise is signed by Franchisee as set forth in Section 4 below and unless extended in accordance with the provisions in Section 5 of this Franchise or terminated sooner in accordance with this Franchise. This provision does not affect the City's right to revoke this Franchise for cause, or because of a breach of any promise, condition or stipulation stated herein.

**Section 4. Acceptance of Franchise.** Within sixty (60) days after the passage and approval of this ordinance, this Franchise may be accepted by Franchisee by its filing with the City Clerk an unconditional written Acceptance of Franchise thereof, signed on the form appended hereto. Failure of Franchisee to so accept this Franchise within said period of time shall be deemed a rejection thereof, and the rights and privileges herein granted shall, after the expiration of the sixty (60) day period, absolutely cease, unless the time is extended by ordinance duly passed for that purpose.

### **Section 5. Renewal.**

5.1. This Franchise shall automatically be renewed for another five (5) year period unless either party, at least 120 days prior to the expiration of this Franchise, gives the other party: (a) notice of its desire to renegotiate the terms of this Franchise; or (b) notice of termination of this Franchise. During any such renegotiation period, the parties shall use best faith efforts to renegotiate a replacement Franchise and Franchisee shall have the continued right to use the public rights-of-way of the City as set forth herein through the date of the Franchise's expiration.

5.2. If the City gives notice of its intent to cancel this franchise the City Administration shall make a written recommendation to the Ellensburg City Council to cancel the franchise in whole or in part no later than 60 days before the end of the then current term. The City Administration's recommendation shall be provided to the Franchisee at the time it is provided to the City Council. No later than thirty (30) days before the end of the then current term the City Council shall conduct a public hearing and make a decision. If the City Council decides to cancel the franchise, a written determination shall include the reason(s) for cancellation. The City Council may continue consideration of the request for a period not to

exceed thirty (30) days. The decision to cancel the franchise shall be based upon the following standards:

5.2.1. The continuing capacity of the public ways to accommodate the Franchisee's existing Facilities;

5.2.2. Franchisee's compliance with the requirements of this Franchise Agreement;

5.2.3. Applicable federal, state and local telecommunications laws, rules and policies, and Franchisee's compliance with same; and

5.2.4. Such other factors as may demonstrate that the continued grant to use the public ways will serve the community interest.

**Section 6. Franchise Non-Exclusive.** This Franchise shall not be construed as any limitation upon the right of the City to grant to other persons rights, privileges, or authorities similar to the rights, privileges, and authorities herein set forth, in the same or other public rights-of-way, public ways or public places. The City specifically reserves the right to use the public rights-of-way for itself or grant at any time during the term of this Franchise or renewal thereof, if any, such additional franchises as it deems appropriate.

### **Section 7. City Regulatory Authority.**

7.1. In addition to the provisions herein contained, the City reserves the right to adopt such additional ordinances and regulations as may be deemed necessary in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties, and to exercise any other rights, powers, or duties required or authorized, under the Constitution of the State of Washington, the laws of Washington or City ordinance.

7.2. The right of Franchisee to operate and maintain its Facilities is subject to the terms, conditions and requirements of the City's franchise ordinance, ECC Ch. 11.40, and this Franchise; the right of Franchisee to construct, erect, install or modify its Facilities is specifically subject to the requirement that Franchisee obtain all necessary permits as set forth in this Franchise and required by the City ordinances.

### **Section 8. Location of Facilities.**

8.1. **Use of Streets.** Franchisee may, subject to terms of this Franchise, erect, install, construct, repair, replace, reconstruct and retain in, on, over, under, upon, across and along the City streets and rights-of-way such lines, cables, conductors, ducts, conduits, vaults, utility access covers, amplifiers, appliances, pedestals, attachments and other property and equipment as are necessary and appurtenant to the operation of a Telecommunications System within the City. All installation, construction, alteration and/or maintenance of any and all Telecommunications System Facilities within City streets and rights-of-way incident to provision of Telecommunications Services by Franchisee shall, regardless of who performs installation, construction, alteration and/or maintenance, be and remain the responsibility of Franchisee.

## 8.2. Construction or Alteration.

8.2.1. Permits. Franchisee shall in all cases comply with all lawful City ordinances and regulations regarding the acquisition of permits and other such items as may be reasonably required in order to install, construct, alter and maintain the Telecommunications System. Franchisee shall apply for and obtain all permits necessary for installation, construction, alteration and/or maintenance of any such Facilities, and for excavation and laying of any Telecommunications System Facilities within City streets and rights-of-way. Franchisee shall pay all applicable fees due for any such permits. Permits issued by the City that may be required, include but are not limited to, SEPA, Critical Areas Permit, Site Development Permit and a Public Works Permit. In addition, Franchisee may be required to work with any other state or federal agency that may require a permit, such as the Department of Fish and Wildlife, Department of Ecology, and/or the Army Corps of Engineers.

8.2.2. Schedule, Maps, and Engineering Plans. Prior to beginning installation, construction, alteration or maintenance of the Telecommunications System, Franchisee shall, as part of Franchisee's application for any City permit required to work in City rights-of-way, provide the City with engineering/civil plans for review. These plans shall comply with the City of Ellensburg's Development Standards and shall include right-of-way and easement locations, location of all existing utilities, street, curb, sidewalks, trees, fences, walls, any critical areas, and include the proposed location of the Franchisee's altered or new infrastructure. Upon approval of the plans and associated permits, the Franchisee shall also submit an initial work schedule for work to be conducted in City streets and rights-of-way and the estimated total cost of such work. Franchisee shall, upon request, provide information to the City regarding its progress in completing or altering the Telecommunications System.

### 8.2.3. Good Engineering.

8.2.3.1. Franchisee promises all of its property and Facilities shall be constructed, operated and maintained in good order and condition in accordance with good engineering practice. In connection with the civil works of the Franchisee's Telecommunications System, such as, but not limited to, trenching, paving, compaction and locations. Franchisee will comply with the current editions of the City of Ellensburg's Development Standards, and the Washington State Department of Transportation (WSDOT) Standard Specifications, all as now existing or hereafter amended.

8.2.3.2. Franchisee's Telecommunications System shall comply with the applicable federal, state and local laws, the National Electric Safety Code and the Washington Electrical Construction Code, where applicable.

### 8.2.4. Facilities Placement.

8.2.4.1. General Standards. The Telecommunications System shall be constructed and maintained in such manner as not to obstruct, hinder, damage or otherwise interfere with all modes of transportation, the City's sewer system, the City's water system, the City's natural gas system, the City's electrical system, the City's stormwater system, the City's telecommunications system, other utility fixtures or any other property of the City, or any other pipes, wires, conduits or other Facilities that may have been installed in City streets or rights-of-

way by or under the City's authority. Franchisee shall maintain a minimum underground horizontal separation of three (3) feet from water mains, three (3) feet from sewer mains, and two (2) feet from gas mains. Minimum underground vertical separation of one (1) foot from water, sewer, and gas mains; PROVIDED, that for development in new areas, the City, together with Franchisee and other utility purveyors or authorized users of City streets or rights-of-way, will develop and follow the City's determination of a consensus for guidelines and procedures for determining specific utility locations, subject additionally to this Franchise.

8.2.4.2. Limited Access. Consistent with applicable law, the City reserves the right to limit or exclude access by Franchisee to a specific route, right-of-way or other location when there is inadequate space, a pavement cutting moratorium, potential for unnecessary damage to public property, public expense, inconvenience, interference with City utilities, or for any other lawful reason determined by the City. In addition, any work that impacts vehicular or pedestrian traffic will require a traffic control plan to be submitted to the City for review and approval prior to the commencement of any work by the Franchisee the City's rights-of-way. The traffic control plan shall meet the requirements of the Manual of Uniform Traffic Control Devices (MUTCD).

8.2.4.3. Consistency with Designated Use. Notwithstanding the grant to use City streets and rights-of-way contained in this Franchise, no street, or rights-of-way shall be used by Franchisee if the City, in its sole opinion, determines that such use is inconsistent with the terms, conditions or provisions by which such street or rights-of-way were created or dedicated or presently used under state and local laws.

8.2.4.4. Non-Interference and Notice. Franchisee shall exert its best efforts to construct and maintain the Telecommunications System so as not to interfere with other uses of City streets or rights-of-way and shall minimize impacts to adjacent parcels. Franchisee shall, where possible in the case of aboveground lines, make use of existing poles and other facilities available to Franchisee. Franchisee shall individually notify all residents affected by any proposed installation, construction, alteration or maintenance of the Telecommunications System of such work where and when such notification is reasonably possible. Franchisee shall provide a minimum of 48 hours' advance notice to residents prior to working, and a minimum of five (5) business days' advance notice for work that may impact driveways, sidewalks and/or landscaping maintained by the residents. Such notice shall be physically posted by door hanger. In addition, agreement of landscaping and driveway restoration shall be communicated with the affected resident and shall be restored to its existing condition or better.

8.2.4.5. Undergrounding. The City finds that overhead lines and aboveground wire facilities and installations in the streets or rights-of-way and other franchised areas adversely impact upon the public use and enjoyment of property in the City. Therefore, Franchisee shall place underground all of its transmission lines that are located or are to be located above or within City streets or rights-of-way in the following cases where:

- 8.2.4.5.1. All existing utilities are located underground;
- 8.2.4.5.2. Transmission or distribution facilities of the local exchange carrier and/or the electric utility are underground or hereafter placed underground;
- 8.2.4.5.3. Statute, ordinance, policy or other regulation of the City requires all utilities to be placed underground;
- 8.2.4.5.4. Franchisee is unable to obtain pole clearance;

8.2.4.5.5.           Underground easements are obtained from developers of new residential areas; or

8.2.4.5.6.           Utilities are overhead but residents prefer same to be located underground (such undergrounding to be provided at residents' expense).

8.2.4.6.   The Franchisee shall be responsible for obtaining permission from subscribers to install overhead and underground fiber optic facilities on private property. New fiber optic facilities:

8.2.4.6.1.           May be installed on existing overhead facilities within the communication worker safety zone; however, no fiber optic facilities may be installed by the Franchisee in the supply space of City-owned utility poles.

8.2.4.6.2.           Shall not be installed on existing metal street lighting standards or traffic signal standards.

8.2.4.6.3.           Shall comply with all National Electric Safety Code (NESC) clearance requirements and NESC requirements for overcurrent protection. All new aerial fiber cable shall meet the minimum ground clearance requirements of the Washington State Department of Transportation. Where excavation is necessary, the Franchisee shall be responsible for obtaining all locates as required in Chapter 19.122 RCW, Washington State's "Underground Utilities" statute, and will also comply with local procedures, custom and practice relating to the one-number locator service program. Any damage to other underground facilities shall be reported without delay. The Director of Energy Services may waive any of the above guidelines, other than clearance requirements, on a case-by-case basis if the cost to comply is clearly excessive in comparison to the estimated cost of overhead installation.

**8.3. Coordination with Other Users.** Franchisee shall coordinate its activities with other utilities and users of City streets and rights-of-way to avoid unnecessary cutting, damage or disturbance of such streets and rights-of-way and shall conduct its planning, design, installation, construction, alteration and maintenance of the Telecommunications System at all times so as to maximize the life and usefulness of the paving and municipal infrastructure. In addition, the City may determine with respect to franchised uses, in the exercise of reasonable discretion, when and where reasonable accommodation shall be made by Franchisee to the City for public needs or, where requested, other third party needs, how such accommodation should be made and a reasonable apportionment of any expenses of same; PROVIDED, that this Franchise creates no third party beneficial interests or accommodation. Notwithstanding the foregoing, it remains the responsibility of Franchisee to anticipate and avoid conflicts with other City streets or rights-of-way occupants or users, other utilities, franchisees or permittees. The City assumes no responsibility for such conflicts. Further, Franchisee shall give appropriate notices to any other City streets or rights-of-way occupants or users, other utilities, franchisees, permittees, divisions of the City or other units of government owning or maintaining facilities which may be affected by the planning, design, installation, construction, alteration or maintenance of Franchisee's Telecommunications System.

#### **8.4. Relocation.**

8.4.1.   The City shall have the right during the term of this Franchise, as it may



be extended, renewed or otherwise altered in accordance with this Franchise, to require Franchisee to change the location of its Telecommunications System within City streets and rights-of-way when the public convenience requires such change, in accordance with RCW 35.99.060. If the City or any government entity elects or requires a third party to alter, repair, realign, abandon, improve, vacate, reroute or change the grade of any street, public way or other public property; or to construct, maintain or repair any public improvement; or to replace, repair, install, maintain or otherwise alter any cable, wire, wire conduit, towers, antenna, pipe, line, pole, wireholding structure, structure or other facility, including a facility used for the provision of utility or other services or transportation of drainage, sewage or other liquids, Consistent with state and federal law, Franchisee shall, upon request, except as otherwise hereinafter provided, at no expense to the City, remove or relocate as necessary its poles, wires, cables, underground conduits, vaults, pedestals, utility access covers and any other Facilities which it has installed.

8.4.2. If the City requires Franchisee to remove or relocate its Facilities located within City streets or rights-of-way, the City will make a reasonable effort to provide Franchisee with an alternate location for its Facilities within City streets or rights-of-way. If reasonable alternate locations are not available, the Franchisee will be required to acquire necessary easement.

8.4.3. The City shall provide Franchisee with the standard notice given under the circumstances to other franchisees, licensees or permittees.

8.4.4. The City reserves the right to require Franchisee to relocate its Facilities within the public rights-of-way in the interest of public convenience, necessity, health, safety or welfare at no cost to the City, in accordance with RCW 35.99.060. Franchisee shall promptly commence the relocation of its Facilities within a reasonable period of time after written notice to do so from the City. Before requiring a relocation of Facilities, the City shall, with the assistance and consent of Franchisee, which consent shall not be unreasonably withheld, conditioned or delayed, identify a reasonable alignment for the relocated Facilities within the public rights-of-way of the City. If reasonable alternate locations are not available, the Franchisee will be required to acquire the necessary easement.

8.4.5. In an instance in which Franchisee had paid the cost of relocation of its Facilities at the request of the City within the previous five (5) years, the share of the cost of relocation of Franchisee will be paid by the City if relocation of the same Facilities is subsequently requested by the City in the event of an unforeseen emergency that creates an immediate threat to the public safety, health, or welfare. If during the term of this Franchise, as it may be extended, renewed or otherwise altered in accordance with this Franchise, another entity which holds a franchise or any utility requests Franchisee to remove or relocate its Telecommunications System Facilities to accommodate the construction, maintenance or repair of the requesting party's facilities, or the more efficient use of such facilities, or to "make ready" the requesting party's facilities for use by others, or because Franchisee is using a facility which the requesting party has a right or duty to remove, and the City has determined that such removal or relocation serves the best interests of the City in the management of its rights-of-way, then Franchisee shall remove or relocate its Telecommunications System Facilities at the requesting party's sole expense. Franchisee may request payment in advance from such third party prior to any preparation for any removal or relocation. The City shall not be liable for any such cost(s).

8.4.6. If the City requests Franchisee to remove or relocate its facilities it shall give Franchisee no less than one hundred eighty (180) days advance written notice advising Franchisee of the date or dates removal or relocation is to be undertaken.

8.4.7. If Franchisee fails, neglects or refuses to remove or relocate its Facilities as directed by the City, the City may do such work or cause it to be done and the cost, including all direct, indirect and/or consequential costs and expenses incurred by the City due to the failure, neglect or refusal by Franchisee thereof, shall be paid solely by Franchisee.

8.4.8. If Franchisee causes any damage to private property or public property in the process of removing or relocating its Facilities, Franchisee shall pay the owner of the property for such damage.

8.4.9. Franchisee does hereby promise to protect and save harmless the City, its officers, agents and employees from any customer or third party claims for service interruption or other losses in connection with any removal or relocation of Telecommunications System Facilities performed in connection with Section 8.4.7 above.

8.5. **Movement of Buildings.** Franchisee shall, upon request by any person holding a building permit, franchise or other approval issued by the City, temporarily remove, raise or lower its transmission or other wires appurtenant to the Telecommunications System to permit the movement of buildings. The expense for such removal, raising or lowering shall be paid by the person requesting the same and Franchisee shall be authorized to require such payment in advance. The City shall require all building movers to provide not less than thirty (30) business days' notice to Franchisee for such temporary wire changes.

8.6. **Tree Trimming.** Franchisee, with twenty-four (24) hour notice to the property owner, shall have the authority to trim or cause to have trimmed trees upon and overhanging streets, alleys, sidewalks and rights-of-way so as to prevent the branches of such trees from coming in contact or otherwise interfering with the Telecommunications System; PROVIDED, that the cost for such trimming of trees shall be paid solely by Franchisee.

#### 8.7. **Restoration.**

8.7.1. Whenever Franchisee damages or disturbs any area in or near City streets, rights-of-way, Franchisee shall, at its sole cost, expense and liability, restore all areas to meet existing condition or better. Permanent restoration shall be completed promptly and not later than within thirty (30) working days of completion of excavation activities.

8.7.2. Excavations within the vehicular or pedestrian travel ways shall be immediately backfilled to finish grade with crushed gravel to temporarily reopen said travel ways to the public. The permanent asphalt and/or concrete restoration shall then be completed within thirty (30) working days of completion of excavation activities.

8.7.3. The City hereby reserves the right, after providing reasonable notice to Franchisee, to remove and/or repair any work done by Franchisee which, in the determination of the City, is inadequate. The cost thereof, including the cost of inspection and supervision, shall be paid solely by Franchisee as a part of the required Public Works Permit for each project.

8.7.4. Should Franchisee fail, neglect, refuse or delay in performing any obligation here or elsewhere stated, or where the City deems necessary to protect public rights-of-way or to avoid liability, risk or injury to the public or the City, after reasonable notice to

Franchisee, the City may proceed to perform or cause to have performed such obligation, including any remedial or preventative action deemed necessary, at the sole expense of Franchisee. Prior to undertaking corrective effort, the City shall make a reasonable effort to notify Franchisee, except no notice is needed if the City declares an emergency or determines a need for expedient action. City will notify Franchisee as soon as practicable if an emergency is declared, or if the City determines expedient action is necessary. This remedy is supplemental and not alternative to any other municipal right.

8.7.5. Whenever Franchisee damages or disturbs any area in or near City streets, rights-of-way, paved area or public improvement, Franchisee stipulates that the City may, without limitation:

8.7.5.1. Require Franchisee to repave an entire lane or greater affected area within any cut or disturbed location if the integrity of such area has been severely compromised by Franchisee, and to ensure there is not an asphalt joint within a vehicle wheel path; and/or

8.7.5.2. Require Franchisee to common trench with any other underground installation in City streets or rights-of-way, with cost sharing to be negotiated between the parties involved, or in the absence of agreement, as directed by the City.

8.7.6. All work performed by Franchisee under this Section shall be done in strict compliance with all applicable rules, regulations and ordinances of the City.

8.7.7. All restoration work is subject to inspection and final approval by the City. If restoration is not made to the satisfaction of the City within the established timeframe, the City may make the restoration itself at the cost of Franchisee or have them made at the cost of Franchisee.

#### **8.8. City Right to Require Removal of Property.**

8.8.1. At the expiration of the term for which this Franchise is granted, providing no extension or renewal is granted by the City, or upon the forfeiture or revocation of this Franchise, as provided for in this Franchise, the City shall have the right to require Franchisee to remove, at the sole expense of Franchisee, all or any part of the Telecommunications System from all City streets and rights-of-way within the Franchise Service Area, where the abandoned Facilities interfere with reasonable uses of City streets and rights-of-way. If Franchisee fails to do so, the City may perform the work or cause such work to be performed and collect the cost thereof from Franchisee. The actual cost thereof, including direct administrative costs, shall be a lien upon all Telecommunications Facilities and property of Franchisee effective upon filing of the lien with the Kittitas County Auditor.

8.8.2. Any order by the City Council to remove any of the Franchisee Telecommunications System Facilities shall be mailed to Franchisee not later than thirty (30) calendar days following the date of expiration of this Franchise. Franchisee shall file written notice with the Clerk of the City Council not later than thirty (30) calendar days following the date of expiration or termination of this Franchise of its intention to remove any Telecommunications System Facilities intended to be removed and a schedule for removal by location. The schedule and timing of removal shall be subject to approval and regulation by the City. Removal shall be completed by not later than twelve (12) months following the date of expiration of this Franchise.

8.8.3. Franchisee shall not remove any underground facilities which require trenching or other opening of City streets or rights-of-way along the extension of the facilities to be removed, except as hereinafter provided. Franchisee may voluntarily remove any underground facilities from City streets and rights-of-way which have been installed in such a manner that they can be removed without trenching or other opening of City streets and rights-of-way along the extension of the facilities to be removed.

8.8.4. Subject to applicable law, Franchisee shall remove, at its sole cost and expense, any underground facilities by trenching or opening City streets and rights-of-way along the extension thereof or otherwise which is ordered to be removed by the City Council based upon a determination, in the sole discretion of said Council, that removal is required in order to eliminate or prevent a hazardous condition. Underground facilities in City streets and rights-of-way that are not removed shall be deemed abandoned and title thereto shall be vested in the City. All abandoned underground conduits shall have all cable removed and be left empty.

8.9. **Emergency Repairs.** In the event that emergency repairs to the Telecommunications System are necessary, Franchisee shall notify the City of the need for such repairs. Franchisee may immediately notify the City, initiate such emergency repairs and shall apply for appropriate permits within three business days following discovery of the emergency.

8.10. **City Right of Inspection.** The City shall have the right to inspect and approve all installation, construction, alteration or maintenance work performed by Franchisee within the Franchise Service Area and to make such tests as it deems necessary to ensure compliance with the terms and conditions of this Franchise and other pertinent provisions of law, the cost thereof to be paid solely by Franchisee, but no action or inaction by the City shall create any duty or obligation by the City to inspect, test or approve any installation, construction, alteration or maintenance work performed by Franchisee.

8.11. **After-Acquired Facilities.** Franchisee expressly acknowledges and agrees, by acceptance of this Franchise, that any Telecommunications System Facilities located within City streets or rights-of-way which are subsequently acquired by Franchisee or upon addition or annexation to the City of any area in which Franchisee retains or acquires any such Facilities (if acquired prior to this original Franchise grant) and which would have been subject to this Franchise and the permitting authority related thereto shall immediately be subject to the provisions of this Franchise and all permits related thereto.

8.12. **Information.** Franchisee hereby promises to maintain and supply to the City, at the sole expense of Franchisee, any information requested by the City to coordinate municipal functions with the activities of Franchisee within City streets and rights-of-way. Franchisee shall provide such information, upon request, either in hard copy and/or electronic format compatible with the City's data base system, as now or hereafter existing, including the City's geographic information service (GIS) data base. Franchisee shall keep the City informed of its long-range plans so as to allow coordination with the City's long-range plans.

8.13. The installation of new utility poles by Franchisee is not permitted to establish service. Franchisee must place its Facilities underground in accordance with ECC 11.60.030(C) except as otherwise expressly provided herein. Subject to the terms and conditions of this

Franchise, Franchisee may place optical cable, optical cable housing, and splicing connections on existing City-owned utility poles as overhead facilities if approved by City pursuant to a separate agreement for such use, or by the owner of the non-City utility poles. All other facilities, including, without limitation, facilities required for operating or maintaining such optical cable and optical cable housing, and splicing connections, must be underground facilities if they are located in a public way.

**Section 9. Pole, Structures and Property Owned by Others.** Franchisee must obtain written approval from the owners of utility poles, structures and property not owned by Franchisee prior to attaching to or otherwise using such poles, structures or property, and provide proof of such approval to the City. In the cases where the City owns the utility poles or structures the Franchisee shall comply with ECC Ch. 11.40 and ECC Title 15 as preparation for a specific project plan and permit submittal, and enter into a separate pole contact agreement with the City. The City makes no representation and assumes no responsibility for the availability of utility poles, structures, and property owned by third parties for the installation of Franchisee's Facilities. The City shall not be liable for the unavailability of utility poles, structures, and property owned by the City or third parties for any reason whatsoever. The installation of Facilities by Franchisee on or in the poles, structures, or property owned by others shall be subject to and limited by the owner's authority to enter, occupy, and use public ways. In the event that the authority of the owner of poles, structures, or property to enter, occupy, and use the public ways either expires, terminates, or is cancelled, the authority of Franchisee to construct, install, operate, maintain, and repair Franchisee's Facilities at such locations may be immediately cancelled at the sole option of the City. The City shall not be liable for the costs for removal of Facilities arising from expiration, termination, or cancellation of any pole owner's authority to enter, occupy, or use public ways for any reason whatsoever.

#### **Section 10. Franchisee's Maps and Records.**

10.1. As a condition of this Franchise, and at its sole expense, Franchise shall provide the City with typical and as-built plans, maps, and records that show the vertical and horizontal location of its Facilities within the public rights-of-way using a minimum scale of one inch equals one hundred feet (1"=100'), measured from the center line of the right-of-way, which maps shall be in hard copy format acceptable to the City and in Geographical Information System (GIS) or other digital electronic format acceptable to the City. If digital route maps are provided, the format of the data for overlaying on the City's GIS mapping system shall utilize NAD 83 as the horizontal datum, and shall be compatible with or can be imported into Arc GIS Version 10 or later. This information shall be provided no later than one hundred and eighty (180) days after the effective date of this Ordinance and shall be updated within ten (10) business days of a reasonable request of the City. Franchisee shall provide locates and field verify its facilities at no cost to the City.

10.2. Franchisee shall at all times keep up-to date maps and records showing the location and sizes of all Franchisee's facilities installed by it in the Franchise Area. Such maps and records shall be kept in Franchisee's office and shall be subject to inspection at all reasonable times by proper officials or agents of said City or provided in digital format upon

request by the City. Franchisee shall provide at the City's request a copy of facilities maps for the City's use.

**Section 11. Interference with Persons and Improvements.** The Franchisee's Facilities shall be located, erected and maintained so that none of its Facilities shall endanger or interfere with the lives of persons, or interfere with any improvements the City may deem proper to make, or unnecessarily hinder or obstruct the free use of public rights-of-way or other public property. The City shall have power at any time to order and require Franchisee to remove and abate any pole, wire, equipment, cable, or other structure that is dangerous to life or property, and in case Franchisee, after notice, fails or refuses to act within a reasonable time, the City shall have the power to remove or abate the same at the expense of the Franchisee.

**Section 12. Insurance.**

12.1. Types of Insurance and Coverage. The Franchisee shall obtain insurance of the types and coverage described below:

12.1.1. 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 liability, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Franchisee Commercial General Liability insurance policy with respect this Franchise Agreement using ISO endorsement CG 20 12 05 09 if the franchise agreement is considered a master permit, or CG 20 26 07 04 if it is not, or substitute endorsement providing at least as broad coverage.

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

12.1.3. Excess or Umbrella Liability insurance shall be excess over and at least as broad in coverage as the Franchisee's Commercial General Liability and Automobile Liability insurance. The City shall be named as an additional insured on the Franchisee's Excess or Umbrella Liability insurance policy.

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

12.2. Minimum Amounts of Insurance. The Franchisee shall maintain the following insurance limits:

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

12.2.2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$5,000,000 per accident.

12.2.3. Excess or Umbrella Liability insurance shall be written with limits of not less than \$5,000,000 per occurrence and annual aggregate. The Excess or Umbrella Liability requirement and limits may be satisfied instead through Franchisee's Commercial General

Liability and Automobile Liability insurance, or any combination thereof that achieves the overall required limits.

12.3. Verification of Coverage. The Franchisee shall furnish the City with original certificates and a copy of the amendatory endorsements annually, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Agreement. Upon request by the City, the Franchisee shall furnish certified copies of all required insurance policies, including endorsements, required in this Agreement. Such policy or policies shall be non-cancelable except upon thirty (30) days prior written notice to the City. Failure on the part of the Franchisee to maintain the insurance as required shall constitute a material breach of Agreement, upon which the City may, after giving five (5) business days' notice to the Franchisee to correct the breach, terminate the Agreement or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand.

12.4. Other Insurance Provisions. The Franchisee's Commercial General Liability, Automobile Liability, Excess or Umbrella Liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Franchisee's insurance and shall not contribute with it.

12.5. Subcontractors. The Franchisee shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Franchisee-provided insurance as set forth herein, except the Franchisee shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors. The Franchisee shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement as least as broad as ISO CG 20 26.

### **Section 13. Indemnification/Hold Harmless.**

13.1. The Franchisee shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the granting of this Franchise, except for injuries and damages caused by the sole negligence, gross negligence or willful misconduct of the City. This requirement extends to any work performed or conducted under the authority of this Franchise by the Franchisee or its contractors or subcontractors.

13.2. Should a court of competent jurisdiction determine that this Franchise is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Franchisee and the City, its officers, officials, employees, and volunteers, the Franchisee's liability hereunder shall be only to the extent of the Franchisee's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Franchisee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

13.3. The City reserves the right, but not the obligation, to participate in the defense of any claim, damages, losses or expenses and such participation shall not constitute a waiver of Franchisee's indemnity obligations under this Agreement.

#### **Section 14. Transfer of Ownership/Assignment.**

14.1. This Franchise shall not be sold, transferred, assigned, or disposed of in whole or in part either by sale or otherwise, without the written approval of the City and compliance with ECC Ch. 11.40. Franchisee, however, shall have the right to assign its rights, benefits and privileges in and under this Franchise, provided that Franchisee shall provide the City with prior written notice of the proposed transaction. The City shall then have the option, within thirty (30) days of the receipt of the notice, to notify Franchisee of a public hearing to approve or deny the assignment, such approval not to be unreasonably withheld or delayed. The assignment shall be deemed operative if the City does not respond within such thirty (30) day period.

14.2. The City hereby approves the transfer, assignment or change of control in the event Franchisee is acquired in 2025 by BCE Inc. or one of its subsidiaries or affiliates. The City further approves the transfer, assignment or change of control to Network FiberCo, or such other substantially similar joint venture, in the event that such transfer, assignment or change of control occurs within twelve (12) months of the Effective Date, and there is a transfer or cumulative transfer of substantial voting interest (20% or more). Franchisee must provide the City (i) with notice of such transfer within thirty (30) days following the close effectuating the transfer; and (ii) with certificates of insurance and an additional insured endorsement, consistent with Section 12, if the insurance documents change as a result of the transfer. All other terms, conditions, and obligations of this Agreement will remain in full force and effect and will transfer to the new Franchisee, and any subsequent transfers, assignments, or changes of control will still be subject to the provisions of Section 14.1.

#### **Section 15. Administrative Fee and Utility Tax.**

15.1. Pursuant to RCW 35.21.860, the City is precluded from imposing franchise fees upon a telephone business, as defined in RCW 82.16.010, or a Service Provider for use of the public right-of-way, as defined in RCW 35.99.010, except a utility tax or actual administrative expenses related to the franchise incurred by the City. Franchisee does hereby warrant that its operations, as authorized under this Franchise, are those of a Service Provider as defined in RCW 35.99.010. Franchisee agrees to pay the City \$5,000.00 as an administrative fee to cover the cost to the City of preparing this Franchise, as provided in ECC 11.40.060(C).

15.2. If Franchisee provides services to customers within the City, Franchisee shall become subject to the City's utility tax set forth in ECC Chapter 6.52. If RCW 35.21.860 is amended to allow collection of a franchise fee, the parties shall negotiate a fair and reasonable franchise fee. Nothing in this Section shall preclude the City from collecting from Franchisee fees lawfully imposed by the City (related to this Franchise or otherwise), including fees for permits and inspections.



## **Section 16. No Waiver.**

16.1. The failure of the City on one or more occasions to exercise a right or to require compliance or performance under this Franchise, or any other applicable law shall not be deemed to constitute a waiver of such right or a waiver of compliance or performance by the City, nor shall it excuse the Franchisee from complying or performing, unless such right or such compliance or performance has been specifically waived in writing by the City.

16.2. No waiver by the City of any breach or violation of any provision of this Franchise or any ordinance shall be deemed to be a waiver or a continuing waiver by the City of any subsequent breach or violation of the same or any other provision. Neither the granting of the Franchise, nor any provision herein, nor any action by the City hereunder shall constitute a waiver of or a bar to the exercise of any governmental right or power of the City, as provided for under state and federal law, including without limitation the right of eminent domain.

16.3. No waiver of any provisions of this Franchise by the City shall be effective unless authorized in writing by the City.

## **Section 17. Violations. Noncompliance. and Other Grounds for Termination or Cancellation.**

17.1. This Franchise, and any right, privilege or authority of Franchisee to enter, occupy or use public ways may be terminated or cancelled by the City for the following reasons:

17.1.1. Violation of or noncompliance with any material term or condition of this Franchise by Franchisee;

17.1.2. Violation of or noncompliance with the material terms of any use and/or development authorization or required permit by Franchisee;

17.1.3. Construction, installation, operation, maintenance, or repair of Facilities on, in, under, over, across, or within any public way without Franchisee first obtaining use and/or development authorization and required permits from the City and all other appropriate regulatory authorities;

17.1.4. Unauthorized construction, installation, operation, maintenance, or repair of Facilities on City property;

17.1.5. Misrepresentation or lack of candor by or on behalf of Franchisee in any application or written or oral statement upon which the City relies in making the decision to grant, review or amend any right, privilege or authority to Franchisee;

17.1.6. Abandonment of Facilities;

17.1.7. Failure of Franchisee to pay applicable taxes, fees, charges or costs when and as due; or

17.1.8. Insolvency or bankruptcy of Franchisee.

17.2. In the event that the City believes that grounds exist for termination or cancellation of this Franchise or any right, privilege or authority of Franchisee to enter, occupy or use public ways, Franchisee shall be given written notice, and providing Franchisee a reasonable period of time not exceeding thirty (30) days to furnish evidence:

17.2.1. That corrective action has been, or is being actively and expeditiously pursued, to remedy the violation, noncompliance, or other grounds for termination or cancellation;

17.2.2. That rebuts the alleged violation, noncompliance, or other grounds for termination or cancellation; or

17.2.3. That it would be in the public interest to impose some penalty or sanction less than termination or cancellation.

17.3. In the event that Franchisee fails to provide evidence reasonably satisfactory to the City as provided in Section 17.2, the City shall refer the apparent violation, noncompliance, or other grounds for termination or cancellation to the City Council. The City Council shall provide the Franchisee with notice and a reasonable opportunity to be heard concerning the matter.

17.4. If the City Council determines that the violation, noncompliance, or other grounds for termination or cancellation arose from willful misconduct or gross negligence by Franchisee, then, Franchisee shall, at the election of the City Council, forfeit all rights, privileges and authority conferred under this Franchise or any use and/or development authorization or permit granted by the City, and this Franchise and any such use and/or development authorization or permit may be terminated or cancelled by the City Council. The City Council may elect, in lieu of the above and without any prejudice to any of its other legal rights and remedies, to pursue other remedies, including obtaining an order compelling Franchisee into compliance or to take corrective action, or to recover damages and costs incurred by the City by reason of Franchisee's actions or omissions. The City Council shall utilize the following factors in analyzing the nature, circumstances, extent, and gravity of the actions or omissions of Franchisee:

17.4.1. Whether the misconduct was egregious;

17.4.2. Whether substantial harm resulted;

17.4.3. Whether the violation was intentional;

17.4.4. Whether there is a history of prior violations of the same or other requirements;

17.4.5. Whether there is a history of overall compliance; and

17.4.6. Whether the violation was voluntarily disclosed, admitted or cured.

17.5. The City Council's choice of remedy shall not excuse Franchisee from compliance with any term or condition of this Franchise or the material terms of any use and/or development authorization or required permit by Franchisee. Franchisee shall have a continuing duty to remedy any violation, noncompliance, or other grounds for termination or cancellation. Further, nothing herein shall be construed as limiting any remedies that the City may have, at law or in equity, for enforcement of this Franchise and any use and/or development authorization or permit granted to Franchisee.

**Section 18. Notices.** Unless otherwise specified herein, all notices from Franchisee to the City pursuant to or concerning this Franchise shall be delivered to the City Clerk's Office,

501 N. Anderson St., Ellensburg, WA 98926 and such other office as the City may advise Franchisee of by written notice. Unless otherwise specified herein, all notices from the City to Franchisee pursuant to or concerning this Franchise shall be delivered to Ziplly Fiber, 135 Lake St. South, Suite 155, Kirkland, WA 98033.

**Section 19. No Third-Party Beneficiary.** Nothing in this Franchise shall be construed to create any right in or duties to any third party, or any liability to a standard of care with reference to any third party. This Franchise shall not confer any right or remedy upon any person other than the City or Franchisee. No action may be commenced or prosecuted against either the City or Franchisee by any third-party beneficiary of this Franchise. This Franchise shall not release or discharge any obligation or liability of any third party to either the City or Franchisee.

**Section 20. Governing Law/Venue.** This franchise shall be governed by and construed in accordance with the laws of the state of Washington. The venue and jurisdiction over any dispute related to this Franchise shall be with the Kittitas County Superior Court or in the United States District Court for the Eastern District of Washington.

**Section 21. Attorney Fees and Costs.** Except as provided in Section 13, Indemnification/Hold Harmless, each party shall pay for its own attorneys' fees and costs incurred in any action arising out of the existence of this Franchise.

**Section 22. Survival.** All of the provisions, conditions and requirements of Section 8.4, Relocation of Facilities and Section 13, Indemnification/Hold Harmless, shall be in addition to any and all other obligations and liabilities Franchisee may have to the City at common law, by statute, or by contract, and shall survive the City's Franchise to Franchisee and any renewals or extensions thereof. All of the provisions, conditions, regulations and requirements contained in this Franchise Ordinance shall further be binding upon the heirs, successors, executors, administrators, legal representatives and assigns of the parties and all privileges, as well as all obligations and liabilities of each party shall inure to its heirs, successors and assigns equally as if they were specifically mentioned wherever such party is named herein.

**Section 23. Entire Agreement/Modification.** This Franchise and all attachments represent the entire understanding and agreement between the parties hereto with respect to the subject matter hereof and supersede all prior oral and written negotiations between the parties. This Franchise can be amended, supplemented, modified, or changed only by an agreement in writing which makes specific reference to this Franchise or to the appropriate attachment and which is signed on behalf of both parties.

**Section 24. Severability.** If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions(s) of this ordinance.

**Section 25. Effective Date.** This ordinance shall take effect and be in force five (5) days after its passage, approval and publication. The Franchise will be effective upon the date the Acceptance of Franchise attached to this Ordinance is signed.

**Section 26. Corrections.** Upon review and approval by the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the \_\_\_ day of July, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY

Publish:

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

\_\_\_\_\_  
BETH LEADER

## ACCEPTANCE OF FRANCHISE

In the matter of the agreement between the City of Ellensburg, Washington and Ziply Fiber Pacific, LLC ("Ziply"), for a franchise to construct, operate and maintain facilities in, upon, over under, along, across and through the franchise area of the City of Ellensburg, Washington, Ordinance No. 4965.

WHEREAS, the City Council of the City of Ellensburg, Washington, has granted a franchise to Ziply, its successors and assigns, by enacting Ordinance No. 4965 bearing the date of July 21, 2025; and

WHEREAS, a copy of said Ordinance granting said franchise was received by Ziply on July \_\_, 2025, from said City of Ellensburg, Kittitas County, Washington.

NOW, THEREFORE, Ziply for itself, its successors and assigns, hereby accepts said Ordinance and all the terms and conditions thereof, and files this, its written acceptance, with the City of Ellensburg, Kittitas County, Washington.

IN TESTIMONY WHEREOF said Ziply has caused this written Acceptance to be executed in its name by its undersigned \_\_\_\_\_ (title) thereunto duly authorized on this \_\_ day of \_\_\_\_\_, 2025.

Ziply Fiber Pacific, LLC

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

Copy received by City of Ellensburg on \_\_\_\_\_, 2025.

By: \_\_\_\_\_  
City Clerk



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Proposed Ordinance 4966 (First Reading)-  
Telecommunications Franchise Agreement with Wholesail  
Networks, LLC (Public Comment Opportunity)

**Submitted by:** Christopher Horner, City Attorney

**Department:** City Attorney

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**Suggested Motion/Action:**

Move to approve first reading of Ordinance 4966, the Wholesail Networks  
Telecommunications Franchise Agreement.

**Background/Summary:**

Wholesail Networks, LLC, is the successor in interest to Noel Communications, which was granted a franchise through adoption of Ordinance 4704 by the Ellensburg City Council. The franchise granted to Noel Communications was for a term of five years, with an option to renew for another five years. This franchise expires on July 22, 2025, and Wholesail Networks, LLC, has indicated its desire to enter into a new franchise agreement with the City.

**Previous Council Action:**

Ordinance 4704 was adopted by City Council on July 6, 2015, and was codified in Chapter 11.24 of the Ellensburg City Code.

**Analysis:**

RCW 35A.11.020 grants the City broad authority to regulate the use of public right-of-way. RCW 35A.47.040 and Chapter 11.40 of the Ellensburg City Code grant the City broad authority to grant non-exclusive franchises.

City staff and Wholesail Networks, LLC's staff (in coordination with staff from Ziply Fiber Pacific, LLC, as both companies are wholly owned subsidiaries of Northwest Fiber, LLC) have been negotiating the proposed Ordinance since January, 2025. Ziply Fiber Pacific, LLC and Wholesail Networks, LLC each submitted franchise applications, rather than one joint application, at the request of City staff, given these are two separate corporations seeking a franchise. The proposed Ordinance, while based on the previous agreement, has been revised and renegotiated by the parties.

The agreement clearly outlines the parameters of Wholesail Network, LLC's allowed use of the City's rights-of-way, and outlines the parameters for future relocation when public convenience would require such a change. The Franchise term is ten (10) years, with an option for renewal for another five (5) year period.

One item in particular to note with this proposed Ordinance is Wholesail Networks, LLC may

be acquired by another corporation in the next year, and the proposed Ordinance provides City approval for this change in corporate control, without need for additional Council action, as long as the change of control occurs within 12 months of Council approval of this Ordinance, and the change of control involves BCE, Inc or Network FiberCo. Any other change of control will still require Council approval.

**Financial Impact:**

None

Budget Adjustment: No

**Attachments:**

1. Ordinance 4966-Wholesail Networks Telecom Franchise Agreement

ORDINANCE NO. 4966

AN ORDINANCE OF THE CITY OF ELLENSBURG, WASHINGTON, GRANTING WHOLESAIL NETWORKS, LLC A NON-EXCLUSIVE FRANCHISE FOR TEN YEARS TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS NETWORK WITHIN THE CITY OF ELLENSBURG, WASHINGTON, AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE.

WHEREAS, the City desires to grant a non-exclusive franchise to Wholesail Networks, LLC (“Franchisee”), for a period of ten years for the operation and maintenance of a telecommunications network within the City Right-of-Way; and

WHEREAS, as a non-charter code city, RCW 35A.11.020 grants the City broad authority to regulate the use of the public right-of-way; and

WHEREAS, RCW 35A.47.040 grants the City broad authority to grant non-exclusive franchises; and

WHEREAS, Wholesail Networks, LLC is the successor in interest to the Franchise issued to Noel Communications through adoption of Ordinance 4704 by the Ellensburg City Council, which shall expire on July 22, 2025, and Wholesail Networks, LLC, has indicated its desire to enter into a new franchise agreement with the City; and

WHEREAS, the City Council has determined that it is in the best interest of and consistent with the convenience and necessity of the City to grant a Franchise within the confines of the City to Wholesail Networks, LLC, and subject to the terms and conditions hereinafter set forth; and

WHEREAS, the City desires to set forth the terms and conditions by which Wholesail Networks, LLC, shall use the public ways of the City,

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON DOES ORDAIN AS FOLLOWS:

**Section 1. Definitions.** Where used in this Franchise the following terms shall be defined as follows:

“City” means the City of Ellensburg, Washington, a municipal corporation of the State of Washington.

“Council” means the Ellensburg City Council acting in its official capacity.

“Facilities” means any and all lines, poles, anchors, wires, cables, conduit, laterals, and other appurtenances, necessary and convenient to Franchisee’s provision of telecommunications service over its “System” defined below.



“Franchise Area” means the area within the city limits of the City of Ellensburg, including areas annexed during the term of this Franchise, that the Franchisee is authorized to serve by the terms of its franchise or by operation of law, and shown in Exhibit A attached hereto.

“Franchisee” means Wholesail Networks, LLC, and its respective successors and assigns if consented to by the City of Ellensburg as provided in Section 14 herein.

“Public ways” or “right-of-way” means the public streets, alleys and easements which, under the Ellensburg City Code (“ECC”), ordinances and applicable laws, the city has authority to grant franchises, permits, or licenses for use thereof or over which the city has regulatory authority.

“System” means the lines, poles, anchors, wires, cables, conduit, laterals, and other appurtenances, necessary and convenient to Franchisee’s provision of telecommunications service for the purpose of a wholesale communications business in accordance with applicable law.

“Telecommunications System” means all wires, cables, ducts, conduits, vaults, poles and other necessary Facilities owned or used by Franchisee for the purpose of providing telecommunications services and located in, under and above the City streets and/or rights-of-way, excluding ducts, conduits and vaults leased from another City franchisee, licensee or permittee.

“Utility Poles” means poles, and crossarms, devices, and attachments directly affixed to such poles which are used for the transmission and distribution of electrical energy, signals, or other methods of communication.

## **Section 2. Grant of Franchise.**

2.1. Pursuant to RCW 35A.47.040 and Chapter 11.40 of the Ellensburg City Code (“ECC”), the City of Ellensburg, a Washington municipal corporation (hereinafter the “City”), hereby grants to Franchisee, its heirs successors, legal representatives and assigns, subject to the terms and conditions hereinafter set forth. This franchise ordinance grants Franchisee the right, privilege, and authority to construct, operate, maintain, replace, acquire, sell, lease and use all necessary Facilities for its Telecommunications System, in, under, on, across, over, through, along or below the public rights-of-way located in the City of Ellensburg, as approved pursuant to City permits issued pursuant to this franchise. Franchisee shall construct, install, operate, maintain, repair, and remove its facilities at its sole expense.

2.2. Nothing in this Franchise grants authority to Franchisee to enter, occupy, or use City property.

2.3. Nothing in this Franchise excuses Franchisee of its obligation to identify its Facilities and proposed Facilities and their location or proposed location in the public ways and to obtain use and/or development authorization and permits from the City before entering, occupying, or using public ways to construct, install, operate, maintain, repair, or remove such Facilities.

2.4. Nothing in this Franchise grants authority to Franchisee to impair or damage any City property, public way, other ways or other property, whether publicly or privately owned.

2.5. Nothing in this Franchise shall be construed to create a duty upon the City to be responsible for construction of facilities or to modify public ways to accommodate Franchisee's facilities.

2.6. Nothing in this Franchise grants authority to Franchisee to provide or offer cable television service as defined in the Cable Communication Policy Act of 1984, as amended, 47 U.S.C. §§ 521, et. seq.

**Section 3. Franchise Term.** The term of this Franchise shall be ten (10) years from the date the Acceptance of Franchise is signed by Franchisee as set forth in Section 4 below and unless extended in accordance with the provisions in Section 5 of this Franchise or terminated sooner in accordance with this Franchise. This provision does not affect the City's right to revoke this Franchise for cause, or because of a breach of any promise, condition or stipulation stated herein.

**Section 4. Acceptance of Franchise.** Within sixty (60) days after the passage and approval of this ordinance, this Franchise may be accepted by Franchisee by its filing with the City Clerk an unconditional written Acceptance of Franchise thereof, signed on the form appended hereto. Failure of Franchisee to so accept this Franchise within said period of time shall be deemed a rejection thereof, and the rights and privileges herein granted shall, after the expiration of the sixty (60) day period, absolutely cease, unless the time is extended by ordinance duly passed for that purpose.

### **Section 5. Renewal.**

5.1. This Franchise shall automatically be renewed for another five (5) year period unless either party, at least 120 days prior to the expiration of this Franchise, gives the other party: (a) notice of its desire to renegotiate the terms of this Franchise; or (b) notice of termination of this Franchise. During any such renegotiation period, the parties shall use best faith efforts to renegotiate a replacement Franchise and Franchisee shall have the continued right to use the public rights-of-way of the City as set forth herein through the date of the Franchise's expiration.

5.2. If the City gives notice of its intent to cancel this franchise the City Administration shall make a written recommendation to the Ellensburg City Council to cancel the franchise in whole or in part no later than 60 days before the end of the then current term. The City Administration's recommendation shall be provided to the Franchisee at the time it is provided to the City Council. No later than thirty (30) days before the end of the then current term the City Council shall conduct a public hearing and make a decision. If the City Council decides to cancel the franchise, a written determination shall include the reason(s) for cancellation. The City Council may continue consideration of the request for a period not to exceed thirty (30) days. The decision to cancel the franchise shall be based upon the following standards:

- 5.2.1. The continuing capacity of the public ways to accommodate the Franchisee's existing Facilities;
- 5.2.2. Franchisee's compliance with the requirements of this Franchise Agreement;
- 5.2.3. Applicable federal, state and local telecommunications laws, rules and policies, and Franchisee's compliance with same; and
- 5.2.4. Such other factors as may demonstrate that the continued grant to use the public ways will serve the community interest.

**Section 6. Franchise Non-Exclusive.** This Franchise shall not be construed as any limitation upon the right of the City to grant to other persons rights, privileges, or authorities similar to the rights, privileges, and authorities herein set forth, in the same or other public rights-of-way, public ways or public places. The City specifically reserves the right to use the public rights-of-way for itself or grant at any time during the term of this Franchise or renewal thereof, if any, such additional franchises as it deems appropriate.

### **Section 7. City Regulatory Authority.**

7.1. In addition to the provisions herein contained, the City reserves the right to adopt such additional ordinances and regulations as may be deemed necessary in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties, and to exercise any other rights, powers, or duties required or authorized, under the Constitution of the State of Washington, the laws of Washington or City ordinance.

7.2. The right of Franchisee to operate and maintain its Facilities is subject to the terms, conditions and requirements of the City's franchise ordinance, ECC Ch. 11.40, and this Franchise; the right of Franchisee to construct, erect, install or modify its Facilities is specifically subject to the requirement that Franchisee obtain all necessary permits as set forth in this Franchise and required by the City ordinances.

### **Section 8. Location of Facilities.**

8.1. **Use of Streets.** Franchisee may, subject to terms of this Franchise, erect, install, construct, repair, replace, reconstruct and retain in, on, over, under, upon, across and along the City streets and rights-of-way such lines, cables, conductors, ducts, conduits, vaults, utility access covers, amplifiers, appliances, pedestals, attachments and other property and equipment as are necessary and appurtenant to the operation of a Telecommunications System within the City. All installation, construction, alteration and/or maintenance of any and all Telecommunications System Facilities within City streets and rights-of-way incident to provision of Telecommunications Services by Franchisee shall, regardless of who performs installation, construction, alteration and/or maintenance, be and remain the responsibility of Franchisee.

#### **8.2. Construction or Alteration.**

8.2.1. Permits. Franchisee shall in all cases comply with all lawful City ordinances and regulations regarding the acquisition of permits and other such items as may be reasonably required in order to install, construct, alter and maintain the Telecommunications

System. Franchisee shall apply for and obtain all permits necessary for installation, construction, alteration and/or maintenance of any such Facilities, and for excavation and laying of any Telecommunications System Facilities within City streets and rights-of-way. Franchisee shall pay all applicable fees due for any such permits. Permits issued by the City that may be required, include but are not limited to, SEPA, Critical Areas Permit, Site Development Permit and a Public Works Permit. In addition, Franchisee may be required to work with any other state or federal agency that may require a permit, such as the Department of Fish and Wildlife, Department of Ecology, and/or the Army Corps of Engineers.

8.2.2. Schedule, Maps, and Engineering Plans. Prior to beginning installation, construction, alteration or maintenance of the Telecommunications System, Franchisee shall, as part of Franchisee's application for any City permit required to work in City rights-of-way, provide the City with engineering/civil plans for review. These plans shall comply with the City of Ellensburg's Development Standards and shall include right-of-way and easement locations, location of all existing utilities, street, curb, sidewalks, trees, fences, walls, any critical areas, and include the proposed location of the Franchisee's altered or new infrastructure. Upon approval of the plans and associated permits, the Franchisee shall also submit an initial work schedule for work to be conducted in City streets and rights-of-way and the estimated total cost of such work. Franchisee shall, upon request, provide information to the City regarding its progress in completing or altering the Telecommunications System.

#### 8.2.3. Good Engineering.

8.2.3.1. Franchisee promises all of its property and Facilities shall be constructed, operated and maintained in good order and condition in accordance with good engineering practice. In connection with the civil works of the Franchisee's Telecommunications System, such as, but not limited to, trenching, paving, compaction and locations. Franchisee will comply with the current editions of the City of Ellensburg's Development Standards and the Franchisee will comply with the current editions of the City of Ellensburg's Development Standards, and the Washington State Department of Transportation (WSDOT) Standard Specifications, all as now existing or hereafter amended.

8.2.3.2. Franchisee's Telecommunications System shall comply with the applicable federal, state and local laws, the National Electric Safety Code and the Washington Electrical Construction Code, where applicable.

#### 8.2.4. Facilities Placement.

8.2.4.1. General Standards. The Telecommunications System shall be constructed and maintained in such manner as not to obstruct, hinder, damage or otherwise interfere with all modes of transportation, the City's sewer system, the City's water system, the City's natural gas system, the City's electrical system, the City's stormwater system, the City's telecommunications system, other utility fixtures or any other property of the City, or any other pipes, wires, conduits or other Facilities that may have been installed in City streets or rights-of-way by or under the City's authority. Franchisee shall maintain a minimum underground horizontal separation of three (3) feet from water mains, three (3) feet from sewer mains, and two (2) feet from gas mains. Minimum underground vertical separation of one (1) foot from water, sewer, and gas mains; PROVIDED, that for development in new areas, the City, together with Franchisee and other utility purveyors or authorized users of City streets or rights-of-way, will develop and follow the City's determination of a consensus for guidelines and procedures

for determining specific utility locations, subject additionally to this Franchise.

8.2.4.2. Limited Access. Consistent with applicable law, the City reserves the right to limit or exclude access by Franchisee to a specific route, right-of-way or other location when there is inadequate space, a pavement cutting moratorium, potential for unnecessary damage to public property, public expense, inconvenience, interference with City utilities, or for any other lawful reason determined by the City. In addition, any work that impacts vehicular or pedestrian traffic will require a traffic control plan to be submitted to the City for review and approval prior to the commencement of any work by the Franchisee the City's rights-of-way. The traffic control plan shall meet the requirements of the Manual of Uniform Traffic Control Devices (MUTCD).

8.2.4.3. Consistency with Designated Use. Notwithstanding the grant to use City streets and rights-of-way contained in this Franchise, no street, or rights-of-way shall be used by Franchisee if the City, in its sole opinion, determines that such use is inconsistent with the terms, conditions or provisions by which such street or rights-of-way were created or dedicated or presently used under state and local laws.

8.2.4.4. Non-Interference and Notice. Franchisee shall exert its best efforts to construct and maintain the Telecommunications System so as not to interfere with other uses of City streets or rights-of-way and shall minimize impacts to adjacent parcels. Franchisee shall, where possible in the case of aboveground lines, make use of existing poles and other facilities available to Franchisee. Franchisee shall individually notify all residents affected by any proposed installation, construction, alteration or maintenance of the Telecommunications System of such work where and when such notification is reasonably possible. Franchisee shall provide a minimum of 48 hours' advance notice to residents prior to working, and a minimum of five (5) business days' advance notice for work that may impact driveways, sidewalks and/or landscaping maintained by the residents. Such notice shall be physically posted by door hanger. In addition, agreement of landscaping and driveway restoration shall be communicated with the affected resident and shall be restored to its existing condition or better.

8.2.4.5. Undergrounding. The City finds that overhead lines and aboveground wire facilities and installations in the streets or rights-of-way and other franchised areas adversely impact upon the public use and enjoyment of property in the City. Therefore, Franchisee shall place underground all of its transmission lines that are located or are to be located above or within City streets or rights-of-way in the following cases where:

- 8.2.4.5.1. All existing utilities are located underground;
- 8.2.4.5.2. Transmission or distribution facilities of the local exchange carrier and/or the electric utility are underground or hereafter placed underground;
- 8.2.4.5.3. Statute, ordinance, policy or other regulation of the City requires all utilities to be placed underground;
- 8.2.4.5.4. Franchisee is unable to obtain pole clearance;
- 8.2.4.5.5. Underground easements are obtained from developers of new residential areas; or
- 8.2.4.5.6. Utilities are overhead but residents prefer same to be located underground (such undergrounding to be provided at residents' expense).

8.2.4.6. The Franchisee shall be responsible for obtaining permission from subscribers to install overhead and underground fiber optic facilities on private property. New fiber optic facilities:

8.2.4.6.1. May be installed on existing overhead facilities within the communication worker safety zone; however, no fiber optic facilities may be installed by the Franchisee in the supply space of City-owned utility poles.

8.2.4.6.2. Shall not be installed on existing metal street lighting standards or traffic signal standards.

8.2.4.6.3. Shall comply with all National Electric Safety Code (NESC) clearance requirements and NESC requirements for overcurrent protection. All new aerial fiber cable shall meet the minimum ground clearance requirements of the Washington State Department of Transportation. Where excavation is necessary, the Franchisee shall be responsible for obtaining all locates as required in Chapter 19.122 RCW, Washington State's "Underground Utilities" statute, and will also comply with local procedures, custom and practice relating to the one-number locator service program. Any damage to other underground facilities shall be reported without delay. The Director of Energy Services may waive any of the above guidelines, other than clearance requirements, on a case-by-case basis if the cost to comply is clearly excessive in comparison to the estimated cost of overhead installation.

**8.3. Coordination with Other Users.** Franchisee shall coordinate its activities with other utilities and users of City streets and rights-of-way to avoid unnecessary cutting, damage or disturbance of such streets and rights-of-way and shall conduct its planning, design, installation, construction, alteration and maintenance of the Telecommunications System at all times so as to maximize the life and usefulness of the paving and municipal infrastructure. In addition, the City may determine with respect to franchised uses, in the exercise of reasonable discretion, when and where reasonable accommodation shall be made by Franchisee to the City for public needs or, where requested, other third party needs, how such accommodation should be made and a reasonable apportionment of any expenses of same; PROVIDED, that this Franchise creates no third party beneficial interests or accommodation. Notwithstanding the foregoing, it remains the responsibility of Franchisee to anticipate and avoid conflicts with other City streets or rights-of-way occupants or users, other utilities, franchisees or permittees. The City assumes no responsibility for such conflicts. Further, Franchisee shall give appropriate notices to any other City streets or rights-of-way occupants or users, other utilities, franchisees, permittees, divisions of the City or other units of government owning or maintaining facilities which may be affected by the planning, design, installation, construction, alteration or maintenance of Franchisee's Telecommunications System.

#### **8.4. Relocation.**

8.4.1. The City shall have the right during the term of this Franchise, as it may be extended, renewed or otherwise altered in accordance with this Franchise, to require Franchisee to change the location of its Telecommunications System within City streets and rights-of-way when the public convenience requires such change, in accordance with RCW 35.99.060. If the City or any government entity elects or requires a third party to alter, repair, realign, abandon, improve, vacate, reroute or change the grade of any street, public way or other public property; or to construct, maintain or repair any public improvement; or to replace, repair, install, maintain or otherwise alter any cable, wire, wire conduit, towers, antenna, pipe, line, pole, wireholding structure, structure or other facility, including a facility used for the provision of utility or other services or transportation of drainage, sewage or other liquids, Consistent with state and federal law, Franchisee shall, upon request, except as otherwise hereinafter provided,

at no expense to the City, remove or relocate as necessary its poles, wires, cables, underground conduits, vaults, pedestals, utility access covers and any other Facilities which it has installed.

8.4.2. If the City requires Franchisee to remove or relocate its Facilities located within City streets or rights-of-way, the City will make a reasonable effort to provide Franchisee with an alternate location for its Facilities within City streets or rights-of-way. If reasonable alternate locations are not available, the Franchisee will be required to acquire the necessary easement.

8.4.3. The City shall provide Franchisee with the standard notice given under the circumstances to other franchisees, licensees or permittees.

8.4.4. The City reserves the right to require Franchisee to relocate its Facilities within the public rights-of-way in the interest of public convenience, necessity, health, safety or welfare at no cost to the City, in accordance with RCW 35.99.060. Franchisee shall promptly commence the relocation of its Facilities within a reasonable period of time after written notice to do so from the City. Before requiring a relocation of Facilities, the City shall, with the assistance and consent of Franchisee, which consent shall not be unreasonably withheld, conditioned or delayed, identify a reasonable alignment for the relocated Facilities within the public rights-of-way of the City. If reasonable alternate locations are not available, the Franchisee will be required to acquire the necessary easement.

8.4.5. In an instance in which Franchisee had paid the cost of relocation of its Facilities at the request of the City within the previous five (5) years, the share of the cost of relocation of Franchisee will be paid by the City if relocation of the same Facilities is subsequently requested by the City in the event of an unforeseen emergency that creates an immediate threat to the public safety, health, or welfare. If during the term of this Franchise, as it may be extended, renewed or otherwise altered in accordance with this Franchise, another entity which holds a franchise or any utility requests Franchisee to remove or relocate its Telecommunications System Facilities to accommodate the construction, maintenance or repair of the requesting party's facilities, or the more efficient use of such facilities, or to "make ready" the requesting party's facilities for use by others, or because Franchisee is using a facility which the requesting party has a right or duty to remove, and the City has determined that such removal or relocation serves the best interests of the City in the management of its rights-of-way, then Franchisee shall remove or relocate its Telecommunications System Facilities at the requesting party's sole expense. Franchisee may request payment in advance from such third party prior to any preparation for any removal or relocation. The City shall not be liable for any such cost(s).

8.4.6. If the City requests Franchisee to remove or relocate its facilities it shall give Franchisee no less than one hundred eighty (180) days advance written notice advising Franchisee of the date or dates removal or relocation is to be undertaken, when practical.

8.4.7. If Franchisee fails, neglects or refuses to remove or relocate its Facilities as directed by the City, the City may do such work or cause it to be done and the cost, including all direct, indirect and/or consequential costs and expenses incurred by the City due to the failure, neglect or refusal by Franchisee thereof, shall be paid solely by Franchisee.

8.4.8. If Franchisee causes any damage to private property or public property in the process of removing or relocating its Facilities, Franchisee shall pay the owner of the property for such damage.

8.4.9. Franchisee does hereby promise to protect and save harmless the City, its officers, agents and employees from any customer or third party claims for service interruption or other losses in connection with any removal or relocation of Telecommunications System Facilities performed in connection with Section 8.4.7 above.

8.5. **Movement of Buildings.** Franchisee shall, upon request by any person holding a building permit, franchise or other approval issued by the City, temporarily remove, raise or lower its transmission or other wires appurtenant to the Telecommunications System to permit the movement of buildings. The expense for such removal, raising or lowering shall be paid by the person requesting the same and Franchisee shall be authorized to require such payment in advance. The City shall require all building movers to provide not less than thirty (30) business days' notice to Franchisee for such temporary wire changes.

8.6. **Tree Trimming.** Franchisee, with twenty-four (24) hour notice to the property owner, shall have the authority to trim or cause to have trimmed trees upon and overhanging streets, alleys, sidewalks and rights-of-way so as to prevent the branches of such trees from coming in contact or otherwise interfering with the Telecommunications System; PROVIDED, that the cost for such trimming of trees shall be paid solely by Franchisee.

8.7. **Restoration.**

8.7.1. Whenever Franchisee damages or disturbs any area in or near City streets, rights-of-way, Franchisee shall, at its sole cost, expense and liability, restore all areas to meet existing condition or better. Permanent restoration shall be completed promptly and not later than within thirty (30) working days of completion of excavation activities.

8.7.2. Excavations within the vehicular or pedestrian travel ways shall be immediately backfilled to finish grade with crushed gravel to temporarily reopen said travel ways to the public. The permanent asphalt and/or concrete restoration shall then be completed within thirty (30) working days of completion of excavation activities.

8.7.3. The City hereby reserves the right, after providing reasonable notice to Franchisee, to remove and/or repair any work done by Franchisee which, in the determination of the City, is inadequate. The cost thereof, including the cost of inspection and supervision, shall be paid solely by Franchisee as a part of the required Public Works Permit for each project.

8.7.4. Should Franchisee fail, neglect, refuse or delay in performing any obligation here or elsewhere stated, or where the City deems necessary to protect public rights-of-way or to avoid liability, risk or injury to the public or the City, after reasonable notice to Franchisee, the City may proceed to perform or cause to have performed such obligation, including any remedial or preventative action deemed necessary, at the sole expense of Franchisee. Prior to undertaking corrective effort, the City shall make a reasonable effort to notify Franchisee, except no notice is needed if the City declares an emergency or determines a need for expedient action. City will notify Franchisee as soon as practicable if an emergency is declared, or if the City determines expedient action is necessary. This remedy is supplemental and not alternative to any other municipal right.

8.7.5. Whenever Franchisee damages or disturbs any area in or near City streets, rights-of-way, paved area or public improvement, Franchisee stipulates that the City may, without limitation:

8.7.5.1. Require Franchisee to repave an entire lane or greater affected area within any cut or disturbed location if the integrity of such area has been severely compromised by Franchisee, and to ensure there is not an asphalt joint within a vehicle wheel path; and/or

8.7.5.2. Require Franchisee to common trench with any other underground installation in City streets or rights-of-way, with cost sharing to be negotiated between the



parties involved, or in the absence of agreement, as directed by the City.

8.7.6. All work performed by Franchisee under this Section shall be done in strict compliance with all applicable rules, regulations and ordinances of the City.

8.7.7. All restoration work is subject to inspection and final approval by the City. If restoration is not made to the satisfaction of the City within the established timeframe, the City may make the restoration itself at the cost of Franchisee or have them made at the cost of Franchisee.

#### **8.8. City Right to Require Removal of Property.**

8.8.1. At the expiration of the term for which this Franchise is granted, providing no extension or renewal is granted by the City, or upon the forfeiture or revocation of this Franchise, as provided for in this Franchise, the City shall have the right to require Franchisee to remove, at the sole expense of Franchisee, all or any part of the Telecommunications System from all City streets and rights-of-way within the Franchise Service Area, where the abandoned Facilities interfere with reasonable uses of City streets and rights-of-way. If Franchisee fails to do so, the City may perform the work or cause such work to be performed and collect the cost thereof from Franchisee. The actual cost thereof, including direct administrative costs, shall be a lien upon all Telecommunications Facilities and property of Franchisee effective upon filing of the lien with the Kittitas County Auditor.

8.8.2. Any order by the City Council to remove any of the Franchisee Telecommunications System Facilities shall be mailed to Franchisee not later than thirty (30) calendar days following the date of expiration of this Franchise. Franchisee shall file written notice with the Clerk of the City Council not later than thirty (30) calendar days following the date of expiration or termination of this Franchise of its intention to remove any Telecommunications System Facilities intended to be removed and a schedule for removal by location. The schedule and timing of removal shall be subject to approval and regulation by the City. Removal shall be completed by not later than twelve (12) months following the date of expiration of this Franchise.

8.8.3. Franchisee shall not remove any underground facilities which require trenching or other opening of City streets or rights-of-way along the extension of the facilities to be removed, except as hereinafter provided. Franchisee may voluntarily remove any underground facilities from City streets and rights-of-way which have been installed in such a manner that they can be removed without trenching or other opening of City streets and rights-of-way along the extension of the facilities to be removed.

8.8.4. Subject to applicable law, Franchisee shall remove, at its sole cost and expense, any underground facilities by trenching or opening City streets and rights-of-way along the extension thereof or otherwise which is ordered to be removed by the City Council based upon a determination, in the sole discretion of said Council, that removal is required in order to eliminate or prevent a hazardous condition. Underground facilities in City streets and rights-of-way that are not removed shall be deemed abandoned and title thereto shall be vested in the City. All abandoned underground conduits shall have all cable removed and be left empty.

8.9. **Emergency Repairs.** In the event that emergency repairs to the Telecommunications System are necessary, Franchisee shall notify the City of the need for such repairs. Franchisee may immediately notify the City, initiate such emergency repairs and shall apply for appropriate permits within three business days following discovery of the emergency.

8.10. **City Right of Inspection.** The City shall have the right to inspect and approve all installation, construction, alteration or maintenance work performed by Franchisee within the Franchise Service Area and to make such tests as it deems necessary to ensure compliance with the terms and conditions of this Franchise and other pertinent provisions of law, the cost thereof to be paid solely by Franchisee, but no action or inaction by the City shall create any duty or obligation by the City to inspect, test or approve any installation, construction, alteration or maintenance work performed by Franchisee.

8.11. **After-Acquired Facilities.** Franchisee expressly acknowledges and agrees, by acceptance of this Franchise, that any Telecommunications System Facilities located within City streets or rights-of-way which are subsequently acquired by Franchisee or upon addition or annexation to the City of any area in which Franchisee retains or acquires any such Facilities (if acquired prior to this original Franchise grant) and which would have been subject to this Franchise and the permitting authority related thereto shall immediately be subject to the provisions of this Franchise and all permits related thereto.

8.12. **Information.** Franchisee hereby promises to maintain and supply to the City, at the sole expense of Franchisee, any information requested by the City to coordinate municipal functions with the activities of Franchisee within City streets and rights-of-way. Franchisee shall provide such information, upon request, either in hard copy and/or electronic format compatible with the City's data base system, as now or hereafter existing, including the City's geographic information service (GIS) data base. Franchisee shall keep the City informed of its long-range plans so as to allow coordination with the City's long-range plans.

8.13. The installation of new utility poles by Franchisee is not permitted to establish service. Franchisee must place its Facilities underground in accordance with ECC 11.60.030(C) except as otherwise expressly provided herein. Subject to the terms and conditions of this Franchise, Franchisee may place optical cable, optical cable housing, and splicing connections on existing City-owned utility poles as overhead facilities if approved by City pursuant to a separate agreement for such use, or by the owner of the non-City utility poles. All other facilities, including, without limitation, facilities required for operating or maintaining such optical cable and optical cable housing, and splicing connections, must be underground facilities if they are located in a public way.

**Section 9. Pole, Structures and Property Owned by Others.** Franchisee must obtain written approval from the owners of utility poles, structures and property not owned by Franchisee prior to attaching to or otherwise using such poles, structures or property, and provide proof of such approval to the City. In the cases where the City owns the utility poles or structures the Franchisee shall comply with ECC Ch. 11.40 and ECC Title 15 as preparation for a specific project plan and permit submittal, and enter into a separate pole contact agreement with the City. The City makes no representation and assumes no responsibility for the availability of utility poles, structures, and property owned by third parties for the installation of Franchisee's Facilities. The City shall not be liable for the unavailability of utility poles, structures, and property owned by the City or third parties for any reason whatsoever. The installation of Facilities by Franchisee on or in the poles, structures, or property owned by others shall be subject to and limited by the owner's authority to enter, occupy, and use public ways. In the event that the authority of the owner of poles, structures, or property to enter, occupy, and

use the public ways either expires, terminates, or is cancelled, the authority of Franchisee to construct, install, operate, maintain, and repair Franchisee's Facilities at such locations may be immediately cancelled at the sole option of the City. The City shall not be liable for the costs for removal of Facilities arising from expiration, termination, or cancellation of any pole owner's authority to enter, occupy, or use public ways for any reason whatsoever.

## **Section 10. Franchisee's Maps and Records.**

10.1. As a condition of this Franchise, and at its sole expense, Franchise shall provide the City with typical and as-built plans, maps, and records that show the vertical and horizontal location of its Facilities within the public rights-of-way using a minimum scale of one inch equals one hundred feet (1"=100'), measured from the center line of the right-of-way, which maps shall be in hard copy format acceptable to the City and in Geographical Information System (GIS) or other digital electronic format acceptable to the City. If digital route maps are provided, the format of the data for overlaying on the City's GIS mapping system shall utilize NAD 83 as the horizontal datum, and shall be compatible with or can be imported into Arc GIS Version 10 or later. This information shall be provided no later than one hundred and eighty (180) days after the effective date of this Ordinance and shall be updated within ten (10) business days of a reasonable request of the City. Franchisee shall provide locates and field verify its facilities at no cost to the City.

10.2. Franchisee shall at all times keep up-to date maps and records showing the location and sizes of all Franchisee's facilities installed by it in the Franchise Area. Such maps and records shall be kept in Franchisee's office and shall be subject to inspection at all reasonable times by proper officials or agents of said City or provided in digital format upon request by the City. Franchisee shall provide at the City's request a copy of facilities maps for the City's use.

**Section 11. Interference with Persons and Improvements.** The Franchisee's Facilities shall be located, erected and maintained so that none of its Facilities shall endanger or interfere with the lives of persons, or interfere with any improvements the City may deem proper to make, or unnecessarily hinder or obstruct the free use of public rights-of-way or other public property. The City shall have power at any time to order and require Franchisee to remove and abate any pole, wire, equipment, cable, or other structure that is dangerous to life or property, and in case Franchisee, after notice, fails or refuses to act within a reasonable time, the City shall have the power to remove or abate the same at the expense of the Franchisee.

## **Section 12. Insurance.**

12.1. Types of Insurance and Coverage. The Franchisee shall obtain insurance of the types and coverage described below:

12.1.1. 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 liability, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Franchisee Commercial General Liability insurance

policy with respect this Franchise Agreement using ISO endorsement CG 20 12 05 09 if the franchise agreement is considered a master permit, or CG 20 26 07 04 if it is not, or substitute endorsement providing at least as broad coverage.

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

12.1.3. Excess or Umbrella Liability insurance shall be excess over and at least as broad in coverage as the Franchisee's Commercial General Liability and Automobile Liability insurance. The City shall be named as an additional insured on the Franchisee's Excess or Umbrella Liability insurance policy.

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

12.2. Minimum Amounts of Insurance. The Franchisee shall maintain the following insurance limits:

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

12.2.2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$5,000,000 per accident.

12.2.3. Excess or Umbrella Liability insurance shall be written with limits of not less than \$5,000,000 per occurrence and annual aggregate. The Excess or Umbrella Liability requirement and limits may be satisfied instead through Franchisee's Commercial General Liability and Automobile Liability insurance, or any combination thereof that achieves the overall required limits.

12.3. Verification of Coverage. The Franchisee shall furnish the City with original certificates and a copy of the amendatory endorsements annually, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Agreement. Upon request by the City, the Franchisee shall furnish certified copies of all required insurance policies, including endorsements, required in this Agreement. Such policy or policies shall be non-cancelable except upon thirty (30) days prior written notice to the City. Failure on the part of the Franchisee to maintain the insurance as required shall constitute a material breach of Agreement, upon which the City may, after giving five (5) business days' notice to the Franchisee to correct the breach, terminate the Agreement or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand.

12.4. Other Insurance Provisions. The Franchisee's Commercial General Liability, Automobile Liability, Excess or Umbrella Liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Franchisee's insurance and shall not contribute with it.

12.5. Subcontractors. The Franchisee shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Franchisee-provided insurance as set forth herein, except the Franchisee shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors. The Franchisee shall ensure that the City is an additional insured on each and every Subcontractor's Ordinance 4966-Franchise Agreement with Wholesail Networks (First Reading) 07/07/25

Commercial General liability insurance policy using an endorsement as least as broad as ISO CG 20 26.

### **Section 13. Indemnification/Hold Harmless.**

13.1. The Franchisee shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the granting of this Franchise, except for injuries and damages caused by the sole negligence, gross negligence or willful misconduct of the City. This requirement extends to any work performed or conducted under the authority of this Franchise by the Franchisee or its contractors or subcontractors.

13.2. Should a court of competent jurisdiction determine that this Franchise is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Franchisee and the City, its officers, officials, employees, and volunteers, the Franchisee's liability hereunder shall be only to the extent of the Franchisee's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Franchisee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

13.3. The City reserves the right, but not the obligation, to participate in the defense of any claim, damages, losses or expenses and such participation shall not constitute a waiver of Franchisee's indemnity obligations under this Agreement.

### **Section 14. Transfer of Ownership/Assignment.**

14.1. This Franchise shall not be sold, transferred, assigned, or disposed of in whole or in part either by sale or otherwise, without the written approval of the City and compliance with ECC Ch. 11.40. Franchisee, however, shall have the right to assign its rights, benefits and privileges in and under this Franchise, provided that Franchisee shall provide the City with prior written notice of the proposed transaction. The City shall then have the option, within thirty (30) days of the receipt of the notice, to notify Franchisee of a public hearing to approve or deny the assignment, such approval not to be unreasonably withheld or delayed. The assignment shall be deemed operative if the City does not respond within such thirty (30) day period.

14.2. The City hereby approves the transfer, assignment or change of control in the event Franchisee is acquired in 2025 by BCE Inc. or one of its subsidiaries or affiliates. The City further approves the transfer, assignment or change of control to Network FiberCo, or such other substantially similar joint venture, in the event that such transfer, assignment or change of control occurs within twelve (12) months of the Effective Date, and there is a transfer or cumulative transfer of substantial voting interest (20% or more). Franchisee must provide the City (i) with notice of such transfer within thirty (30) days following the close effectuating the transfer; and (ii) with certificates of insurance and an additional insured endorsement, consistent with Section 12, if the insurance documents change as a result of the transfer. All other terms, conditions, and obligations of this Agreement will remain in full force and effect and will transfer to the new Franchisee, and any subsequent transfers, assignments, or changes of control will still be subject to the provisions of Section 14.1.

## **Section 15. Administrative Fee and Utility Tax.**

15.1. Pursuant to RCW 35.21.860, the City is precluded from imposing franchise fees upon a telephone business, as defined in RCW 82.16.010, or a Service Provider for use of the public right-of-way, as defined in RCW 35.99.010, except a utility tax or actual administrative expenses related to the franchise incurred by the City. Franchisee does hereby warrant that its operations, as authorized under this Franchise, are those of a Service Provider as defined in RCW 35.99.010. Franchisee agrees to pay the City \$5,000.00 as an administrative fee to cover the cost to the City of preparing this Franchise, as provided in ECC 11.40.060(C).

15.2. If Franchisee provides services to customers within the City, Franchisee shall become subject to the City's utility tax set forth in ECC Chapter 6.52. If RCW 35.21.860 is amended to allow collection of a franchise fee, the parties shall negotiate a fair and reasonable franchise fee. Nothing in this Section shall preclude the City from collecting from Franchisee fees lawfully imposed by the City (related to this Franchise or otherwise), including fees for permits and inspections.

## **Section 16. No Waiver.**

16.1. The failure of the City on one or more occasions to exercise a right or to require compliance or performance under this Franchise, or any other applicable law shall not be deemed to constitute a waiver of such right or a waiver of compliance or performance by the City, nor shall it excuse the Franchisee from complying or performing, unless such right or such compliance or performance has been specifically waived in writing by the City.

16.2. No waiver by the City of any breach or violation of any provision of this Franchise or any ordinance shall be deemed to be a waiver or a continuing waiver by the City of any subsequent breach or violation of the same or any other provision. Neither the granting of the Franchise, nor any provision herein, nor any action by the City hereunder shall constitute a waiver of or a bar to the exercise of any governmental right or power of the City, as provided for under state and federal law, including without limitation the right of eminent domain.

16.3. No waiver of any provisions of this Franchise by the City shall be effective unless authorized in writing by the City.

## **Section 17. Violations. Noncompliance. and Other Grounds for Termination or Cancellation.**

17.1. This Franchise, and any right, privilege or authority of Franchisee to enter, occupy or use public ways may be terminated or cancelled by the City for the following reasons:

17.1.1. Violation of or noncompliance with any material term or condition of this Franchise by Franchisee;

17.1.2. Violation of or noncompliance with the material terms of any use and/or development authorization or required permit by Franchisee;

17.1.3. Construction, installation, operation, maintenance, or repair of Facilities on, in, under, over, across, or within any public way without Franchisee first obtaining use

and/or development authorization and required permits from the City and all other appropriate regulatory authorities;

17.1.4. Unauthorized construction, installation, operation, maintenance, or repair of Facilities on City property;

17.1.5. Misrepresentation or lack of candor by or on behalf of Franchisee in any application or written or oral statement upon which the City relies in making the decision to grant, review or amend any right, privilege or authority to Franchisee;

17.1.6. Abandonment of Facilities;

17.1.7. Failure of Franchisee to pay applicable taxes, fees, charges or costs when and as due; or

17.1.8. Insolvency or bankruptcy of Franchisee.

17.2. In the event that the City believes that grounds exist for termination or cancellation of this Franchise or any right, privilege or authority of Franchisee to enter, occupy or use public ways, Franchisee shall be given written notice, and providing Franchisee a reasonable period of time not exceeding thirty (30) days to furnish evidence:

17.2.1. That corrective action has been, or is being actively and expeditiously pursued, to remedy the violation, noncompliance, or other grounds for termination or cancellation;

17.2.2. That rebuts the alleged violation, noncompliance, or other grounds for termination or cancellation; or

17.2.3. That it would be in the public interest to impose some penalty or sanction less than termination or cancellation.

17.3. In the event that Franchisee fails to provide evidence reasonably satisfactory to the City as provided in Section 17.2, the City shall refer the apparent violation, noncompliance, or other grounds for termination or cancellation to the City Council. The City Council shall provide the Franchisee with notice and a reasonable opportunity to be heard concerning the matter.

17.4. If the City Council determines that the violation, noncompliance, or other grounds for termination or cancellation arose from willful misconduct or gross negligence by Franchisee, then, Franchisee shall, at the election of the City Council, forfeit all rights, privileges and authority conferred under this Franchise or any use and/or development authorization or permit granted by the City, and this Franchise and any such use and/or development authorization or permit may be terminated or cancelled by the City Council. The City Council may elect, in lieu of the above and without any prejudice to any of its other legal rights and remedies, to pursue other remedies, including obtaining an order compelling Franchisee into compliance or to take corrective action, or to recover damages and costs incurred by the City by reason of Franchisee's actions or omissions. The City Council shall utilize the following factors in analyzing the nature, circumstances, extent, and gravity of the actions or omissions of Franchisee:

17.4.1. Whether the misconduct was egregious;

17.4.2. Whether substantial harm resulted;

17.4.3. Whether the violation was intentional;

- 17.4.4. Whether there is a history of prior violations of the same or other requirements;
- 17.4.5. Whether there is a history of overall compliance; and
- 17.4.6. Whether the violation was voluntarily disclosed, admitted or cured.

17.5. The City Council's choice of remedy shall not excuse Franchisee from compliance with any term or condition of this Franchise or the material terms of any use and/or development authorization or required permit by Franchisee. Franchisee shall have a continuing duty to remedy any violation, noncompliance, or other grounds for termination or cancellation. Further, nothing herein shall be construed as limiting any remedies that the City may have, at law or in equity, for enforcement of this Franchise and any use and/or development authorization or permit granted to Franchisee.

**Section 18. Notices.** Unless otherwise specified herein, all notices from Franchisee to the City pursuant to or concerning this Franchise shall be delivered to the City Clerk's Office, 501 N. Anderson St., Ellensburg, WA 98926 and such other office as the City may advise Franchisee of by written notice. Unless otherwise specified herein, all notices from the City to Franchisee pursuant to or concerning this Franchise shall be delivered to Ziply Fiber, 135 Lake St. South, Suite 155, Kirkland, WA 98033.

**Section 19. No Third-Party Beneficiary.** Nothing in this Franchise shall be construed to create any right in or duties to any third party, or any liability to a standard of care with reference to any third party. This Franchise shall not confer any right or remedy upon any person other than the City or Franchisee. No action may be commenced or prosecuted against either the City or Franchisee by any third-party beneficiary of this Franchise. This Franchise shall not release or discharge any obligation or liability of any third party to either the City or Franchisee.

**Section 20. Governing Law/Venue.** This franchise shall be governed by and construed in accordance with the laws of the state of Washington. The venue and jurisdiction over any dispute related to this Franchise shall be with the Kittitas County Superior Court or in the United States District Court for the Eastern District of Washington.

**Section 21. Attorney Fees and Costs.** Except as provided in Section 13, Indemnification/Hold Harmless, each party shall pay for its own attorneys' fees and costs incurred in any action arising out of the existence of this Franchise.

**Section 22. Survival.** All of the provisions, conditions and requirements of Section 8.4, Relocation of Facilities and Section 13, Indemnification/Hold Harmless, shall be in addition to any and all other obligations and liabilities Franchisee may have to the City at common law, by statute, or by contract, and shall survive the City's Franchise to Franchisee and any renewals or extensions thereof. All of the provisions, conditions, regulations and requirements contained in this Franchise Ordinance shall further be binding upon the heirs, successors, executors, administrators, legal representatives and assigns of the parties and all privileges, as well as all obligations and liabilities of each party shall inure to its heirs, successors and assigns equally as if they were specifically mentioned wherever such party is named herein.

**Section 23. Entire Agreement/Modification.** This Franchise and all attachments represent the entire understanding and agreement between the parties hereto with respect to the Ordinance 4966-Franchise Agreement with Wholesail Networks (First Reading) 07/07/25  
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subject matter hereof and supersede all prior oral and written negotiations between the parties. This Franchise can be amended, supplemented, modified, or changed only by an agreement in writing which makes specific reference to this Franchise or to the appropriate attachment and which is signed on behalf of both parties.

**Section 24. Severability.** If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions(s) of this ordinance.

**Section 25. Effective Date.** This ordinance shall take effect and be in force five (5) days after its passage, approval and publication. The Franchise will be effective upon the date the Acceptance of Franchise attached to this Ordinance is signed.

**Section 26. Corrections.** Upon review and approval by the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the \_\_\_ day of July, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY

Publish:

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

\_\_\_\_\_  
BETH LEADER

## ACCEPTANCE OF FRANCHISE

In the matter of the agreement between the City of Ellensburg, Washington and Wholesail Networks LLC (“Wholesail”), for a franchise to construct, operate and maintain facilities in, upon, over under, along, across and through the franchise area of the City of Ellensburg, Washington, Ordinance No. 4966.

WHEREAS, the City Council of the City of Ellensburg, Washington, has granted a franchise to Wholesail, its successors and assigns, by enacting Ordinance No. 4966 bearing the date of \_\_\_\_\_, 2025; and

WHEREAS, a copy of said Ordinance granting said franchise was received by Wholesail on \_\_\_\_\_, 2025, from said City of Ellensburg, Kittitas County, Washington.

NOW, THEREFORE, Wholesail for itself, its successors and assigns, hereby accepts said Ordinance and all the terms and conditions thereof, and files this, its written acceptance, with the City of Ellensburg, Kittitas County, Washington.

IN TESTIMONY WHEREOF said Wholesail has caused this written Acceptance to be executed in its name by its undersigned \_\_\_\_\_ (title) thereunto duly authorized on this \_\_ day of \_\_\_\_\_, 2025.

Wholesail Networks, LLC

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

Copy received by City of Ellensburg on \_\_\_\_\_, 2025.

By: \_\_\_\_\_  
City Clerk



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Resolution 2025-11 Amending the Fiscal Year 2025 Pay Plan for Non-Represented Employees (Public Comment Opportunity)

**Submitted by:** Lisa Young, HR Director

**Department:** Human Resources

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**Suggested Motion/Action:**  
Motion to adopt Resolution 2025-11 amending the Fiscal Year 2025 Pay Plan for Non-Represented Employees and approval of the necessary budget adjustments.

**Background/Summary:**  
Resolution 2024-33 was submitted to the Council to establish the Fiscal Year 2025 pay scales for non-represented employees. This Resolution amends Resolution 2024-33 to provide market/comp adjustments.

**Previous Council Action:**  
Approval of Resolution 2024-33 and ongoing support of establishing competitive pay and benefits for City employees.

**Analysis:**  
The Assistant City Attorney position was recently vacated, and to improve our ability to attract quality candidates and fill the position quickly, we reviewed and adjusted the wage to be more in line with comparable agencies. We also created a second tier for the position to account for a broader range of experience that applicants may have. Note: While recruiting for this position, staff have initiated discussions with the County Prosecutor's Office to explore a contracted service model alternative for prosecution and related costs.

The pay grade for Service Desk Specialist has been the same as the Executive Assistant – City Manager position. The Executive Assistant position was adjusted one pay grade (13 to 14) with the 2025-2026 biennial budget, but the Service Desk Specialist was not. This Resolution will realign the two positions.

**Financial Impact:**  
The estimated financial impact of the amended Fiscal Year 2025 Pay Resolution is as follows:

|                             |                    |
|-----------------------------|--------------------|
| Assistant City Attorney:    | \$7,170 (6 months) |
| Desktop Support Specialist: | \$978 (6 months)   |
| <b>TOTAL</b>                | <b>\$8,148</b>     |

The costs for Assistant City Attorney position represent the maximum possible expenditure for base wages; however, wages upon hire will likely be lower and will depend on experience.

With regard to the Service Desk Specialist adjustment IT has experienced some salary savings due to staff members taking family leave under the Washington Paid Family & Medical Leave Act.

Costs for administrative and internal services functions will be charged to beneficiary funds via the standard budget and accounting procedures. Additional expenditure authority will be included in the next Supplemental 2025-2026 Biennial Budget.

Note: Staff have also initiated conceptual discussions with the County Prosecutor's Office to explore a cost and capacity for a contracted prosecution service model alternative.

Budget Adjustment: Yes

**Attachments:**

1. 2025-11 Amended Pay Resolution - 07.07.2025 Meeting

## RESOLUTION NO. 2025-11

A RESOLUTION amending Resolution 2024-33, updating the Pay Plan for Fiscal Year 2025 to address market-based wage adjustments.

WHEREAS, the Assistant City Attorney position is vacant, and to be competitive in recruitment and improve retention, a wage adjustment is necessary; in addition, the position will now include two levels (I and II), to attract applicants with more experience and provide greater flexibility in hiring; and

WHEREAS, the IT Service Desk Specialist position needs a pay grade adjustment to maintain alignment with the Executive Assistant – City Manager position which changed from pay grade 13 to 14 in the 2025-2026 biennial budget; and

WHEREAS, the City Council of said City desires to adopt such amended pay plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The amended pay grade structure for non-union positions is hereby adopted as set forth in Appendix A, effective July 1, 2025; and

Section 2. The compensation schedule for each non-represented position is hereby adopted as set forth below (changes noted in bold), effective July 1, 2025.

### CLASS TITLES BY DEPARTMENT

### PAY RANGE

| CITY MANAGER                                          |               |               |           |
|-------------------------------------------------------|---------------|---------------|-----------|
| TITLE                                                 | MIN           | MAX           | Pay Grade |
| City Manager                                          | 14,726        | 16,660        | 50        |
| City Attorney                                         | 14,016        | 15,858        | 48        |
| Human Resources Director                              | 11,223        | 12,699        | 39        |
| <b>Assistant City Attorney II*</b>                    | <b>11,223</b> | <b>12,699</b> | <b>39</b> |
| Assistant City Attorney I*                            | 10,168        | 11,504        | 35        |
| Public Information Officer                            | 8,768         | 9,919         | 29        |
| Arts & Economic Development Manager                   | 8,345         | 9,441         | 27        |
| Human Resources Specialist (2)                        | 6,849         | 7,747         | 19        |
| Executive Assistant – City Attorney/Deputy City Clerk | 6,682         | 7,558         | 18        |
| Executive Assistant – City Manager                    | 6,054         | 6,848         | 14        |
| Civil Service Secretary/Chief Examiner                | 150/mo        | 150/mo        | n/a       |
| Legal Intern                                          | 16.66/hr      | 16.66/hr      | n/a       |

***\*Only one Assistant City Attorney position is authorized in the budget – level will depend on qualifications.***

| COMMUNITY DEVELOPMENT          |        |        |           |
|--------------------------------|--------|--------|-----------|
| TITLE                          | MIN    | MAX    | Pay Grade |
| Community Development Director | 11,223 | 12,699 | 39        |
| Building Official              | 8,554  | 9,677  | 28        |
| Planning Manager               | 8,554  | 9,677  | 28        |
| Building Inspector II*         | 7,376  | 8,344  | 22        |
| Housing & Grants Administrator | 7,021  | 7,941  | 20        |
| Building Inspector I*          | 6,849  | 7,747  | 19        |

*\*Only one Building Inspector position is authorized in the budget – level will depend on qualifications.*

| ENERGY SERVICES*                    |          |          |           |
|-------------------------------------|----------|----------|-----------|
| TITLE                               | MIN      | MAX      | Pay Grade |
| Energy Services Director            | 13,675   | 15,471   | 47        |
| Senior Electrical Engineer          | 10,950   | 12,389   | 38        |
| Project Engineer                    | 10,683   | 12,087   | 37        |
| Operations Supervisor – Gas         | 10,683   | 12,087   | 37        |
| Operations Supervisor - Light       | 10,683   | 12,087   | 37        |
| Energy Resources Manager            | 10,422   | 11,792   | 36        |
| Gas Engineer                        | 9,920    | 11,223   | 34        |
| Telecom Business Manager            | 9,212    | 10,421   | 31        |
| Sustainability & Energy Coordinator | 6,849    | 7,747    | 19        |
| Rate Analyst                        | 6,682    | 7,558    | 18        |
| Operations Analyst – ES             | 6,205    | 7,019    | 15        |
| Engineering Intern – Gas Division   | 22.00/hr | 22.00/hr | n/a       |
| Engineering Intern – Light Division | 22.00/hr | 22.00/hr | n/a       |

| FINANCE                         |        |        |           |
|---------------------------------|--------|--------|-----------|
| TITLE                           | MIN    | MAX    | Pay Grade |
| Finance Director                | 12,388 | 14,017 | 43        |
| Assistant Finance Director      | 10,168 | 11,504 | 35        |
| Utility Services Manager        | 9,212  | 10,421 | 31        |
| Accountant III – Financials     | 8,554  | 9,677  | 28        |
| Accountant III – Budget Officer | 8,554  | 9,677  | 28        |
| City Clerk                      | 7,560  | 8,553  | 23        |
| Contracts & Procurement Officer | 7,021  | 7,941  | 20        |
| Accountant II                   | 7,021  | 7,941  | 20        |

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| INFORMATION TECHNOLOGY                 |              |              |           |
|----------------------------------------|--------------|--------------|-----------|
| TITLE                                  | MIN          | MAX          | Pay Grade |
| IT Director                            | 11,223       | 12,699       | 39        |
| IT Manager - Network/Security          | 9,212        | 10,421       | 31        |
| IT Systems Administrator (2 positions) | 7,943        | 8,986        | 25        |
| IT Business Analyst II* (vacant)       | 7,943        | 8,986        | 25        |
| IT Business Analyst I* (2 positions)   | 7,196        | 8,140        | 21        |
| <b>Service Desk Specialist</b>         | <b>6,054</b> | <b>6,848</b> | <b>14</b> |
| IT Intern (2)                          | 16.66/hr     | 16.66/hr     | n/a       |

*\*Only two regular IT Business Analyst positions are authorized in the budget – level will depend on qualifications.*

| LIBRARY                      |          |          |           |
|------------------------------|----------|----------|-----------|
| TITLE                        | MIN      | MAX      | Pay Grade |
| Library Director             | 10,422   | 11,792   | 36        |
| Librarian                    | 6,205    | 7,019    | 15        |
| Part-time Library Substitute | 16.66/hr | 16.66/hr | n/a       |

| PARKS AND RECREATION            |        |        |           |
|---------------------------------|--------|--------|-----------|
| TITLE                           | MIN    | MAX    | Pay Grade |
| Parks & Recreation Director     | 10,683 | 12,087 | 37        |
| Aquatic & Recreation Supervisor | 6,849  | 7,747  | 19        |
| Recreation Leader               | 22.31  | 25.83  | n/a       |
| Recreation Staff                | 17.49  | 23.43  | n/a       |

| POLICE                       |          |          |           |
|------------------------------|----------|----------|-----------|
| TITLE                        | MIN      | MAX      | Pay Grade |
| Police Chief                 | 12,388   | 14,017   | 43        |
| Police Captain (2 positions) | 10,683   | 12,087   | 37        |
| Police Records Supervisor    | 7,021    | 7,941    | 20        |
| Crime Analyst                | 6,682    | 7,558    | 18        |
| Reserve Officer              | 16.66/hr | 16.66/hr | n/a       |

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| PUBLIC WORKS                                       |        |        |           |
|----------------------------------------------------|--------|--------|-----------|
| TITLE                                              | MIN    | MAX    | Pay Grade |
| Public Works & Utilities Director*                 | 14,016 | 15,858 | 48        |
| Public Works Director*                             | 13,675 | 15,471 | 47        |
| City Engineer/Engineering Services Manager         | 11,792 | 13,341 | 41        |
| Assistant Public Works Director                    | 10,168 | 11,504 | 35        |
| Assistant City Engineer/Capital Projects Manager** | 10,168 | 11,504 | 35        |
| Facilities & Fleet Manager                         | 10,168 | 11,504 | 35        |
| Civil Engineer (2 positions)                       | 9,678  | 10,949 | 33        |
| Stormwater Utility Manager***                      | 9,212  | 10,421 | 31        |
| Water Resource Manager***                          | 9,212  | 10,421 | 31        |
| Transit Manager                                    | 9,212  | 10,421 | 31        |
| PW Finance Officer                                 | 7,021  | 7,941  | 20        |
| Water/Storm Program Coordinator***                 | 6,849  | 7,747  | 19        |

*\*Public Works & Utilities Director will become Public Works Director upon hire of an Energy Services Director.*

*\*\*Plus 5% for current ISA Arborist Certification*

*\*\*\*Stormwater Utility Manager will become Water Resources Manager upon retirement of the incumbent, then a Water/Storm Program Coordinator will be hired. Some overlap may occur for training.*

All other City positions are covered by Union contracts. This Resolution has no application to such positions.

Section 3. The amended 2025 Pay Plan is hereby adopted as set forth herein. All remaining terms and conditions of Resolution 2024-33 remain in full force and effect.

PASSED AND ADOPTED by the City Council of the City of Ellensburg at a regular meeting on the 7<sup>th</sup> day of July 2025.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

\_\_\_\_\_  
City Clerk



APPENDIX A  
RESOLUTION 2024-33

| GRADE | 1      | 2      | 3      | 4      | 5      | 6      |
|-------|--------|--------|--------|--------|--------|--------|
| 50    | 14,726 | 15,094 | 15,471 | 15,858 | 16,254 | 16,660 |
| 49    | 14,367 | 14,726 | 15,094 | 15,471 | 15,858 | 16,254 |
| 48    | 14,016 | 14,367 | 14,726 | 15,094 | 15,471 | 15,858 |
| 47    | 13,675 | 14,017 | 14,367 | 14,726 | 15,094 | 15,471 |
| 46    | 13,341 | 13,675 | 14,017 | 14,367 | 14,726 | 15,094 |
| 45    | 13,016 | 13,341 | 13,675 | 14,017 | 14,367 | 14,726 |
| 44    | 12,698 | 13,016 | 13,341 | 13,675 | 14,017 | 14,367 |
| 43    | 12,388 | 12,699 | 13,016 | 13,341 | 13,675 | 14,017 |
| 42    | 12,086 | 12,389 | 12,699 | 13,016 | 13,341 | 13,675 |
| 41    | 11,792 | 12,087 | 12,389 | 12,699 | 13,016 | 13,341 |
| 40    | 11,504 | 11,792 | 12,087 | 12,389 | 12,699 | 13,016 |
| 39    | 11,223 | 11,504 | 11,792 | 12,087 | 12,389 | 12,699 |
| 38    | 10,950 | 11,223 | 11,504 | 11,792 | 12,087 | 12,389 |
| 37    | 10,683 | 10,949 | 11,223 | 11,504 | 11,792 | 12,087 |
| 36    | 10,422 | 10,682 | 10,949 | 11,223 | 11,504 | 11,792 |
| 35    | 10,168 | 10,421 | 10,682 | 10,949 | 11,223 | 11,504 |
| 34    | 9,920  | 10,167 | 10,421 | 10,682 | 10,949 | 11,223 |
| 33    | 9,678  | 9,919  | 10,167 | 10,421 | 10,682 | 10,949 |
| 32    | 9,442  | 9,677  | 9,919  | 10,167 | 10,421 | 10,682 |
| 31    | 9,212  | 9,441  | 9,677  | 9,919  | 10,167 | 10,421 |
| 30    | 8,987  | 9,211  | 9,441  | 9,677  | 9,919  | 10,167 |
| 29    | 8,768  | 8,986  | 9,211  | 9,441  | 9,677  | 9,919  |
| 28    | 8,554  | 8,767  | 8,986  | 9,211  | 9,441  | 9,677  |
| 27    | 8,345  | 8,553  | 8,767  | 8,986  | 9,211  | 9,441  |
| 26    | 8,142  | 8,344  | 8,553  | 8,767  | 8,986  | 9,211  |
| 25    | 7,943  | 8,140  | 8,344  | 8,553  | 8,767  | 8,986  |
| 24    | 7,749  | 7,941  | 8,140  | 8,344  | 8,553  | 8,767  |
| 23    | 7,560  | 7,747  | 7,941  | 8,140  | 8,344  | 8,553  |
| 22    | 7,376  | 7,558  | 7,747  | 7,941  | 8,140  | 8,344  |
| 21    | 7,196  | 7,374  | 7,558  | 7,747  | 7,941  | 8,140  |
| 20    | 7,021  | 7,194  | 7,374  | 7,558  | 7,747  | 7,941  |
| 19    | 6,849  | 7,019  | 7,194  | 7,374  | 7,558  | 7,747  |
| 18    | 6,682  | 6,848  | 7,019  | 7,194  | 7,374  | 7,558  |
| 17    | 6,519  | 6,681  | 6,848  | 7,019  | 7,194  | 7,374  |
| 16    | 6,360  | 6,518  | 6,681  | 6,848  | 7,019  | 7,194  |

| GRADE | 1     | 2     | 3     | 4     | 5     | 6     |
|-------|-------|-------|-------|-------|-------|-------|
| 15    | 6,205 | 6,359 | 6,518 | 6,681 | 6,848 | 7,019 |
| 14    | 6,054 | 6,204 | 6,359 | 6,518 | 6,681 | 6,848 |
| 13    | 5,906 | 6,053 | 6,204 | 6,359 | 6,518 | 6,681 |
| 12    | 5,762 | 5,905 | 6,053 | 6,204 | 6,359 | 6,518 |
| 11    | 5,622 | 5,761 | 5,905 | 6,053 | 6,204 | 6,359 |
| 10    | 5,484 | 5,620 | 5,761 | 5,905 | 6,053 | 6,204 |
| 9     | 5,351 | 5,483 | 5,620 | 5,761 | 5,905 | 6,053 |
| 8     | 5,220 | 5,349 | 5,483 | 5,620 | 5,761 | 5,905 |
| 7     | 5,093 | 5,219 | 5,349 | 5,483 | 5,620 | 5,761 |
| 6     | 4,969 | 5,092 | 5,219 | 5,349 | 5,483 | 5,620 |
| 5     | 4,847 | 4,968 | 5,092 | 5,219 | 5,349 | 5,483 |
| 4     | 4,729 | 4,847 | 4,968 | 5,092 | 5,219 | 5,349 |
| 3     | 4,614 | 4,729 | 4,847 | 4,968 | 5,092 | 5,219 |
| 2     | 4,501 | 4,614 | 4,729 | 4,847 | 4,968 | 5,092 |
| 1     | 4,392 | 4,501 | 4,614 | 4,729 | 4,847 | 4,968 |

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Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Resolution 2025-13 Amending the City Council Rules of Procedure (Public Comment Opportunity)  
**Submitted by:** Christopher Horner, City Attorney  
**Department:** City Attorney

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**Suggested Motion/Action:**

Move to approve Resolution 2025-13, amending Rules 1, 4, and 7, of the City Council Rules of Procedure.

**Background/Summary:**

At the City Council meeting on May 19, 2025, Council requested to revisit their Rules of Procedure, and consider changes related to public comments. This item was added to the City Council Agenda at the June 16, 2025 meeting, at which time Council directed staff to draft rule revisions for review regarding:

- 1) additional time for public commenters utilizing language interpreter services;
- 2) additional time for public commenters who may require an ADA-related accommodation;
- 3) additional time at the end of Council agendas for continued public commentary; and
- 4) formalizing the recent trend of not reading Proclamations aloud during Council meetings.

**Previous Council Action:**

The City Council Rules of Procedure were last modified on May 20, 2024, at which time Rule 7 was amended to allow remote public comment on non-agenda items, and requiring persons wishing to provide remote public comment on non-agenda items to register for the meeting 24 hours prior to the meeting and providing a description of the topic upon which they wish to speak.

**Analysis:**

The proposed Resolution 2025-13 includes amendments reflecting all the proposals noted above.

- A new Section 1.9, Access and Reasonable Accommodations, is added to Rule 1- General Rules, to formalize the City's ADA reasonable accommodation policy for Council meetings, and provide additional speaking time during public comment periods, as necessary and requested, for members of the public with a disability. This rule also specifies the City will provide an interpreter and additional speaking time during public comment periods to members of the public who do not speak English or who have limited English proficiency. Members of the public requesting accommodation, an interpreter, or additional speaking time, should make those requests at least five (5) business days before the meeting, so staff has time to make any necessary arrangements.

- Section 4.3-Proclamations, was amended by adding subsection 4.3(j), to formalize the Council's recent trend of not reading the full text of Proclamations aloud during Council meetings, unless otherwise directed by the Mayor.
- Subsection 7.2(b)(5) is amended to formalize the Council's recent trend of granting additional time at the end of Council agendas for continued public commentary, upon vote of the Council.

**Financial Impact:**

Costs of providing reasonable accomodation for Council meetings have been minimal. Future costs, including additional cost of interpreter services for people who do not speak English or have limited English proficiency, are anticipated to be within the existing budget for Legislative Services.

Budget Adjustment: No

**Attachments:**

1. Resolution Updating Council Rules of Procedure- (07-07-25)

## RESOLUTION NO. 2025-13

A RESOLUTION relating to the Ellensburg City Council, replacing the Rules and Procedures for the Ellensburg City Council, and repealing Resolution No. 2024-13.

WHEREAS, Resolution 2024-13 updated the "Rules and Procedures for the Ellensburg City Council" (Council Rules); and

WHEREAS, the City Council has determined the Council Rules should again be updated;

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

**Section 1.** This Resolution supersedes and replaces City Council Resolution No. 2024-13, which is hereby repealed.

**Section 2.** The Rules and Procedures for the Ellensburg City Council, attached to this Resolution, are hereby adopted and are effective immediately upon passage of this Resolution.

ADOPTED by the City Council of the City of Ellensburg this 7<sup>th</sup> day of July, 2025.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**City of Ellensburg  
City Council Rules of Procedure  
July 7, 2025**

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## **1. General Rules**

1.1 **Authority.** The Ellensburg City Council hereby establishes the following procedures for the conduct of Council meetings, proceedings, and business. These procedures shall be in effect upon adoption by the Council and until such time as they are amended or new procedures are adopted in the manner provided in these rules.

1.2 **Meetings to be Public.** The meetings of the Council shall be open to the public with the exception of executive or exempt sessions for certain limited topics (as defined in Chapter 42.30 RCW). The Council minute book shall be open to public inspection.

1.3 **Quorum.** A majority of four councilmembers shall be required to be in attendance to constitute a quorum at any regular or special meeting of the Council. In the absence of a quorum, the Mayor or Mayor pro tempore, at the instance of any three (3) members present, may compel the attendance of absent members.

1.4 **Roll Call - Absences.** Before proceeding with the business of the Council, the City Clerk or his or her deputy shall call the role of the members, and the names of those present shall be entered in the minutes. A Councilmember may be excused from the meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend the meeting. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the Mayor pro tempore, the City Clerk or Deputy City Clerk, who shall convey the message to the Mayor. The Mayor shall inform the Council of the Councilmember's absence, state the reason for such absence and inquire if there is a motion to excuse the member. Upon passage of such motion by a majority of Councilmembers present, the absent Councilmember shall be considered excused, and the Clerk will make an appropriate notation in the minutes. If the motion is not passed, the Clerk will note in the minutes that the absence is unexcused.

1.5 **Records of Council Proceedings.** The City Clerk shall record all business transacted at a Council meeting. In recording Council minutes, the Clerk, in addition to the names of the Councilmembers in attendance, shall record the names of

all city officials or employees in attendance at the Council meeting and all persons who have addressed the Council.

1.6 **Right of Floor.** Any Councilmember desiring to speak shall be recognized by the presiding officer and shall confine his or her remarks to one subject under consideration or to be considered. Minutes of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.

1.7 **Remote Attendance.** Councilmembers may appear at a Council meeting via video conferencing or telephone ("remote attendance") when approved by the Mayor or Mayor pro tempore, or if remote attendance is required by reason of legislative or governor's proclamation/order, or other emergency order enacted by Council. Councilmembers attending remotely must keep their video camera turned on during the meeting unless they are unable to do so because of technical infeasibility (e.g., poor or no internet connection, no video camera available, etc.).

1.8 **Rules of Order.** *Robert's Rules of Order Newly Revised* shall be the guideline procedures for the proceedings of the Council. If there is a conflict, these rules shall apply.

1.9 **Access and Reasonable Accommodations.** Upon request, the City will provide a language interpreter to members of the public who do not speak English or who have limited English proficiency. Council will also grant additional speaking time under Rule 7.2-Public Comment on Matters Before the Council, for individuals using a language interpreter as follows: three (3) minute limits will be extended to a total of six (6) minutes; and five (5) minute limits will be extended to a total of ten (10) minutes. Any additional time granted under this provision will not be included in the total time allocated for comments on non-agenda items.

The City will also provide reasonable accommodations, such as hearing devices, wheelchair space, and/or additional speaking time under Rule 7.2-Public Comment on Matters Before the Council, as appropriate and requested, for members of the public

with a disability, in compliance with federal and state law, including the Americans With Disabilities Act.

Members of the public requesting language assistance (such as an interpreter) and/or reasonable accommodation should contact the HR Director/ADA Coordinator by calling (509) 962-7222 or by emailing at [ADAcordinator@ellensburgwa.gov](mailto:ADAcordinator@ellensburgwa.gov). Requests should be made at least five (5) business days before the meeting.

## **2. Types of Meetings**

**2.1 Regular Meetings.** The City Council shall hold regular meetings on the first and third Mondays of each month at 7:00 p.m. and will adjourn no later than 11 p.m. To continue past this time of adjournment, a majority of the Council must concur. If the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday. The Council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the Council Chambers at City Hall, 501 N. Anderson Street, unless specified otherwise by a majority vote of the Council, legislative proclamation, governor's proclamation/order, or other emergency order. All regular and special meetings shall be public.

**2.2 Special Meetings.** The City Clerk, upon request of the Mayor or by a majority of the Council shall call special meetings of the Council for the purpose of conducting official action. Notice shall be given at least 24 hours in advance as required by RCW 42.30.080. Notice may be provided to each member of the Council by telephone, e-mail, regular mail or otherwise, of the special meeting.

**2.3 Study Session and Workshops.** The Council may meet informally in study sessions and workshops (open to the public), at the call of the Mayor or by a majority of the Council, to review forthcoming programs of the city, receive progress reports on current programs or projects, receive other similar information from city department heads or conduct procedures workshops, provided that all discussions and conclusions thereon shall be informal and do not constitute final action of the Council.

**2.4 Emergency Meetings.** An emergency meeting is a Special Council meeting called without 24-hour notice. An emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by

the Mayor as provided by RCW 42.30.070. The Council minutes will indicate the reason for the emergency.

**2.5 Executive Sessions.** An executive session is a Council meeting that is closed except to the Council, City Manager, City Attorney and authorized staff members and/or consultants authorized by the Mayor. The public is restricted from attendance. Executive sessions may be held during Regular or Special council meetings and will be announced by the Mayor.

a. Executive Session subjects are limited to matters authorized pursuant to Ch. 42.30 RCW, including but not limited to considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, public employment applications and public employee evaluation, elective office appointments, and attorney-client discussions regarding agency enforcement actions, litigation, or threatened litigation.

b. Before convening in executive session, the Presiding Officer shall publicly announce the purpose for excluding the public from the meeting place, the anticipated time when the executive session will be concluded, and whether any action is anticipated to be taken following the executive session. Should the executive session require more time, a public announcement shall be made extending the meeting for a time certain. Should the executive session end prior to the time specified,<sup>1</sup> Council may reconvene to formally adjourn, if appropriate. If action is required, the Council may not take action until the specified time has lapsed.

c. At the conclusion of the executive session, if appropriate, the public meeting will reconvene to formally adjourn the meeting, for taking action on the item resulting from the executive session if properly noticed, or to continue the meeting.

**2.6 Council Contact Outside an Official Meeting.** Generally, Councilmembers have the same freedoms of association as any other citizen. Councilmembers must take great care when present at the same social, unofficial

functions, or in any public setting to refrain from engaging in any activity which could be interpreted as de facto deliberation or action on a matter of city business.

### **3. Conduct of Meetings**

**3.1 The Mayor - Election.** The Mayor shall act as the presiding officer of the Council and shall be elected biennially at the first meeting of a new Council by the members from their membership, or otherwise when there is a vacancy in the position. The Mayor shall assume the chair immediately after his or her election. In the absence of the Mayor, the Mayor pro tempore shall act as the presiding officer. In the absence of both the Mayor and Mayor pro tempore, the Council shall elect a presiding officer to preside over the meeting or to act for the Mayor in his or her absence.

**3.2 Call to Order.** The presiding officer shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence of the Mayor and the Mayor pro tempore, the City Clerk or his or her assistant shall call the Council to order, whereupon a temporary presiding officer shall be elected by the members of the Council present. Upon the arrival of the Mayor or Mayor pro tempore, the temporary presiding officer shall immediately relinquish the chair upon the conclusion of the business immediately before the council.

**3.3 Preservation of Order.** The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, as set forth by Rules 6 and 7. The presiding officer may request the Sergeant-at-Arms to enforce actions consistent with this rule pursuant to Rule 7.4.

**3.4 Points of Order.** The presiding officer shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be "Shall the decision of the Presiding Officer be sustained?"

**3.5 Questions to be Stated.** The presiding officer shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject to, however, an appeal to the Council, in which

event a majority vote of the Council shall govern and conclusively determine such question of order. A roll call vote may be taken on any question.

3.6 **Mayor - Powers.** The Mayor shall vote on all questions, his or her name being called last. He or she shall sign all ordinances and resolutions adopted by the Council during his or her presence. In the event of the absence of the Mayor, the Mayor pro tempore or presiding officer shall sign ordinances or resolutions as then adopted.

3.7 **Reading of Minutes.** Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the Clerk has previously furnished each member with a copy of the minutes.

**4. Order of Business and the Agenda.** All meetings of the Council shall be open to the public. Promptly at the hour specified herein on the date of each regular meeting, the members of the Council, the City Clerk, City Attorney, and City Manager shall be present for the meeting and the business of the Council shall be taken up for consideration and disposition in the following order:

**4.1 Flag Salute.**

**4.2 Call to Order - Roll Call.** The presiding officer calls the meeting to order and will announce the attendance of Councilmembers, indicate any Councilmember who is not in attendance and whether the Councilmember has requested an excused absence. Excused absences will be handled as stated in Rule 1.4.

**4.3 Proclamations.** A proclamation is defined as an official announcement made by the Mayor. It is the policy of the City Council for the Mayor to consider requests to proclaim certain events or causes when such proclamations pertain to a City of Ellensburg event, person, organization, or cause with local implications. The Mayor will consider requests that are timely, have potential relevance to the Ellensburg community, and either forward positive messages and/or call upon the support of the community. The Mayor will choose proclamations to read at a Council meeting subject to the following guidelines. The Mayor may act on requests for proclamations without a vote of the City Council. In addition:

a. The person(s) or organization making the request must submit a completed Application Requesting a City Proclamation and submit a copy of the proposed Proclamation to the City Clerk's office at least thirty calendar days before the proclamation is desired.

b. The sponsor must be a city resident.

c. Proclamations must have citywide significance and demonstrate relevancy to Ellensburg.

d. Proclamations should have a positive message and should not promote political, ideological or religious positions.



e. The Mayor shall not recognize groups or individuals who seek economic benefit by endorsement or for-profit commercial events or endeavors.

f. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations. The proclamation shall not exceed one page of text.

g. The Mayor may consult with City Boards, Commissions or other subject matter experts when considering appropriate proclamation language.

h. The Mayor retains the right to limit the number of proclamations at a City Council meeting.

i. The Mayor, in consultation with the City Manager and City Attorney, will determine if the proposed proclamation meets the intent of this policy.

j. Unless otherwise directed by the Mayor, the full text of a proclamation will not be read aloud at a City Council meeting.

#### **4.4 Awards and recognitions.**

#### **4.5 Approval of regular agenda.**

a. The presiding officer may, with the concurrence of the Councilmembers by majority vote, take agenda items out of order. The agenda may be amended upon majority vote of the Councilmembers.

b. Because adoption of any item on the consent agenda, as provided in Rule 4.6, implies unanimous consent, any member of the Council shall have the right to remove any item from the consent agenda. Therefore, prior to the vote on the motion to adopt the regular agenda, the presiding officer shall inquire if any Councilmember, or any member of the public with concurrence of a Councilmember wishes an item to be withdrawn from the consent agenda. If an item is withdrawn, it shall be placed at an appropriate place on the regular agenda for the current or a future meeting, to be followed by a motion to approve the regular agenda, as amended, by the item's removal from the consent agenda.

**4.6 Consent agenda.** The consent agenda is designed to contain items which are of a routine and non-controversial nature, including, but not limited to the following:

minutes from Council, commission, and committee meetings; excused absence requests from Councilmembers; letters of resignation; approval of appropriations; resolutions which do not involve significant policy issues; routine contracts; labor agreements; and certain administrative actions, such as consideration of banner requests and such other items as may be requested for inclusion by Council or by the City Manager and approved by Council. Any and all items on the consent agenda are approved by single motion and vote of the City Council.

4.7 **Petitions, protests, and communications.**

4.8 **Citizen comment on non-agenda issues.**

4.9 **Business requiring public hearings.**

4.10 **Introduction and adoption of resolutions and ordinances.**

4.11 **Unfinished business.**

4.12 **New Business.**

4.13 **Miscellaneous.**

4.14 **Executive session.**

4.15 **Adjournment.** The presiding officer shall adjourn Council meetings upon the conclusion of the agenda.

## **5. Agenda Preparation**

**5.1 Preparation.** The City Clerk will prepare an agenda packet for each Council meeting and work session specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review and approval by the City Manager and Mayor (or Mayor pro tempore when acting in the absence of the Mayor), either of whom may add or delete any proposed agenda item for reasons of ensuring council meeting efficiency or for reasons that are in the best interests of the City.

**5.2 Placement of Agenda Items.** An item may be placed on a Council meeting agenda by any of the following methods: 1) approval of the City Manager; 2) approval of the Mayor; 3) upon request of any Councilmember prior to preparation of the agenda; or 4) upon request of any Councilmember and approval by majority vote during the Councilmember Reports portion City Council meetings, in which case the item shall be placed on the agenda for the next regular Council meeting.

**5.3 Completion.** Agenda items will be completed by the appropriate City department staff and submitted to the City Clerk for finalizing by 10 a.m. on the Wednesday prior to the following Council meeting. The “agenda report” form will be used for all items submitted for a meeting agenda of committees, regular or special meetings, and work sessions.

**5.4 Availability.** An agenda shall be prepared and provided to the Council and available to the public on the Thursday prior to each meeting. Public availability shall include posting on the City website, distribution by email to an established mailing list and copies provided in the City Hall and Ellensburg Public Library lobbies.

**5.5 Agenda Retention.** The City Manager will prepare and keep current a calendar of agenda items for all Council regular and special meetings, work sessions, and committee meetings.

## **6. Comments and Debates of the Council**

**6.1 Rules of Debate.** Presiding Officer May Debate and Vote. The Mayor, or such other member of the Council as may be acting as presiding officer, may move, second and debate from the chair, subject only to such limitations of debate imposed by these rules on all members. Neither the Mayor nor any Councilmember shall be deprived of any of the rights and privileges of a Councilmember by reason of his or her acting as the presiding officer.

**6.2 Getting the Floor- Improper References to be Avoided.** Every Councilmember desiring to speak shall address the presiding officer and, upon recognition, shall confine his or her comments to the question under debate, avoiding all personalities and indecorous language.

**6.3 Interruptions.** A Councilmember, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or as herein otherwise provided. If a Councilmember, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and, if in order, he or she shall be permitted to proceed.

**6.4 Courtesy.** All staff and Councilmembers during the discussion, comments, or debate of any matter or issue, shall address their remarks to the presiding officer, be courteous in their language and deportment, and shall not discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant to the question or matter under discussion.

**6.5 Privilege of Closing Debate.** The Councilmember making the motion shall have the privilege of closing the debate.

**6.6 Motion to Reconsider.** A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding regular meeting. It may be seconded by any member and may be made at

any time and have precedence over all other motions or while a member has the floor and shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.

**6.7 Remarks of Councilmember - When Entered in Minutes.**

A Councilmember may request, through the presiding officer, the privilege of having an abstract of his or her statement on any subject under consideration by the Council entered in the minutes. If the Council consents to the request, the statement shall be entered in the minutes.

**6.8 Synopsis of Debate - When Entered in Minutes.** The Clerk may be directed by the presiding officer, with consent of the Council, to enter a synopsis of the discussion on any question coming before the Council into the minutes.

## **7. Duties and Privileges of Citizens**

**7.1 Meeting Participation and Addressing the Council.** Members of the public are welcome at all Council meetings and are encouraged to provide comments and testimony on matters including agenda items, non-agenda items, and public hearings prior to the deliberations of the Council. Any person desiring to address the Council shall adhere to the rules below:

a. Speakers may not identify themselves as candidates for elective public office or make any statements which assist or discuss the campaign of a candidate for elective office or discuss or campaign for or against a ballot proposition.

b. All remarks shall be addressed to the Council as a body and not to any individual member thereof. No question shall be asked of a Councilmember or staff except through the presiding officer.

c. Council meetings are considered a “limited public forum” which means the time, place and manner of speech can be regulated. At any time, the Presiding Officer, in their sole discretion, may set such reasonable limits, or terminate that individual's comment period, as necessary to prevent disruption or undue delay of other necessary business, or due to the person's violation of the Council's Rules for public participation.

d. Prior to speaking, members of the public shall first obtain recognition by the presiding officer by raising their hand for in-person attendance and “virtual hand” if remotely attending the meeting, and once recognized shall state their name, whether they live in the City of Ellensburg, Kittitas County, or elsewhere, and whether they are speaking as an individual or in a representative capacity. An address may be required when providing public comment for specific instances when needed for staff to contact the speaker, such as public hearings.

e. When addressing the Council, members of the public are urged to speak in an audible and articulate tone of voice for the record.

**7.2 Public Comment on Matters Before the Council.** Members of the public may address the Council on any matter which concerns the City's business or over which the Council has control during the comment portion of the agenda item subject to the following:

a. Agenda Items.

1. Members of the public may comment on items on the City Council agenda when required under the Washington Open Public Meetings Act, Chapter 42.30 RCW (as indicated on the agenda page), and which are not adjudicatory or administrative in nature. The City Council Agenda page shall state which items allow for public comment.

2. Members of the public shall limit their remarks to three (3) minutes unless additional time is granted by the presiding officer.

b. Non-Agenda Items.

1. Members of the public wishing to speak are requested to sign a register maintained by the City Clerk in advance of the Council meeting or raise their "virtual hand," as directed, if attending the meeting remotely. Members of the public wishing to speak using the City's remote meeting platform for public comment under this subsection must: 1) register to attend the meeting remotely by no later than 24 hours prior to the start of the meeting; and 2) provide a description 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.

2. Members of the public may address the Council on any matter not on the agenda which concerns the City's business or over which the Council has control, and must state the topic(s) upon which they wish to speak before addressing the Council if they have not done so in the City Clerk's register. The presiding officer has authority to silence the microphone of any speaker who refuses to clearly identify their comment topic or when the proposed topic(s) does not concern the City's business or is not one over which the Council has control.

3. Members of the public shall limit their remarks to three (3) minutes. Time may not be shared between members of the public in order to speak longer than three (3) minutes each.

4. No action will be taken by the Council at the meeting during which the subject is introduced.

5. The total time allocated for comments on non-agenda items is thirty (30) minutes for all speakers. The total time may be extended, and/or additional time allocated at the end of the Council agenda (before Adjournment), upon vote of the Council.

c. Public Hearings.

1. For legislative hearings, any member of the public may comment or provide testimony.

2. For quasi-judicial or appeal hearings, comments will be limited to persons who participated in the proceedings prior to the City Council public hearing, as established by the record below.

3. Members of the public shall limit their remarks to five (5) minutes unless additional time is granted by the presiding officer.

d. “Out of Order” Comments and Enforcement. Any person engaging in conduct that disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting, including but not limited to: unduly repetitive or irrelevant remarks; use of intimidating, threatening, or abusive language; disobedience of an order to be seated or to discontinue further comments; and/or engaging in violent behavior, will be deemed out of order and may, at the discretion of the presiding officer or upon a majority vote of the Council, be removed from the Council Chamber and/or have his or her virtual microphone muted.

**7.3 Written Communications.** Interested parties, or their authorized representatives, may address the Council through written communications, including email, in regard to matters under discussion. Communication should be directed to the



City Clerk or to Councilmembers directly.

7.4 **Designation of Sergeant-at-Arms.** The presiding officer may designate the Chief of Police or such member of members of the Police Department as a Sergeant-at-Arms for the purpose of maintaining order and decorum at Council meetings. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings.

8. **Council Actions.** The following actions may be considered at Council meetings:

8.1 **Ordinances.** “Ordinances” are legislative acts or local laws. They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance.

8.2 **Resolutions.** “Resolutions” are adopted to express Council policy or to direct certain types of administrative action. They have the same effect as a motion, but in a written form. A resolution may be changed by adoption of a subsequent resolution.

8.3 **Motions.** “Motions” are official Council actions which do not require prior documentation in writing. They often are the Council authorizing action (e.g., signing an agreement by the Mayor) or to provide direction to staff to prepare an item for future consideration.

8.4 **Protests of Council Action.** Any Councilmember shall have the right to have the reasons for his or her dissent from, or protest against, any action of the Council entered in the minutes.

## **9. Ordinances, Resolutions and Motions.**

**9.1 Preparation of Ordinances.** All ordinances shall either be prepared by or submitted to the City Attorney for review prior to presentation to the Council.

**9.2 Prior Review by Administrative Staff.** All ordinances and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been reviewed for administration by the City Manager or the Manager's authorized representative, where there are substantive matters of administration involved.

### **9.3 Introducing for Passage or Approval.**

a. Ordinances, resolutions, and other matters or subjects requiring action by the Council must be introduced and sponsored by a member of the Council; provided, however, such items may be presented to the Council by the City Manager or City Attorney, or such City staff as may be designated by the City Manager. Any Councilmember may assume sponsorship of an item of business submitted by the City Manager or City Attorney by moving that it be introduced; otherwise, the item shall not be considered.

b. No ordinance shall be put on its final passage on the same day on which it was introduced unless this rule is waived as provided by Rule 9.7 and not otherwise prohibited by state law from final passage in a single meeting. Where such a motion to waive this Rule 9.3(b), as provided in Rule 9.7, is approved, the ordinance may then be adopted through a single reading followed by a roll call vote.

c. All ordinances shall have two separate readings, each of which readings may be accomplished by a reading of the title paragraph only: provided, however, any or all of the readings may be required to be accomplished by a reading of the full text of the proposed ordinance if the rules are waived as provided by Rule 9.7 to require such readings of the full text. When such a reading of the full text is required, upon a vote of a majority of the Council members present, it shall not be necessary to read excessive detail set forth in a particular ordinance, including but not limited to legal

descriptions of land areas, and in lieu thereof an oral statement summarizing the contents so omitted may be made by the presiding officer, or by the City Clerk or other recording secretary if so directed by the presiding officer.

d. No ordinance shall relate to more than one subject and that subject shall be clearly summarized in its title paragraph. No ordinance or section thereof, or City Code section, shall be amended unless the title paragraph of the amendatory ordinance indicates that the ordinance, or a part thereof, is amendatory.

e. The vote on amendments to a proposed ordinance may occur at any time prior to its final adoption; provided, that in the case of any ordinance which under state law cannot be adopted at the same meeting in which it is introduced, the ordinance as amended shall not be finally voted upon until the next regular council meeting.

f. All ordinances introduced for the purpose of amending, in whole or in part, any existing City Code title, chapter, section, or subsection, shall state the number of such provisions, together with a reference to the ordinance or ordinances and the sections thereof from which the code provisions were most recently codified. Any such amendatory ordinances shall state how the pertinent City Code provisions shall be amended to read thereafter, and any so stated amended language of any such code provisions shall be deemed and shall constitute sufficient compliance with any other statutory or ordinance requirement that all ordinances, or sections or subsections thereof be set forth in full.

**9.4 Resolution.** A resolution may be approved on the same day it is introduced. While it is not necessary to have the title of a resolution read aloud, Council may invoke the two reading procedures described above to facilitate public understanding and/or comment on the resolution. If Council invokes the two reading procedures, a Councilmember may request that the entire resolution or certain sections be read, and such request shall be granted and the City Clerk shall read as requested.

## 9.5 **Voting and Motions.**

a. **Consensus Voice Votes.** When a formal motion is not required on a Council action or opinion, a consensus voice vote will be taken except that any Councilmember may require the vote of each Councilmember be recorded. The presiding officer will state the action or opinion. The Council as a group will indicate concurrence or non-concurrence. Silence of a Councilmember during a voice vote shall be recorded as a vote with the prevailing side, except where such a Councilmember abstains because of a stated conflict of interest or appearance of fairness.

b. **Motions.** No motion shall be entertained or debated until duly seconded and announced by the presiding officer. The motion shall be recorded and, if desired by any Councilmember, it shall be read by the Clerk before it is debated and, by the consent of the Council, may be withdrawn at any time before action is taken on the motion.

c. **Votes on Motions.** Each member present shall vote or abstain on all questions put to the Council except on matters in which he or she has a conflict of interest. If a conflict of interest exists for a councilmember, such member shall announce their conflict and abstention from voting prior to any discussion of the matter, and shall be prohibited from participating in discussion of the matter. A roll call vote shall be taken on the adoption of all ordinances and on motions to suspend rules. The order of voting shall be alphabetically according to the surnames of the Council members, except that the presiding officer shall vote last.

d. **Abstention from Vote.** Any Councilmember who abstains from voting will not have his or her abstention counted or tallied with the votes of the Council on the question or matter under consideration, which must pass by a majority of those Councilmembers who voted.

9.6 **Filing with Clerk.** All reports, petitions, ordinances and resolutions shall be filed with the Clerk and entered into the minutes.

9.7 **Waiver of Rules/Effect.** Except as otherwise provided by law, any rule established by this chapter may be waived upon an affirmative vote of five members of the City Council. No action taken by a Councilmember or by the Council, which is not in compliance with these rules but which is otherwise lawful, shall invalidate such Councilmember's or Council action, or be deemed a violation of the oath of office, misfeasance or malfeasance. These rules do not grant rights or privileges to members of the public or third parties.

## **10. Creation of Committees, Boards and Commissions.**

**10.1 Citizen Committees, Boards and Commissions.** The Council may create committees, boards and commissions to assist in the conduct of the operation of city government with such duties as the Council may specify consistent with the Ellensburg City Code.

**10.2 Types of Committees.** There shall be two types of committees in the City of Ellensburg:

a. Standing Committees. Such committees are established to conduct business delegated by the legislative body and may be authorized by either state statute or city ordinance. An example would be the Utility Advisory Committee.

b. Citizen Advisory Committees. Such committees are formed to promote citizen participation on a particular subject and provide guidance on community views on a subject.

c. Special Committees. All special committees shall be appointed by the presiding officer, unless otherwise directed by the Council.

**10.3 Membership and Selection.** Membership and selection of members shall be as provided by the Council if not specified otherwise in the Ellensburg City Code or state law. The Mayor makes all other appointments, subject to confirmation by the City Council, at an open public meeting. No committee so appointed shall have powers other than advisory to the Council or to the Mayor except as otherwise specified in the Ellensburg City Code or state law. City Council seeks to create diverse and inclusive committees, boards and commissions, and strives to ensure that such committees, boards and commissions are representative of the entire Ellensburg community.

**10.4 Attendance.**

a. An aggregate of five absences for any committee, board or commission member per calendar year will be permitted. An excess of five unexcused absences may result in the member forfeiting his or her office, subject to the provisions of Rule 10.5.

b. No more than three consecutive member unexcused absences from regularly scheduled meetings will be permitted, with any excess absences resulting in potential forfeiture of office, subject to the provisions of Rule 10.5, unless such consecutive absences are excused by the board or commission in an open public meeting.

**10.5 Removal of Members of Committees, Boards and Commissions.** A committee, board or commission may, by majority vote, recommend to the city council that an appointed member be removed for reasons stated in Rule 10.4 or any other reasonable grounds that include, but are not limited to inefficiency, neglect of duty, or an unlawful act. Council shall consider the recommendation as provided in ECC 1.12.060.

**10.6 Formal Reports of Committee, Boards and Commission.** All committees, boards and commissions shall make their formal reports in writing.

**10.7 Council Liaisons to Committees, Boards and Commissions.**

a. Councilmembers may be assigned as liaisons to City Committees, Boards and Commissions on a voluntary basis.

b. Council liaisons shall serve for the purpose of providing a constructive relationship between the City Council and the advisory body without implying direction, review, or oversight of the activities of the advisory body. In general, liaisons should not participate in committee, board or commission meetings where they serve a liaison, and must exercise particular care when attending quasi-judicial public hearings to avoid an Appearance of Fairness doctrine violation.

c. This Rule shall not limit a Councilmember's full participation as a member of a committee, board or commission that was not created by the City.

**10.8 Hybrid Meetings.** Unless otherwise prohibited by legislative or governor's proclamation/order, or other emergency order, all committee, board and commission meetings shall be held both in-person at a City-owned facility and hosted remotely through videoconferencing technology. Committee, board and commission members shall be allowed to any meeting remotely as provided in ECC 1.12.100.



Committee, board or commission members attending a meeting remotely must keep their video camera turned on during the meeting unless they are unable to do so because of technical infeasibility (e.g., poor or no internet connection, no video camera available, etc.).

## **11. Internet & Electronic Resources - Equipment Use.**

**11.1 Policy.** It is the policy of the City Council that Internet and electronic resources equipment use by Councilmembers shall conform to and be consistent with the requirements of City of Ellensburg Personnel Policies Manual Section 9.6, "COMPUTER SYSTEM, INTERNET AND E-MAIL USE POLICIES," adopted hereby and incorporated herein by this reference.

**11.2 Use of Electronic Communication and Internet during Council Meetings.** Councilmembers will avoid accessing, responding to, or sending any electronic message (text, e-mail, instant message, social media etc.) during Council meetings, whether such communication involves a citizen or other Councilmember. Such communication could be construed as inviting or receiving public comment, or engaging in a non-public discussion, regarding Council business, which should be conducted in an open meeting. Likewise, Councilmembers will avoid any browsing of the Internet of non-City business during Council meetings in order that Council's full attention can be given to the topic at hand.

**11.3 Public Records.** All letters, memoranda, interactive computer communication or other forms of electronic communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with exceptions stated by the Public Records Act (Ch. 42.56 RCW), are public records.

**11.4 Open Public Meetings.** In most cases, the Washington Open Public Meetings Act (OPMA) applies to electronic communications, which can include e-mail, instant messaging, texting or other methods that allow electronic interaction. Interactive e-mail or text discussions among a quorum of a governing body, whether shared concurrently or serially, regarding a matter which will come to the body for a vote is a "meeting" under the OPMA. The same result would apply to an interactive discussion among a quorum of Councilmembers conducted in any electronic format. Further,

electronic communication should not be used to form a collective decision of the Council.

**11.5 Public Records and Open Public Meetings Act Training.** All newly elected or appointed Councilmembers shall complete basic training in public records and the Open Public Meetings Act (OPMA) within 90 days of taking the oath of office. Refresher training must be taken no later than every four years thereafter.

**11.6 The Appearance of Fairness Doctrine.** The Appearance of Fairness Doctrine applies if an electronic communication to or from the Mayor or Councilmembers relates to a quasi-judicial matter that will come before Council for a decision (e.g., appeals from land use hearing examiner decisions). As with any ex parte communication about a quasi-judicial matter, the Mayor or Councilmember who receives the e-mail should:

- a. Advise the sender that on advice of the City Attorney, he or she may not comment outside a public meeting on a pending matter before Council and that the sender's e-mail will be included in the public record on the matter.
- b. Immediately forward the communication to the City Manager for inclusion in the public record of the matter.
- c. Disclose on the record in the public hearing or meeting on the matter that the communication has been received and is in the record.

**11.7 Electronic Communications.**

a. Electronic communication should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other confidential City business. In general, electronic communication is discoverable in litigation, and even deleted electronic communication is not necessarily removed from the system. Confidential electronic communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

b. As a cautionary note, if an elected public official uses his or her personal home computer to send electronic communications dealing with City business, the electronic communications and electronic records may be subject to discovery demands and public disclosure requests. That possibility amplifies the need for caution in how one uses electronic communication for City business.



Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Resolution 2025-18 - Adoption of the Public Participation Plan for the 2026 Comprehensive Plan Periodic Update (Public Comment Opportunity)

**Submitted by:** Stacey Henderson, Planning Manager

**Department:** Community Development

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**Suggested Motion/Action:**

Move to adopt Resolution 2025-18 adopting the Public Participation Plan for the 2026 Comprehensive Plan Periodic Update.

**Background/Summary:**

The Growth Management Act (GMA) refers to a series of statutes first adopted in 1990 that require, among other things, participating jurisdictions to develop and update a Comprehensive Plan to manage growth. This plan serves as the guiding document for decisions and regulations for our jurisdiction. Through a series of Goals, Objectives, and Policies, the Comprehensive Plan provides a vision in which to structure future actions to achieve a planned result.

Under the GMA, fully-planning cities such as Ellensburg are required to conduct a thorough periodic update of their comprehensive plan and development regulations that implement the plan. Periodic updates are a chance for a jurisdiction to reassess priorities and goals to ensure the plan remains a current reflection of community will and circumstances. In addition to this, the Department of Commerce provides a checklist for these updates to implement required State changes and ensure every update reflects State-wide initiatives and legislation. Ellensburg's periodic update is due December 31, 2026. Future periodic updates will be required every ten years.

The Comprehensive Plan periodic update is a significant project. It will require revisions to the existing chapters and the required addition of a new climate resiliency chapter. This update process requires planning for future population growth, industry, housing, transportation needs, and economic growth, among other aspects of planning City Infrastructure. In order to accurately reflect community goals, a robust public participation plan and continuous community outreach will be necessary throughout the update process. This is an opportunity for our community to focus on common goals and visions. Staff will utilize community input, state guidance, the best available data, subject experts, and commission and City Council input, to create a product that reflects the community vision and meets the requirements of the Growth Management Act.

**Previous Council Action:**

City Council adopted Ordinance No. 4785, "Imagine Ellensburg 2037," which was the last

periodic update to the Comprehensive Plan on December 18, 2017. Annual amendments to the Comprehensive Plan have also been adopted, most recently by Ordinance 4946 adopted on October 24, 2024. In addition, staff presented this public participation plan to Council at the September 2, 2024 study session, requesting review and feedback.

**Analysis:**

GMA requires that cities establish and broadly disseminate a public participation plan identifying procedures providing for early and continuous public participation in the development and amendment of the Comprehensive Plan and development regulations implementing the plan. The public participation plan must provide for broad circulation of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. Staff has prepared the attached public participation plan for the 2026 Comprehensive Plan Periodic Update, outlining the overall public outreach goals for this project.

**Financial Impact:**

N/A

Budget Adjustment: No

**Attachments:**

1. Resolution 2025-18 Adopting 2026 Comprehensive Plan Periodic Update Public Participation Plan
2. Exhibit A - 2026-2046 Comprehensive Plan Periodic Update Public Participation Plan

**RESOLUTION NO. 2025-18**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG  
ADOPTING THE PUBLIC PARTICIPATION PLAN FOR THE 2026 COMPREHENSIVE PLAN  
PERIODIC UPDATE.**

WHEREAS, the Washington State Growth Management Act (GMA) of 1990, Chapter 36.70A RCW, established statewide goals, guidelines and procedural requirements to guide the development and amendment of comprehensive plans; and

WHEREAS, in order to implement the goals of the GMA, the City of Ellensburg adopted a 2017 Comprehensive Plan Periodic Update (Ordinance 4785) with appropriate public notice, involvement, and environmental review; and

WHEREAS, RCW 36.70A.130(5)(b), as amended by SSB 5558 (2025), requires the city to review and revise its Comprehensive Plan by December 31, 2026; and

WHEREAS, RCW 36.70A.140 requires the City to “establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans”; and

WHEREAS, the City of Ellensburg developed a public participation plan specific to the 2026 Comprehensive Plan Periodic Update Process to notify the public of the approximate timing and procedures the city will use to ensure early and continuous public participation in the 2026 update process; and

WHEREAS; City Council held a study session on September 2, 2024 for a preliminary review of the proposed public participation plan; and

WHEREAS, the public participation plan is intended to be a fluid document and may be adjusted over time if needed; and

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

**Section 1.** The City Council hereby adopts the Public Participation Plan for the 2026 Comprehensive Plan Periodic Update, attached hereto in Exhibit A.

ADOPTED by the City Council of the City of Ellensburg this 7<sup>th</sup> day of July, 2025.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk



## City of Ellensburg 2026 – 2046 Comprehensive Plan Periodic Update Public Participation Plan

### A. Introduction

The City of Ellensburg is starting a multi-year review of its comprehensive plan, known as the Comprehensive Plan Periodic Update. To be compliant with state law, this update is due for final adoption by December 31, 2026. The periodic update will establish a direction for the City for the next 20 years. Communities planning under the Washington State Growth Management Act (GMA) are required to periodically update their Comprehensive Plan and development regulations to ensure consistency with:

- Changes to State law
- Land use changes
- Population growth projections
- Housing projections

This document describes a proposed plan for public engagement with the community members of the City of Ellensburg during this periodic update.

Ellensburg adopted its first Comprehensive Plan in 1975. The plan has been updated annually and periodically, with the last periodic update of the City's comprehensive plan completed in 2017. These updates set the stage for City policies surrounding land use, zoning, economic development, public services and utilities, environmental protection, and natural resource management.

The plan guides policies associated with:

- Population growth
- Economic development
- Housing
- Future land use
- Employment growth
- Natural resource protection
- Infrastructure projects
- General development for the next 20 years
- Climate resilience
- Recreation and open space

The update to this plan is expected to continue now through December of 2026, with multiple opportunities for public input and feedback.



## **B. Objectives**

The City of Ellensburg seeks to listen to varied and nuanced voices in the community to determine qualities and vision for the future. In this effort we will provide a variety of methods and opportunities for community members to learn about the plan and participate in shaping the vision as the periodic update to the plan evolves.

Some of the objectives include:

- Communicate to the community with timely, engaging, easy to understand, and accurate information.
- Educate the public as to the Growth Management Act, the planning process, and data relevant to the periodic update.
- Involve the community in the identification, refinement, and prioritization of policy updates needed to guide growth and development in Ellensburg over the next 20 years.
- Ensure that community members have an opportunity to provide input on decisions related to the Comprehensive Plan update and understand how their feedback is incorporated into plans and development of regulations.
- Reach a broad and diverse range of community members and use communication strategies designed to encourage engagement of historically underrepresented community members.

## **C. Community Members and Interested Groups**

This update will be a city-wide effort that will seek engagement with a broad and inclusive range of residents, community groups, public and private agencies, business and educational groups, and other Stakeholders as described in the table below. Public participation is a necessary and important part of the planning process and includes multiple opportunities for community members to meet with city staff and officials to discuss and develop ideas for the future.

Public participation opportunities will begin early in the process and continue throughout development of the plan. The city will utilize multiple strategies for engagement to ensure a variety of values and viewpoints are brought into the decision-making process. The goal is to build trust and mutual understanding between the City and the community by endeavoring to create a plan that is truly reflective of the varied interests and visions found in the City of Ellensburg.

Decisions about land use, environmental resources, transportation, economic development, and other topics addressed in the plan do not impact all people in the same way. In addition to traditional outreach methods and channels, staff/consultant will make an effort to seek out those voices that are historically underrepresented in the planning process. The hope is that this effort will result in a plan that is in tune with a wider range of knowledge and experiences than has historically been achieved.

| Interest Area/Organization Type                       | Organization Name                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Elected and Appointed Officials                       | <ul style="list-style-type: none"> <li>• City Council</li> <li>• Planning Commission</li> <li>• Affordable Housing Commission</li> <li>• Arts Commission</li> <li>• Diversity, Equity, Inclusion Commission</li> <li>• Environmental Commission</li> <li>• Landmarks and Design Commission</li> <li>• Parks and Recreation Commission</li> <li>• Public Transit Advisory Committee</li> <li>• Utility Advisory Committee</li> </ul> |
| Tribal Nations                                        | <ul style="list-style-type: none"> <li>• Yakama Nation</li> </ul>                                                                                                                                                                                                                                                                                                                                                                   |
| Business and Employers                                | <ul style="list-style-type: none"> <li>• Kittitas County Chamber of Commerce</li> <li>• Ellensburg Downtown Association</li> </ul>                                                                                                                                                                                                                                                                                                  |
| Community Based Organizations & Service Organizations | <ul style="list-style-type: none"> <li>• HopeSource</li> <li>• Kittitas Valley Health Network</li> <li>• Goodwill</li> <li>• Kittitas Valley Healthcare (KVH)</li> <li>• Court Advocates for Children of Kittitas County (CASA)</li> </ul>                                                                                                                                                                                          |
| Environmental Advocacy                                | <ul style="list-style-type: none"> <li>• Kittitas Environmental Education Network</li> <li>• Mid-Columbia Fisheries</li> <li>• Kittitas County Conservation District</li> <li>• Kittitas Conservation Trust</li> <li>• Kittitas Reclamation District (KRD)</li> <li>• Cascade Irrigation District</li> <li>• Ellensburg Water Company</li> <li>• West Side Irrigation Company</li> </ul>                                            |
| Education                                             | <ul style="list-style-type: none"> <li>• Central Washington University</li> <li>• Ellensburg School District <ul style="list-style-type: none"> <li>○ Ellensburg High School</li> <li>○ Morgan Middle School</li> <li>○ Ida Nason Aronica Elementary</li> <li>○ Lincoln Elementary</li> <li>○ Mount Stuart Elementary</li> <li>○ Valley View Elementary</li> <li>○ Early Learning Center</li> </ul> </li> </ul>                     |
| Builders/Developers/Property Owners                   | <ul style="list-style-type: none"> <li>• Local Builders and Developers</li> <li>• Central Washington Homebuilders</li> <li>• Habitat for Humanity</li> <li>• Kittitas County Association of Realtors</li> <li>• Homeowner Associations</li> <li>• Property Owners</li> </ul>                                                                                                                                                        |
| Transportation                                        | <ul style="list-style-type: none"> <li>• Ellensburg Central Transit</li> <li>• Washington State Department of Transportation</li> </ul>                                                                                                                                                                                                                                                                                             |

|                                   |                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Regulatory Agencies               | <ul style="list-style-type: none"> <li>• Washington State Department of Health</li> <li>• Washington State Department of Commerce</li> <li>• Washington State Department of Ecology</li> <li>• Washington State Department of Fish &amp; Wildlife</li> <li>• Washington State Department of Natural Resources</li> <li>• Kittitas County</li> </ul> |
| Faith-Based Organizations         | <ul style="list-style-type: none"> <li>• Kittitas Valley Ministerial Association</li> </ul>                                                                                                                                                                                                                                                         |
| Utilities and Contracted Services | <ul style="list-style-type: none"> <li>• Kittitas Valley Fire and Rescue</li> <li>• Kittitas PUD</li> <li>• Puget Sound Energy</li> <li>• KITTCOMM</li> </ul>                                                                                                                                                                                       |

#### **D. Communication Methods**

Community Development will initiate a community-wide open house to kick off the periodic update and to collect insight regarding community members' preferred communication methods. Engagement strategies will employ multiple communication methods to broadly reach members of the community, including:

#### **Project Branding – Ellensburg 2046**

Development of a Comprehensive Plan update brand for the City aims to create an inviting and authentic identity that captures the community's attention and encourages active engagement. The goal is to design a brand that reflects both the City's current character and its future vision. This project brand will signal to Ellensburg residents an opportunity to envision the future of Ellensburg while fostering engagement and emphasizing a commitment to staying rooted in the community. The package will include a project logo, name, and typography as an easy way to identify the project's communication while ensuring it is accessible and flexible. This project brand will be complementary to the current City of Ellensburg branding and is only intended to be utilized for the 2026 – 2046 Comprehensive Plan Update.

#### **Print Materials**

Printed materials such as mailers, factsheets, flyers, and postcards will be used to share project information, timelines, and announcements about engagement activities and public events related to the comprehensive planning process. The materials will utilize the project brand and will be written in plain language to be easy to digest and understand. Initial materials will include a 2026 – 2046 Comprehensive Plan Update flyer that describes the process, timeline, and ways to connect with project staff, and provide comments or questions. Topic specific materials may be created to further explore middle housing, climate, or other technical aspects. Printed materials will be distributed through in-person engagement activities or postal mail channels. They can also be linked as digital copies on the project website or social media sites.

#### **Digital Materials**

Digital materials encompass information shared via digital channels, such as the project website, social media posts, and online open houses. Digital materials will be used in addition to print materials to ensure we are reaching the broadest possible range of the community. A project webpage will be created to host information specific to the 2026 – 2046 Comprehensive Plan Update as part of the City's website. Existing City social media channels include Facebook, X, Instagram, and YouTube.

Digital materials will be linked in email distributions, on the City's social media accounts, or through the

website and can be made accessible through screen readers and translated via online translation services. Digital content may also include paid advertising boosts that are targeted to specific online communities or groups.

A key component of the digital outreach includes use of a community engagement platform that will serve as a project hub, and which will allow for interactive engagement with the public through use of surveys and dissemination of information.

## **Media**

The City will utilize media releases and outreach to announce the project milestones and to advertise key opportunities for public participation. Communication channels may include The Daily Record, KXLE Radio, Ellensburg Community Radio, City newsletters, City utility bills, and other local publications.

## **Comment Forms**

The public will be able to submit comments and questions specific to the 2026 – 2046 Comprehensive Plan Update via an online comment form on the 2026 – 2046 Comprehensive Plan Update webpage. Comments will also be accepted via written formats such as emails or hand-written letters. Printed comment forms will be available at engagement events. Comments and summaries of engagement events will be tracked in a communication database and summarized as part of the community engagement summary and distributed to decision makers at key milestones in the process.

## **Email Communication**

Email distribution lists maintained by the City in addition to a contact list developed as part the engagement program for the 2026 – 2046 Comprehensive Plan update will be used to distribute periodic emails with project updates, or to announce upcoming engagement opportunities.

## **Language Translation**

Printed materials will be available in translated languages upon request. Translators and ASL interpreters will be available upon request at in-person meetings or events. Information for how to request translated materials or an interpreter will be included on printed mailers and flyers.

## **Public Noticing Requirements**

Public notices for all engagement activities associated with the Comprehensive Plan Update will conform to existing public noticing requirements for the City of Ellensburg.

## **E. Public Involvement Opportunities**

### **Digital and Social Media**

Community Development will utilize the city web presence to advertise the various public input opportunities described below. Through the city website and social media accounts, the public will be informed of participation opportunities as well as the status of the update as it evolves. Community Development will utilize the existing Comprehensive Plan web page to keep the public informed about the process and benchmarks.

## **Focus Groups**

Community Development will utilize small, diverse groups of people to discuss particular topics and issues. Staff/consultants will guide the discussions, asking questions and encouraging interaction amongst the participants. The goal of focus groups is to gather a range of opinions, attitudes, and perceptions about the topic to provide insight into the collective input of the community.

## **Listening Sessions**

Community Development will also utilize listening sessions, which are similar to focus groups but tend to be more open-ended and informal. These sessions will be designed to create a space where participants can share their thoughts, experiences, and concerns on a particular topic, in their own words and at their own pace. The focus will be on understanding the participants' experiences and perspectives rather than guiding the discussion.

## **Surveys**

Community Development will solicit input from the public through a community survey. This survey will be distributed through various methods to reach as many residents as possible. The goal will be to identify issues and determine the priorities of the community through the next 20 years. Additional surveys may be used for issue-specific subjects.

## **Community Workshops and Open Houses**

Community Development will seek input from community groups, stakeholders, and residents through presentations of draft material throughout the process. These workshops will be advertised through various methods to encourage a broad range of participants. The workshops and open houses will include both in-person and virtual options. The presentations will address a variety of topics and will be designed to elicit feedback and inspire a sense of plan ownership among community members.

## **Written Comments**

Written comments will be accepted by interested parties throughout the update process. Staff will accept public comments at any time prior to recommendation and adoption hearings, in addition to the formal comment periods associated with the recommendation and adoption hearings.

## **Planning Commission Meetings**

The City will utilize regularly scheduled Planning Commission meetings to serve as study sessions throughout the update process. The public will be encouraged to attend and offer input during these regular meetings.

The Planning Commission is a seven-member advisory group that meets the second Thursday of each month. When necessary, the Planning Commission will hold additional meetings on the fourth Thursday of each month. All Planning Commission meetings begin at 5:45pm and can be attended in-person in the Council Chambers at 501 N. Anderson or attended virtually via an agenda link provided on the city website.

## City Boards and Commission Meetings

The city maintains a variety of commissions representing various city interests that meet on a regular basis. These commissions are made up of community members who have exhibited an interest in the subjects they represent. Some of these commissions include:

- Environmental Commission
- Diversity, Equity & Inclusion Commission
- Landmarks & Design Commission
- Affordable Housing Commission
- Parks & Recreation Commission

Community Development will work with these commissions to draw on their expertise to inform our update. Additionally, Community Development will utilize the comment opportunities for each of these commissions to receive community feedback from attendees.

## F. Engagement Strategies

The following table describes the public engagement strategies that will be implemented throughout Ellensburg's Comprehensive Plan update process. The table includes identification of the intended audience, and level of involvement the activity will achieve, using the International Association's Public Participation (IAP2) engagement spectrum.

The IAP2 Spectrum is an internationally recognized model developed to help clarify the role of the public in planning and decision making, and how much influence the community has over planning or decision-making processes. The model identifies five levels of community engagement, ordered as follows by increasing impact on the decision making: (1) Inform; (2) Consult; (3) Involve; (4) Collaborate; and (5) Empower.

| Strategy          | IAP2 Level      | Description                                                                                                                                                                                                                                                                                                                       |
|-------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Open House        | Inform/Consult  | <ul style="list-style-type: none"><li>• Periodic Update Kickoff<ul style="list-style-type: none"><li>○ What is a Comprehensive Plan update?</li><li>○ Visioning for the next 20 years</li><li>○ How the public can get involved</li></ul></li><li>• Open Houses to share analysis, draft policies, and plan development</li></ul> |
| Workshops         | Consult/Involve | <ul style="list-style-type: none"><li>• Workshops designed around particular topics such as:<ul style="list-style-type: none"><li>○ Climate Change and Resiliency</li><li>○ Parks and Recreation Planning</li><li>○ Envisioning the future of Ellensburg</li></ul></li></ul>                                                      |
| Public Meetings   | Consult         | <ul style="list-style-type: none"><li>• Public Hearings</li><li>• Adoption of 2026 Comprehensive Plan Periodic Update</li></ul>                                                                                                                                                                                                   |
| Information Booth | Inform/Consult  | <ul style="list-style-type: none"><li>• Community Events (to be determined)<ul style="list-style-type: none"><li>○ Ellensburg Farmer's Market</li><li>○ Kittitas County Fair and Rodeo</li><li>○ Bite of the 'Burg</li><li>○ First Friday Art Walks</li><li>○ Ellensburg Holiday Market</li></ul></li></ul>                       |
| Online Survey     | Consult         | <ul style="list-style-type: none"><li>• Visioning Survey</li><li>• Specific Topic-Focused Survey, i.e., Housing</li></ul>                                                                                                                                                                                                         |

|                                                |                     |                                                                                                                                                                                                                                                                  |
|------------------------------------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Canvassing                                     | Inform              | <ul style="list-style-type: none"> <li>Target specific neighborhoods and businesses to inform about engagement opportunities</li> </ul>                                                                                                                          |
| Outreach through Community-based organizations | Involve/Collaborate | <ul style="list-style-type: none"> <li>Utilize existing relationships and partnerships to share project information and gather feedback from specific groups and communities</li> </ul>                                                                          |
| Community Interviews                           | Consult/Involve     | <ul style="list-style-type: none"> <li>Issue-specific interviews with industry and technical experts. Topics could include: <ul style="list-style-type: none"> <li>Climate</li> <li>Housing</li> <li>Other</li> </ul> </li> </ul>                                |
| Focus Groups                                   | Involve/Collaborate | <ul style="list-style-type: none"> <li>Small, diverse groups of people to discuss particular topics and issues. Gather a range of opinions, attitudes, and perceptions about the topic to provide insight into the collective input of the community.</li> </ul> |
| Listening Sessions                             | Involve/Collaborate | <ul style="list-style-type: none"> <li>Open-ended sessions where participants can share their thoughts, experiences, and concerns on a particular topic, in order to understanding the participants' experiences and perspectives.</li> </ul>                    |

## **G. Project Timeline**

### **Phase 1 – Scoping**

Community Development will begin the process by gathering and analyzing information to create a conceptual framework for the update. This will involve an analysis of current conditions and Growth Management Act requirements to establish a baseline in which to move forward. The scoping effort will include written comment opportunities provided through the city web site and social media accounts. It will also include a community survey, distributed through a variety of methods, to capture perceptions and priorities of the community.

#### **Objectives**

- Build early project awareness.
- Gather community ideas, priorities, and concerns.
- Establish baseline information associated with development patterns and population forecasts.
- Review and inventory Growth Management requirements and necessary legislative updates.

#### **Timeframe**

July 2025 – November 2025

#### **Public Participation Opportunities/Strategies**

- Community survey
- Open house and workshops
- Outreach to Community Based Organizations
- Information booths at community events

### **Phase 2 – Draft Policies and Plan**

Phase 2 will involve drafting Comprehensive Plan chapters to be created and presented to the public

through engagement opportunities to solicit feedback and ensure that the community’s priorities are included in the draft plan. As chapters are developed, Community Development will attend various city commission meetings to introduce the chapters and request feedback.

### **Objectives**

- Share analysis findings.
- Seek input on proposed goals, policies, regulations, and plan strategies.
- Develop draft chapters of the Comprehensive Plan.
- Regularly inform the community about the development of plans and policies and timelines for decisions.

### **Timeframe**

July 2025 – June 2026

### **Public Participation Opportunities/Strategies**

- Public meetings
- Open house or workshops
- Mailers
- Interviews
- Focus groups
- Listening sessions
- Outreach to Community Based Organizations

## **Phase 3 – Final Review and Adoption**

Phase 3 will involve multiple Planning Commission study sessions to perform final review and revisions to the draft plans. This phase will include an Open House to present the proposed final product to the public before it is brought to the City Council. The Planning Commission will review each chapter and provide public comment opportunities. The Planning Commission will make a recommendation on the Comprehensive Plan update to City Council during a duly noticed public hearing. The Planning Commission recommendation will be brought before the City Council for plan adoption. Community Development will initiate the required 60-day notice to Commerce and the State Environmental Policy Act (SEPA) review.

### **Objectives**

- Review draft plans and policies.
- Continue building periodic update understanding and buy-in.
- City Council adoption of the 2026 – 2046 City of Ellensburg periodic update to the Comprehensive Plan and development regulations.

### **Timeframe**

March 2026 – December 2026

### **Public Participation Opportunities**

- Open House
- Public Hearings





Meeting Date: July 7, 2025  
**City of Ellensburg**  
**City Council Agenda Report**

**Agenda Subject:** Fieldhouse Discussion (Public Comment Opportunity)  
**Submitted by:** Heidi Behrends Cerniwey, City Manager  
**Department:** City Manager

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**Suggested Motion/Action:**

Discussion and optional motion: Move to approve conceptual plan to pursue construction of a fieldhouse facility through a private/public partnership as allowed by RCW 35.42.

**Background/Summary:**

In December 2022 a fire claimed Ellensburg Racquet & Recreation Center building. As a result of the fire, the planning for a new indoor recreation facility began with the focus on constructing a fieldhouse at Rotary Park. In October 2023, the Ellensburg City Council entered into a contract with the Helix Group to perform preliminary fieldhouse design work. As a result of the preliminary design work, it was determined that utilizing the progressive design-build option was the best choice at the time for the fieldhouse project. Using the progressive design-build method has many advantages for owners, including close coordination with a selected project construction and design team, accelerated construction scheduling, early procurement of materials, and flexibility in project funding mechanisms.

With progressive design-build there are requirements the city must follow. We were required to hire outside legal counsel to assist with the process in which the City also retained Robyn Thaxton from Thaxton Parkinson PLLC (TP) to assist with the progressive design-build delivery method in the acquisition of consultants, assistance with Project Review Committee (PRC) approval, and formation of a team for the project.

As mandated by RCW 39.10.220, the fieldhouse project had to go in front of the Project Review Committee for approval. The PRC is responsible for reviewing and approving public body certifications and project approval applications for the utilization of General Contractor/Construction Manager (GC/CM) and Design-Build (DB) delivery methods of public works construction.

After receiving approval from the PRC on May 23, 2024, the City put out a 'Request for Qualifications' (RFQ) for the progressive design-builder procurement. A total of seven (7) statements of qualifications were received and rated, with the top two firms being invited to submit project proposals. Absher/Helix was selected to be the Design-Build team and a contract was initiated on October 7, 2024.

The first phase of the contract was to complete the 'Validation Period'. Because funding for the project was uncertain and the initial 150,000 sq ft facility came in over \$60,000,000—well above the proposed budget—the Design-Build team created three phased options for

Council consideration during Validation. The City worked closely with the Weneha Group as the project owner advisor, which is a required component when developing a project using the progressive design build method.

A Market and Operation Plan was conducted by Ballard |King & Associates LTD to determine operating cost scenarios for each of three phased facility design options. Following discussion at the February 3, 2025, study session, the City Council directed staff to look at a potential for public private partnerships to deliver this public facility as an alternative.

### **Previous Council Action:**

To date, City Council has taken multiple actions approving work associated with the Fieldhouse Project moving it forward. The actions and associated project work have included:

- In late 2023, authorizing an agreement with the Helix Design Group to verify project scope, budget and schedule, followed by: work to: reconcile scope, budget and schedule based on the functional program and funding; seek jurisdictional project approvals through permitting; establish a realistic project schedule; research and evaluate/select Alternative Delivery Method; and prepare 30% design documents for the building and site. As a result of the work the Helix Design group performed, the City determined that an Alternative Delivery Method was the preferred approach to building the Fieldhouse, specifically the progressive design-build (PDB) approach. Thus, the preliminary design work was suspended. Relevant engineering and site studies are available for use in future development of this project.
- With progressive design-build there were requirements the City to follow. In early 2024, authorizing an agreement with Thaxton Parkinson PLLC to provide specialized legal counsel to assist with PDB option.
- At the meeting on April 1, 2024, Council authorized an agreement with the Weneha Group to serve as the City's Owner Advisor on the project, which is a required component when developing a project using the progressive design build method (RCW 39.10.220).
- In October 2024, authorizing an agreement with Absher/Helix for design-build Services through the Validation phase.
- At their February 3, 2025, study session, Council reviewed options for a new fieldhouse facility developed through the Validation phase of the Progressive Design Build process. The resulting facility construction cost exceeded \$60,000,000 for each of three options for full buildout. Costs for operating scenarios for each of three facility design options were explored through a Market and Operation Plan conducted by Ballard |King & Associates LTD. Subsequently, the City Council directed staff to look at a potential for public private partnerships (lease options) for a facility.

### **Analysis:**

Staff have consulted with Pacifica Law Group to explore lease alternatives to deliver a Fieldhouse facility to the community. Chapter 35.42 RCW, provides guidance for lease of city land for building purposes and lease back of building by a city.

Essentially, RCW 35.42 authorizes development of a facility on public property by means of a lease-leaseback transaction on terms acceptable to a developer and the City provided that:

- a. No part of the cost of construction of the facility shall ever be or become an obligation of the City;
- b. The City shall have a right to occupy the facility or a portion thereof based on exchange for lease payments agreed upon by the parties, which lease payments shall not exceed prevailing rates for comparable space;
- c. Upon the expiration of the lease, and unless an earlier purchase option is exercised, the facility shall become the property of the City.

Steps to initiate a potential lease of City property at Rotary Park for construction of a Fieldhouse type facility include:

- Issuing a formal request for qualifications (RFQ) to establish an open and competitive opportunity for developers to propose projects with parameters set by the City. Rough estimates provide construction costs for a 50,000 to 60,000-square-foot facility to be \$13-15 million. Lease terms and maximum project cost details can be established in the RFQ process and reinforced through agreements.
- The City must create a segregated leasable parcel at Rotary Park for construction of the fieldhouse-type facility, likely through a boundary line adjustment action, which may take approximately 90 days. Lease terms are outlined in the RFQ.
- The statute provides for a contract to be awarded pursuant to a procurement process on terms most advantageous to the City.

### **Facility Description**

Below is an excerpt from the Project Description section of the Kittitas County Lodging Tax Fund Application for Tourism-Related Infrastructure, due July 1, 2025:

The Ellensburg Fieldhouse project is an indoor recreation facility that will be approximately 60,000 square feet in size. The facility will be located in the southeast corner of Rotary Park, a City of Ellensburg owned park facility. As a part of the fieldhouse construction, a large parking lot will be constructed that not only serves fieldhouse activities but also events and activities taking place at the Rotary Park athletic fields.

As planned, the fieldhouse building will be a prefabricated steel frame building that will consist primarily of sport courts and a synthetic turf area. The sport court area will make up the majority of the building and will include up to five full sized basketball courts (84'x50'), the basketball courts will also include court lines for volleyball and pickleball. The synthetic turf area will be approximately 14,400 square feet and will be able to accommodate training for sports such as football, rugby, soccer, softball, and baseball. A fitness track will circle the perimeter of the building, providing a safe and dry place for people to walk or run year around. The building will also include a multipurpose room that could be rented for parties, offices for City of Ellensburg parks and recreation department staff and spectator viewing areas.

The Ellensburg fieldhouse will have significant sports tourism impact. A facility of this size and

scope will benefit local tourism in a variety ways. The additional parking will support events taking place at the Rotary Park athletic fields. With the current Rotary Park parking lot capacity, there cannot be more than one large activity taking place at the park at the same time. Because of this, the community is losing out on additional tournaments opportunities throughout the year, specifically during the fall.

The fieldhouse building will provide a one-of-a-kind facility in Central Washington, creating the opportunity to host club volleyball tournaments as well as AAU basketball tournaments. There are two AAU tournaments currently operated in Ellensburg; however the event organizers cap the number of tournaments they can run per year, plus limit the number of teams that can enter the tournament due to gym availability in Ellensburg. By adding five courts, event organizers will have the opportunity to increase the number of tournaments offered in Ellensburg as well as the increase the number of teams that can participate. Layout of the sport courts will create up to 10 additional volleyball courts at the fieldhouse. Currently, there are no youth volleyball tournaments held in Ellensburg, however there are two volleyball clubs based in the community. With this added capacity the local clubs have the necessary infrastructure to run tournaments throughout the winter and spring.

#### **Current Project Expenditures**

| <b>Contractor</b>                                                                                                                      | <b>Activity</b>                                                                                                                                             | <b>Total Contract Amount</b> | <b>Total Cost Incurred To Date</b>                                  | <b>Notes</b>                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Helix Design Group<br>Subs: Parametrix, Shive-Hattery, KPG Psomas, Migizi group, Fehr & Peers, BCG Engineering, Osborn Consulting, etc | Conceptual to 30% design; planning workshops, renderings, civil engineering, site survey, geotech, utility plan, cultural resources, traffic analysis, etc. | \$1,116,042                  | \$425,599.45                                                        | Signed 11/7/23; Suspended further work for alternative delivery (Progressive Design-Build) process was confirmed; Ownership assigned to Shive-Hattery, Inc. 2/13/24 |
| The Weneha Group                                                                                                                       | Owner/Advisor for Alternative Delivery (Progressive Design-Build)                                                                                           | \$635,231.68                 | \$125,175.70; est. \$99,277 to be reimbursed by HUD Grant           | Signed 4/1/24; Paused project work after validation phase                                                                                                           |
| Robyn Thaxton                                                                                                                          | Legal Advisor (PDB)                                                                                                                                         | Hourly fee                   | \$28,175; \$20,475 to be reimbursed by HUD Grant                    | Engagement letter 2/7/24                                                                                                                                            |
| Helix-Abscher Design-Build, Ballard King                                                                                               | Validation Phase and Operating Study                                                                                                                        | \$423,381                    | Preliminary figure \$190,491.51; est. \$149,344 to be reimbursed by | Validation Phase – paused project following validation                                                                                                              |

|                    |                    |            |               |                                                                                                          |
|--------------------|--------------------|------------|---------------|----------------------------------------------------------------------------------------------------------|
|                    |                    |            | HUD Grant     |                                                                                                          |
| Pacifica Law Group | Leasing Consultant | Hourly fee | \$4,899.50    | Consultation on public lease facilities                                                                  |
| Total Expenditures |                    |            | \$774,341.16* | *Up to \$572,000 available as reimbursements for eligible planning activities. See Other Revenue, below. |

#### Other Revenue\*

| Source                                                         | Amount    | Secured/Unsecured | Notes                                                  |
|----------------------------------------------------------------|-----------|-------------------|--------------------------------------------------------|
| Housing and Urban Development (HUD) - Community Projects Grant | \$500,000 | Secured           | Estimated to use \$269,067 to reimburse design-related |
| Washington State Community Project Funding                     | \$72,000  | Secured           | Some restrictions apply                                |

#### Financial Impact:

##### Lease Option for Fieldhouse Facility

|                              |                                                                                                                                                            |                                                                                                                              |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Annual Facility Lease        | Estimates vary, terms are negotiated through future lease agreement:<br>\$1,302,708 (based on \$14M-30 YR-8.5%)<br>\$2,185,289 (based on \$15M-10 YR-7.5%) | Source: City Lodging Tax, Cash on hand, REET, and/or new revenue;<br>See Ellensburg Fieldhouse Lease Cost Estimates attached |
| Off-Site Improvements (City) | \$1,600,000 est.                                                                                                                                           | Roundabout at Anderson Road/Umptanum<br>Source: TIB Grant/Traffic Impact Fee match                                           |

#### Conceptual Operating Plan

|                                 |           |                                                                                                                    |
|---------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------|
| Total Annual Operating Expenses | \$990,367 | Ballard King & Associates, Ellensburg Fieldhouse Market and Operation Plan, February 2025 (Option B); see attached |
|---------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------|

**Annual Operating Revenue**

|                                   |           |
|-----------------------------------|-----------|
| Facility Use & Service Fees (est) | \$595,000 |
|-----------------------------------|-----------|

Approx. 60.1% Cost Recovery;  
Ballard|King & Associates, Ellensburg Fieldhouse Market and Operation Plan, February 2025 (Option B); see attached

**Offset from Current Parks Operations**

|                                       |                    |
|---------------------------------------|--------------------|
| Youth Center                          | \$292,000          |
| Youth Athletics                       | \$100,000          |
| Kittitas County Contribution          | \$100,000          |
| <b>Total Annual Operating Revenue</b> | <b>\$1,087,000</b> |

Transfer services to Boys & Girls Club  
Absorb programs into Fieldhouse facility services  
County Lodging Tax or other (like Library services)

**Future Lease/Buy-outScenario Funding Option**

| <b>Source</b>                              | <b>Amount</b>       | <b>Secured/Unsecured</b> | <b>Notes</b>                                                                                   |
|--------------------------------------------|---------------------|--------------------------|------------------------------------------------------------------------------------------------|
| Insurance Settlement                       | \$7,000,000         | Secured                  | Initially required to demonstrate rebuilding within two (2) years of loss for full replacement |
| Property Sale                              | \$100,000           | Secured                  |                                                                                                |
| Interest Income                            | \$100,000           | Partial                  | Variable rates received on cash investments (settlement)                                       |
| Kittitas County Lodging Tax Grant          | \$4,000,000         | Unsecured                | Submitted grant application on 7/1/2025                                                        |
| City Lodging Tax                           | \$1,000,000         | Unsecured                | Requires LTAC recommendation and Council approval                                              |
| Debt Service                               | \$3,000,000         | Unsecured                | LOCAL Program (\$400K annual debt service, 10 years @ 6%)                                      |
| <b>Total Revenue for Purchase Scenario</b> | <b>\$15,200,000</b> |                          |                                                                                                |

Budget Adjustment: No

**Attachments:**

1. COE Fieldhouse Full Report
2. Draft Fieldhouse Cashflow Analysis 7-1-2025



# ELLENSBURG FIELDHOUSE

Market and Operation Plan  
February 2025



## Table of Contents

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## **Executive Summary**

Ballard\*King and Associates (B\*K) was hired to conduct a market review and develop an operation plan for a potential fieldhouse in Ellensburg, WA. The objective of this study was to determine the anticipated participation and estimated revenue and expense budget. Project tasks included a demographic assessment of the regional area, providing participation and facility trends, reviewing various concepts and developing an operating pro-forma.

### **Market Analysis:**

As part of the study, B\*K conducted a market assessment. B\*K examined several service areas, included are:

- **Primary Service Area.** This was identified as an approximate 30-minute drive to the potential fieldhouse site, and residents will likely be regular users of the facility meaning at least weekly.
- **Secondary Service Area.** This was identified as an approximate 90-minute, or a distance from which individuals will travel a couple times a month.

### *Key Indicators*

B\*K accesses demographic information from Environmental Systems Research Institute (ESRI) who utilizes 2020 Census data and their demographers for 2024-2029 projections. In addition to demographics, ESRI also provides data on housing, recreation, and entertainment spending and adult participation in activities.

When completing studies for indoor recreation facilities, there are two data points that B\*K uses to predict the financial success of the facility: a higher median household income, and a population of 50,000+ in the primary service area. If the primary service area meets these data points, our experience would indicate that a facility has the possibility of significant cost recovery. If those data points are not met, it does not mean that it won't be embraced and heavily used by the community, but it does mean that achieving significant cost recovery will be much more challenging.

**Population:** The population within the primary service area (43,541) is lower than what B\*K would typically see in a membership-based facility. For program and rental based facilities, the population is typically higher, at least 75,000. The Secondary service area provides additional population, however the use from the expanded area will most likely be significantly less and limited to tournaments and events.

**Median Income:** The Primary and Secondary service areas have a lower median household income in comparison to the State of Washington. The income level is impacted by the presence of Central Washington University. A university typically provides stable employment along with competitive salaries, but the student population

outweighs the faculty and staff bringing the figure down. This reality means that determining an accurate price point for membership, programs and services will be crucial. It also means that the facility could have challenges achieving the cost recovery goals of the client.

**Median Age:** for purposes of a feasibility study, the preference is for median age to be lower than the national number, indicating the presence of families with young children. The median age is lower than both the State and National figure in the Primary and Secondary Service Area. However, in the Primary Service Area in the study there are less than 30.0% of households with children present, which is less than the National figure. Again, much of this can be attributed to the presence of Central Washington University.

Other important demographic notes:

- Within the Primary Service Area, 18.0% of the population is under age 18, and 28.5% of the population is age 55+. There is a significant population in the 18-24 age group, however this demographic typically takes greater advantage of the university facilities.
- The Market Potential Index (MPI) for adults that participate in many indoor activities is higher than the national number including Basketball, Football, Pickleball, Soccer and Volleyball in the Primary Service Area. Participation rates in the Secondary Service Area are lower.

Statistics from the National Sporting Goods Association (NSGA) were overlaid on to the demographic profile of the service areas to determine the market potential for various activities that could take place in an indoor facility. The market potential was measured against the existing inventory of recreation providers in the area and concluded that there is a significant shortage of gymnasium space. Additionally, there is a desire to expand the capabilities of hosting tournaments and other indoor activities. Existing facilities continue to age and do not completely meet the needs of the parks and recreation department.

Current youth sports activities, particularly indoor sports of basketball, wrestling and volleyball, are at capacity based on use of existing facilities. The City of Ellensburg has an interlocal agreement with the school district allowing access to school gyms. While this arrangement works well, there are consistent scheduling conflicts causing cancellations and rescheduling. The City spends a considerable amount of time coordinating use which would be eliminated with its own facility. In addition, it would provide the community with the opportunity to have greater access, drop-in play, and be more active during the winter months.

### **Operations:**

An operation analysis was conducted to examine operational costs and revenues for the various concepts for the fieldhouse. The operating pro-forma developed represents a

conservative approach to estimating expenses and revenues and was completed based on the best information available and a basic understanding of the current area operations.

The results of the operations analysis indicate that each of the concepts for a facility will not recover 100% of its operating costs through revenue. The operating pro-forma does not include debt service since the funding for this project is yet to be determined. Each of the facilities features a multipurpose room, concessions, support offices, and lobby. Concept A had a multi-court gymnasium and indoor turf. Concept B had a multi-court gymnasium. Concept C had indoor turf. Each of the facilities was approximately 50,000 SF. The focus was on Concept B with 5 courts.

#### Expense – Revenue Comparison

| <b>Concept B Category</b> | <b>Facility Budget (Year 3-5 Average)</b> |
|---------------------------|-------------------------------------------|
| Expense                   | \$961,801                                 |
| Revenue                   | \$578,288                                 |
| Difference                | (\$383,513)                               |
| Cost Recovery             | 60.1%                                     |

#### Conclusion:

The market conditions suggest support for a fieldhouse. The proposed facility, by virtue of the multiple gymnasium space differentiates this facility from any other facility in the region. The space allows for improved health/wellness through walking and fitness programs, expanded toddler activities which are critical to development and additional programs and activities for mental, social and physical engagement. The fieldhouse is ideally positioned to not only improve the quality of the facilities in the area, but also to enhance the quality of life for residents while becoming an identifying landmark to Kittitas County and Central Washington.

Weekly participation in active recreation activities from area residents can be expected to be somewhere in the range of 10%-12% of the population which equals approximately 4,355 – 5,225 individuals (based on 2024 population estimates for service area). It is important to program the facility beyond the traditional court sports to appeal to other markets to achieve this level of participation. To substantiate this point, approximately 8% of the population participates in some type of basketball, while other activities such as pickleball and volleyball are lower. Participation is greater for running/jogging, walking for exercise and working out at a club. The success of similar facilities in other areas of the country suggests that these types of centers have been effective in meeting local sport and wellness needs.

Without question, a new fieldhouse will enhance the quality of life in the area while improving recreation and wellness opportunities. The proposed center fills the service gaps for a variety of sports, recreation, and expands the wellness access in the community for children, teenagers, families and seniors. A new facility will become a

source of tremendous community pride and will bring the community together along with making Ellensburg more attractive for employers and employees alike. The fieldhouse will also help establish and recognize the facility as a contributor to the economic health of the community by providing jobs, through the purchase of local goods and services and by generating tourism through hosting tournaments and events.

## **Demographic Analysis**

Ballard\*King & Associates (B\*K) has been contracted by Absher Inc. to complete a Field House market assessment for Ellensburg, WA. The first step to complete this scope of work is to determine service areas for analysis and recreation/leisure activities.

B\*K accesses demographic information from Environmental Systems Research Institute (ESRI) who utilizes 2020 Census data and their demographers for 2024-2029 projections. In addition to demographics, ESRI also provides data on housing, recreation, and entertainment spending and adult participation in activities. B\*K also uses information produced by the National Sporting Goods Association (NSGA) to overlay onto the demographic profile to determine potential participation in various activities.

### **Service Areas:**

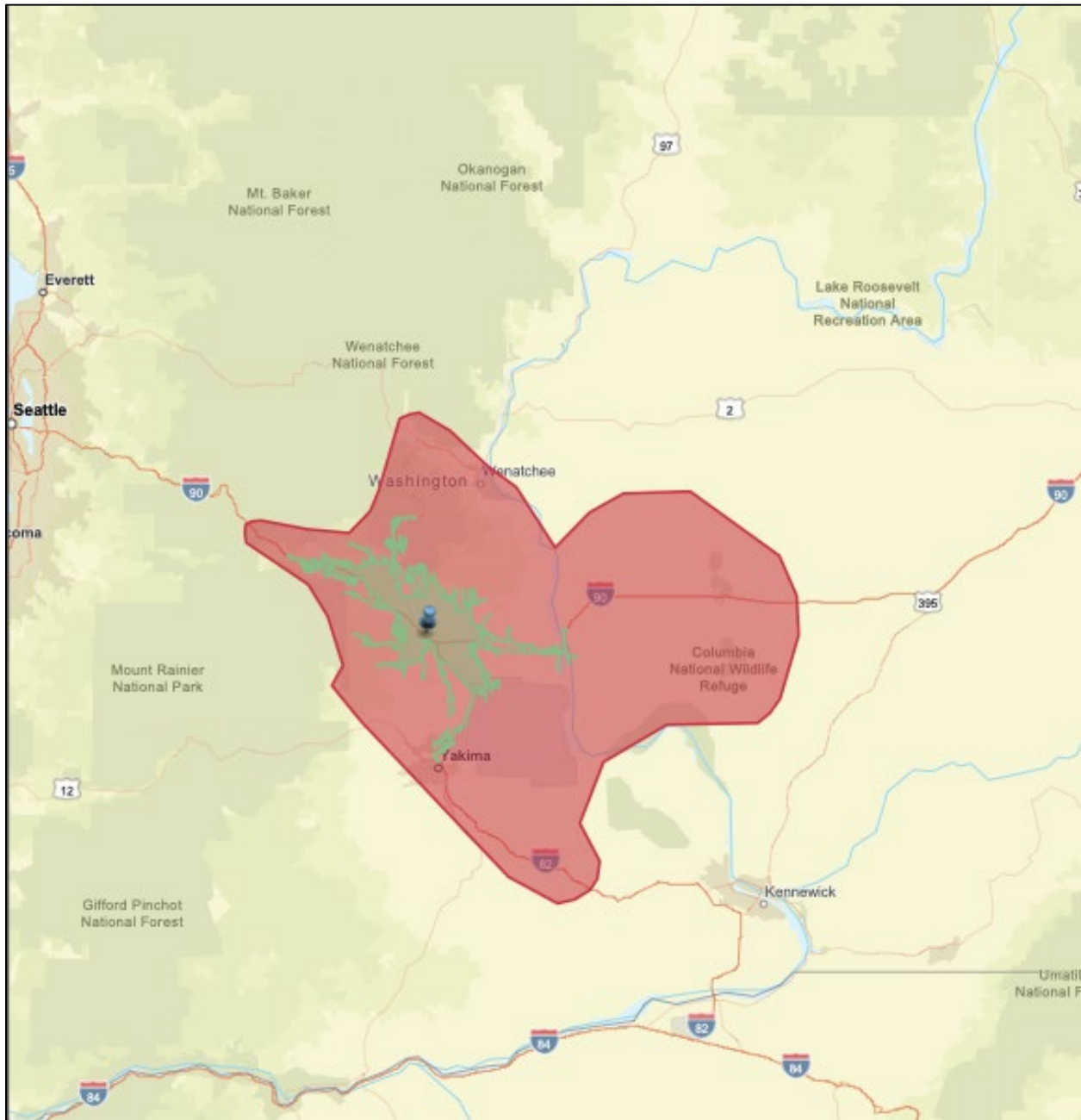
The information provided includes the basic demographics and data for the Primary and Secondary Service Areas with comparison data for the State of Washington and the United States. The Primary Service Area has been identified as within a 30-minute drive time to the City of Ellensburg. The Secondary Service Area being a significantly larger geographic area encompassing 5490 square miles surrounding Ellensburg, primarily to the South and East, up to an hour and a half drive.

The Primary Service Area is defined as the distance people will travel on a regular basis (multiple times a week) to utilize recreation facilities. Use by individuals outside of this area will be more limited and will focus more on special activities or events.

Service areas can flex, or contract based upon a facility's proximity to major thoroughfares. Other factors impacting the use as it relates to driving distances are the presence of alternative service providers in the service area. Alternative service providers can influence participation, membership, daily admissions and the associated penetration rates for programs and services.

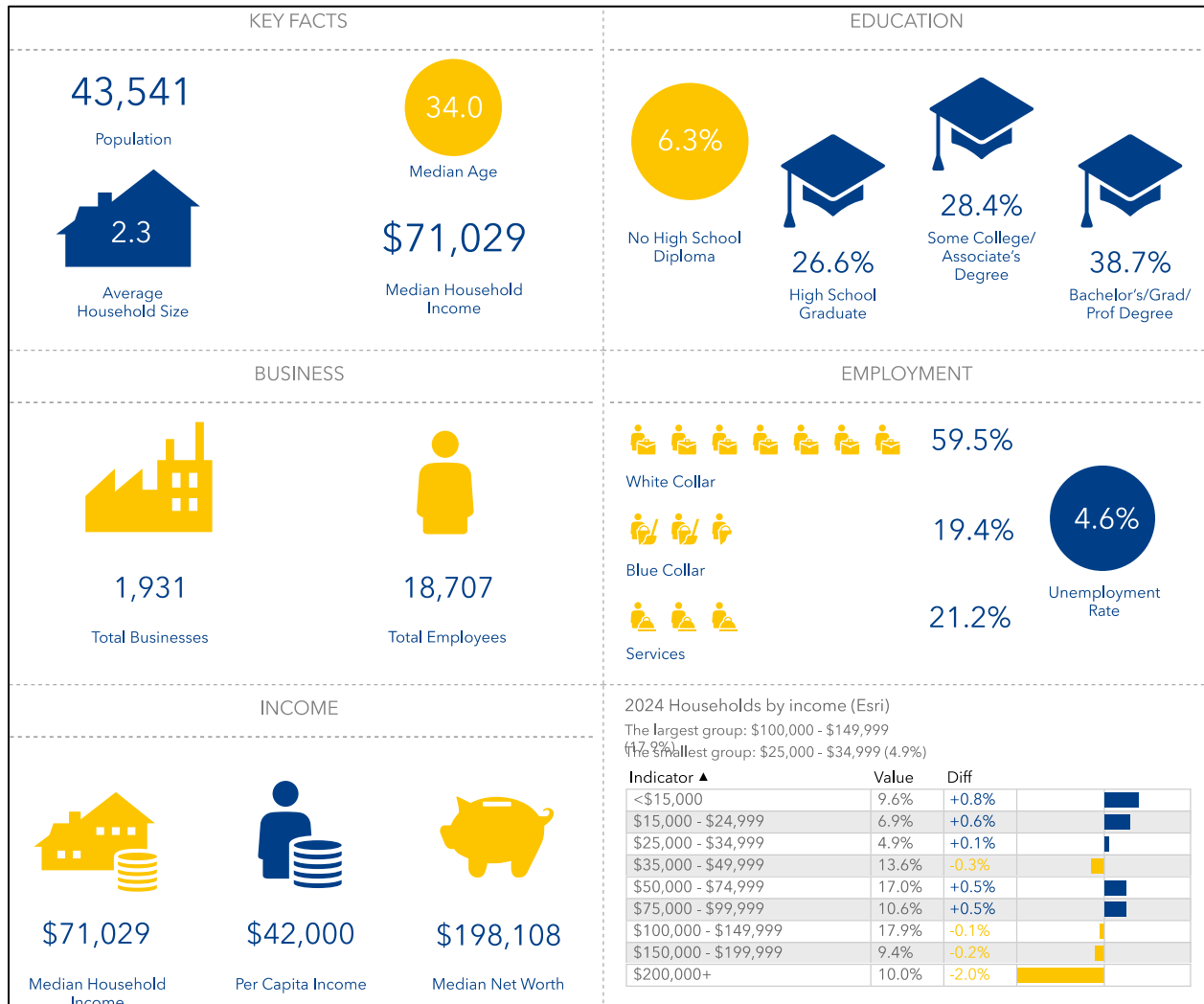
Service areas can vary in size with the types of components in the facility.

## Service Area Map



- Green Boundary – City of Ellensburg Primary Service Area
- Red Boundary – Secondary Service Area

## Key Facts Infographic



Households by Income comparison uses the Primary Service Area and compares it to Kittitas County.



## **Demographic Summary**

|                                   | Primary Service Area | Secondary Service Area |
|-----------------------------------|----------------------|------------------------|
| <b>Population:</b>                |                      |                        |
| 2020 Census                       | 39,941 <sup>1</sup>  | 477,979 <sup>2</sup>   |
| 2024 Estimate                     | 43,541               | 495,089                |
| 2029 Estimate                     | 45,366               | 506,186                |
| <b>Households:</b>                |                      |                        |
| 2020 Census                       | 16,457               | 167,259                |
| 2024 Estimate                     | 17,644               | 174,407                |
| 2029 Estimate                     | 18,676               | 180,671                |
| <b>Families:</b>                  |                      |                        |
| 2020 Census                       | 9,293                | 115,808                |
| 2024 Estimate                     | 9,610                | 117,758                |
| 2029 Estimate                     | 10,099               | 121,337                |
| <b>Average Household Size:</b>    |                      |                        |
| 2020 Census                       | 2.35                 | 2.81                   |
| 2024 Estimate                     | 2.33                 | 2.78                   |
| 2029 Estimate                     | 2.30                 | 2.75                   |
| <b>Ethnicity (2024 Estimate):</b> |                      |                        |
| Hispanic                          | 12.8%                | 45.4%                  |
| White                             | 79.7%                | 54.8%                  |
| Black                             | 1.0%                 | 0.8%                   |
| American Indian                   | 1.3%                 | 2.4%                   |
| Asian                             | 2.3%                 | 1.3%                   |
| Pacific Islander                  | 0.3%                 | 0.2%                   |
| Other                             | 6.2%                 | 26.0%                  |
| Multiple                          | 9.2%                 | 14.5%                  |
| <b>Median Age:</b>                |                      |                        |
| 2020 Census                       | 35.1                 | 34.9                   |
| 2024 Estimate                     | 34                   | 35.6                   |
| 2029 Estimate                     | 34.8                 | 36.3                   |
| <b>Median Income:</b>             |                      |                        |
| 2024 Estimate                     | \$71,029             | \$72,589               |
| 2029 Estimate                     | \$90,153             | \$83,988               |

<sup>1</sup> From the 2010-2020 Census, the Primary Service Area experienced a 0.7% increase in population.

<sup>2</sup> From the 2010-2020 Census, the Secondary Service Area experienced a 0.8% increase in population.

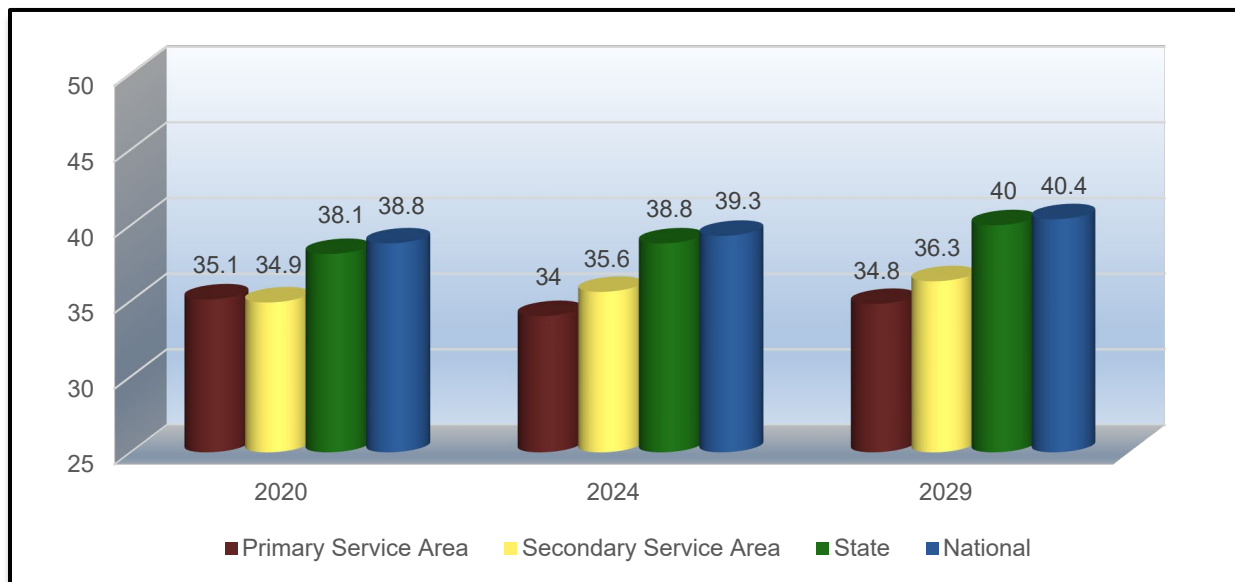


**Age and Income:** The median age and household income levels are compared with the national number as both of these factors are secondary determiners of participation in recreation activities. The lower the median age, the higher the participation rates are for most activities. The level of participation also increases as the median income level goes up.

**Table A – Median Age:**

|                        | 2020 Census | 2024 Projection | 2029 Projection |
|------------------------|-------------|-----------------|-----------------|
| Primary Service Area   | 35.1        | 34.0            | 34.8            |
| Secondary Service Area | 34.9        | 35.6            | 36.3            |
| State of Washington    | 38.1        | 38.8            | 40.0            |
| National               | 38.8        | 39.3            | 40.4            |

**Chart A – Median Age:**



The median age in the Primary Service Area is slightly lower than the State of Washington and the National number. The median age in the Primary Service Area is slightly lower than the Secondary Service Area. For the development of an indoor recreation center and/or fieldhouse a lower median age is preferred, as it points to families with younger children, which are significant users of these types of facilities. However, depending on the components included in the facility, they can have a multi-generational approach with appeal to an older population. Recreational activities, programs and events draw a large demographic but tend to be most popular with youth and their parents.

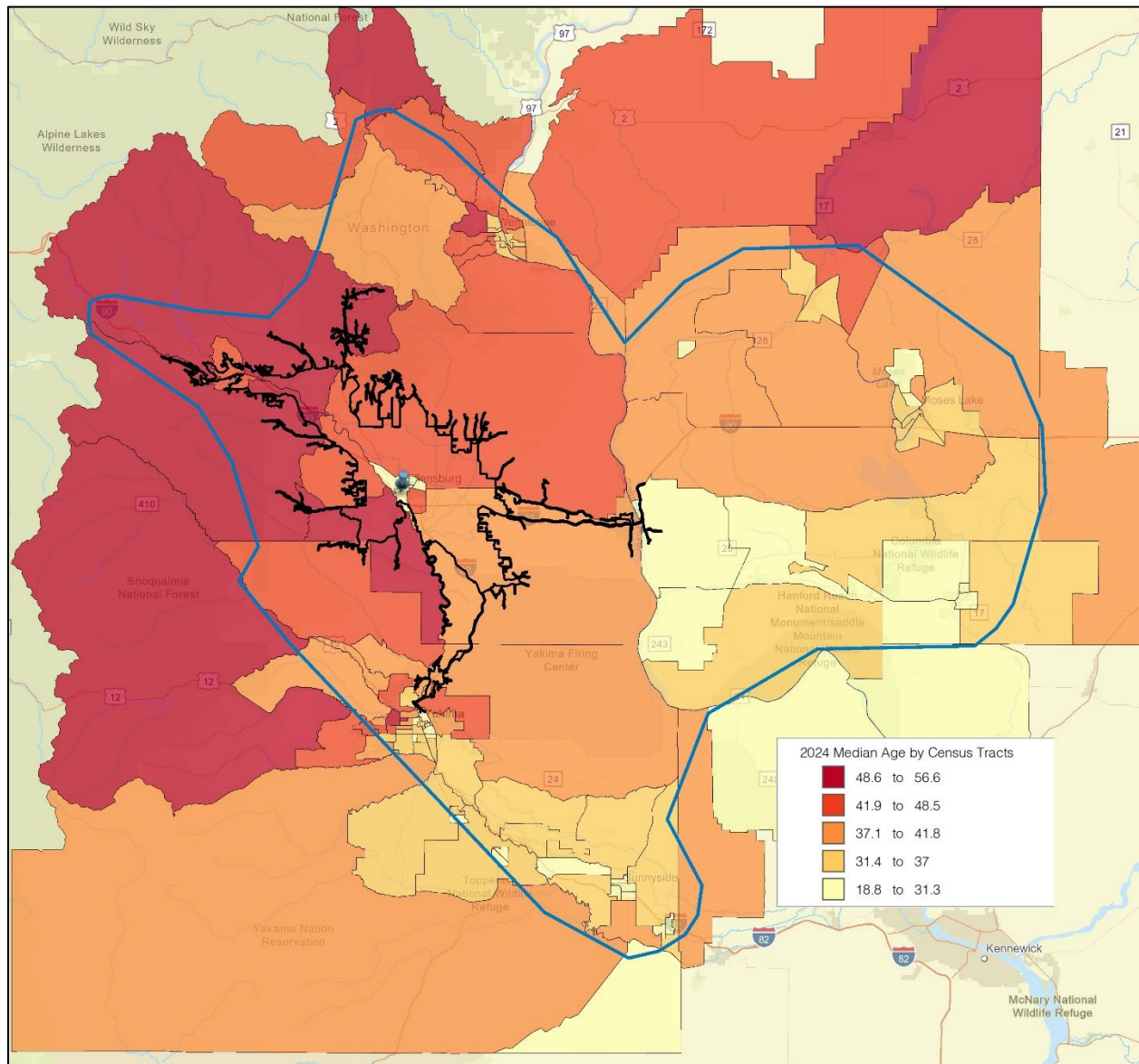
The following chart provides the number of households and percentage of households in the Primary and Secondary Service Areas with children.

**Table B – Households w/ Children**

|                        | <b>Number of Households<br/>w/ Children</b> | <b>Percentage of<br/>Households w/ Children</b> |
|------------------------|---------------------------------------------|-------------------------------------------------|
| Primary Service Area   | 4,302                                       | 25.3%                                           |
| Secondary Service Area | 61,647                                      | 36.7%                                           |
| State of Washington    | 894,754                                     | 30.0%                                           |

The information contained in Table-B helps further outline the presence of families with children. As a point of comparison in the 2024 USA Projection, 30.2% of households nationally had children present.

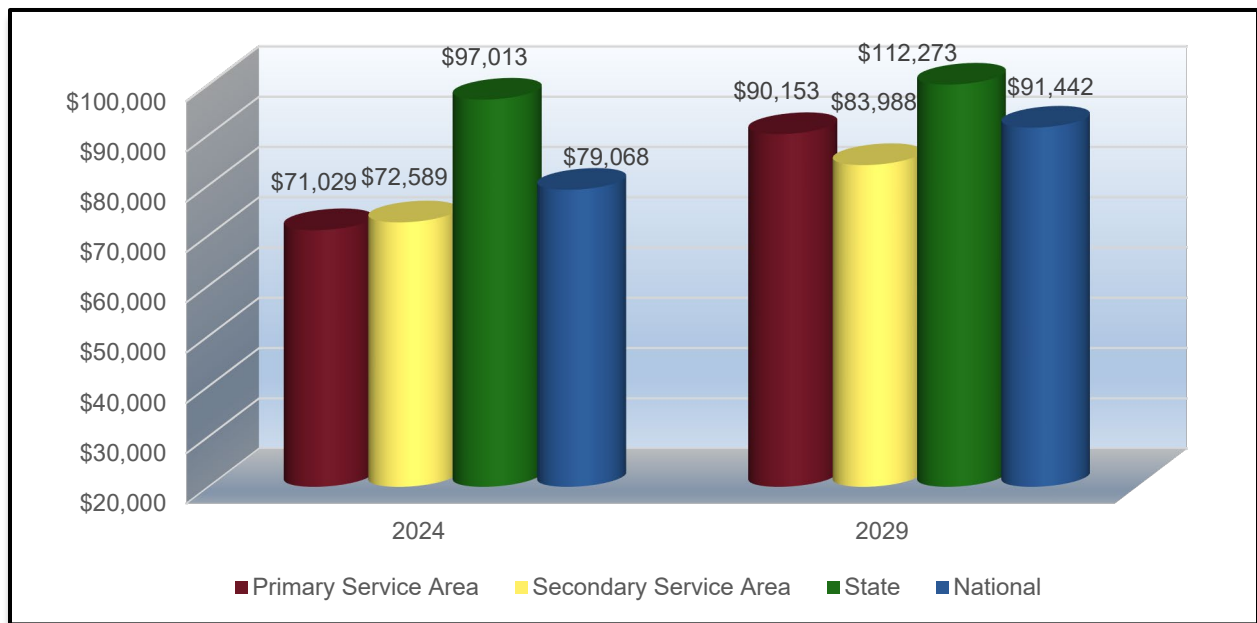
## Median Age by Census Tract Map



**Table C – Median Household Income:**

|                        | 2024 Projection | 2029 Projection |
|------------------------|-----------------|-----------------|
| Primary Service Area   | \$71,029        | \$90,153        |
| Secondary Service Area | \$72,589        | \$83,988        |
| State of Washington    | \$97,013        | \$112,273       |
| National               | \$79,068        | \$91,442        |

**Chart C (1) – Median Household Income:**



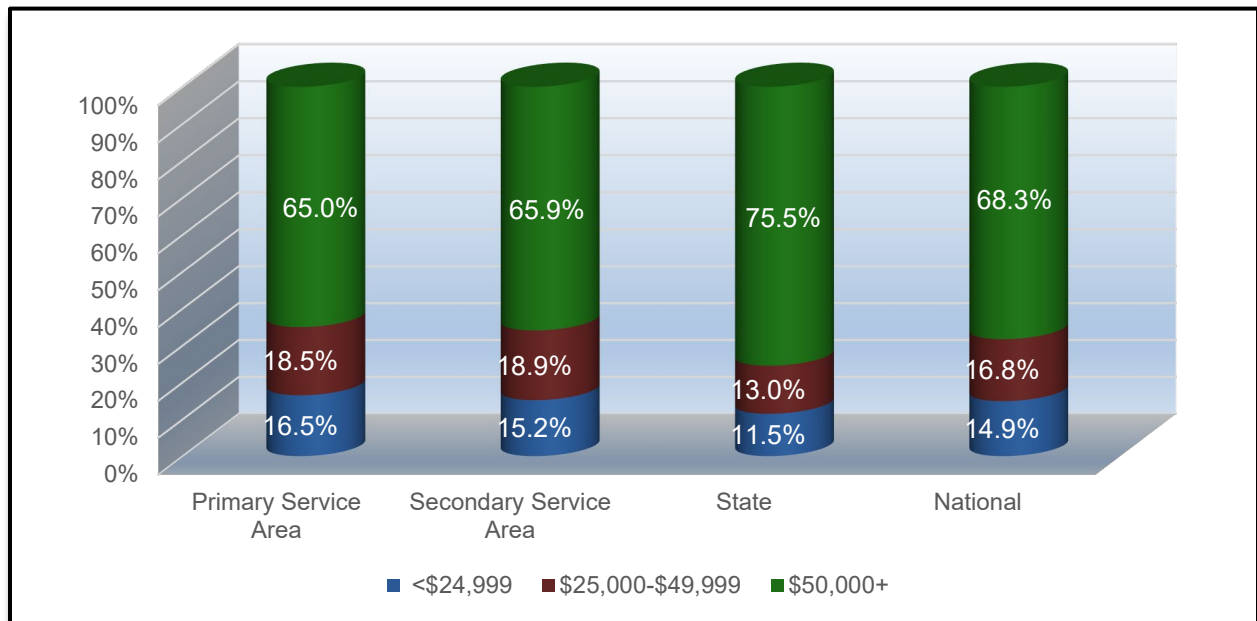
Based on 2024 projections for median household income, the following narrative describes the service area:

In the Primary Service Area, the percentage of households with median income over \$50,000 per year is 72.9% compared to 68.3% on a national level. Furthermore, the percentage of the households in the service area with median income is less than \$25,000 per year 13% compared to a level of 14.9% nationally.

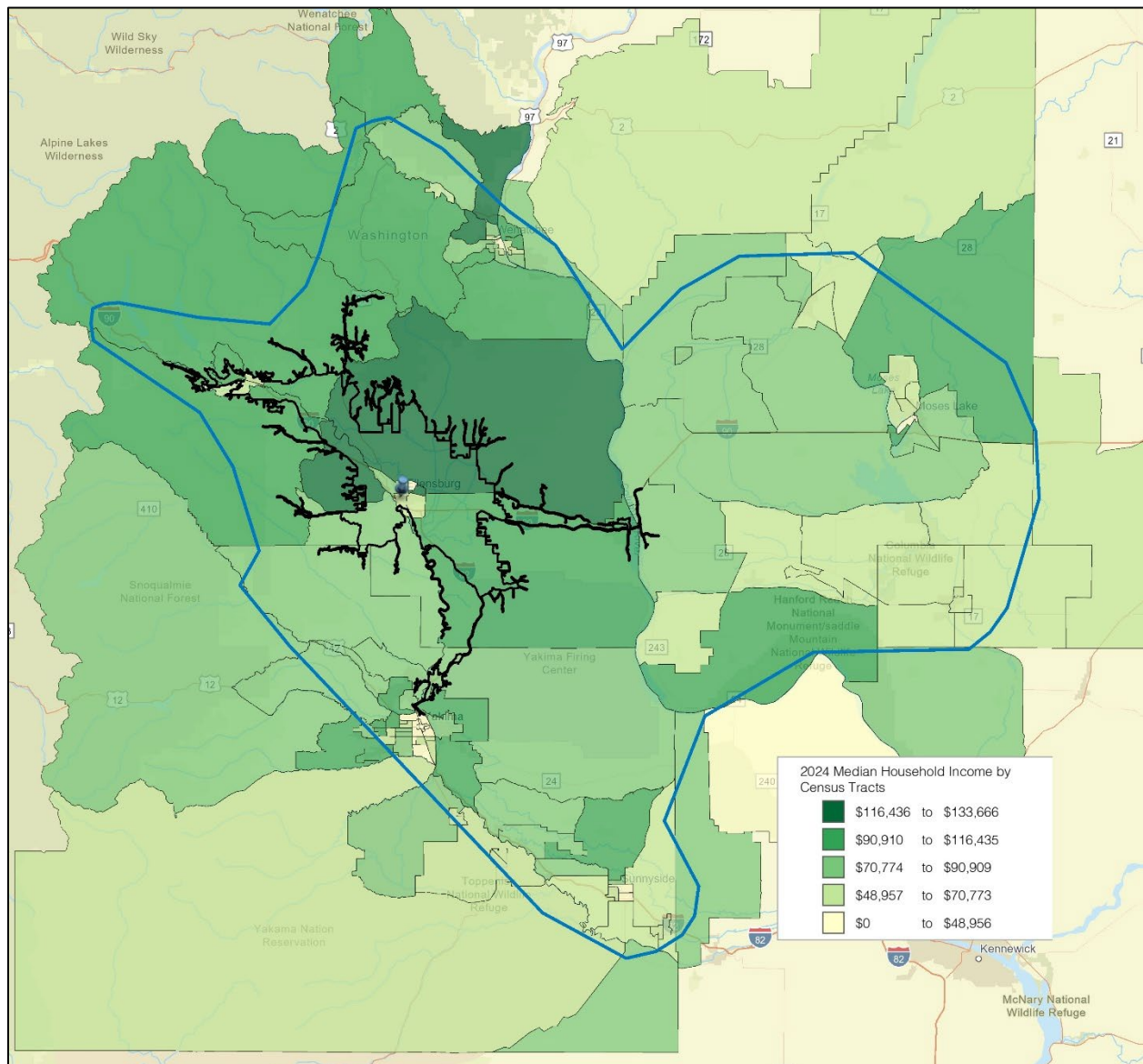
In the Secondary Service Area, the percentage of households with median income over \$50,000 per year is 72.2% compared to 68.3% on a national level. Furthermore, the percentage of households in the service area with median income less than \$25,000 per year is 13.0% compared to a level of 14.9% nationally.

While there is no perfect indicator of use of a Field House, the percentage of households with more than \$50,000 median income is a key indicator with indoor recreation facilities. Therefore, those numbers are significant and balanced with the overall cost of living.

**Chart C (2) – Median Household Income Distribution**



## Household Income by Census Tract Map





In addition to taking a look at the Median Age and Median Income, it is important to examine Household Budget Expenditures. Reviewing housing information; shelter, utilities, fuel and public services along with entertainment & recreation can provide a snapshot into the cost of living and spending patterns in the services areas. The table below looks at that information and compares the service areas.

**Table D – Household Budget Expenditures<sup>3</sup>:**

| Primary Service Area                   | SPI | Average Amount Spent | Percent |
|----------------------------------------|-----|----------------------|---------|
| Housing                                | 92  | \$30,060             | 33.1%   |
| <i>Shelter</i>                         | 92  | \$24,561             | 27.1%   |
| <i>Utilities, Fuel, Public Service</i> | 92  | \$5,499              | 6.1%    |
| Entertainment & Recreation             | 92  | \$3,744              | 4.1%    |

| Secondary Service Area                 | SPI | Average Amount Spent | Percent |
|----------------------------------------|-----|----------------------|---------|
| Housing                                | 87  | \$28,271             | 33.1%   |
| <i>Shelter</i>                         | 86  | \$22,986             | 26.9%   |
| <i>Utilities, Fuel, Public Service</i> | 89  | \$5,285              | 6.2%    |
| Entertainment & Recreation             | 85  | \$3,493              | 4.1%    |

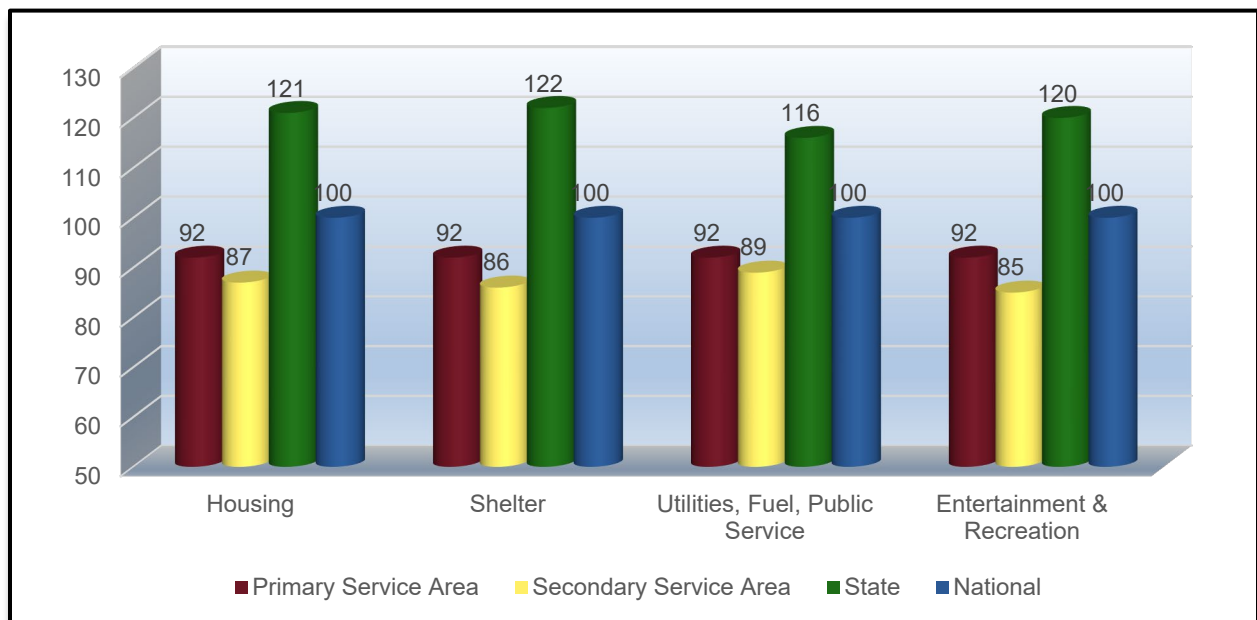
| State                                  | SPI | Average Amount Spent | Percent |
|----------------------------------------|-----|----------------------|---------|
| Housing                                | 121 | \$39,424             | 33.4%   |
| <i>Shelter</i>                         | 122 | \$32,503             | 27.5%   |
| <i>Utilities, Fuel, Public Service</i> | 116 | \$6,921              | 5.9%    |
| Entertainment & Recreation             | 120 | \$3,493              | 4.1%    |

**SPI:** Spending Potential Index as compared to the National number of 100.  
**Average Amount Spent:** The average amount spent per household.  
**Percent:** Percent of the total 100% of household expenditures.

**Note:** *Shelter along with Utilities, Fuel, Public Service are a portion of the Housing percentage.*

<sup>3</sup> Consumer Spending data are derived from the 2019 and 2021 Consumer Expenditure Surveys, Bureau of Labor Statistics. ESRI forecasts for 2024 and 2029.

**Chart D – Household Budget Expenditures Spending Potential Index:**



The consistency between the median household income and the household budget expenditures is important. It is important because it illustrates that the spending patterns of the service area align with the resources available. It also points to the fact that compared to a national level and dollars available, the money being spent in the Primary Service Area is lower. This could point to challenges associated with the ability to pay for programs and services offered at a recreation facility of any variety. Subsequently, this could have an impact on the facility's ability to achieve a significant cost recovery associated with operations.



## **Housing Inventory**

The total number of housing units in the Primary Service Area is 18,481 and 87.5% are occupied, or 16,176 housing units. The total vacancy rate for the service area is 10.6%. As a comparison, the vacancy rate nationally was 10.8%. Of the available units:

| <b>Primary Service Area</b> | <b>Percent</b> |
|-----------------------------|----------------|
| For Rent                    | 1.9%           |
| Rented, not Occupied        | 0.2%           |
| For Sale                    | 0.1%           |
| Sold, Not Occupied          | 0.2%           |
| For Seasonal Use            | 5.7%           |
| Other vacant                | 2.7%           |

The total number of housing units in the Secondary Service Area is 181,913 and 91.8% are occupied, or 167,053 housing units. The total vacancy rate for the service area is 8.2%. As a comparison, the vacancy rate nationally was 10.8%. Of the available units:

| <b>Secondary Service Area</b> | <b>Percent</b> |
|-------------------------------|----------------|
| For Rent                      | 1.2%           |
| Rented, not Occupied          | 0.2%           |
| For Sale                      | 0.4%           |
| Sold, Not Occupied            | 0.6%           |
| For Seasonal Use              | 3.6%           |
| Other vacant                  | 1.8%           |

These statistics point to a stable housing market in both service areas. It also illustrates that within the Primary Service Area there is a significant number of homes that are for seasonal and/or recreational purposes.

**Recreation Expenditures Spending Potential Index:** Finally, through the demographic provider that B\*K utilizes for the market analysis portion of the report, we can examine the overall propensity for households to spend dollars on recreation activities. The following comparisons are possible.

**Table E – Recreation Expenditures Spending Potential Index<sup>4</sup>:**

| Primary Service Area                | SPI | Average Spent |
|-------------------------------------|-----|---------------|
| Fees for Participant Sports         | 87  | \$116.60      |
| Fees for Recreational Lessons       | 81  | \$140.52      |
| Social, Recreation, Club Membership | 89  | \$268.39      |
| Exercise Equipment/Game Tables      | 88  | \$94.32       |
| Other Sports Equipment              | 89  | \$9.42        |

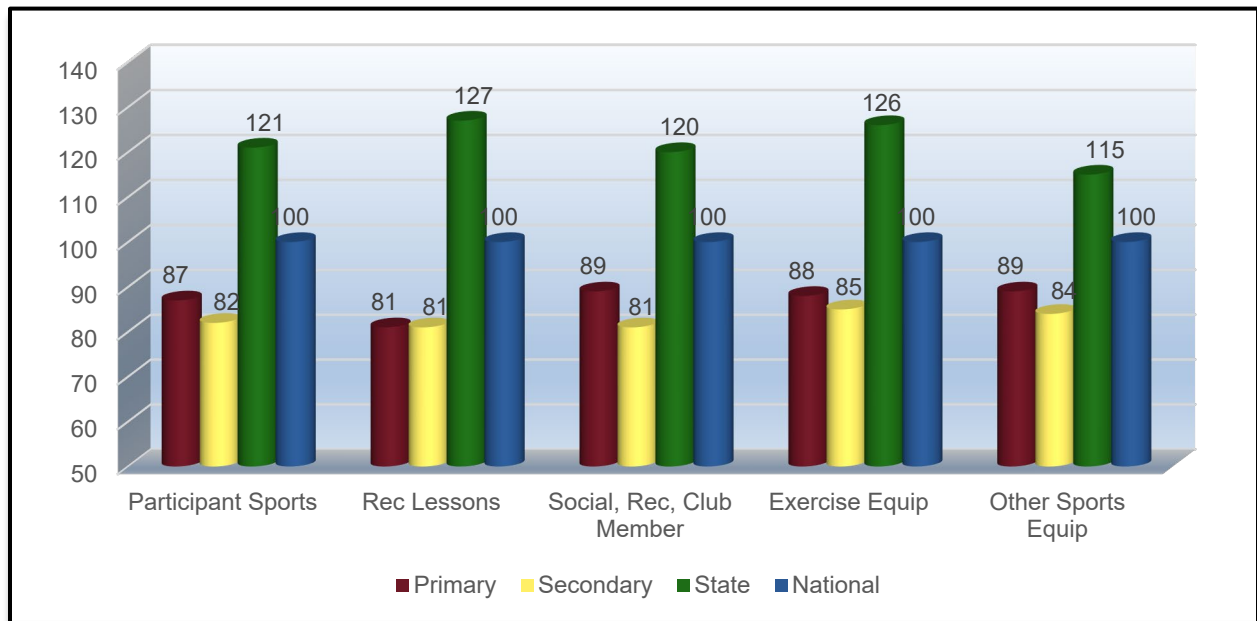
| Secondary Service Area              | SPI | Average Spent |
|-------------------------------------|-----|---------------|
| Fees for Participant Sports         | 82  | \$109.65      |
| Fees for Recreational Lessons       | 81  | \$139.11      |
| Social, Recreation, Club Membership | 81  | \$245.81      |
| Exercise Equipment/Game Tables      | 85  | \$91.06       |
| Other Sports Equipment              | 84  | \$8.95        |

| State of Washington                 | SPI | Average Spent |
|-------------------------------------|-----|---------------|
| Fees for Participant Sports         | 121 | \$160.83      |
| Fees for Recreational Lessons       | 127 | \$218.82      |
| Social, Recreation, Club Membership | 120 | \$362.15      |
| Exercise Equipment/Game Tables      | 126 | \$134.17      |
| Other Sports Equipment              | 115 | \$12.28       |

**Average Amount Spent:** The average amount spent for the service or item in a year.  
**SPI:** Spending potential index as compared to the national number of 100.

<sup>4</sup> Consumer Spending data are derived from the 2019 and 2021 Consumer Expenditure Surveys, Bureau of Labor Statistics.

**Chart E – Recreation Spending Potential Index:**



Again, there is a great deal of consistency between median household income, household budget expenditures and now recreation and spending potential. It is important to note that these dollars are already being spent in the service area. As such, if a new facility were developed it would require that users either increase their spending in these categories or shift their spending patterns.



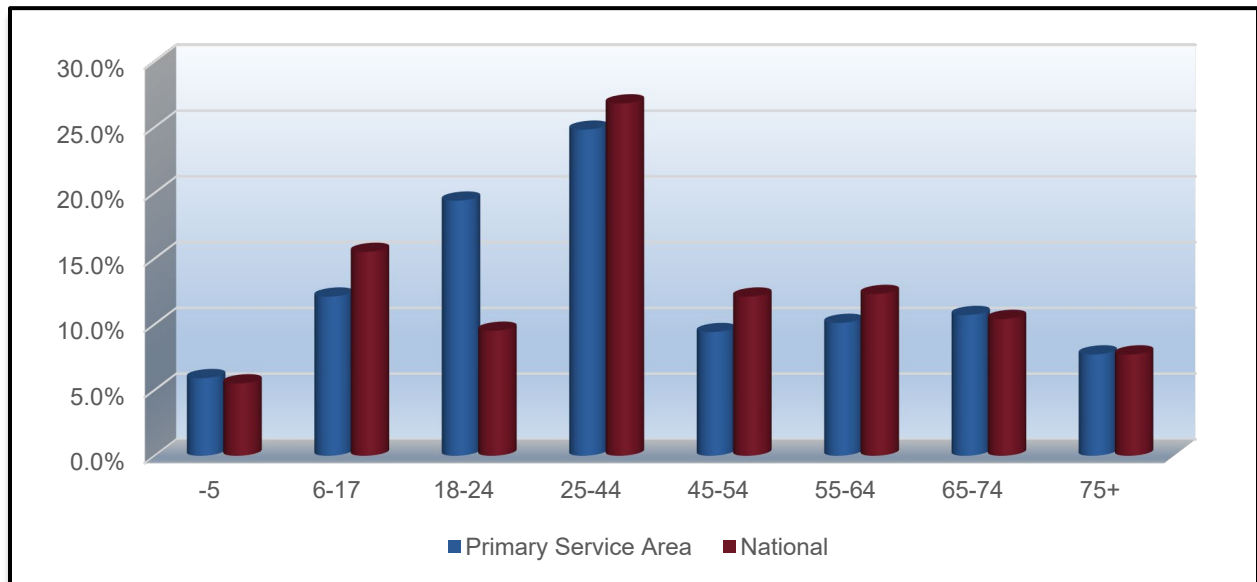
**Population Distribution by Age:** Utilizing census information for the Primary Service Area, the following comparisons are possible.

**Table F – 2024 Primary Service Area Age Distribution** (ESRI estimates)

| Ages  | Population | % of Total | Nat. Population | Difference |
|-------|------------|------------|-----------------|------------|
| 0-5   | 2,583      | 5.9%       | 5.5%            | +0.4%      |
| 6-17  | 5,250      | 12.1%      | 15.5%           | -3.4%      |
| 18-24 | 8,450      | 19.4%      | 9.5%            | +9.9%      |
| 25-44 | 10,805     | 24.8%      | 26.8%           | -2.0%      |
| 45-54 | 4,080      | 9.4%       | 12.1%           | -2.7%      |
| 55-64 | 4,368      | 10.1%      | 12.3%           | -2.2%      |
| 65-74 | 4,649      | 10.7%      | 10.4%           | +0.3%      |
| 75+   | 3,356      | 7.7%       | 7.7%            | 0.0%       |

**Population:** 2024 census estimates in the different age groups in the Primary Service Area.  
**% of Total:** Percentage of the Primary Service Area population in the age group.  
**National Population:** Percentage of the national population in the age group.  
**Difference:** Percentage difference between the Primary Service Area population and the national population.

**Chart F – 2024 Primary Service Area Age Group Distribution**



The demographic makeup of the Primary Service Area, when compared to the characteristics of the national population, indicates that there are some differences with a smaller population in the age groups under 6-17, 25-44, 45-54, and 55-64 age groups. All other age groups are relatively consistent with national statistics. The greatest positive

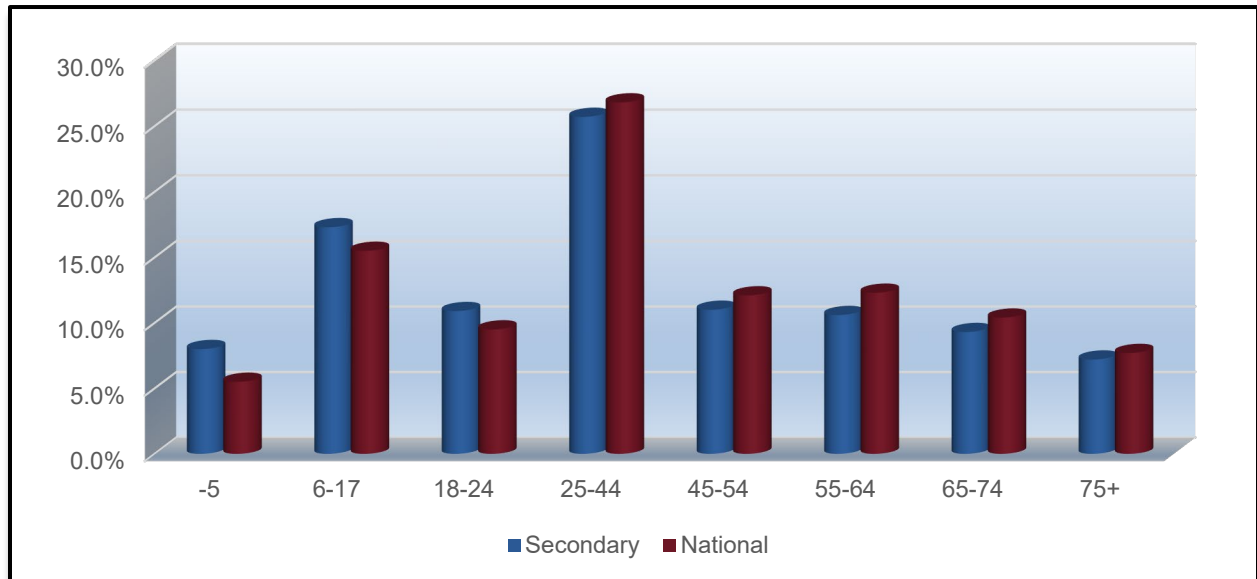
variance is in the 18-24 age group with +9.9%, while the greatest negative variance is in the 6-17 age group with -3.4%.

**Table F – 2024 Secondary Service Area Age Distribution** (ESRI estimates)

| Ages  | Population | % of Total | Nat. Population | Difference |
|-------|------------|------------|-----------------|------------|
| 0-5   | 39,478     | 8.0%       | 5.5%            | +2.5%      |
| 5-17  | 85,983     | 17.3%      | 15.5%           | +1.8%      |
| 18-24 | 53,460     | 10.9%      | 9.5%            | +1.4%      |
| 25-44 | 127,689    | 25.7%      | 26.8%           | -1.1%      |
| 45-54 | 54,512     | 11.0%      | 12.1%           | -1.1%      |
| 55-64 | 52,355     | 10.6%      | 12.3%           | -1.7%      |
| 65-74 | 46,373     | 9.3%       | 10.4%           | -1.1%      |
| 75+   | 35,238     | 7.2%       | 7.7%            | -0.5%      |

**Population:** 2024 census estimates in the different age groups in the Secondary Service Area.  
**% of Total:** Percentage of the Secondary Service Area population in the age group.  
**National Population:** Percentage of the national population in the age group.  
**Difference:** Percentage difference between the Secondary Service Area population and the national population.

**Chart F – 2024 Secondary Service Area Age Group Distribution**



The demographic makeup of the Secondary Service Area, when compared to the characteristics of the national population, indicates that there are some differences with a smaller population in the age groups 25-44, 55-64, 65-74 and 75+ age groups. The greatest positive variance is in the 0-5 age group with +2.5%, while the greatest negative variance is in the 55-64 age group with -1.7%.

**Population Distribution by Age Over Time:** Utilizing census information from the Primary Service Area, the following comparisons are possible.

**Table H – 2024 Primary Service Area Population Estimates** (U.S. Census and ESRI)

| Ages  | 2020 Census | 2024 Projection | 2029 Projection | Percent Change | Percent Change Nat'l |
|-------|-------------|-----------------|-----------------|----------------|----------------------|
| -5    | 2,478       | 2,583           | 2,646           | +6.8%          | +1.3%                |
| 6-17  | 5,130       | 5,250           | 5,241           | +2.2%          | -7.5%                |
| 18-24 | 7,125       | 8,450           | 8,467           | +18.8%         | +0.7%                |
| 25-44 | 9,520       | 10,805          | 11,339          | +19.1%         | +6.7%                |
| 45-54 | 3,907       | 4,080           | 4,523           | +15.8%         | +2.8%                |
| 55-64 | 4,747       | 4,368           | 4,098           | -13.7%         | -8.7%                |
| 65-74 | 4,271       | 4,649           | 4,794           | +12.3%         | +14.8%               |
| 75+   | 2,765       | 3,356           | 4,256           | +53.9%         | +39.7%               |

**Chart H – Primary Service Area Population Growth**

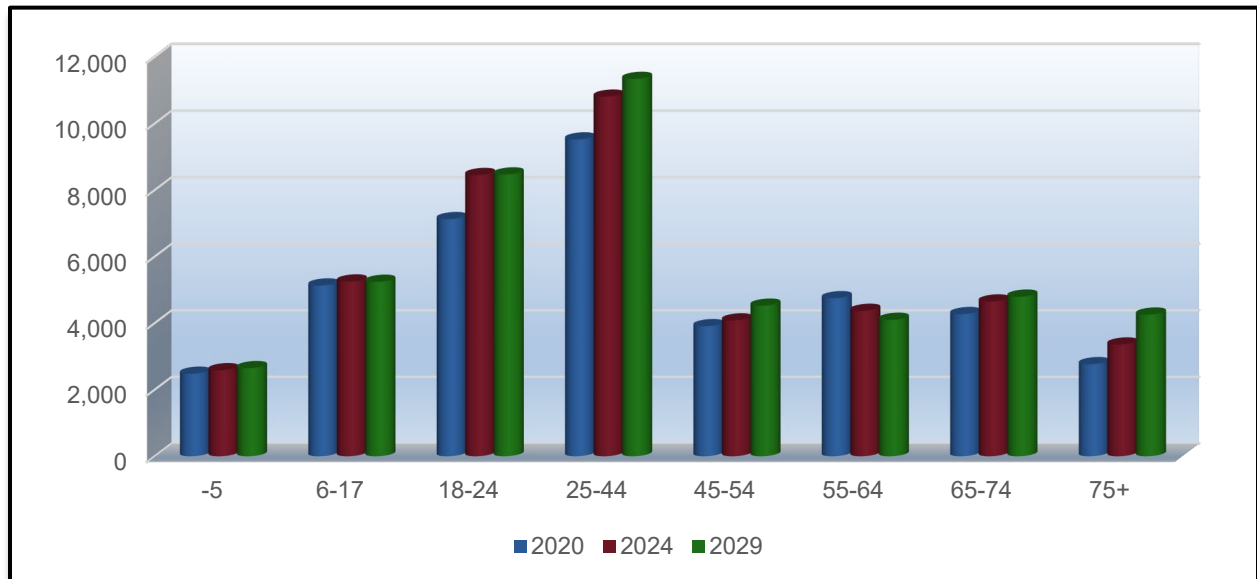


Table-H illustrates the growth or decline in age group numbers from the 2020 census until the year 2029. It is projected that the age category 55-64 will see a decrease in population. The 55-64 decrease is noteworthy, as the population of the United States is aging. It is not unusual to find negative growth numbers in the younger age groups and significant net gains in the 45 plus age groupings in communities which are relatively stable in their population numbers.



**Population Distribution by Age Over Time:** Utilizing census information from the Secondary Service Area, the following comparisons are possible.

**Table G – 2024 Secondary Service Area Population Estimates** (U.S. Census and ESRI)

| Ages  | 2020 Census | 2024 Projection | 2029 Projection | Percent Change | Percent Change Nat'l |
|-------|-------------|-----------------|-----------------|----------------|----------------------|
| -5    | 39,058      | 39,478          | 40,209          | +2.9%          | +1.3%                |
| 6-17  | 89,572      | 85,983          | 80,310          | -10.3%         | -7.5%                |
| 18-24 | 47,131      | 53,460          | 54,183          | +15.0%         | +0.7%                |
| 25-44 | 122,431     | 127,689         | 133,585         | +9.1%          | +6.7%                |
| 45-54 | 51,689      | 54,512          | 57,217          | +10.7%         | +2.8%                |
| 55-64 | 54,293      | 52,355          | 50,120          | -7.7%          | -8.7%                |
| 65-74 | 43,485      | 46,373          | 48,505          | +11.5%         | +14.8%               |
| 75+   | 30,323      | 35,238          | 42,055          | +38.7%         | +39.7%               |

**Chart H – Secondary Service Area Population Growth**

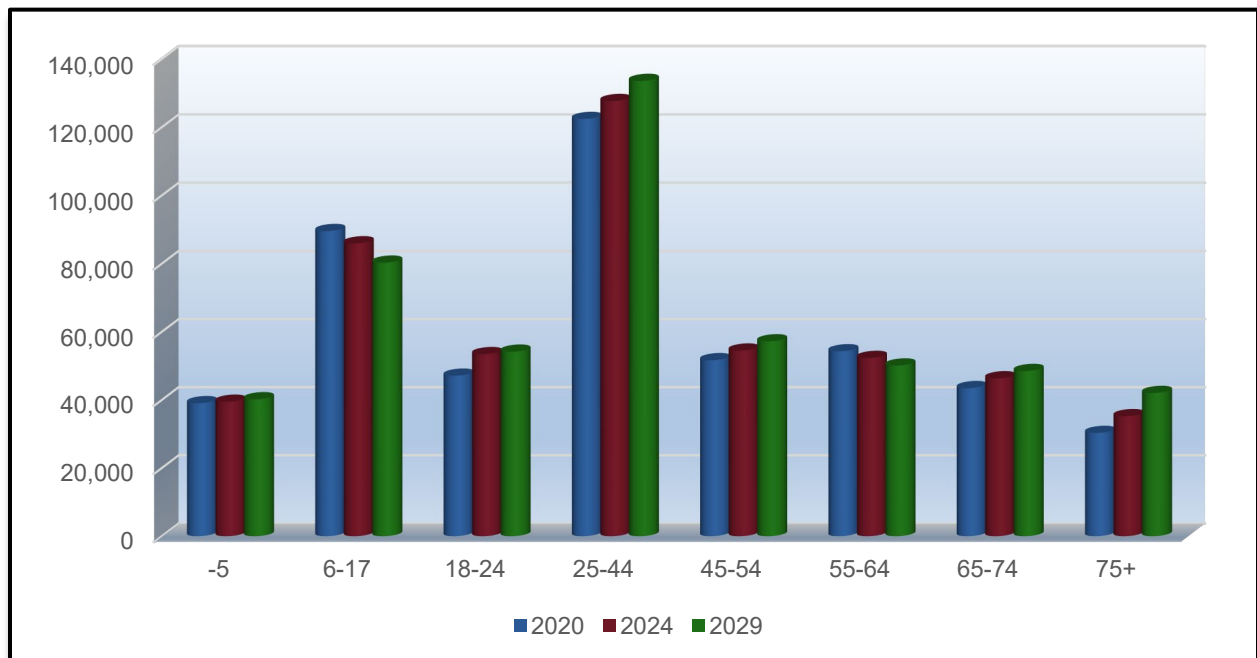


Table-G illustrates the growth or decline in age group numbers from the 2020 census until the year 2029. It is projected that age categories 0-5, 18-24, 25-44, 45-54, 65-74 and 75+ will see an increase in population. The population of the United States is aging, and it is not unusual to find negative growth numbers in the younger age groups and significant net gains in the 45 plus age groupings in communities which are relatively stable in their population numbers.

**Ethnicity and Race:** Below is listed the distribution of the population by race and ethnicity for the Primary Service Area for 2024 population projections. Those numbers were developed from 2020 Census Data.

**Table J – Primary Service Area Ethnic Population and Median Age 2024**

(Source – U.S. Census Bureau and ESRI)

| Ethnicity | Total Population | Median Age | % of Population | % of State Population |
|-----------|------------------|------------|-----------------|-----------------------|
| Hispanic  | 5,552            | 23.8       | 12.8%           | 14.7%                 |

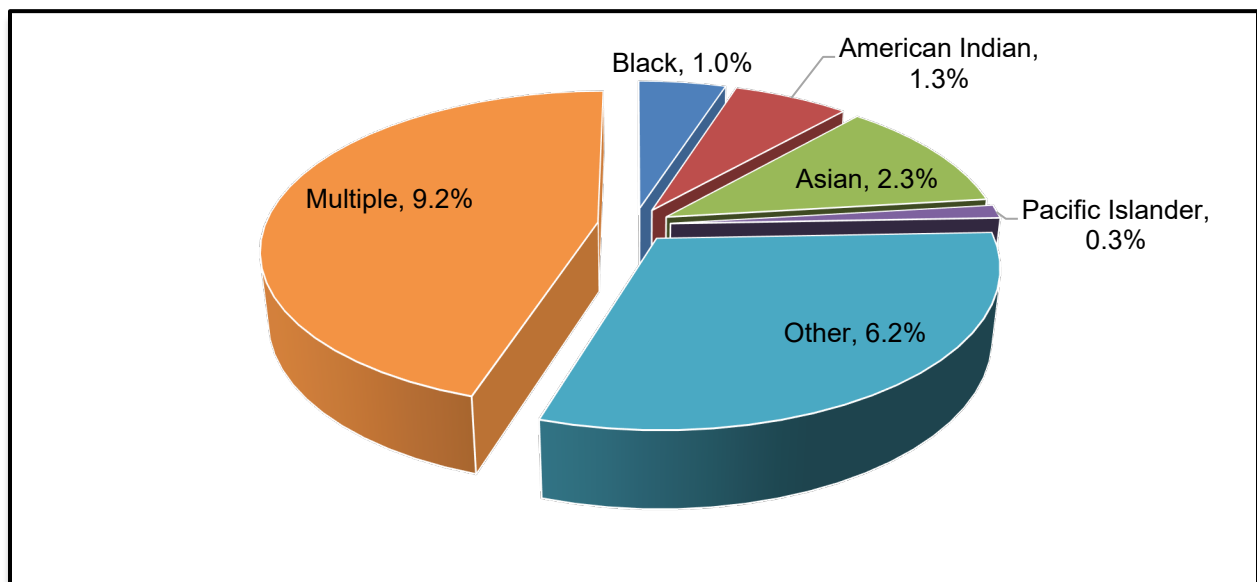
**Table K – Primary Service Area by Race and Median Age 2024**

(Source – U.S. Census Bureau and ESRI)

| Race             | Total Population | Median Age | % of Population | % of State Population |
|------------------|------------------|------------|-----------------|-----------------------|
| White            | 34,691           | 37.5       | 79.7%           | 64.4%                 |
| Black            | 441              | 24.2       | 1.0%            | 4.2%                  |
| American Indian  | 585              | 24.7       | 1.3%            | 1.6%                  |
| Asian            | 1,020            | 23.7       | 2.3%            | 10.5%                 |
| Pacific Islander | 118              | 27.1       | 0.3%            | 0.9%                  |
| Other            | 2,695            | 25.2       | 6.2%            | 7.1%                  |
| Multiple         | 3,991            | 24.6       | 9.2%            | 11.4%                 |

2024 Primary Service Area Total Population: 43,541 Residents

**Chart K – 2024 Primary Service Area Population by Non-White Race**



**Ethnicity and Race:** Below is the distribution of the population by ethnicity and race for the Secondary Service Area for 2024 population projections. Those numbers were developed from 2020 Census Data.

**Table H – Secondary Service Area Ethnic Population and Median Age 2024**

(Source – U.S. Census Bureau and ESRI)

| Ethnicity | Total Population | Median Age | % of Population | % of State Population |
|-----------|------------------|------------|-----------------|-----------------------|
| Hispanic  | 224,673          | 26.4       | 45.4%           | 14.7%                 |

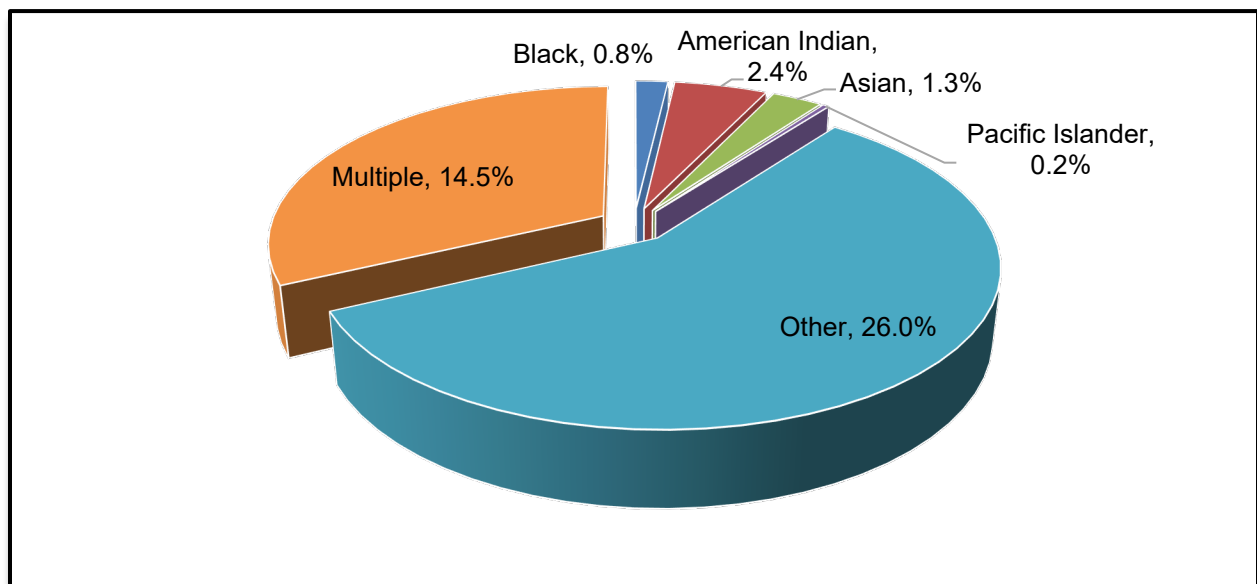
**Table I – Secondary Service Area by Race and Median Age 2024**

(Source – U.S. Census Bureau and ESRI)

| Race             | Total Population | Median Age | % of Population | % of State Population |
|------------------|------------------|------------|-----------------|-----------------------|
| White            | 271,287          | 43.4       | 54.8%           | 64.4%                 |
| Black            | 4,095            | 33.6       | 0.8%            | 4.2%                  |
| American Indian  | 11,892           | 30.6       | 2.4%            | 1.6%                  |
| Asian            | 6,427            | 37.8       | 1.3%            | 10.5%                 |
| Pacific Islander | 782              | 32.2       | 0.2%            | 0.9%                  |
| Other            | 128,869          | 27.7       | 26.0%           | 7.1%                  |
| Multiple         | 71,737           | 27.4       | 14.5%           | 11.4%                 |

2024 Secondary Service Area Total Population: 495,089 Residents

**Chart I – 2024 Secondary Service Area Population by Non-White Race**



## **Tapestry Segmentation**

Tapestry segmentation represents the 4<sup>th</sup> generation of market segmentation systems that began 30 years ago. The 67-segment Tapestry Segmentation system classifies U.S. neighborhoods based on their socioeconomic and demographic compositions. While the demographic landscape of the U.S. has changed significantly since the 2020 Census, the tapestry segmentation has remained stable as neighborhoods have evolved.

There is value including this information for Ellensburg, WA. The data assists the organization in understanding the consumers/constituents in their service area and supply them with the right products and services.

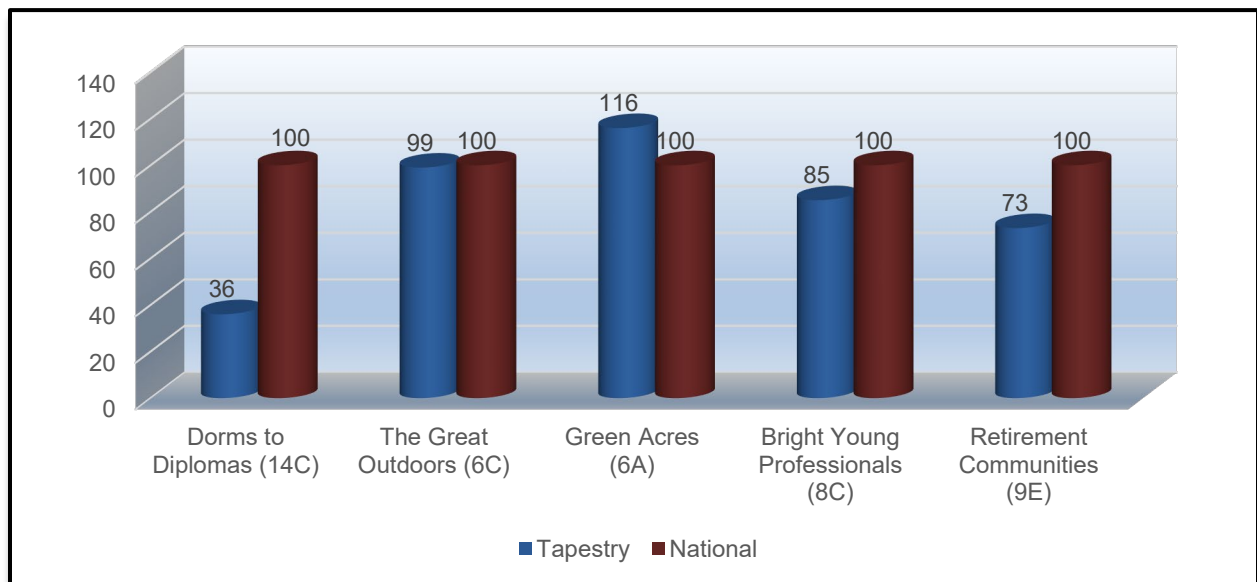
The Tapestry segmentation system classifies U.S. neighborhoods into 65 unique market segments. Neighborhoods are sorted by more than 60 attributes including income, employment, home value, housing types, education, household composition, age and other key determinates of consumer behavior.

The following pages and tables outline the top 5 tapestry segments in each of the service areas and provide a brief description of each. This information combined with the key indicators and demographic analysis of each service area helps further describe the markets that the Primary and Secondary Service Areas look to serve with programs, services, and special events.

**Table N – Primary Service Area Tapestry Segment Comparison** (ESRI estimates)

|                                 | Primary Service Area |                    | Demographics |                  |
|---------------------------------|----------------------|--------------------|--------------|------------------|
|                                 | Percent              | Cumulative Percent | Median Age   | Median HH Income |
| Dorms to Diplomas (14C)         | 19.5%                | 19.5%              | 21.6         | \$16,800         |
| The Great Outdoors (6C)         | 19.0%                | 38.5%              | 47.4         | \$56,400         |
| Green Acres (6A)                | 9.0%                 | 47.5%              | 43.9         | \$76,800         |
| Bright Young Professionals (8C) | 8.1%                 | 55.6%              | 33.0         | \$54,000         |
| Retirement Communities (9E)     | 6.4%                 | 62.0%              | 53.9         | \$40,800         |

**Chart N – Primary Service Area Tapestry Segment Entertainment Spending:**



**Dorms to Diplomas (14C)** – On their own for the first time, these residents are establishing their own identity and preferences. Spend time outside of school and part-time socializing with friends and having fun. Looking for life lessons and new things. Very active and participate in many sports.

**The Great Outdoors (6C)** – Living a modest lifestyle, these empty nesters are very do-it-yourself oriented and cost conscious. Most residents work but are nearing retirement. Enjoy outdoor activities such as hiking and hunting. Many are members of AARP, veterans' clubs and/or support civic causes.

**Green Acres (6A)** – Mainly married couples in neighborhoods. Educated, hard-working and blue-collar. Lifestyle that features self-reliance. Enjoy maintaining home/yard, being outside and playing sports. Most households no longer have children. Conservative and cautious. For exercise, they prefer the outdoors, biking, fishing, and hunting.

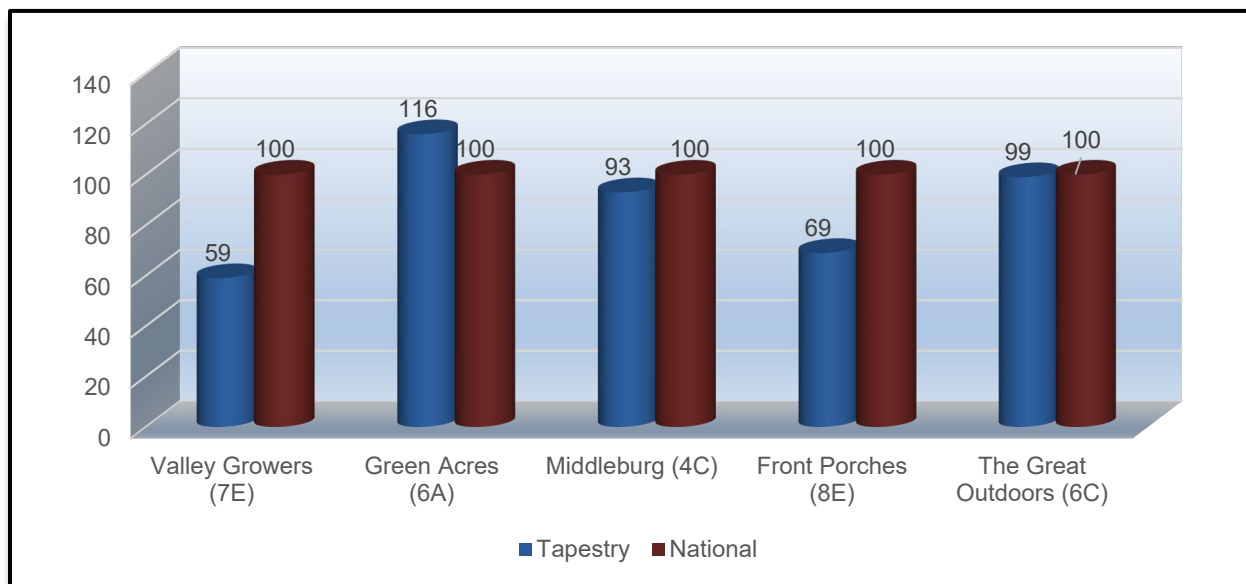
**Bright Young Professionals (8C)** – This is a large market, primarily located in urban outskirts of large metropolitan areas. These communities are home to young, educated, working professionals. One out of three householders are under the age of 35. Slightly more diverse couples dominate this market, with more renters than homeowners. Household type is primarily couples, married, with above average concentrations of both single-parent and single-person households. There is a significant Hispanic (16.6%) and Black (16.0%) population in this segment. They participate in a variety of sports, including backpacking, basketball, football, bowling, Pilates, weightlifting, and yoga.

**Retirement Communities (9E)** – Evenly distributed across the country, this group stays up to date with the latest news, takes pride in being financially responsible. Enjoys fishing and taking vacations. While some residents enjoy cooking, many would rather dine out. They are health conscious.

**Table N – Secondary Service Area Tapestry Segment Comparison** (ESRI estimates)

|                         | Secondary Service Area |                    | Demographics |                  |
|-------------------------|------------------------|--------------------|--------------|------------------|
|                         | Percent                | Cumulative Percent | Median Age   | Median HH Income |
| Valley Growers (7E)     | 14.2%                  | 14.2%              | 27.4         | \$35,300         |
| Green Acres (6A)        | 10.5%                  | 24.7%              | 43.9         | \$76,800         |
| Middleburg (4C)         | 9.5%                   | 34.2%              | 36.1         | \$59,800         |
| Front Porches (8E)      | 5.7%                   | 39.9%              | 34.9         | \$43,700         |
| The Great Outdoors (6C) | 4.9%                   | 44.8%              | 47.4         | \$56,400         |

**Chart N – Secondary Service Area Tapestry Segment Entertainment Spending:**



**Valley Growers (7E)** – A small but distinctive market exclusive to the West Coast. Young, Hispanic families with children and multiple generations in the house, favoring Spanish language. All about spending time with family. Minimal online usage. Limited participation in recreation beyond soccer.

**Green Acres (6A)** – Mainly married couples in neighborhoods. Educated, hard-working and blue-collar. Lifestyle that features self-reliance. Enjoy maintaining home/yard, being outside and playing sports. Most households no longer have children. Conservative and cautious. For exercise, they prefer the outdoors, biking, fishing, and hunting.

**Middleburg (4C)** – This group is conservative and family-oriented. A younger market that is growing. Prefers to buy American for a good price. Rely on smartphones and mobile devices. Spending priorities focus on DIY projects and family. Participate in sports and outdoor activities including hunting, bowling and baseball.

**Front Porches (8E)** – A blended demographic with young families with children and single households. Limited incomes and not adventurous shoppers. More diverse than the rest of the U.S. Income and net worth well below U.S. average. Price is important. Not adventurous shoppers. High unemployment (11%). Strive to have fun with sports.

**The Great Outdoors (6C)** – Living a modest lifestyle, these empty nesters are very do-it-yourself oriented and cost conscious. Most residents work but are nearing retirement. Enjoy outdoor activities such as hiking and hunting. Many are members of AARP, veterans' clubs and/or support civic causes.



## Demographic Summary

The following summarizes the demographic characteristics of the service areas.

- The population within the Primary Service Area is such that it would not support a fieldhouse on its own. However, the increased population within the Secondary Service Area may. B\*K typically looks for a population of greater than 75,000 within the Primary service area as a key indicator for demand and financial success.
- The median age in the Primary Service Area is slightly lower than the State and National numbers. A lower median age points to young families with children, which are significant participants in youth sports and recreation. In addition, the presence of a university drives the median age lower. As such, the median age is a benefit to the project.
- The Primary Service Areas has a significantly lower percentage of households with children (25.3%) than both the state and national average of about 30%. The main reason for the lower percentage of households is due to the university as the Secondary Service Area has a significantly higher percentage than the Primary and state.
- The Primary Service Area has a lower median household income than the state of Washington and the national average. Income level is important when it comes to price point for programs and services, subsequently the cost recovery level of a facility. Again, university students drive this figure down.
- The Household Budget Expenditures and the Recreation Spending Potential are consistent with the median household income. The consistency is important for the financial performance of the future facility. It is also important to note, specific to recreation, that those dollars are currently being spent with other providers by residents.
- The age distribution in the Primary Service Area is such that 18.0% is under the age of 18 and 19.0% is 18-24. These are two age groups that will be significant users of indoor sports. Additionally, it is projected that nearly all age categories are projected to increase substantially through 2028.
- The tapestries indicate greater than 55% of the population is interested in being active and sports. While the primary focus is outdoors, much of their time will be spent indoors as well.

## **Participation Figures**

**Market Potential Index for Adult Participation:** In addition to examining the participation numbers for various outdoor activities through the National Sporting Goods Association, the 2020 Survey and the Spending Potential Index for Entertainment & Recreation, B\*K can access information about Sports & Leisure Market Potential. The following information illustrates participation rates for adults in a variety of activities that could be accommodated in an indoor recreation and/or fieldhouse facility.

**Table A - Market Potential Index (MPI) for Participation in Activities in Primary Service Area**

| <b>Adults participated in:</b> | <b>Expected Number of Adults</b> | <b>Percent of Population</b> | <b>MPI</b> |
|--------------------------------|----------------------------------|------------------------------|------------|
| Aerobics                       | 2,631                            | 7.4%                         | 96         |
| Baseball                       | 1,143                            | 3.2%                         | 110        |
| Basketball                     | 2,245                            | 6.3%                         | 114        |
| Football                       | 1,065                            | 3.0%                         | 117        |
| Golf                           | 3,322                            | 9.3%                         | 116        |
| Pickleball                     | 1,037                            | 2.9%                         | 116        |
| Running/Jogging                | 4,039                            | 11.3%                        | 110        |
| Soccer                         | 1,217                            | 3.4%                         | 108        |
| Softball                       | 669                              | 1.9%                         | 107        |
| Tennis                         | 1,543                            | 4.3%                         | 114        |
| Volleyball                     | 1,181                            | 3.3%                         | 132        |
| Walking for Exercise           | 12,006                           | 33.6%                        | 103        |

**Expected # of Adults:** Number of adults, 18 years of age and older, participating in the activity in the Service Area.

**Percent of Population:** Percent of the service area that participates in the activity.

**MPI:** Market potential index as compared to the national number of 100.

This table indicates that the overall propensity for adults to participate in activities is greater than the national number of 100. In many cases, when a participation number is lower than the National number, this is due to a lack of facilities or an inability to pay for services and programs.

**Table B - Market Potential Index (MPI) for Participation in Activities in Secondary Service Area**

| Adults participated in: | Expected Number of Adults | Percent of Population | MPI |
|-------------------------|---------------------------|-----------------------|-----|
| Aerobics                | 28,343                    | 7.7%                  | 100 |
| Baseball                | 10,934                    | 3.0%                  | 102 |
| Basketball              | 20,077                    | 5.4%                  | 99  |
| Football                | 10,461                    | 2.8%                  | 111 |
| Golf                    | 27,456                    | 7.4%                  | 93  |
| Pickleball              | 8,090                     | 2.2%                  | 88  |
| Running/Jogging         | 36,607                    | 9.9%                  | 96  |
| Soccer                  | 14,227                    | 3.8%                  | 122 |
| Softball                | 6,593                     | 1.8%                  | 102 |
| Tennis                  | 13,466                    | 3.6%                  | 96  |
| Volleyball              | 10,342                    | 2.8%                  | 112 |
| Walking for Exercise    | 113,532                   | 30.7%                 | 94  |

**Expected # of Adults:** Number of adults, 18 years of age and older, participating in the activity in the Service Area.  
**Percent of Population:** Percent of the service area that participates in the activity.  
**MPI:** Market potential index as compared to the national number of 100.

This table indicates that the overall propensity for adults to participate in activities is greater than the national number of 100. In many cases, when a participation number is lower than the National number, this is due to a lack of facilities or an inability to pay for services and programs.

In addition to analyzing the demographic realities of the service areas, it is possible to project possible participation in recreation and sport activities.

**Participation Numbers:** On an annual basis, the National Sporting Goods Association (NSGA) conducts an in-depth study and survey of how Americans spend their leisure time. The data is collected in one year and the report is issued in May of the following year. This information provides the data necessary to overlay the rate of participation onto the Primary and Secondary Service Areas to determine market potential.

B\*K takes the national average and combines that with participation percentages of the Primary Service Area based upon age distribution, median income, region and National number. Those four percentages are then averaged together to create a unique participation percentage for the service area. This participation percentage, when applied to the population of the Primary and Secondary Service Areas, then provides an idea of the market potential for a variety of recreation activities.

**Table C –Participation Rates in the Primary Service Area**

| Indoor Activities    | Age   | Income | Region | Nation | Average |
|----------------------|-------|--------|--------|--------|---------|
| Baseball             | 3.9%  | 1.9%   | 4.7%   | 3.7%   | 3.5%    |
| Basketball           | 8.6%  | 6.9%   | 9.6%   | 7.6%   | 8.2%    |
| Cheerleading         | 1.1%  | 0.7%   | 1.2%   | 1.0%   | 1.0%    |
| Football (flag)      | 2.1%  | 0.8%   | 2.9%   | 1.9%   | 1.9%    |
| Football (tackle)    | 2.5%  | 2.1%   | 3.0%   | 2.2%   | 2.4%    |
| Football (touch)     | 2.8%  | 2.1%   | 3.7%   | 2.7%   | 2.8%    |
| Golf                 | 6.9%  | 3.0%   | 7.4%   | 6.5%   | 6.0%    |
| Gymnastics           | 1.9%  | 0.8%   | 2.9%   | 1.8%   | 1.9%    |
| Lacrosse             | 1.0%  | 0.4%   | 1.6%   | 0.8%   | 0.9%    |
| Martial Arts/MMA     | 2.0%  | 1.2%   | 2.9%   | 1.7%   | 2.0%    |
| Pickleball           | 3.5%  | 1.2%   | 3.4%   | 2.1%   | 2.5%    |
| Running/Jogging      | 14.7% | 9.0%   | 17.9%  | 14.8%  | 14.1%   |
| Soccer               | 5.2%  | 2.8%   | 7.1%   | 4.6%   | 4.9%    |
| Softball             | 2.8%  | 1.7%   | 3.6%   | 3.1%   | 2.8%    |
| Tennis               | 5.0%  | 1.5%   | 6.2%   | 4.7%   | 4.4%    |
| Volleyball           | 3.6%  | 2.4%   | 4.6%   | 3.8%   | 3.6%    |
| Walking For Exercise | 34.9% | 28.6%  | 36.3%  | 37.3%  | 34.3%   |

**Age:** Participation based on individuals ages 7 & Up of the Service Area.  
**Income:** Participation based on the 2024 estimated median household income in the Service Area.  
**Region:** Participation based on regional statistics (Pacific).  
**National:** Participation based on national statistics.  
**Average:** Average of the four columns.

**Table D –Participation Rates in the Secondary Service Area**

| Indoor Activities    | Age   | Income | Region | Nation | Average |
|----------------------|-------|--------|--------|--------|---------|
| Baseball             | 3.9%  | 1.9%   | 4.7%   | 3.7%   | 3.5%    |
| Basketball           | 8.4%  | 6.9%   | 9.6%   | 7.6%   | 8.1%    |
| Cheerleading         | 1.2%  | 0.7%   | 1.2%   | 1.0%   | 1.0%    |
| Football (flag)      | 2.2%  | 0.8%   | 2.9%   | 1.9%   | 1.9%    |
| Football (tackle)    | 2.4%  | 2.1%   | 3.0%   | 2.2%   | 2.4%    |
| Football (touch)     | 2.7%  | 2.1%   | 3.7%   | 2.7%   | 2.8%    |
| Golf                 | 6.7%  | 3.0%   | 7.4%   | 6.5%   | 5.9%    |
| Gymnastics           | 2.1%  | 0.8%   | 2.9%   | 1.8%   | 1.9%    |
| Lacrosse             | 1.0%  | 0.4%   | 1.6%   | 0.8%   | 0.9%    |
| Martial Arts/MMA     | 2.1%  | 1.2%   | 2.9%   | 1.7%   | 2.0%    |
| Pickleball           | 3.3%  | 1.2%   | 3.4%   | 2.1%   | 2.5%    |
| Running/Jogging      | 14.5% | 9.0%   | 17.9%  | 14.8%  | 14.0%   |
| Soccer               | 5.4%  | 2.8%   | 7.1%   | 4.6%   | 5.0%    |
| Softball             | 2.9%  | 1.7%   | 3.6%   | 3.1%   | 2.8%    |
| Tennis               | 5.1%  | 1.5%   | 6.2%   | 4.7%   | 4.4%    |
| Volleyball           | 3.6%  | 2.4%   | 4.6%   | 3.8%   | 3.6%    |
| Walking For Exercise | 34.9% | 28.6%  | 36.3%  | 37.3%  | 34.3%   |

**Age:** Participation based on individuals ages 7 & Up of the Service Area.  
**Income:** Participation based on the 2024 estimated median household income in the Service Area.  
**Region:** Participation based on regional statistics (Pacific).  
**National:** Participation based on national statistics.  
**Average:** Average of the four columns.

**Anticipated Participation Number:** Utilizing the average percentage from Table C and D above plus the 2020 census information and census estimates for 2024 and 2029 (over age 7) the following comparisons are available.

**Table E –Participation Growth or Decline for Indoor Activities in Primary Service Area**

| Indoor Activities    | Average | 2020 Population | 2024 Population | 2029 Population | Difference |
|----------------------|---------|-----------------|-----------------|-----------------|------------|
| Baseball             | 3.5%    | 1,313           | 1,436           | 1,499           | 186        |
| Basketball           | 8.2%    | 3,031           | 3,315           | 3,460           | 429        |
| Cheerleading         | 1.0%    | 372             | 407             | 424             | 53         |
| Football (flag)      | 1.9%    | 717             | 784             | 819             | 102        |
| Football (tackle)    | 2.4%    | 906             | 991             | 1,034           | 128        |
| Football (touch)     | 2.8%    | 1,042           | 1,140           | 1,190           | 148        |
| Golf                 | 6.0%    | 2,206           | 2,412           | 2,518           | 312        |
| Gymnastics           | 1.9%    | 688             | 753             | 786             | 98         |
| Lacrosse             | 0.9%    | 352             | 385             | 402             | 50         |
| Martial Arts/MMA     | 2.0%    | 727             | 795             | 830             | 103        |
| Pickleball           | 2.5%    | 941             | 1,029           | 1,074           | 133        |
| Running/Jogging      | 14.1%   | 5,228           | 5,718           | 5,968           | 741        |
| Soccer               | 4.9%    | 1,821           | 1,992           | 2,079           | 258        |
| Softball             | 2.8%    | 1,037           | 1,134           | 1,184           | 147        |
| Tennis               | 4.4%    | 1,614           | 1,765           | 1,842           | 229        |
| Volleyball           | 3.6%    | 1,338           | 1,463           | 1,527           | 190        |
| Walking For Exercise | 34.3%   | 12,699          | 13,890          | 14,498          | 1,799      |

**Note:** These figures do not necessarily translate into attendance figures for various activities or programs. The “Did Not Participate” statistics refers to all 58 activities outlined in the NSGA 2023 Survey Instrument.

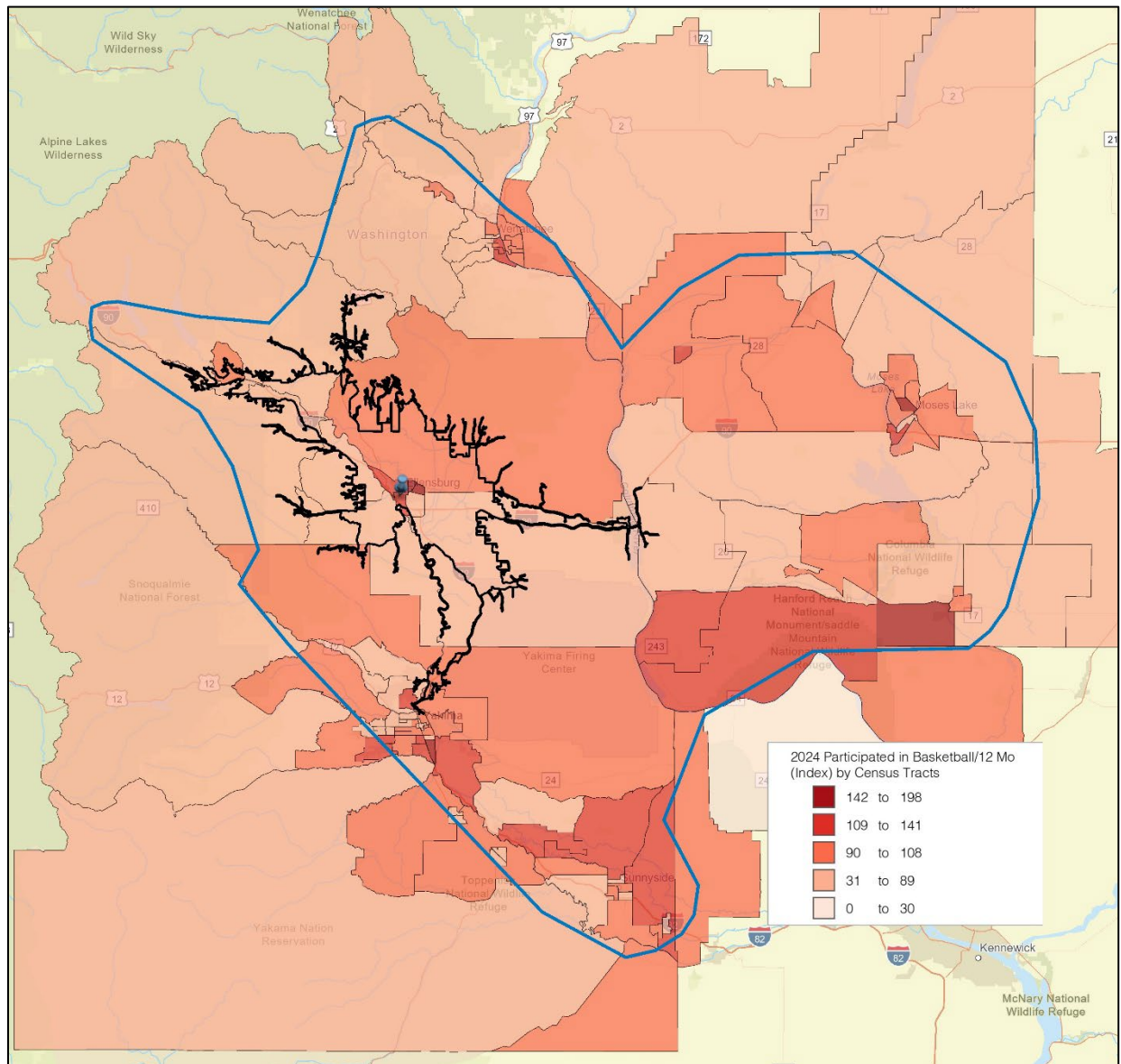
**Table F –Participation Growth or Decline for Indoor Activities in Secondary Service Area**

| Indoor Activities    | Average | 2020 Population | 2024 Population | 2029 Population | Difference |
|----------------------|---------|-----------------|-----------------|-----------------|------------|
| Baseball             | 3.5%    | 15,321          | 15,927          | 16,302          | 981        |
| Basketball           | 8.1%    | 35,123          | 36,513          | 37,371          | 2,248      |
| Cheerleading         | 1.0%    | 4,474           | 4,651           | 4,761           | 286        |
| Football (flag)      | 1.9%    | 8,413           | 8,746           | 8,951           | 538        |
| Football (tackle)    | 2.4%    | 10,491          | 10,906          | 11,162          | 671        |
| Football (touch)     | 2.8%    | 12,042          | 12,519          | 12,813          | 771        |
| Golf                 | 5.9%    | 25,487          | 26,496          | 27,118          | 1,631      |
| Gymnastics           | 1.9%    | 8,234           | 8,559           | 8,761           | 527        |
| Lacrosse             | 0.9%    | 4,051           | 4,211           | 4,310           | 259        |
| Martial Arts/MMA     | 2.0%    | 8,499           | 8,835           | 9,043           | 544        |
| Pickleball           | 2.5%    | 10,763          | 11,189          | 11,452          | 689        |
| Running/Jogging      | 14.0%   | 60,655          | 63,055          | 64,537          | 3,882      |
| Soccer               | 5.0%    | 21,488          | 22,338          | 22,863          | 1,375      |
| Softball             | 2.8%    | 12,163          | 12,645          | 12,942          | 778        |
| Tennis               | 4.4%    | 18,881          | 19,628          | 20,089          | 1,208      |
| Volleyball           | 3.6%    | 15,516          | 16,130          | 16,509          | 993        |
| Walking For Exercise | 34.3%   | 148,060         | 153,918         | 157,535         | 9,476      |

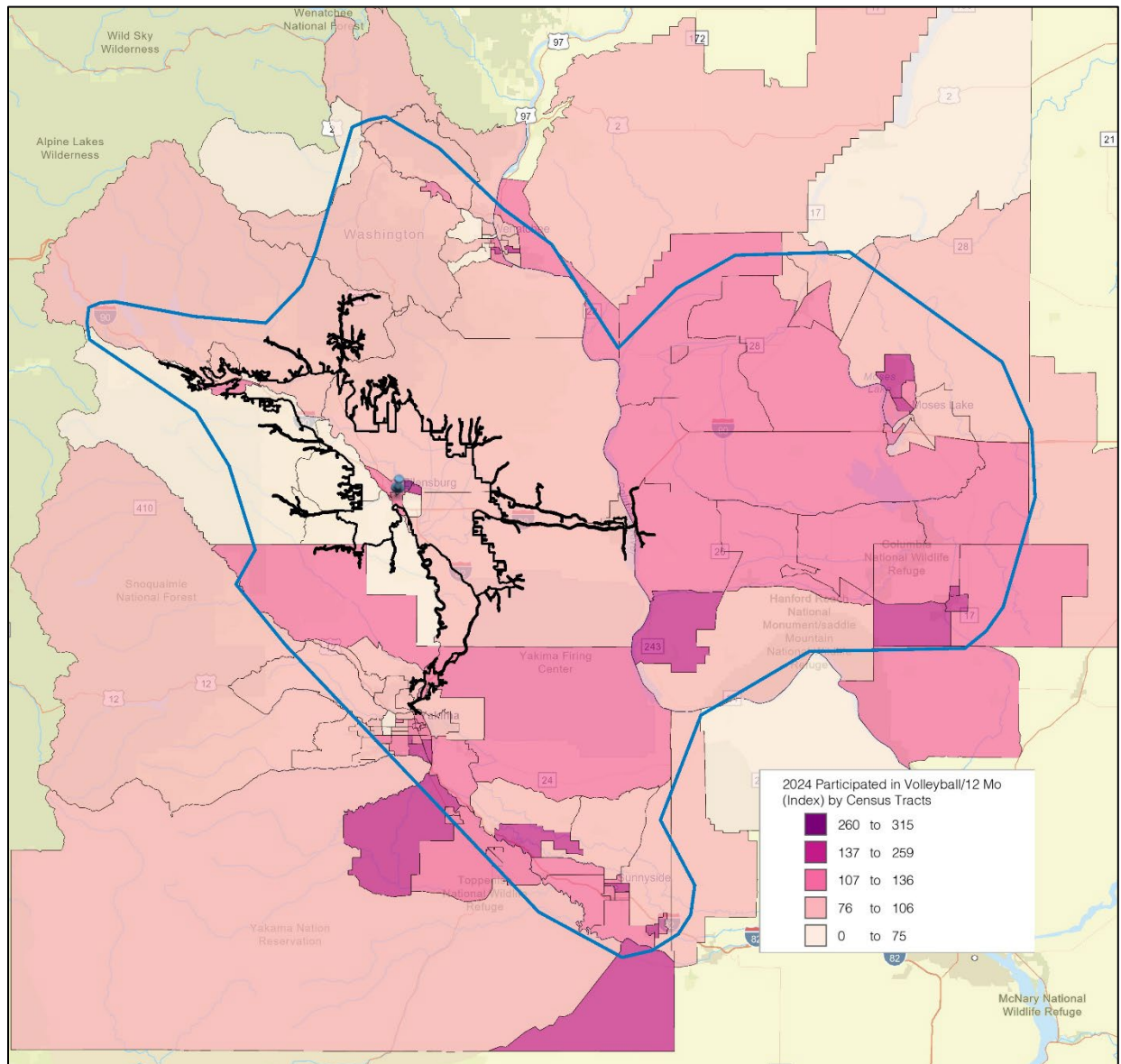
**Note:** These figures do not necessarily translate into attendance figures for various activities or programs. The “Did Not Participate” statistics refers to all 58 activities outlined in the NSGA 2023 Survey Instrument.



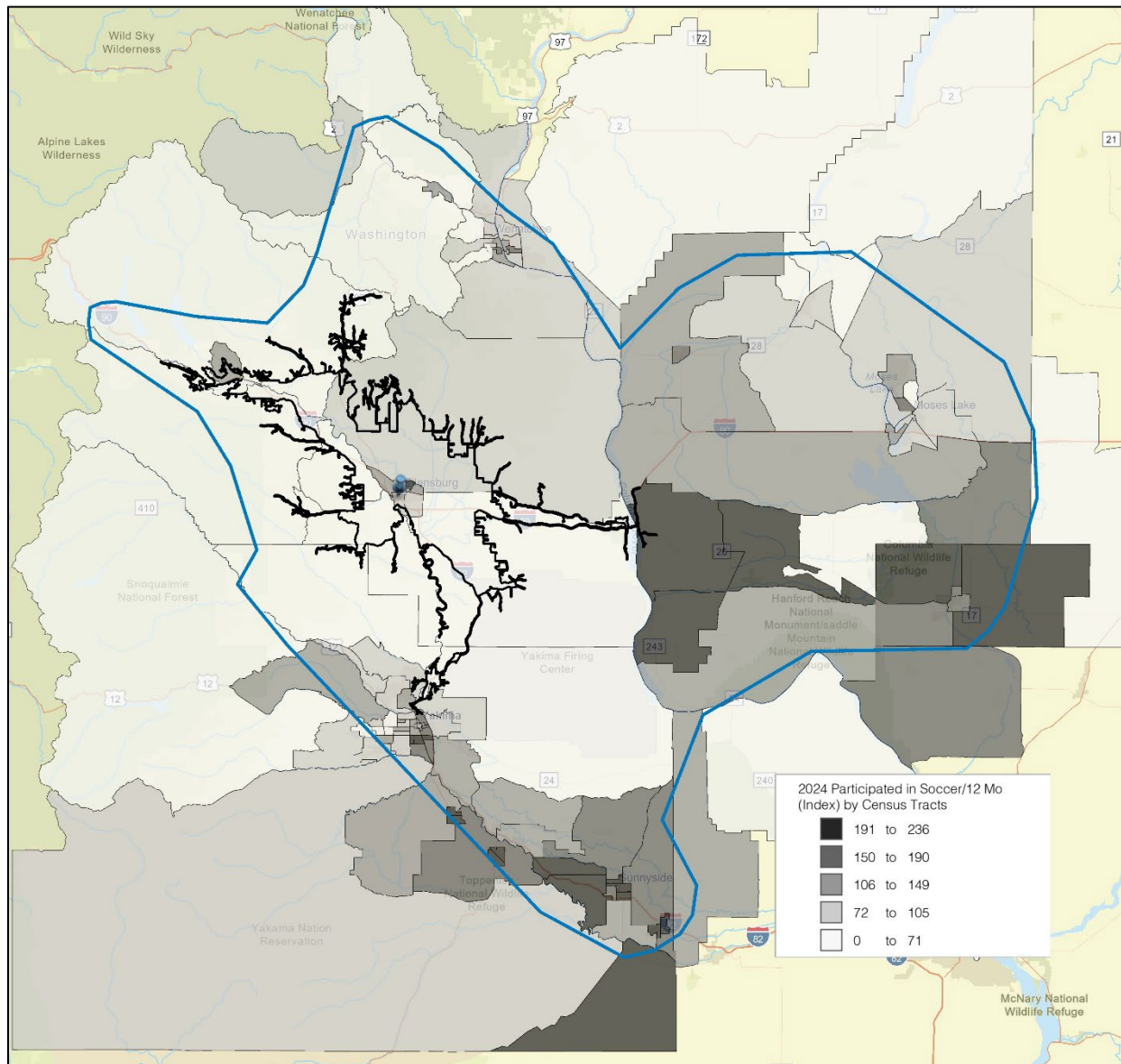
## Basketball Participation by Census Tract Map



## Volleyball Participation by Census Tract Map



## Soccer Participation by Census Tract Map



**Participation by Ethnicity and Race:** The table below compares the overall rate of participation nationally with the rate for Hispanics and African Americans. Utilizing information provided by the National Sporting Goods Association's 2023 survey, the following comparisons are possible.

**Table G – Primary Service Area Comparison of National, African American and Hispanic Participation Rates**

| Indoor Activity      | Primary Service Area | National Participation | African American Participation | Hispanic Participation |
|----------------------|----------------------|------------------------|--------------------------------|------------------------|
| Baseball             | 3.5%                 | 3.7%                   | 2.4%                           | 4.8%                   |
| Basketball           | 8.2%                 | 7.6%                   | 12.0%                          | 9.4%                   |
| Cheerleading         | 1.0%                 | 1.0%                   | 1.5%                           | 1.1%                   |
| Football (flag)      | 1.9%                 | 1.9%                   | 3.4%                           | 1.7%                   |
| Football (tackle)    | 2.4%                 | 2.2%                   | 4.5%                           | 2.0%                   |
| Football (touch)     | 2.8%                 | 2.7%                   | 5.4%                           | 2.8%                   |
| Golf                 | 6.0%                 | 6.5%                   | 2.2%                           | 4.4%                   |
| Gymnastics           | 1.9%                 | 1.8%                   | 1.8%                           | 2.3%                   |
| Lacrosse             | 0.9%                 | 0.8%                   | 0.5%                           | 0.5%                   |
| Martial Arts/MMA     | 2.0%                 | 1.7%                   | 2.6%                           | 2.1%                   |
| Pickleball           | 2.5%                 | 2.1%                   | 1.0%                           | 1.7%                   |
| Running/Jogging      | 14.1%                | 14.8%                  | 12.9%                          | 16.8%                  |
| Soccer               | 4.9%                 | 4.6%                   | 4.0%                           | 7.2%                   |
| Softball             | 2.8%                 | 3.1%                   | 2.0%                           | 2.9%                   |
| Tennis               | 4.4%                 | 4.7%                   | 3.3%                           | 4.7%                   |
| Volleyball           | 3.6%                 | 3.8%                   | 3.7%                           | 4.6%                   |
| Walking For Exercise | 34.3%                | 37.3%                  | 24.4%                          | 32.1%                  |

There is not a significant Black population (1.0%) in the Primary Service Area. As such, these numbers may not play a factor with regards to overall participation. However, with the population of the Hispanic population (12.8%), participation may be impacted.



**Table H – Secondary Service Area Comparison of National, African American and Hispanic Participation Rates**

| Indoor Activity      | Secondary Service Area | National Participation | African American Participation | Hispanic Participation |
|----------------------|------------------------|------------------------|--------------------------------|------------------------|
| Baseball             | 3.5%                   | 3.7%                   | 2.4%                           | 4.8%                   |
| Basketball           | 8.1%                   | 7.6%                   | 12.0%                          | 9.4%                   |
| Cheerleading         | 1.0%                   | 1.0%                   | 1.5%                           | 1.1%                   |
| Football (flag)      | 1.9%                   | 1.9%                   | 3.4%                           | 1.7%                   |
| Football (tackle)    | 2.4%                   | 2.2%                   | 4.5%                           | 2.0%                   |
| Football (touch)     | 2.8%                   | 2.7%                   | 5.4%                           | 2.8%                   |
| Golf                 | 5.9%                   | 6.5%                   | 2.2%                           | 4.4%                   |
| Gymnastics           | 1.9%                   | 1.8%                   | 1.8%                           | 2.3%                   |
| Lacrosse             | 0.9%                   | 0.8%                   | 0.5%                           | 0.5%                   |
| Martial Arts/MMA     | 2.0%                   | 1.7%                   | 2.6%                           | 2.1%                   |
| Pickleball           | 2.5%                   | 2.1%                   | 1.0%                           | 1.7%                   |
| Running/Jogging      | 14.0%                  | 14.8%                  | 12.9%                          | 16.8%                  |
| Soccer               | 5.0%                   | 4.6%                   | 4.0%                           | 7.2%                   |
| Softball             | 2.8%                   | 3.1%                   | 2.0%                           | 2.9%                   |
| Tennis               | 4.4%                   | 4.7%                   | 3.3%                           | 4.7%                   |
| Volleyball           | 3.6%                   | 3.8%                   | 3.7%                           | 4.6%                   |
| Walking For Exercise | 34.3%                  | 37.3%                  | 24.4%                          | 32.1%                  |

There is not a significant Black population (0.8%) in the Primary Service Area. As such, these numbers may not play a factor with regards to overall participation. However, with the population of the Hispanic population (45.4%), participation may be impacted.

**Cross Participation:** The table below identifies sports or activities that participants in basketball also participate in. For organizations that want to maximize revenue generation this information becomes important as it informs other types of activities they may want to consider offering.

**Table I – Cross Participation for Basketball**

| Activity                  | % Participating in | % Active | Index |
|---------------------------|--------------------|----------|-------|
| Running/Jogging           | 40.3%              | 20.8%    | 194   |
| Exercise Walking          | 39.1%              | 53.1%    | 74    |
| Bicycle Riding            | 38.0%              | 20.4%    | 186   |
| Hiking                    | 36.7%              | 25.0%    | 174   |
| Swimming                  | 36.1%              | 21.6%    | 167   |
| Workout At Club           | 31.9%              | 14.0%    | 228   |
| Soccer                    | 30.4%              | 7.4%     | 411   |
| Exercising with Equipment | 30.3%              | 25.5%    | 119   |

**% Participating in:**

**Total US Participation:**

**Index:**

% of basketball players that also participated in this activity.

% of the US population that participated in this activity.

An index of 100 represents the average as compared to the total US population.

This would indicate that the “basketball” community is very active and has a high level of participation in activities outside of basketball.

**National Summary of Sports Participation:** The following chart summarizes participation in indoor activities utilizing information from the 2022 National Sporting Goods Association survey.

**Table J – Sports Participation Summary**

| Sport                 | Nat'l Rank <sup>5</sup> | Nat'l Participation (in millions) |
|-----------------------|-------------------------|-----------------------------------|
| Exercise Walking      | 1                       | 110.2                             |
| Exercise w/ Equipment | 2                       | 52.9                              |
| Hiking                | 3                       | 51.8                              |
| Swimming              | 4                       | 44.9                              |
| Running/Jogging       | 5                       | 43.1                              |
| Bicycle Riding        | 6                       | 42.4                              |
| Camping (overnight)   | 7                       | 40.4                              |
| Weight Lifting        | 8                       | 36.8                              |
| Yoga                  | 9                       | 30.7                              |
| Fishing (fresh)       | 10                      | 29.9                              |
| Workout @ Clubs       | 11                      | 29.1                              |
| Basketball            | 13                      | 24.2                              |
| Soccer                | 19                      | 15.3                              |
| Tennis                | 20                      | 15.1                              |
| Baseball              | 24                      | 11.1                              |
| Volleyball            | 25                      | 10.9                              |
| Pickleball            | 28                      | 9.9                               |
| Softball              | 30                      | 8.4                               |
| Football (touch)      | 32                      | 7.5                               |
| Football (tackle)     | 35                      | 6.8                               |
| Football (flag)       | 40                      | 6.2                               |
| Gymnastics            | 41                      | 6.1                               |
| Martial Arts/MMA      | 42                      | 6.0                               |
| Cheerleading          | 50                      | 3.5                               |

**Nat'l Rank:** Popularity of sport based on national survey.

**Nat'l Participation:** Population that participate in this sport on national survey.

<sup>5</sup> This rank is based upon the 58 activities reported on by NSGA in their 2023 survey instrument.

**National Participation by Age Group:** Within the NSGA survey, participation is broken down by age groups. As such B\*K can identify the top 3 age groups participating in the activities reflected in this report.

**Chart K – Participation by Age Group:**

| Activity              | Largest | Second Largest | Third Largest |
|-----------------------|---------|----------------|---------------|
| Aerobics              | 35-44   | 25-34          | 45-54         |
| Basketball            | 12-17   | 25-34          | 18-24         |
| Bicycle Riding        | 55-64   | 45-54          | 12-17         |
| Billiards/Pool        | 25-34   | 34-44          | 45-54         |
| Bowling               | 25-34   | 35-44          | 18-24         |
| Cheerleading          | 12-17   | 7-11           | 18-24         |
| Exercise Walking      | 55-64   | 65-74          | 45-54         |
| Exercise w/ Equipment | 25-34   | 45-54          | 55-64         |
| Gymnastics            | 7-11    | 12-17          | 25-34         |
| Martial Arts MMA      | 7-11    | 25-34          | 12-17         |
| Pickleball            | 12-17   | 65-74          | 18-24         |
| Pilates               | 25-34   | 35-44          | 45-54         |
| Running/Jogging       | 25-34   | 35-44          | 45-54         |
| Swimming              | 55-64   | 12-17          | 7-11          |
| Tables Tennis         | 25-34   | 18-24          | 12-17         |
| Volleyball            | 12-17   | 25-34          | 18-24         |
| Weight Lifting        | 25-34   | 45-54          | 35-44         |
| Workout at Clubs      | 25-34   | 35-44          | 45-54         |
| Wrestling             | 12-17   | 25-34          | 7-11          |
| Yoga                  | 25-34   | 35-44          | 45-54         |
| Did Not Participate   | 45-54   | 55-64          | 65-74         |

**Largest:** Age group with the highest rate of participation.  
**Second Largest:** Age group with the second highest rate of participation.  
**Third Largest:** Age group with the third highest rate of participation.



**National Sports Participation Trends:** Below are listed several sports activities and the percentage of growth or decline that each has experienced nationally over the last ten years (2014-2023).

**Table L – National Activity Trend (in millions)**

| Increase in Participation | 2014 Participation | 2023 Participation | Percent Increase |
|---------------------------|--------------------|--------------------|------------------|
| Pickleball                | 1.7                | 6.4                | 276.5%           |
| Table Tennis/Ping Pong    | 9.8                | 12.5               | 27.6%            |
| Bicycle Riding            | 35.6               | 44.6               | 25.3%            |
| Weightlifting             | 31.3               | 38.8               | 24.0%            |
| Yoga                      | 25.9               | 31.7               | 22.4%            |
| Boxing                    | 3.8                | 4.6                | 21.1%            |
| Exercise Walking          | 104.3              | 110.2              | 18.3%            |
| Volleyball                | 10.1               | 11.7               | 15.8%            |
| Billiards/Pool            | 20.8               | 21.5               | 14.4%            |
| Pilates                   | 5.5                | 6.7                | 12.7%            |
| Swimming                  | 45.9               | 44.9               | 10.3%            |
| Running/Jogging           | 43.0               | 43.1               | 7.1%             |
| Gymnastics                | 5.4                | 6.1                | 3.9%             |
| Wrestling                 | 2.9                | 3.6                | 0.0%             |

| Decrease in Participation | 2014 Participation | 2023 Participation | Percent Decrease |
|---------------------------|--------------------|--------------------|------------------|
| Exercise w/ Equipment     | 55.1               | 52.9               | -4.0%            |
| Basketball                | 23.7               | 24.2               | -9.0%            |
| Cheerleading              | 3.6                | 3.5                | -11.4%           |
| Workout @ Club            | 35.9               | 29.1               | -13.2%           |
| Martial Arts/MMA          | 6.3                | 6.0                | -17.2%           |

**2014 Participation:** The number of participants per year in the activity (in millions) in the United States.  
**2023 Participation:** The number of participants per year in the activity (in millions) in the United States.  
**Percent Change:** The percent change in the level of participation from 2014 to 2023.

## Regional and National Trends for Facilities

### Recreation Facilities

Developing and managing a variety of recreation facilities is the main focus of public agencies in larger communities. The types of facilities that are now being provided by parks and recreation departments have become more diverse, and expensive to acquire, develop and maintain. As a result, establishing a master plan is critical to determining facility development roles, timelines, and priorities.

There continues to be very strong growth in the number of Americans participating in recreation and leisure activities. The Physical Activity Council in its 2022 study indicated that 76.3% of Americans (age 6 and older) participated in a recreation related activity in 2021 with 67.3% participating in a fitness sport. However, the study also indicated that 23.7% of Americans were inactive but this is a decrease from earlier years. International Health and Racquet Sports Association (IHRSA) reported that membership in U.S. health clubs has increased by 3.8% since 2019, and memberships in health clubs reached 66.5 million in 2021. Statistics also indicate that approximately 1 out of every 5 people of the U.S. population (or 27%) belong to or utilize a health club. On the other side, most public recreation centers attract between 20% and 30% of a market area (more than once) during the course of a year. All of this indicates the relative strength of a market for a community-based recreation facility. However, despite these increases the American population as a whole continues to lead a rather sedentary life with an average of 25.3% of adults across the country reporting that they engage in no physical activity (according to The Center for Disease Control in 2020). It is important to note that this percentage has been declining steadily since a high in 2008 of 36.2%.

It is recognized that due to COVID 19, participation rates in indoor based activities plunged significantly in 2020 and 2021 as did recreation center membership and pass sales. However, in the last three years most public recreation centers have seen a strong rebound where use and revenues have met or surpassed pre-pandemic numbers.

One of the areas of greatest participant growth over the last 10 years is in fitness related activities such as yoga, exercise walking, Pilates, and weightlifting. This is also the most volatile area of growth with specific interest areas soaring in popularity for a couple of years only to be replaced by a new activity for the coming years. Also showing particularly strong growth numbers are pickleball, exercise walking, volleyball, swimming, and running/jogging. It is significant that many of the activities that can take place in an indoor recreation setting are ranked in the top fifteen in overall participation by the National Sporting Goods Association.

Due to the increasing recreational demands, there has been a shortage in most communities of the following spaces:

- Gymsnasiums
- Pools (especially leisure pools)
- Weight/cardiovascular equipment areas- especially functional training space
- Indoor running/walking tracks
- Meeting/multipurpose (general program) space
- Senior's program space
- Pre-school and youth space
- Teen use and e-sports areas
- Fieldhouses (turf and hard court)

As a result, many providers have attempted to include these amenities in public community recreation facilities. With the growth in youth sports and the high demand for school gyms, most communities are experiencing an acute lack of gymnasium space. Weight/cardiovascular space and more specifically functional training space are also in high demand and provides a facility with the potential to generate significant revenues.

The success of most community-based recreation providers is dependent on meeting the recreational needs of a variety of individuals. The fastest growing segment of society is the senior population and meeting the needs of this group is especially important now and will only grow more so in the coming years. Indoor walking tracks, exercise areas, warm water pools, pickleball courts and classroom spaces are important to this age group. Marketing to the younger more active senior (usually age 55-70) is paramount, as this age group has the free time available to participate in leisure activities, the desire to remain fit, and more importantly the disposable income to pay for such services.

Youth programming has always been a cornerstone for recreation services and will continue to be so with an increased emphasis on teen needs and providing a deterrent to juvenile crime. With a continuing increase in single parent households and two working parent families, the needs of school age children for before and after school child-care continues to grow as does the need for preschool and daycare programming.

### **Youth Sports Trends**

Participation in youth team sports reached an all-time low during COVID-19. Progress has been made, however still recovery in participation lags 2019, and significantly below the high in 2008. In addition to the participating rate falling, the pure numbers are as well due to the declining birthrate. Interesting though, the household expenditures related to playing sports have stayed steady.

1. Early Specialization vs. Multi-Sport Participation: There has been ongoing debate about whether young athletes should specialize in one sport at an early age or participate in multiple sports to develop a broad range of skills. Some experts have advocated for multi-sport participation to prevent burnout and overuse injuries.

Early specialization has also led to a decrease in community programs. This leaves community programs with fewer resources, and a belief in the lack of quality, leading more parents/families to seek private club programs.

2. **Emphasis on Long-Term Athletic Development (LTAD):** Coaches and organizations have been focusing on LTAD models that consider age-appropriate training, skill development, and physical conditioning. This approach aims to ensure that young athletes progress in a healthy and sustainable manner.
3. **Data-Driven Training:** The use of technology, such as wearable devices and data analysis tools, has become more common in youth sports to monitor performance, track progress, and identify areas for improvement.
4. **Mental Health and Well-Being:** There's a growing awareness of the importance of mental health in young athletes. Organizations are focusing on creating supportive environments and resources to address stress, anxiety, and other mental health challenges.
5. **Diversification and Inclusivity:** Efforts have been made to diversify youth travel sports, making them more inclusive for athletes from various backgrounds, genders, and socioeconomic statuses.
6. **Travel and Costs:** The cost of participating in competitive travel sports has been a concern for many families. Some organizations have been working to provide more affordable options or financial assistance to ensure that talent isn't limited by financial constraints.
7. **Virtual Training and Coaching:** The COVID-19 pandemic accelerated the adoption of virtual training and coaching methods. Online platforms and remote coaching have become essential tools for maintaining training and skill development during lockdowns and restrictions.
8. **College Recruitment and Scholarships:** The pursuit of college scholarships through competitive youth sports has remained a significant motivator for many athletes. Strategies for optimizing visibility to college scouts and coaches have evolved.

## **Operational Plan**

As part of the design process, the project team developed an independent third-party operations plan for concepts of the proposed facility. It is important to note that when developing these operational plans, they are based on the market, the cost recovery goals of the client, team members familiarity with operating similar facilities, and industry best practices. It is also important to note the team takes a conservative approach to the development of each plan. If significant changes were made to the facility program and/or design, the City of Ellensburg should strongly consider updating the operational figures.

The following assumptions have been made in the development of these plans.

- The City of Ellensburg will be the operator of the facility.
- The operational plan does not reflect 100% capacity regarding programming, admissions, or rentals. Which is to say that revenue generation could increase. From an expense perspective, increases in that line item would be directly offset by program revenue.
- It is assumed that maintenance and custodial of the facilities would be in-house, as part of the department. The success of these facilities is tied to them being able to operate in a business-like fashion. The autonomy of in-house maintenance and custodial staff is part of that business-like fashion. The exception, in this instance, is Concept C where a custodial contract may be preferred.
- Each option does have some contract services built into the plan for specialty items such as Heating Ventilation Air Conditioning (HVAC) maintenance, hardwood floor resurfacing, etc.
- A capital improvement allocation has been recommended. B\*K is strongly recommending that during the first full calendar year of operation, dollars are allocated to this sinking fund. If the department were to do that, they would have access to substantial balances in years 3-5 to replace equipment and make small improvements to the facility.
- The expense and revenue statements assume the first full year of operation. They do not account for a ramp up or partial year operation which could be a reality.
- Full-Time Employees (FTE) represent all new staffing and have been confirmed by City of Ellensburg staff. For each full-time position a benefit multiplier of 45% was used based on previous budgets.

- Custodial positions have been identified as potential for future addition to the full-time staff. Many communities have difficulty finding part-time staff for consistent scheduling and to handle these responsibilities.
- Part-Time Employees (PTE) have been reviewed and confirmed by the City of Ellensburg.
- The development of this facility would allow for an increase in programming at other locations in the community.
- In developing the program and rental model, the project team tried to allocate a court for drop-in use and/or programming Monday-Friday.

#### Multiplying Factors:

- Utilities (gas, electricity). A factor of \$1.50 per square foot was used to determine utilities.
- Insurance (property & liability). A factor of \$.50 per square foot. City of Ellensburg would need to inquire with their insurance provider as to the accuracy of these figures. These can vary greatly depending on the organization, size of the facility, components, and geographic location.

#### Capital Improvement Annual Allocation:

- \$50,000

#### Hours of Operation:

- School Year (Sept – May)
  - Monday-Friday 6:00A-9:00P
  - Saturday 8:00A-7:00P
  - Sunday 12:00P-7:00P
- Summer (June - Aug)
  - Monday-Friday 8:00A-1:00P, 4:00P-8:00P
  - Saturday 8:00A-12:00P
  - Sunday Closed

For weekends there may be times when the hours extend beyond what is outlined, but that would be driven by special events, tournaments, and rentals.

Assumptions made in the proforma data within this report include:

- City of Ellensburg youth sports games, or portion, move to new Fieldhouse
- City of Ellensburg adult leagues move to new Fieldhouse

Possible options to fill available space and generate revenue include:

- Fieldhouse to host larger youth volleyball and basketball tournaments
- Introduce youth and adult pickleball leagues
- Introduce youth and adult pickleball tournaments
- Introduce new and trending youth sports programs
- Expand youth sports camps
- Expansion of instructional programs
- Introduce new instructional programs
- Additional event rental space for the community

*Operational Note:* Moving weeknight youth sports practices to the Fieldhouse may eliminate school facility rental expenses and on-going scheduling conflicts.

#### Field House Program

##### All Concepts

- Lobby
- Multipurpose Room
- Concession Space
- Restrooms
- Family Restroom
- Reception
- Business Office
- Storage
- Mechanical Rooms & Support Spaces

##### Concept A – 50,000 s.f.

- 2 full-size basketball courts
- Multi-use sports turf field (120' x 160')

##### Concept B – 51,000 s.f.

- 5 full-size basketball courts

##### Concept C – 50,000 s.f

- Multi-use sports turf field (230' x 180')

| <b>FTE – Concepts A &amp; B</b> | <b>Rate</b> |
|---------------------------------|-------------|
| Facility Manager                | \$85,000    |
| Sports Coordinator              | \$60,000    |
| Maintenance Foreperson          | \$55,000    |
| Custodial                       |             |
|                                 |             |
| Sub-Total                       | \$200,000   |
|                                 |             |
| Benefits (45%)                  | \$90,000    |
|                                 |             |
| Total                           | \$290,000   |
|                                 |             |
| <b>FTE – Concept C</b>          | <b>Rate</b> |
| Sports Coordinator              | \$60,000    |
| Maintenance Foreperson          | \$55,000    |
|                                 |             |
| Sub-Total                       | \$115,000   |
|                                 |             |
| Benefits (45%)                  | \$51,750    |
|                                 |             |
| Total                           | \$166,750   |

Note: it is possible that other parks and recreation staff may be officed in this location providing an additional level of passive supervision at the facility.



| <b>PTE – Concepts A &amp; B</b>        | <b>Rate</b> | <b>Hours</b> | <b>Weeks</b> | <b>Total</b> |
|----------------------------------------|-------------|--------------|--------------|--------------|
| Building Supervisor (sum) <sup>6</sup> | \$20.00     | 27           | 14           | \$7,560      |
| Building Supervisor (sch) <sup>7</sup> | \$20.00     | 35           | 36           | \$25,380     |
| Front Desk (sum)                       | \$18.00     | 52           | 14           | \$13,041     |
| Front Desk (sch)                       | \$18.00     | 95           | 36           | \$61,560     |
| Gym Attendant (sum)                    | \$18.00     | 52           | 14           | \$13,041     |
| Gym Attendant (sch)                    | \$18.00     | 44           | 36           | \$28,350     |
| Custodian (sum)                        | \$18.00     | 65           | 14           | \$16,317     |
| Custodian (sch)                        | \$18.00     | 50           | 36           | \$32,076     |
|                                        |             |              |              |              |
| Sub-Total                              |             |              |              | \$197,325    |
| Rentals Staff                          |             |              |              | \$3,600      |
| Sub-Total                              |             |              |              | \$200,925    |
| FICA                                   |             |              |              | \$15,371     |
| Total                                  |             |              |              | \$216,296    |
|                                        |             |              |              |              |
| <b>PTE – Concept C</b>                 | <b>Rate</b> | <b>Hours</b> | <b>Weeks</b> | <b>Total</b> |
| Building Supervisor (sum) <sup>8</sup> | \$20.00     | 27           | 14           | \$7,560      |
| Building Supervisor (sch) <sup>9</sup> | \$20.00     | 35           | 36           | \$25,380     |
| Front Desk (sum)                       | \$18.00     | 52           | 14           | \$13,041     |
| Front Desk (sch)                       | \$18.00     | 95           | 36           | \$61,560     |
| Gym Attendant (sum)                    | \$18.00     | 26           | 14           | \$6,426      |
| Gym Attendant (sch)                    | \$18.00     | 44           | 36           | \$28,350     |
| Custodian                              |             |              |              |              |
|                                        |             |              |              |              |
| Sub-Total                              |             |              |              | \$142,317    |
| FICA                                   |             |              |              | \$10,887     |
| Total                                  |             |              |              | \$153,204    |

<sup>6</sup> (sum) = summer hours

<sup>7</sup> (sch) = school year hours

<sup>8</sup> (sum) = summer hours

<sup>9</sup> (sch) = school year hours

### Recommended Fee Structure (All Concepts):

- \$20/Month Youth Membership Regular Rate
- \$30/Month Adult Membership Regular Rate
- \$15/Month Senior Membership Regular Rate
  
- \$4/Day Youth/Senior Admission Regular Rate
- \$5/Day Adult Admission Regular Rate
  
- \$40/hour BB/VB Court Rental Rate School
- \$30/hour BB/VB Court Rental Rate Summer
- \$15/hour Pickleball Rental Rate School
- \$10/hour Pickleball Rental Rate Summer
  
- \$110/hour Turf Rental Rate Concept A
- \$125/hour Turf Rental Rate Concept C
  
- \$25/hour Multi-purpose Room Rental
  
- \$75/Participant Youth Volleyball
- \$75/Participant Youth Basketball
- \$400/Team Adult Basketball
- \$425/Team Adult Volleyball
  
- \$85/Participant Basketball Camp, Contract Instruction
- \$85/Participant Volleyball Camp, Contract Instruction
- \$85/Participant Soccer Camp, Contract Instruction
- \$85/Participant Futsal Camp, Contract Instruction
- \$85/Participant Football Camp, Contract Instruction
  
- \$5/Visit Homeschool PE
- \$25/Month Tot Program
- \$5/Visit Playground
  
- \$35/Adult Group Exercise
  
- \$175 Birthday Party

Expense Model: The following expense model has been based on the best information available at the time of the study. Significant changes in the program or the market would necessitate the information be revisited and updated.

| <b>Staffing</b> | <b>Concept A</b> | <b>Concept B</b> | <b>Concept C</b> |
|-----------------|------------------|------------------|------------------|
| Full-Time       | \$290,000        | \$290,000        | \$166,750        |
| Part-Time       | \$216,296        | \$216,296        | \$153,204        |
|                 |                  |                  |                  |
| Sub-Total       | \$506,296        | \$506,296        | \$319,954        |

| <b>Commodities</b>      | <b>Concept A</b> | <b>Concept B</b> | <b>Concept C</b> |
|-------------------------|------------------|------------------|------------------|
| Office Supplies         | \$1,000          | \$1,000          | \$1,000          |
| Maintenance/Repair/Mat. | \$12,000         | \$12,000         | \$10,000         |
| Janitor Supplies        | \$10,000         | \$10,000         | \$6,000          |
| Recreation Supplies     | \$10,000         | \$10,000         | \$8,000          |
| Safety Supplies         | \$2,000          | \$2,000          | \$2,000          |
| Uniforms                | \$2,377          | \$2,377          | \$1,440          |
| Printing/Postage        | \$5,000          | \$5,000          | \$3,000          |
| Concessions             |                  |                  |                  |
| Vending/Re-Sale         | \$1,000          | \$1,000          | \$1,000          |
| Miscellaneous Exp.      | \$2,000          | \$2,000          | \$2,000          |
| Fuel/Mileage            | \$1,500          | \$1,500          | \$1,500          |
|                         |                  |                  |                  |
| Sub-Total               | \$46,877         | \$46,877         | \$35,940         |

| <b>Contractual Obligations</b>   | <b>Concept A</b> | <b>Concept B</b> | <b>Concept C</b> |
|----------------------------------|------------------|------------------|------------------|
| Utilities <sup>10</sup>          | \$75,000         | \$76,500         | \$75,000         |
| Water/Sewer                      | \$12,500         | \$12,500         | \$12,500         |
| Trash                            | \$2,500          | \$2,500          | \$2,500          |
| Insurance                        | \$25,000         | \$25,500         | \$25,000         |
| Communications                   | \$8,000          | \$8,000          | \$8,000          |
| Contract Services (HVAC, etc.)   | \$15,000         | \$15,000         | \$15,000         |
| Contract Instruction             | \$162,173        | \$90,383         | \$122,510        |
| Custodial Contract               | \$0              | \$0              | \$40,000         |
| Equipment Maintenance            | \$12,000         | \$12,000         | \$5,000          |
| Monitor services                 | \$4,000          | \$4,000          | \$4,000          |
| Rental equipment                 | \$5,000          | \$5,000          | \$5,000          |
| Advertising                      | \$10,000         | \$10,000         | \$8,000          |
| Travel & Training                | \$2,500          | \$2,500          | \$2,500          |
| Membership Dues/Subscriptions    | \$1,500          | \$1,500          | \$1,500          |
| Bank charges                     | \$17,771         | \$14,571         | \$9,374          |
| IT licenses & charges (software) | \$2,962          | \$2,429          | \$1,562          |
| Other (Event Security)           | \$2,000          | \$2,000          | \$2,000          |
|                                  |                  |                  |                  |
| <b>Sub-Total</b>                 | <b>\$357,905</b> | <b>\$284,382</b> | <b>\$339,447</b> |

|                  | <b>Concept A</b> | <b>Concept B</b> | <b>Concept C</b> |
|------------------|------------------|------------------|------------------|
| Improvement Fund | \$50,000         | \$51,000         | \$50,000         |

|                         | <b>Concept A</b> | <b>Concept B</b> | <b>Concept C</b> |
|-------------------------|------------------|------------------|------------------|
| Staffing                | \$506,296        | \$506,296        | \$319,954        |
| Commodities             | \$46,877         | \$46,877         | \$35,940         |
| Contractual Obligations | \$357,905        | \$284,382        | \$339,447        |
| Improvement Fund        | \$50,000         | \$51,000         | \$50,000         |
|                         |                  |                  |                  |
| <b>Total</b>            | <b>\$961,078</b> | <b>\$888,555</b> | <b>\$745,341</b> |

<sup>10</sup> Assuming PV panels

Revenue Model: The following revenue model has been based on the best information available at the time of the study. Significant changes in the program or the market would necessitate the information be revisited and updated.

|                          | Concept A        | Concept B        | Concept C        |
|--------------------------|------------------|------------------|------------------|
| <b>Fees</b>              |                  |                  |                  |
| Daily Admission          | \$53,600         | \$53,600         |                  |
| Membership <sup>11</sup> | \$75,930         | \$75,930         |                  |
| Sub-Total                | \$129,530        | \$129,530        |                  |
|                          |                  |                  |                  |
| <b>Programs</b>          |                  |                  |                  |
| Recreation               | \$294,475        | \$167,575        | \$215,300        |
| Fitness                  | \$12,240         | \$12,240         | \$9,180          |
| Sub-Total                | \$306,715        | \$179,815        | \$224,480        |
|                          |                  |                  |                  |
| <b>Other</b>             |                  |                  |                  |
| Concessions              |                  |                  |                  |
| Birthday Parties         | \$21,000         | \$21,000         | \$0              |
| Facility Rentals         | \$120,120        | \$130,360        | \$78,000         |
| Sponsorship              | \$15,000         | \$25,000         | \$10,000         |
| Sub-Total                | \$156,120        | \$176,360        | \$88,000         |
|                          |                  |                  |                  |
| <b>Total</b>             | <b>\$592,365</b> | <b>\$485,705</b> | <b>\$312,480</b> |

Additional Revenue Opportunities (not included):

- Advertising
- Naming Rights

<sup>11</sup> City of Ellensburg is 43,541 (2024 projection) and it is estimated that approximately 8% of the population participates in some type of basketball. The membership figure absorbs 10% of potential participants aged 5-44 years of age.

The following is a 5-Year projection for the area. The 5-year projection includes the capital improvement fund.

| Concept A                    | Year 1      | Year 2      | Year 3      | Year 4      | Year 5      |
|------------------------------|-------------|-------------|-------------|-------------|-------------|
| Expenses                     | \$961,078   | \$980,299   | \$1,009,708 | \$1,039,999 | \$1,071,199 |
| Revenue                      | \$592,365   | \$627,907   | \$659,302   | \$679,081   | \$699,454   |
|                              | (\$368,713) | (\$352,392) | (\$350,406) | (\$360,918) | (\$371,746) |
| Percentage w/<br>Improvement | 61.6%       | 64.1%       | 65.3%       | 65.3%       | 65.3%       |
|                              |             |             |             |             |             |
| Impr. Fund (cum.)            | \$50,000    | \$100,000   | \$150,000   | \$200,000   | \$250,000   |

| Concept B                    | Year 1      | Year 2      | Year 3      | Year 4      | Year 5      |
|------------------------------|-------------|-------------|-------------|-------------|-------------|
| Expenses                     | \$888,555   | \$906,326   | \$933,515   | \$961,521   | \$990,367   |
| Revenue                      | \$485,705   | \$524,561   | \$561,281   | \$578,119   | \$595,463   |
|                              | (\$402,850) | (\$381,764) | (\$372,235) | (\$383,402) | (\$394,904) |
| Percentage w/<br>Improvement | 54.7%       | 57.9%       | 60.1%       | 60.1%       | 60.1%       |
|                              |             |             |             |             |             |
| Impr. Fund (cum.)            | \$51,000    | \$102,000   | \$153,000   | \$204,000   | \$255,000   |

| Concept C                    | Year 1      | Year 2      | Year 3      | Year 4      | Year 5      |
|------------------------------|-------------|-------------|-------------|-------------|-------------|
| Expenses                     | \$745,341   | \$760,248   | \$783,055   | \$806,547   | \$830,743   |
| Revenue                      | \$312,480   | \$337,478   | \$361,102   | \$371,935   | \$383,093   |
|                              | (\$432,861) | (\$422,769) | (\$421,953) | (\$434,612) | (\$447,650) |
| Percentage w/<br>Improvement | 41.9%       | 44.4%       | 46.1%       | 46.1%       | 46.1%       |
|                              |             |             |             |             |             |
| Impr. Fund (cum.)            | \$50,000    | \$100,000   | \$150,000   | \$200,000   | \$250,000   |

The capital improvement line is cumulative and illustrates the balance of that line item. It is called out in the chart but is factored in total expenses.

The following chart illustrates a year 3-5 average of revenues, expenses, and cost recovery for each model.

|               | <b>Concept A</b> | <b>Concept B</b> | <b>Concept C</b> |
|---------------|------------------|------------------|------------------|
| Expense       | \$1,040,302      | \$961,801        | \$806,782        |
| Revenue       | \$679,279        | \$578,288        | \$372,043        |
|               | (\$361,023)      | (\$383,513)      | (\$434,739)      |
| Cost Recovery | 65.3%            | 60.1%            | 46.1%            |
| Improvement   | \$50,000         | \$51,000         | \$50,000         |

It is important to note that the capital improvement allocation is included in the total expense of building operation.

## Ellensburg Fieldhouse Lease Cost Estimates

### Draft Fieldhouse Lease Analysis 7-1-2025

| Lease Term                                     | \$14M X 10 Y | \$14M X 20 Y | \$14M X 30 Y | \$15M X 10 Y | \$15M X 20 Y | \$15M X 30 Y |
|------------------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Construction Cost                              | \$14,000,000 | \$14,000,000 | \$14,000,000 | \$15,000,000 | \$15,000,000 | \$15,000,000 |
| Implied Annual Int. Rate                       | 7.50%        | 8.00%        | 8.50%        | 7.50%        | 8.00%        | 8.50%        |
| Years                                          | 10           | 20           | 30           | 10           | 20           | 30           |
| Annual Payment                                 | \$2,039,603  | \$1,425,931  | \$1,302,708  | \$2,185,289  | \$1,527,783  | \$1,395,759  |
| <b>No Early Purchase Option(EPO) Exercised</b> |              |              |              |              |              |              |
| Cumulative Interest                            | \$6,396,030  | \$14,518,618 | \$25,081,242 | \$6,852,889  | \$15,555,663 | \$26,872,759 |
| Total Payment Toward Lease                     | \$20,396,030 | \$28,518,618 | \$39,081,242 | \$21,852,889 | \$30,555,663 | \$41,872,759 |
| <b>Early Purchase Option@ 2 Years</b>          |              |              |              |              |              |              |
| Cumulative Interest Years 1 & 2                | \$2,025,780  | \$2,215,526  | \$2,370,420  | \$2,170,478  | \$2,373,777  | \$2,539,736  |
| Cumulative Total Lease Payment Years 1 & 2     | \$4,079,206  | \$2,851,862  | \$2,605,416  | \$4,370,578  | \$3,055,566  | \$2,791,517  |
| Principal Balance End of Year 2                | \$11,946,574 | \$13,363,664 | \$13,765,004 | \$12,799,901 | \$14,318,211 | \$14,748,218 |
| Total Payment Toward Lease                     | \$16,025,780 | \$16,215,526 | \$16,370,420 | \$17,170,478 | \$17,373,777 | \$17,539,736 |
| <b>Early Purchase Option @ 4 Years</b>         |              |              |              |              |              |              |
| Cumulative Interest Years 1 thru 4             | \$3,731,995  | \$4,325,165  | \$4,699,192  | \$3,998,566  | \$4,634,105  | \$5,034,849  |
| Cumulative Total Lease Payment Years 1 thru 4  | \$8,158,412  | \$5,703,724  | \$5,210,832  | \$8,741,156  | \$6,111,133  | \$5,583,035  |
| Principal Balance End of Year 4                | \$9,573,583  | \$12,621,441 | \$13,488,360 | \$10,257,411 | \$13,522,972 | \$14,451,814 |
| Total Payment Toward Lease                     | \$17,731,995 | \$18,325,165 | \$18,699,192 | \$18,998,566 | \$19,634,105 | \$20,034,849 |





# MANAGER'S REPORT

DATE: July 7, 2025

To: Ellensburg City Council

FROM: Heidi Behrends Cerniwey, City Manager

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## **1. Response to Craig's Hill Concerns**

Staff visited Craig's Hill in response to reports of a new fissure located between the water tower and new pressure facility highlighted at the previous meeting during the public comment period. The City Engineer and staff team conducted an analysis of the site and reported new cracking/settlement/fissures located between the new booster pump building and the water tower, approximately three feet behind the new concrete block wall, adjacent to the new booster building. Staff probed the crack and determined it was only a surface crack/void that was 6" deep or less. This crack is the actual excavation limits for the installation of block wall. They explained that after installation of the wall, excavated native material was placed back but with minimal compaction—which was intentional—as additional conduit will be added in the same area in the future. The current visible crack is caused from the material consolidating since it was backfilled. The engineering team was not concerned with the small crack/fissure that was reported.

## **2. Invitation to Host the 2026 Washington Main Street Places Conference**

The Ellensburg Downtown Association has invited various stakeholders to discuss the possibility of applying to host the next WA Main Street Places Conference for the first time since 2017, in Ellensburg. This opportunity allows our community to showcase Downtown revitalization, preservation, and community development happening in our City and will draw hundreds of attendees to shop, dine, and stay in Ellensburg during the event. The application proposal is due August 10, with EDA coordinating a response. Staff request that Council affirm their support for the City's participation.

## **3. Ellensburg Library New Site for FISH Picnic at the Park Program**

FISH food bank picnic at the park program began at the Ellensburg Public Library on Tuesdays and Wednesdays from 12:00 p.m.-12:45 p.m. They will be located on the library grassy knoll on 3rd Ave. Free lunch sacks for all youth under 18 years old are available!

## **4. Clarification on Park Naming Policy**

The City's policy adopted by Council regarding the naming of parks and recreational facilities states that the Council has the final say on the naming of facilities. Naming of parks is not conducted by a majority vote of the community members or the Parks & Recreation Commission. As a reminder, the adopted naming policy states:

***Procedure***

- 1. Suggestions for names for any park, recreation and public facilities will be solicited from neighborhood residents, citizens, employees and/or organizations. All suggestions solicited or not, will be forwarded to the Parks & Recreation Commission for review, consideration and recommendation.*
- 2. The name recommended by the Parks & Recreation Commission, along with the Commission's reasons for supporting its recommendation, will be forwarded to the City Council for final action. Council may accept, reject, modify or decline to act upon the Commission's recommendation.*
- 3. Following City Council approval of the park, recreation, or facility name, the City or other responsible party will identify the facility with appropriate signage specifying the name.*

There are two known occasions when the Council went in a direction different from the Parks & Recreation Commission's advisory recommendation. The first was back in 2007 the Commission recommended the name 'Alder Street Park' but the Council wanted the name to provide more geographic specificity, so they added the word 'North' and adopted the name 'North Alder Street Park'. The second time was with the downtown park when they decided to go back out to the public and solicit additional names after the name 'Ellensburg Blues Park' was recommended by the Parks & Recreation Commission. In both circumstances, the Council acted within their authority.

**5. Unity Park Construction Resumes July 8**

Work is scheduled to begin July 8 to remove concrete in Unity Park to correct grade issues adjacent to the water feature. A planting area directly south of the water feature between the covered seating area along 4th Avenue will be added. This change will not impact the ability of event organizers to program the space. Once this work is completed, City staff will activate the water feature. The contractor will demobilize on July 24, in time for Ellensburg Music Festival setup.

**6. DEI and Federal Funding**

City staff received the DOT letter, which was forwarded by County staff on May 7, 2025. After reviewing the terms of DOT Secretary Duffy's federal funding letter and other executive orders, staff reviewed City contracts, policies, and procedures, and concluded that the City is currently in legal compliance with the terms of existing federal grants. As new federal grant requirements are issued, the City will review the terms of any new requirements to ensure compliance with those as well.

This is a rapidly changing area of law nationally and staff and legal counsel will continue to monitor new case law and guidance. The federal government will continue

to provide information on federal funding requirements and policies. In addition, there are numerous lawsuits and injunctions around the country about this, and the U.S. Supreme Court may ultimately give definitive guidance if there are conflicts with state laws.

## **7. Cold Weather Shelter Site Meeting at Grace Church on July 16**

Per RCW 35A.21.360, the City, County, Grace Episcopal Church, and local social service providers will co-host a public meeting at Grace Episcopal Church, 1201 N B Street, in their Fellowship Hall on Wednesday, July 16, 2025, at 6:00 p.m. The meeting is intended to present information on the seasonal Cold Weather Shelter and listen to concerns of neighbors relating to hosting at the Grace Church site for the 2025/2026 and 2026/2027 season.

State Law limits restrictions cities can place on religious organizations to host indoor emergency shelters at their sites and requires a public meeting. This meeting is intentionally scheduled in advance of Council's consideration of an agreement to lease a portion of Grace Episcopal Church as the site for the community's seasonal Cold Weather Shelter (CWS) site for the next two years at their meeting on July 21.

At the Joint City/County Study Session on May 8, 2025, Council and the Commissioners expressed interest in partnering with the community again to host a seasonal Cold Weather Shelter. Both bodies have since confirmed their commitments and staff are working jointly to facilitate details.

## **8. Apply to Serve on a City Advisory Board or Commission**

Help make a difference in your community and apply to join a City advisory board or commission! Visit the City website for more information: [Boards & Commissions | Ellensburg, WA](#) Note: Some positions may have specific eligibility requirements.

## **9. Preview of July 21 Agenda**

Docketing of the City's Diversity, Equity, and Inclusion Chapter (Chapter 9) of the Comprehensive Plan is anticipated to be a highly visible item on the July 21, 2025, City Council meeting agenda. The comprehensive plan is intended to reflect the long-term common vision of the community. Staff will present an analysis of the applications received, along with a plan and schedule for community engagement activities to determine the common vision for the content of the goals in the chapter. An Ordinance to change the roles and membership of the Environmental Commission, Utility Advisory Committee, and Public Transit Advisory Committee will also be presented. Finally, an agreement to lease a portion of Grace Episcopal Church as the site for the community's seasonal Cold Weather Shelter (CWS) site for two years will be considered.