

COUNCIL AGENDA

Tuesday, June 20, 2023



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COUNCIL MEETING GUIDELINES FOR PUBLIC PARTICIPATION

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

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

SUBMISSION OF WRITTEN COMMENTS

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

PROCEDURE FOR REMOTE PARTICIPATION DURING MEETING

1. ***Advance registration is required to provide public comment or hearing testimony via remote meeting attendance.*** Anyone wishing to speak on items under the Agenda must register prior to 7 p.m. the day of the meeting. Register for the meeting at: https://us02web.zoom.us/webinar/register/WN_QWZb8TCITZa4DiBDZSfDEQ - Once registered, you will receive an email with the meeting link and phone number (for those who wish to call into the meeting).
2. **Join the meeting early**, as you may need to download the app in advance to participate. Once you've joined the meeting, your camera and microphone will be muted until you are recognized by the Mayor to speak.
3. Please note that there may be several items on the City Council Agenda that will precede the agenda item you wish to address.
4. **The Mayor will identify the agenda item** and ask if anyone wishes to speak on the matter.
5. Any interested person may provide comments: 1) under Item 7 on non-agenda items, or 2) on any listed agenda items. If you wish to speak, you must:
 - a) **Raise your "virtual hand"** in the corner of Zoom application on the computer screen or press *9 on your phone. Raising your hand signals the moderator that you wish to speak.
 - b) **Wait to be called upon by the Mayor** using your name, e-mail, or phone number used to log in to the teleconference.
6. **Please state your name, address, and whether you are representing only yourself or others.**

PROCEDURE FOR IN-PERSON PARTICIPATION (COUNCIL CHAMBERS)

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

PUBLIC COMMENT RULES FOR ALL MEETING PARTICIPANTS

1. Each speaker's comments are to be limited to 3 MINUTES.
2. Speakers are cautioned not to engage in conduct that disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting.
3. Speakers may not identify themselves as candidates for elective public office or make any statements which assist or discuss the campaign of a candidate for elective office or discuss or campaign for or against a ballot proposition (unless the ballot proposition is being considered as part of the City Council agenda item).

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

CONSENT AGENDA

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

AGENDA ITEMS

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

PUBLIC HEARINGS

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

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
COUNCIL AGENDA
Council Chambers
501 North Anderson Street
Ellensburg, WA 98926
Tuesday, June 20, 2023
7:00 PM - Regular Meeting**

Pledge of Allegiance

- 1. Call to Order and Roll Call**
- 2. Proclamations**
- 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.

- | | |
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Washington State Department of Ecology Capacity Grant Amendment
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- 6.C Board and Commission Appointments - Utility Advisory Committee [Public
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- 8.C Public Hearing (Legislative) to Consider Annexation Request File Number P23-022 for Parcels 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633 located at Umptanum Road and Anderson Road [Public Comment Opportunity] 128
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11. New Business

12. Miscellaneous

- 12.A Manager's Report [No Public Comment] 208
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- 12.B Councilmembers' Reports [No Public Comment]

13. Executive Session

14. Adjournment



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Regular Meeting

June 5, 2023

7:00 PM

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

Pledge of Allegiance

1. Call to Order and Roll Call

Roll Call Present: Sarah Beauchamp (remotely), Rich Elliott, Nancy Goodloe, Nancy Lillquist, David Miller, Monica Miller, Adam Winn

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Community Development Director Carlson, Arts & Economic Development Manager Vandenberg, Assistant City Attorney Reiman, and approximately 15 members of the public

Others present remotely via Zoom: three members of the public

2. Proclamations

2.A. LGBTQ Pride Month Proclamation
Judy Coder read the proclamation.

2.B. Juneteenth Day of Observance
Councilmember Goodloe read the proclamation.

3. Awards and Recognitions

3.A. Washington Association of School Administrator's Award Presented by Jinger Haberer, ESD Superintendent
Jinger Haberer, Ellensburg School District Superintendent, presented the award to Councilmember Goodloe

3.B. Introduction of New City Staff
The City Manager introduced Kelle Vandenberg, Arts and Economic Development Manager and Dan Carlson, Community Development Director.

4. Approval of Agenda

Councilmember Elliott moved to Approve the amended Agenda to add an executive session to discuss litigation or potential litigation. **Motion Approved 7-0.**

5. Consent Agenda

5.A. Approve Minutes of the May 15, 2023 Regular Meeting

5.B. Acknowledge Minutes of Boards and Commissions

5.C. Memorandum of Understanding between the Greater Columbia Region Municipalities to Establish an Opioid Abatement Council

5.D. Professional Services Consultant Agreement for the Engineering and Design of the Pfenning Road Sidewalk Extension Project (240 feet north of Vantage Hwy to Radio Rd.)

5.E. City of Ellensburg Annual Financial Statement Report

5.F. Approval of a Collective Bargaining Agreement between Office and Professional Employees' International Union (OPEIU) Local 8 and the City of Ellensburg

5.G. Award Bid Call 2023-04 Main Street / Wildcat Way Overlay & CBD Slurry Seal Project

5.H. Employment Agreement with Daniel J. Carlson for Community Development Director

5.I. Approve June 5, 2023 Voucher Listing

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

6. Petitions, Protests, and Communications

6.A. Board and Commission Appointments - Diversity, Equity & Inclusion Commission, Landmarks and Design Commission and Utility Advisory Committee
Amber Hoefer, Olene Togiallua and Jeff Bousson were present to introduce themselves.

Councilmember Elliott moved to Approve Council affirmation for Amber Hoefer and Olene to the DEI Commission and Andrew Polak to the Landmarks & Design Commission. **Motion Approved 7-0.**

6.B. CenterFuse Update
Margaret Reich, EBDA/CenterFuse Executive Director, introduced board members present and reviewed information concerning the background of the EBDA.

7. Citizen Comment on Non-agenda Issues

Pat Kelleher, 6530 Wilson Creek Rd, spoke regarding sidewalks on Craig Hill at Reed Park.

8. Business Requiring Public Hearings

9. Introduction and Adoption of Ordinances and Resolutions

9.A. Resolution to Adopt Electronic and Digital Signature Policy
Terry Weiner, City Attorney presented information in the staff report.

Councilmember Monica Miller moved to Approve adoption of Resolution 2023-13 adopting the electronic and digital signature policy. **Motion Approved 7-0.**

10. Unfinished Business

11. New Business

12. Miscellaneous

12.A. Manager's Report

The City Manager reviewed the report. Additional items reviewed were: appointing a representative on the opioid abatement council and a letter for the Mayor's signature concerning behavioral health. There will be a public hearing on June 20th for the Transportation Improvement Plan

Councilmember Winn moved to Approve canceling the June 20th study session. **Motion Approved 7-0.**

Councilmember Goodloe moved to Approve County Commissioner Wachsmith to serve on the Opioid Abatement Council on Ellensburg's behalf. **Motion Approved 7-0.**

Councilmember Elliott moved to Approve the Mayor's signature on the letter for behavioral health court grant. **Motion Approved 7-0.**

Councilmember Elliott moved to Approve appointing Councilmember Goodloe to the AWC conference. **Motion Approved 7-0.**

12.B. Councilmembers' Reports

- Councilmember Beauchamp thanked the City for support of the Pride event
- Councilmember Elliott reported on potential fire issues
- Councilmember Goodloe participated in the DEI commission interviews, attended the Utility Advisory Commission meeting and recognized Ed Barry, who has served on the committee for numerous years. She requested an excused absence for June 20th meeting.

Councilmember David Miller moved to Approve an excused absence for Councilmember Goodloe at the June 20, 2023 meeting. **Motion Approved 7-0.**

-
- Councilmember David Miller attended a Public Transportation Advisory Committee and the Pride festivities
 - Councilmember Monica Miller attended Historic Preservation Day at the Historical Museum, interviews for Landmarks & Design and activities coordinated by CenterFuse
 - Mayor Lillquist attended the bike ride and celebration at Unity Park, meeting with Dr. Schrier regarding City projects, CWU Economic Outlook conference, Sustainability Planning Committee, Utility Advisory Committee meeting, Mayor's lunch, Yakima Basin Fish & Wildlife Recovery Board and the Kittitas County Historical Museum pub crawl

An Executive Session was needed per RCW 42.30.110(1)(i) concerning potential litigation and was anticipated to last 7 minutes. No action would be taken.

13. Executive Session

Executive Session was required per RCW 42.30.110(1)(i) to discuss litigation or potential litigation with the agency.

Council recessed to executive session at 8:21 pm

Council reconvened at 8:28 pm

14. Adjournment

Meeting adjourned at 8:28 pm

Mayor

ATTEST: _____
City Clerk



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Study Session

June 5, 2023

6:00 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

Study Session

The meeting was called to order at 6:00 pm. All present except Councilmember Beauchamp.

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Parks & Recreation Director Case, Construction Project Manager Maskal, Arts & Economic Development Manager Vandenberg, Community Development Director Carlson, and Assistant City Attorney Reiman

Unity Park Design Update

Brad Case, Parks & Recreation Director, introduced Grant Maskal, Construction Project Manager, before reviewing an update concerning Unity Park. Council asked questions of staff.

2023 Legislative Update

Heidi Behrends Cerniwey, City Manager, introduced the topics to be reviewed and Terry Weiner, City Attorney, presented information concerning SB 5536, legislation recently signed into law to address the Blake Case. Council asked questions of staff.

Heidi Behrends Cerniwey, City Manager, briefly reviewed the legislative bills introduced and action taken by the Legislature.

Adjournment

Meeting adjourned at 6:53 pm

Mayor

ATTEST:

City Clerk



**COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926**

MINUTES OF ELLENSBURG CITY AFFORDABLE HOUSING COMMISSION

Date and Time: Affordable Housing Commission meeting, April 5, 2023 - 4:30 p.m.

Place of Meeting: Hybrid Meeting In-person and via Zoom

Present (in-person):

Present (virtual): Sarah Bedsaul, Jordan Ruhle, John Perrie, Sarah Beauchamp, Kim Funston, Dan Witkowski (7 minutes after start of meeting)

Absent:

Others Present: Jeremy Johnston; Community Development Planning Manager; Kathy Boots, Planning Technician; Heidi Behrends-Cerniwey; City Manager

Others Present Via Zoom:

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Bedsaul called the meeting to order at 4:33 pm. Roll call completed.

2. APPROVAL OF THE AGENDA

Commissioner Perrie made a motion to approve the agenda. **Motion passed 5-0.**

3. APPROVAL OF MINUTES

Commissioner Perrie made a motion to approve minutes from February 8, 2023, as presented. **Motion passed 5-0.**

4. NEW BUSINESS

A. Staffing Update- Introductions

Jeremy Johnston; Community Development Planning Manager introduced himself.

B. Catherine Park Update

Johnston reported that the Catherine Park project is on hold. City Council would like to review the public's concerns and site changes may be needed. The City is meeting with Habitat for Humanity next week to address concerns.

5. UNFINISHED BUSINESS

A. Housing Action Plan Implementation

Johnston reported that he is working with the Department of Commerce to try to get deliverables for the grant to them by June 15, 2023. He would like to finish the implementation whether it is before or after the deadline. He may be able to deliver between June 15-30th if necessary but there is no flexibility with the Department of Commerce after that. The grant monies were to be used to fund a year-long position helping with housing. Staff will create a timeline with the work needed to be done and present it at the next meeting. Commissioners are open to meeting more often and are willing to help.

6. CITIZEN COMMENT

None

7. STAFF UPDATE/DISCUSSION ITEMS

Hannah Tower has resigned from the committee. Tower made a recommendation of Courtney Garzone to join the Commission. Garzone is interested and an interview will be scheduled. Commissioners would like the new members to receive some past minutes to get up to speed. Ruhle was unable to find minutes for the 3/16/22 meeting. Staff will look for the 3/16/22 minutes. City Council will be acknowledging Commissioner Towers service.

8. Commission Representative Update

Commissioner Funston and Witkowski were welcomed.

Next meeting scheduled for May 3, 2023, 4:30 pm

9. Adjourned at 5:08 pm



**COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926**

MINUTES OF ELLENSBURG CITY AFFORDABLE HOUSING COMMISSION

Date and Time: Affordable Housing Commission meeting, May 3, 2023 - 4:30 p.m.

Place of Meeting: Hybrid Meeting In-person and via Zoom

Present (in-person): Sarah Beauchamp

Present (virtual): Sarah Bedsaul, Jordan Ruhle, John Perrie, Kim Funston, Dan Witkowski

Absent: Courtney Garzone

Others Present: Jeremy Johnston; Community Development Planning Manager; Kathy Boots, Planning Technician

Others Present Via Zoom:

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Bedsaul called the meeting to order at 4:33 pm. Roll call completed.

2. APPROVAL OF THE AGENDA

The agenda was changed to address unfinished business prior to new business.

3. APPROVAL OF MINUTES

Minutes for April 5, 2023, were not included in the packet. Tabled until next meeting.

4. UNFINISHED BUSINESS

a. Housing Action Plan status

Johnston stated the grant was not going to be able to be received since there is not enough time for the deliverables. He wants to continue to work on the objectives even if there is not a hard deadline and apply in 2023 if the grant is offered.

5. NEW BUSINESS

b. Workplan discussion- next steps

Johnston stated that he was going to put together a summary for June's meeting regarding Action 1 in the housing action plan. He has set a goal to complete 1.1 and 1.2 by July. He would like the Commission to look at ways the code may be able to be changed to increase affordable housing. Johnston stated that he would like to have a meeting with the AHC and PC members to collaborate on how to increase affordable housing. Research into other jurisdictions design guidelines for affordable housing is needed. The change in legislation does not apply to the City of Ellensburg due to its size. Johnston will provide links to the Development Code.

6. CITIZEN COMMENT

No citizen comments.

7. STAFF UPDATE/DISCUSSION ITEMS

None

8. COMMISSION REPRESENTATIVE UPDATE

None

Next meeting scheduled for June 7, 2023, 4:30 pm in-person

9. Adjourned at 4:56 pm



CITY OF ELLENSBURG	MINUTES OF ARTS COMMISSION, Regular Meeting
Date of Meeting:	May 11, 2023
Time of Meeting:	4:00pm
Place of Meeting:	CCCR and ZOOM

1. CALL TO ORDER

Chair Eyre called the meeting to order at 4:04pm

2. ATTENDANCE

PRESENT: Alex Eyre, Jerry Dougherty, Brian Kooser, Jeffrey Snedeker, Jill Scheffer, Courtney Blackstock

COUNCIL LIASON: David Miller

ABSENT: None

VISITOR(S): Sarah Beauchamp, Weiss Beauchamp, Joe Chanes, Renee Fyall

STAFF: Josephine Camarillo, Heidi Behrends-Cerniwey, Stacey Henderson

3. APPROVAL OF AGENDA

MOTION made by Scheffer to approve the agenda with one amendment to New Business, item Bernard Hosey, seconded, motion approved. Motion passed 6-0.

4. CORRESPONDENCE AND CITIZEN COMMENTS

None

5. GUEST SPEAKER/PRESENTER

Weiss Beauchamp introduced themselves and expressed interest in serving on the Arts Commission. Staff will arrange interview.

See new business.

6. APPROVAL OF MINUTES

MOTION made by Scheffer to approve April 2023 minutes, seconded, motion approved. Dougherty abstains. Motion passed 6-0.

7. BUDGET/FINANCIAL REPORT

No report.

8. NEW BUSINESS

A. Mural Restoration: Joe Chanes presented restoration proposal of "the Hub" mural located on Kleinberg building at 307 N Pearl. One artist will be selected to restore the mural.

MOTION made by Scheffer to endorse application for proposed mural for 307 N Pearl, seconded, motion approved. Motion passed 6-0.

- B. New Mural: Renee Fyall presented mural proposal for 404 N Pine St, south side of Blue Rock Saloon. Proposal in coordination with EDA and to be completed before Rodeo weekend. Concern that parking lot may obstruct view. Commission not able to endorse at this time without further information. Commission request to see more finalized design.

NOTE Commissioner Scheffer left meeting at this point in time.

- C. New Mural: Behrends-Cerniwey presented the 100yr Anniversary Rodeo Mural located at Craig's Hill Reservoir. Design was selected by mural selection committee consisting of Councilmember Nancy Lillquist, Yakama Nation/Artist Emily Washeens, Rodeo Board Members Dan Morgan and Scott Perna, Rodeo Manager Meegan Meeks, KVEC Director Kady Porterfield, Arts Commissioner Brian Kooser, LTAC Commission Member/Rodeo Hall of Fame Marie Smith, and City Public Works Assistant Director Mike Helgeson. 21 applications were submitted and narrowed down to three. The Rural Mural Plural proposed design was selected unanimously. Mural projected to be completed by the end of July 2023.

MOTION made by Snedeker to endorse mural rendering for water tower mural, seconded, motion approved. Motion passed 5-0.

- D. Bernard Hosey: Eyre reported the City of Walla Walla is offering free artwork by Bernard Hosey from Walla Walla but would incur costs with transport and installation. Public Art committee will investigate transit and installation options. Placement of possible artwork TBD. Parks and Recreation Commission will also need to approve if EAC is to go forward.

9. UNFINISHED BUSINESS

Artwalk Signs- Inventory of current signs have been completed. More signs will need to be ordered. Eyre looking into cost estimates.

Arts Treasure Award Presentation- Eyre and Dougherty propose a presentation to be held on June 1st 3:30pm at Blackhall in conjunction with Arts and Humanities Award. Snedeker will notify recipient for availability. Eyre will notify City PIO for promotion.

10. ANNOUNCEMENTS

None

11. NEXT MEETING

June 8, 2023 at 4pm.

12. ADJOURNMENT

With no further discussion, meeting adjourned at 5:33pm.

Respectfully submitted,
Josephine Camarillo, Staff Liaison
Drafted: 5-11-23
Approved: 6-8-23

CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Diversity, Equity & Inclusion

Commission Meeting

May 9, 2023

3:00 PM

Council Conference Room

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

The Chair called the meeting to order at 3:00 p.m.

Roll Call Present: Kandee Cleary, Tylene Carnell, Alex Mandujano, Teresa Divine, Mayra Colazo and Nancy Goodloe (Chair)

Also present: Nicole Klauss, Public Information Officer (Recording Secretary); Brad Case, Parks and Recreation Director; Ramona Bryant (League of Women Voters); Nicholas Villa, ASCWU Vice President; and Olene Togiallua.

2. Approval of Minutes from April 11, 2023 Meeting

Commissioner Cleary moved to approve the April 11, 2023 meeting minutes. Commissioner Carnell seconded the motion. **Motion approved 5-0.**

4. Previous Meeting Motions And To-Do List Review

- Finalize first collaboration with CWU and City library about the Japanese American WWII Heroes event. **Done. Event is 5/12 at MCE in Dean Hall.**
- Nicole needs to set up time for two commissioners to go to another commission meeting.
- Tylene will finalize sponsorship of Pride 2023.
- Nancy will review subcommittees and individual responsibilities to commission. **Done.**
- Teresa will meet with CWU Day of Action/Block Party Committee. **Done. Event is May 12.**
- Mayra and Alex will talk to contacts about plans for Cinco de Mayo event **Move to next year's to-do list**
- Nancy will provide support to the Human Library event. **Done.**
- DEI Commission will start conversation about what is a safe community on agendas.

6. Subcommittee Reports

The interview subcommittee interviewed two candidates for consideration for the DEI Commission.

7. Commission Member Reports

Commissioner Colazo said the grants for rental assistance for CWDR and HopeSource have expired and consumers are being evicted.

Chair Goodloe said the first reading for the commission's request to expand membership of the DEI Commission passed at the City Council meeting. May 15 is scheduled for second reading.

Commissioner Carnell said KCHN and Helen House are hosting the Safe Space Train the Trainer. These opportunities are focused on the LGBTQ community, but it would be good to expand to other populations.

Commissioner Divine went to the last Kittitas Pride event, which had a lot of people though not much diversity.

Commissioner Colazo met with PTAC and introduced the DEI Commission.

Commissioners Colazo and Divine will look into a table at the farmers market.

8. New Business

A. Park Restroom Winter Accessibility Information

The Commission heard from City Parks and Recreation Director Brad Case about park restrooms and the development standards the City must follow for vault toilets locations. Commissioner Carnell expressed appreciation for seeing the information written out in memo form and asked about growth and park trends. Case talked about park impact fees. Commissioner Colazo asked about removing snow leading to a restroom. Case said the crews clear snow from sidewalks leading to restrooms. Commissioner Colazo asked if there has ever been a survey about park usage. Case said the Park Master Plan is updated every six years and during that process questions about why people use parks or don't are asked.

B. Listening Tour Documents

Commissioner Carnell introduced the documents. Commissioner Cleary moved to approve the listening tour policy and documents. Commissioner Divine seconded the motion. **Motion Approved 5-0.**

C. Review Liaison Documents

The Commission reviewed the Partner Agency Liaison description document and suggested some small edits.

Commissioner Cleary moved to accept the Partner Agency Liaison description with the correction of the date of the meeting and the addition of a written quarterly report from partner agencies. Commissioner Divine seconded the motion. **Motion Approved 5-0.**

Commissioner Cleary moved to approve a liaison position for the Ellensburg Downtown Association. Commissioner Colazo seconded the Motion. **Motion Approved 5-0.**

D. Review and Approve Grant Process

The Commission reviewed the grant process draft. The Commission allocated \$4,000 in the spending plan toward grants.

There was discussion about setting a cap on the funding so people don't invest a lot of time and get awarded a small amount. Chair Goodloe suggested not setting a cap because what if a good project comes through and it's \$4,000?

Commissioner Cleary said it's more accessible to not follow the city grant schedule in future years.

Commissioner Cleary suggested establishing a deadline and not putting a cap on it this year.

Commissioner Colazo expressed concern about accommodation and clear writing. Commissioner Mandujano suggested there could be an oral presentation if requested. Klauss said staff could be available to assist with questions on the grant application.

Suggested timeline is to approve grant document with changes at the June 13 meeting, then post the grants on June 15 with a July 31, 2023 deadline. The grant subcommittee would review and make a recommendation to the commission at the August 8, 2023 meeting. Applicants would have until the end of 2023 to spend the funding.

9. Staff Report

Klauss said the Council will review the second reading of the ordinance expanding the commission at the May 15 meeting. Interviews are in progress.

10. Public Comment

Chair Goodloe called for public comment. Olene Togialua asked where the grant process is at in the timeline.

Commissioner Carnell asked if it is RCW that people have to give their address when giving public comment because it can be uncomfortable for some people to put their address out there publicly. Klauss will follow up with City Attorney and get an answer.

11. Preview Next Meeting June 13, 2023

- Grant Process continued
- Review and Approve Dates of Recognition For Social Media

Meeting adjourned.

Nicole Klauss

Drafted: 5/12/23

Approved: 6/13/23



ELLENSBURG ENVIRONMENTAL COMMISSION

**April 19, 2023, Regular Meeting
Hybrid Meeting In-Person and Zoom**

Members Present: Christina Wollman, Jean Marie Linhart, Andrea Sledge, Kristine Steinkoenig, Aaron Peterson, and Jess Black

Members Absent: Raven Harlin

Also present: Heidi Behrends Cerniway, City Manager; Jeremy Johnston, Planning Manager; and Laura Wilson-Recording Secretary

CALL TO ORDER

Commissioner Wollman called the meeting to order

AGENDA

The agenda was acknowledged with no changes.

MINUTES

Commissioner Steinkoenig motioned to approve the March 15, 2023, regular meeting minutes. Commissioner Linhart seconded the motion. The motion passed with all in favor.

CITIZEN COMMENT

There was no citizen comment.

NEW BUSINESS

None

BICYCLE ADVISORY

Mrs. Wilson updated the commission on activities associated with Bike Month in May.

STAFF UPDATE/DISCUSSION ITEMS

City Manager Behrends Cerniway updated the commission on the status of the Sustainability and Energy Plan.

ADJOURNMENT- The meeting adjourned.



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Landmarks & Design, Regular Meeting

April 18, 2023

5:45 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present- In Person: Fred Redmon, Marty Blackson

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

Absent: Darren Reid

Also present- In Person: Stacey Henderson- Senior Planner, Cathy Poshusta- Public, Jeff Watson- Public, Sadie Thayer- Museum Director.

Commissioner Redmon called the meeting to order at 5:45 p.m.

2. Approval of Agenda

Commissioner Blackson moved to approve the agenda.

Motion Approved 4-0.

3. Approval of Minutes

Commissioner Stanley moved to approve the March 21, 2023 minutes.

Motion Approved 4-0.

4. New Business

- A. New Chair Election. Planner Henderson asked commission if they want to move forward with elections or wait until everyone is present. Commission voted 4-0 to proceed. Commissioner Blackson offered, as did Commissioner Redmon. Discussion occurred. Redmon and Blackson agreed to be co-Chairs.

Commissioners Redmon and Blackson as Co-Chairs- Approved 4-0.

- B. Historic Preservation Awards Selection. Planner Henderson presented the historic preservation award categories and current nominations, and requested any additional nominations be added within the next two days. The commission agreed for Henderson to send a survey out for voting later in the week.

-
- C. Historic Preservation Month Event- Select Time and Schedule. Planner Henderson discussed the commission's previous selection of May 20, "*after 4pm*" as the rough time for the event. Discussion occurred. Commission selected 4-6 pm on May 20 as the official event time.

5. Old Business

None

6. Citizen Comment

None

7. Staff Update/Discussion Items

NAPC Membership- Planner Henderson Introduced this organization and explained that the City will be obtaining a membership to help provide additional trainings and resources for the commission.

8. Commission Representative Update

Commissioner Stanley and Blackson discussed the Library Display cases, celebrating Historic Preservation Month.

EDA update tabled until next meeting

9. Adjournment

Chair Redmon adjourned the meeting at 6:35 p.m.



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Landmarks & Design, Regular Meeting

May 2, 2023

5:45 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present- In Person: Fred Redmon, Jeff Watson, Cathy Poshusta

Roll Call Present-Via Zoom: Dorothy Stanley

Absent: Marty Blackson, Zane Kanyer, Monica Miller

Also present- In Person: Stacey Henderson- Senior Planner, Kathy Boots- Planning Technician, Andrew Polak, Jodi Polak, Amy McGuffin, Sadie Thayer

Also present- Via Zoom:

Co-Chair Redmon called the meeting to order at 5:43 p.m.

2. Approval of Agenda

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

3. New Business

- A. (P23-029) Public Hearing for Consideration of a Certificate of Appropriateness (COA) for the proposed new signage at 312 North Pearl St, Parcel ID #58179. B. (P23-025) Public Hearing for Consideration of a Special Valuation for Historic Properties Application, for the Historic Geddis Building, located at 325 N. Pearl.

Planner Henderson read the staff report. Review of past COA's with conditions were summarized. Staff recommend granting the Certificate of Appropriateness for both signs with no conditions. Appearance of Fairness read. Applicant Amy McGuffin presented proposal. Public comment opened. No public comment. Public comment closed. Commissioner Watson moved to grant Certificate of Appropriateness for the proposed new signage at 312 North Pearl St, Parcel ID #58179. with finding of fact as presented with no conditions. Commissioners deliberated. **Motion passed 4-0.**

- B. (P23-025) Public Hearing for Consideration of a Special Valuation for Historic Properties Application, for the Historic Geddis Building, located at 325 N. Pearl.

- B. Planner Henderson read the staff report. Henderson reported this project meets the four criteria required for a Special Valuation. Staff recommend granting the Special Valuation. Appearance of Fairness read. Applicant Andy Polak presented the work that had been done along with the monies spent for the last 24 months per RCW. Public comment opened. No public comment. Public comment closed. Commission deliberated. Commissioner Watson moved to grant the Special Valuation as presented with ECC Section 15.280.110, and RCW 84.26.030 on page 23 in agenda packet have been met, and conditions per RCW 84.26.050(2)(a) thru (f) on page 23-24 have been met. **Motion passed 4-0.**

4. Old Business

- A. Historic Preservation Month Discussion

Staff informed Commission on upcoming planned events.

6. Citizen Comment

None

7. Staff Update/Discussion Items

- A. Next Meeting- May 16, 2023
B. B. Preservation Month Awards- May 20, 2023- 4-5:30.

8. Commission Representative Update

None

9. Adjournment

Co-Chair Redmon adjourned the meeting at 6:37 p.m.



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Landmarks & Design, Regular Meeting

May 16, 2023

5:45 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order and Roll Call

Roll Call Present- In Person: Fred Redmon, Marty Blackson, Jeff Watson, Cathy Poshusta

Roll Call Present-Via Zoom: Dorothy Stanley

Absent: Zane Kanyer (excused)

Also present- In Person: Stacey Henderson- Senior Planner, Kathy Boots- Planning Technician, Sadie Thayer- Museum Director, Renee Fyall-agent, Joe Chances-agent, Don Bronsama, Lynn McCowan

Commissioner Blackson called the meeting to order at 5:45 p.m.

2. Approval of Agenda

Commissioner Stanley moved to approve the agenda.

Motion Approved 5-0.

3. Approval of Minutes

Commissioner Stanley moved to approve the April 16, 2023, minutes.

Motion Approved 5-0.

Commissioner Stanley moved to approve the May 2, 2023, minutes.

Motion Approved 5-0.

4. New Business

A. (P23-042) Public Hearing for consideration of a Certificate of Appropriateness (COA) for the proposed installation of a new community mural, located on the south façade of the Fred Redmon building located at 404 N. Pine St, Parcel ID #487033.

Henderson started the required preliminary discussion regarding proposed mural to include location, materials, and how it will be applied. The Arts Commission required more information.
Arts

Commission recommended approval will be required prior to granting COA. Renee Fyall presented mural of "Ellensburg" with a background. The letters will be bulky so art can be within the letters. She will have a template of colors. The base will be neutral. Mounting vs painting were discussed. She informed the Commission of the funding sources. Public comment by Lynn McCowan who suggested cutting out the letters and then they can be moved to another location if needed. Lynn suggested using synthetic letters. Concrete block is the original surface. If project is mounted, then it will require a sign permit and engineering. The Commission recommended moving forward with the submittal being finalized and brought back to Commission. Agreement 5-0.

B. (P23-043) Public Hearing for consideration of a Certificate of Appropriateness (COA) for the proposed restoration of a historic mural, located on the side of the historic Kleinburg Building. The location of the proposed work is at 307 N. Pearl Street., and would be visible from Pearl and 3rd Avenue.

Joe Chances presented project. Preservation is vital. Owner is working on a maintenance agreement for mural. Historic brick will be used to restore the "rodeo" mural. Mural will be close to rendering. Chances will finalize rendering, type of paint, how it will be cleaned prior to painting, artist and rendering. Arts Commission is recommending approval of mural. Public comment by Don Bronsama asking about the IOOF historic mural. The Commission recommended moving forward with the submittal being finalized and brought back to Commission. Agreement 5-0.

5. Old Business

None

6. Citizen Comment

None

7. Staff Update/Discussion Items

A. HB 1110 Update

The house bill according to DAPT does not apply to Ellensburg because of its population size and established ordinance.

B. B. Historic Preservation Awards- 4-6pm - May 20.

C. Next Meeting- June 6

D. The demo ordinance is with the City Attorney to review.

8. Commission Representative Update

Commissioner Stanley mentioned a video to watch.

Commissioners discussed possible changes to the Comprehensive plan. They will discuss at the next meeting and make recommendations.

9. Adjournment

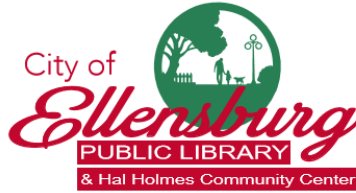
Co-Chair Blackson adjourned the meeting at 6:37 p.m.

CITY OF ELLENSBURG

Date of Meeting:

Time of Meeting:

Place of Meeting:



LIBRARY BOARD

May 9, 2023

4:30 p.m.

City Council Chamber

Marty Blackson, Chair, term expires December 31, 2027

Loretta Gray, Secretary, term expires December 31, 2027

Mary Holmgren, term expires December 31, 2026

Andreina Delgado, term expires December 31, 2023

Melina Meador, term expires December 31, 2024

Andrea Sledge, term expires December 31, 2026

Mary James, term expires December 31, 2027

I. CALL TO ORDER

Blackson called the meeting to order at 4:34 pm.

II. ATTENDANCE

PRESENT: Marty Blackson, Andreina Delgado, Loretta Gray, Mary Holmgren, Mary James, Andrea Sledge

COUNCIL LIASON: Sarah Beauchamp

ABSENT: Melina Meador

VISITOR: None

STAFF: Josephine Camarillo

III. APPROVAL OF AGENDA

Motion made by Holmgren to approve the agenda, motion seconded, **motion approved**.

Motion passed 6-0.

IV. APPROVAL OF MINUTES

Motion made by James to approve the April 2023 minutes, motion seconded, **motion approved**. Motion passed 6-0

V. CORRESPONDENCE AND CITIZEN COMMENTS/SUGGESTIONS

None

VI. REPORTS

A. Director's Report: (1) The Library hosted or co-hosted several events during April. (2) A new office specialist will be hired in May. A library specialist will also be hired soon. (3) Adult Services hosted the Human Library, which was successful and is expected to be held again. (4) Technical Services balanced the collection by both adding and deleting items. (5) Youth Services, with new staff, held many events and started preparations for the Summer Reading Program. (6) Hal Holmes held 60 events. (6) Collection and circulation discussed. The numbers of both physical and electric items are up, compared with data from 2022.

B. Budget Report: Everything is in good shape.

C. Friends of the Library Report: FOL Book Club tea was held, 38 in attendance.
Saturday sales are averaging \$400 per sale.

VII. UNFINISHED BUSINESS

A. None.

VIII. NEW BUSINESS

A. The work of the Kittitas County Regional Library Board was discussed: (1) Ellensburg received \$115,000 from the County. The County has also provided funds for the Summer Reading Program and One Book One County event. (2) Andreina Delgado joined the Regional Library Board.

B. Board strategic planning was discussed. Josephine will send out samples and names of facilitators.

IX. UPCOMING PROGRAMS/EVENTS

For May, the following have been scheduled: (1) Library Book Club meeting, (2) Friends of the Library meeting, (3) One Book One County event, (4) Children's Day Downtown, (5) World Collage Day, (6) Cultural Conversations.

X. UNSCHEDULED BUSINESS

A. None

XI. NEXT MEETING

June 13, 2023

XII. ADJOURNMENT

With no further discussion, meeting adjourned by Blackson at 5:19 p.m.

Respectfully submitted,
Loretta Gray, Secretary



**Parks & Recreation Advisory Commission
Meeting Minutes – April 12, 2023**

DATE OF MEETING: April 12, 2023
MEMBERS PRESENT: Jackie Adams, Frana Milan, Nick Zentner, Ali Brown
OTHERS PRESENT: Parks & Recreation Director Case, Council Liason Monica Miller, three members of the public
LOCATION: Meeting was held in the City Council Conference Room and Remotely

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

MEETING MINUTES – Meeting minutes from the March 15, 2023 meeting were approved as submitted.

INTRODUCTION OF COMMISSION MEMBER – Frana Milan introduced herself to the Commission. Frana worked in the parks and recreation field for over 20 years and brings to the Commission a wide breadth of professional experience.

CITIZEN COMMENT ON NON-AGENDA ITEMS

Pat Kelleher asked about signage placed at Reed Park that included information about the park plan update and a QR code. Staff stated that the signage had been in place at the park since Fall 2022.

NEW BUSINESS

Naming of Pollinator Garden at Wippel Park – Jack Carpenter – Jack Carpenter, Ellensburg Rotarian and spokesperson for the pollinator garden at Wippel Park, recommended to the Commission that the pollinator garden planned for Wippel Park be called the Wippel Heritage Pollinator Garden. The name will have consistencies with the Wippel Community Garden, which will share space at Wippel Park and be connected via common path.

A motion and second was made to name the pollinator garden at Wippel Park the 'Wippel Heritage Pollinator Garden'. Motion passed all in favor.

Pet Relief Stations – Ryan Kellogg, EDA Board Member – Mr. Kellogg presented to the Commission the idea of creating a pet relief station in downtown Ellensburg at the intersection of 4th & Pine. The purpose of this project is to create a designated place in the downtown where visitors and residents with pets can take their pets to use the bathroom. By the end of 2023 there will be over 180 apartment/condominium units in downtown Ellensburg, many of those residents who own a dog currently use the corner garden nodes or tree wells, which has a negative impact on the health of downtown trees and beautification program. This project would repurpose a unadopted 300 square foot garden node into a pet friendly area of anti-microbial turn, drainage, a mutt mitt dispenser and signage.

Staff added that the Unity Park plan includes an additional pet relief station and depending on the success of the 4th & Pine project, that there may also be interest in locating something on publicly owned property near the intersection of 5th & Main, where over half of the downtown apartment units are located. The anticipated cost of this improvement is \$5,300.00 and will be paid for and installed by the EDA. Anticipated installation date is within the next 60 days.

The Parks & Recreation Commission supported the project as it moves on to Council for final approval.

Appointing a Commission Member to Serve on the Rotary Park Stakeholder Committee – Jackie Adams volunteered to serve on the Rotary Park Master Plan Update stakeholder group on behalf of the Parks & Recreation Commission. All in favor.

ITEMS FOR MAY10, 2023 MEETING

Rotary Park Master Plan Update

COMMISSION MEMBER REPORTS/OTHER BUSINESS

STAFF REPORTS – 1. A \$7million funding request submitted through Congresswoman Schrier's office for the Rotary Park fieldhouse has been selected to move forward in the appropriations process along with 15 other projects from Washington's 8th District. The selection at this stage means it will be submitted to the House Appropriations Committee with a request that it be included in the FY2024 appropriations bills as one of 15 projects from Washington's 8th District. There is no guarantee that our project will receive this funding as both chambers in Congress will need to pass funding bills that can be signed into law this year. 2. On Saturday April 22nd the City will be celebrating its 40th year as a Tree City USA community. The event will take place from 10am-1pm at Irene Rinehart Riverfront Park and will include kids' activities, ceremonial tree planting, and a food truck. 3. Staff will be meeting with board members on April 20th to discuss the Reed Park master plan and options to address concerns Legion members voiced at the March 7th Council meeting. 4. The field lighting project at the Rotary Park youth baseball/softball complex is completed. The addition of the field lights will not only have a positive impact on the local youth sports programs but for the 10 youth baseball tournaments scheduled to take place at Rotary Park in 2023. 5. The city, along with community partners, will be hosting the 'Ride to Renslow', a 18-mile roundtrip bike ride on Saturday, May 20th. The ride will leave Unity Park at 9am, with a stop at the Kittitas Train Depot, then crossing the Renslow Trestle over Interstate 90. A free shuttle will be provided back to Ellensburg for those interested. In addition to the Renslow Ride, there will be shorter 5.38-mile ride from Unity Park to North Alder Street along the Palouse to Cascades Trail Reconnection Route. 6. There is currently one open commission position with another seat up for reappointment May 31, 2023. Applicants will be going through the appointment interviews over the course of the next few weeks for the open positions.

Meeting adjourned at 6:05pm.



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes Planning Commission, Regular Meeting

May 11, 2023

5:45 PM

Council Conference Rm 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

1. Call to Order

Chair Padjen called the meeting to order at 5:50 p.m.

2. Roll Call

Roll Call Present In-Person: George Bottcher, Ed Harrel, Fred Padjen, Delano Palmer, Sathy Rajendran

Roll Call Present-Via Zoom: Sigrid Davison

Absent: Geraldine O'Mahony

Also Present: Jeremy Johnston, Community Development Planning Manager, Kathy Boots, Planning Technician

Also, Present Via Zoom: Rich Elliott

3. Approval of Agenda

Commissioner Harrel moved to Approve the Agenda. **Motion Passed 6-0.**

4. Approval of the Minutes

A. Minutes of the March 9, 2023, Planning Commission Meeting

Commissioner Rajendran made a motion to approve the minutes from March 9, 2023. **Motion Passed 6-0.**

5. New Business

A. Staff Introduction

B. OPMA Refresher

Johnston reviewed the OPMA criteria which is mandatory.

6. Old Business

None

7. Citizen Comment

None

8. Staff update/Discussion Items

A. HB 1110

House Bill 1110 does not apply to the City of Ellensburg due to its population.

A. Housing Action Plan Implementation

Johnston stated that the \$75,000 grant from the Department of Commerce will not be obtained. There is not enough time to meet the requirements of the deliverables. He would like to apply in 2023 if the grant becomes available. Johnston stated that the Affordable Housing Commission will look for innovative approaches, ordinances, or incentives to increase affordable housing. Those items will then be presented to the Planning Commission for refinement. He would like the Affordable Housing Commission to work in conjunction with the Planning Commission. Developers and the public would give input. Elliott stated there needs to be more flexibility by having multi-family in all zones as it may eventually become.

9. Commission Representative Update

None

10. Adjournment

Chairman Padjen adjourned the meeting at 6:43 p.m.

Next meeting June 8, 2023, 5:45 p.m. Palmer will be absent at the next meeting.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Traffic Impact Fee Annual Report

Submitted by: Michael Jenkins Public Works & Utilities

Recommended Action or Motion: The traffic impact fee report is for Council's information and there is no action required. Programming of the traffic impact fee funds typically occurs in conjunction with the City's annual six-year transportation improvement program and the biennial budget process.

Background/Summary: The City adopted the traffic impact fee ordinance on March 15, 2009. The ordinance requires the Finance Director to annually report on the impact fee fund showing the source and amount of all monies collected, earned, or received, and the system improvements financed in whole or in part by impact fees. The Public Works & Utilities Director is to report on the amount of traffic impact fees not collected as a result of the ordinance provision providing for fee reductions. The ordinance allows a 50% fee reduction for commercial and industrial zoned properties, and a complete exemption for property located in the Central Commercial (CC) zone.

Previous Council Action: April 20, 2009 - Adoption of Traffic Impact Fee Ordinance No. 4534, codified in Chapter 14.04 of the Ellensburg City Code, which has been amended several times through 2022.

Analysis: Attached for Council's information is a spreadsheet of traffic impact fees billed during 2022. The total of impact fee permits collected in 2022 was \$190,781.68, which is a 37% decrease over impact fees collected in 2021. Total fee reductions for commercial and industrial zoned property/projects, as well as projects located within the CC zone, was \$94,561.92 with the sum of these fee reductions from 2009 through 2022 totaling \$1,243,458.99. Staff has been successful in obtaining grant and other funding to offset these exemptions, as confirmed in the 2018 Traffic Impact Fee Update. Staff will continue to pursue additional funding sources as they become available.

The amount of \$16,268.51 was expended in 2022 from the administrative portion of the fee on: Traffic Impact Fee Update services, the Transportation Impact Analysis Guidelines, ITE Trip Manual and the Cora Street Signal Analysis.

The amount of \$685,102.10 was expended in 2022 from the capital improvement component of the fee on: the 14th Avenue & Alder Street Signalization project, and the 5th Avenue & Railroad Avenue Signalization project. A total of \$3,195,894.21 has been expended from the capital improvement component of the fee since inception of the ordinance.

Financial Impact:

This report is for informational purposes only.

Attachments:

[2022 Traffic Impact Fee Collection for Council in 2023](#)

TRAFFIC IMPACT FEES 2022

	Date	Site	Units	Total	Impact	Administration	Date	Comments/Project		
	Submitted	Address							Quantity	Per
1	2/3/22	106 W 11th Ave #2	1	DU	\$1,239.28	\$1,239.28	\$61.96	\$1,301.24	3/10/2022	Convert basement to ADU
2	2/11/22	501 & 503 N Water St	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo (2) Multi-Family Buildings & Garage
3	2/11/22	Parcel 956116	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo (2) Shacks
4	2/24/22	808 E Spokane St	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	New shop in back yard
5	2/24/22	104 N Lincoln St	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	New garage in back yard
6	2/25/22	310 S Anderson St	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Living Room, Bedroom & Porch Addition to SFR
7	2/25/22	606 Laura Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/3/2022	New SFD
8	3/14/22	1307 N Okanogan St #2	1	DU	\$1,239.28	\$1,239.28	\$61.96	\$1,301.24	5/27/2022	New ADU & Garage
9	3/21/22	916 W 2nd Ave #2	1	DU	\$1,239.28	\$1,239.28	\$61.96	\$1,301.24	4/21/2022	New Silo ADU
10	3/21/22	102 S Pine St	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Convert garage to habitable living
11	3/25/22	808 E Spokane Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Convert garage to habitable living / living room
12	3/29/22	810 E Spokane Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Bedroom addition & bath remodel
13	3/29/22	810 E Spokane Ave #2	1	DU	\$1,239.28	\$1,239.28	\$61.96	\$1,301.24	6/22/2022	New ADU
14	4/4/22	2906 N Airport Rd	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo (1) single-wide residential trailer
15	4/4/22	1501 Vantage Hwy	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	New 40 x 70 Workshop
16	4/5/22	Kittitas Co. Fairgrounds	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo 480 sf concession building
17	4/12/22	2522 N Benjamin Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/25/2022	New SFD
18	4/12/22	2520 N Benjamin Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/21/2022	New SFD
19	4/12/22	2518 N Benjamin Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/21/2022	New SFD
20	4/12/22	2516 N Benjamin Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/21/2022	New SFD
21	4/15/22	503 W 10th Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Interior Remodel & New 24 x 24 Attached Carport
22	4/29/22	1500 W Dolarway Rd - bld #5	6.72	KSF	\$6,245.97	\$3,046.81	\$76.18	\$3,122.99	5/10/2022	6720sf warehouse
23	5/23/22	400 E Chason Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	6/3/2022	New SFR
24	5/23/22	502 E Chason Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	6/3/2022	New SFR
25	5/23/22	402 E Chason Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	6/3/2022	New SFR
26	5/23/22	1206 S Canyon Rd	0.44	KSF	\$1,022.40	\$498.73	\$12.47	\$511.20	5/31/2022	2309sf addition for tire storage
27	5/25/22	411 W 12th Ave #2	1	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Convert detached garage to ADU
28	6/1/22	510 E Bender Rd	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	demo old shop & replace w/new 720 sf pole building
29	6/1/22	501 N Water St	49	DU	\$47,712.28	\$0.00	\$2,385.61	\$2,385.61	X	49 units in CC zone no impact fee
30	6/10/22	1500 W Dolarway Rd - bld #6	10.92	KSF	\$10,149.70	\$4,952.05	\$123.80	\$5,075.85	6/23/2022	10,920sf warehouse
31	6/15/22	1301 E Midlin Dr	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	6/30/2022	New SFR
32	6/21/22	510 W 14th Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	New 24x36 Shop
33	6/28/22	902 N Okanogan St	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	New SFR - TIF credit applied from house demo at 415 W 9th Ave, TIF #17-140, Demo Permit # B17-269
34	6/30/22	205 E 11th Ave	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	New Chiller equipment for CWU
35	7/1/22	904 E 2nd Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	New 448 sf detached garage
36	7/1/22	1204 E Sanders Rd	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	7/7/2022	New SFR
37	7/5/22	1512 Hwy 97	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	Interior remodel of existing store
38	7/7/22	1500 W Dolarway Rd - bld #8	10.92	KSF	\$10,149.70	\$4,952.05	\$123.80	\$5,075.85	7/8/2022	10,920sf warehouse
39	7/8/22	505 N Pine St	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	Removal of non-bearing walls to expand rooms
40	7/8/22	1720 S Canyon Rd	4	room	\$3,531.96	\$1,722.91	\$43.07	\$1,765.98	8/12/2022	reallocate existing lobby/common area into (4) new rooms
41	7/15/22	206 S Pearl St	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	adding second floor dormer to SFR for addition of (1) bedroom and (1) bathroom
42	7/19/22	305 E 1st Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Residential Remodel, Bathroom addition & Kitchen expansion
43	7/20/22	2214 N Water St #2	1	DU	\$1,239.28	\$1,239.28	\$61.96	\$1,301.24	9/27/2022	New ADU
44	7/27/22	200 W Greenfield Ave #2	1	DU	\$1,239.28	\$1,239.28	\$61.96	\$1,301.24	9/19/2022	New ADU
45	7/28/22	1600 W Dolarway Rd	22	trips	\$51,120.30	\$24,936.58	\$623.57	\$25,560.15		New 217,00sf cold storage building
46	8/8/22	115 E 3rd Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	interior remodel for wine bar
47	8/8/22	415 E Mtn View Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	interior remodel for vet clinic
48	8/8/22	1008 S Canyon Rd	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo 300sf building addition
49	8/9/22	500 E Chason Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/23/2022	New SFD
50	8/9/22	604 Laura Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/17/2022	New SFD
51	8/9/22	504 E Chason Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/23/2022	New SFD
52	8/9/22	404 E Chason Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/23/2022	New SFD
53	8/17/22	905 W Cascade Ct #20	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	MFH caught fire, Demo space 20
54	8/26/22	1200 E University Way #1, 14, 27	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo MFH Spaces 1, 14, 27
55	8/26/22	802 E 7th Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	660 sf addition - new bed and bathroom, relocate kitchen
56	9/6/22	1013 E Capitol Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	New garage with office & bathroom above
57	9/6/22	715 E 4th Ave	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	adding (2) bathrooms to detached garage/art studio

58	9/9/22	1500 W Dolarway Rd - bld #5	1.804	KSF	\$1,676.75	\$817.93	\$20.45	\$838.38	10/18/2022	1,804 sf second floor addition
59	9/12/22	1108 E Twilight Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/19/2022	New SFD
60	9/12/22	1107 E Twilight Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/19/2022	New SFD
61	9/12/22	1106 E Twilight Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/19/2022	New SFD
62	9/12/22	1105 E Twilight Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	8/19/2022	New SFD
63	9/13/22	1200 E University Way #29, 51, 53	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo (3) MFH's - Spaces 29, 51, 53
64	9/19/22	603 S Chestnut St	25	trips	\$55,325.00	\$55,325.00	\$2,766.25	\$58,091.25	11/22/2022	14,585sf addition to hospital
65	9/26/22	901 E 7th Ave	2.217	KSF	\$932.17	\$932.17	\$46.61	\$978.78	12/8/2022	Bloom Pavilion addition 2,217sf
66	10/10/22	2612 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	10/27/2022	New SFD
67	10/10/22	2611 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	11/2/2022	New SFD
68	10/13/22	315 W University Way	1	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	Demo house leave shop
69	10/17/22	1500 W Dolarway Rd - bld #6	2.1	KSF	\$1,951.87	\$952.13	\$23.80	\$975.93	2/3/2023	2,100 sf second floor addition
70	10/18/22	1801 N Walnut St	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	convert laundry mat to coffee shop
71	10/18/22	201 S Water St	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	Interior remodel at Fred Meyer
72	10/25/22	609 N Water St	6.72	trips	\$5,623.23	\$2,743.05	\$68.57	\$2,811.62	X	16 unit apartment in CC zone
73	11/17/22	103 W Courtney Ct #2	1	DU	\$1,239.28	\$1,239.28	\$61.96	\$1,301.24		New ADU
74	11/18/22	111 W 6th Ave	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	interior remodel of existing building
75	11/18/22	420 N Pearl St	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	interior remodel of existing building
76	11/28/22	2502 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/7/2022	New SFD
77	11/28/22	2606 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/7/2022	New SFD
78	11/28/22	412 W 26th Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/7/2022	New SFD
79	11/28/22	2513 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/7/2022	New SFD
80	11/28/22	2501 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/12/2023	New SFD
81	11/28/22	2508 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/12/2023	New SFD
82	11/28/22	2507 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/12/2023	New SFD
83	11/28/22	2605 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/12/2023	New SFD
84	11/28/22	2411 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/12/2023	New SFD
85	11/28/22	2408 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/12/2023	New SFD
86	11/28/22	2412 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	4/12/2023	New SFD
87	12/1/22	2317 & 2319 N Airport Rd	0	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	demo (2) houses
88	12/5/22	2706 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/21/2022	New SFD
89	12/5/22	2704 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/21/2022	New SFD
90	12/5/22	2708 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/21/2022	New SFD
91	12/5/22	2710 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/21/2022	New SFD
92	12/5/22	2700 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/21/2022	New SFD
93	12/5/22	2702 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/21/2022	New SFD
94	12/8/22	701 N Pacific St	1	DU	\$0.00	\$0.00	\$0.00	\$0.00	X	demo house
95	12/12/22	602 Laura Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	12/28/2022	New SFD
96	12/19/22	301 N Pearl St	0	KSF	\$0.00	\$0.00	\$0.00	\$0.00	X	roof over beer garden - no additional square footage
97	12/22/22	2613 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	1/6/2023	New SFD
98	12/22/22	411 W 26th Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	2/8/2023	New SFD
99	12/22/22	503 W 26th Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	2/8/2023	New SFD
100	12/22/22	410 W 26th Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	2/8/2023	New SFD
101	12/22/22	502 W 26th Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/13/2023	New SFD
102	12/22/22	2610 N Leah Ln	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	1/6/2023	New SFD
103	12/22/22	501 W 26th Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	2/23/2023	New SFD
104	12/22/22	413 W 26th Ave	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/13/2023	New SFD
105	12/22/22	1206 E Sanders Rd	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/7/2023	New SFD
106	12/22/22	2714 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/22/2023	New SFD
107	12/22/22	2712 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/22/2023	New SFD
108	12/22/22	2716 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/22/2023	New SFD
109	12/22/22	2718 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/22/2023	New SFD
110	12/22/22	2722 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/22/2023	New SFD
111	12/22/22	2720 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41	3/22/2023	New SFD
112	12/22/22	2800 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41		New SFD
113	12/22/22	2802 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41		New SFD
114	12/22/22	2806 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41		New SFD
115	12/22/22	2804 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41		New SFD
116	12/22/22	2808 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41		New SFD
117	12/22/22	2810 N Water St	1	DU	\$2,190.87	\$2,190.87	\$109.54	\$2,300.41		New SFD

* Total fees collected after code section 14.04.175 applied

** Note: fees billed - building permit possibly not issued; therefore fee not collected yet.

X - Represents no invoice or receipt number

Land Use Units:

KSF = 1,000 gross square feet building area

DU = number of dwelling units

Totals		\$333,377.62	\$238,815.70	\$13,210.76	\$252,026.46	
		\$94,561.92	Difference of what was not collected as a result of			
			fee reduction - 14.04.175.			

\$ 252,026.46	2022 TIF permits thru December 31, 2022
\$ (97,446.03)	2022 TIFs not collected thru December 31, 2022
\$ 154,580.43	Subtotal fees collected in 2021
\$ 36,200.91	2021 TIFs collected in 2022
\$ 0.34	error in permit vs collected amount
\$ 190,781.68	Total fees collected in 2022
\$ 8,295.03	2022 Interest
\$ 199,076.71	2022 Income
\$ (702,954.11)	2022 Expenditures
\$ (503,877.40)	TOTAL 2022
\$ 789,711.66	2022 Beginning Operating Cash Balance
\$ -	2022 Beginning Investment Cash Balance
\$ (25,000.00)	2022 Purchase Invest #73
\$ 260,834.26	2022 Ending Cash Balance
\$ -	Accounts Payable
\$ 260,834.26	
\$ 260,834.26	2022 Ending Cash Balance per GP
\$ 0.00	Difference



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Washington State Department of Ecology Capacity Grant Amendment Number 1

Submitted by: Jon Morrow Public Works & Utilities

Recommended Action or Motion: Authorize Public Works and Utilities Director to sign the amendment and approve the necessary budget adjustments.

Background/Summary: Every two years the Department of Ecology offers Capacity Grant funding to help permittees comply with the National Pollutant Discharge Elimination System (NPDES) permit. The amount changes with each grant cycle and varies based on the city's population and average household income. This year Ecology offered \$70,000, but then amended it by \$62,500 bringing the offer amount up to \$132,500. The funds must be spent by June 30, 2023.

Previous Council Action: Council has previously authorized all Capacity Grant Agreements with Ecology.

Analysis: In the past the funds have been spent on street sweepings/vactor solids disposal, stormwater push cameras, supplying the Parks Department with Mutt Mits for all city parks and various other compliance items.

Financial Impact: A supplemental budget appropriation will be needed to increase 2023 revenues and expenditures by \$62,500.

Attachments:

[Washington State Department of Ecology Capacity Grant Amendment](#)



**AMENDMENT NO. 1
TO AGREEMENT NO. WQSWCAP-2123-EllePW-00169
BETWEEN
THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
AND
City of Ellensburg**

PURPOSE: To amend the above-referenced agreement (AGREEMENT) between the state of Washington Department of Ecology (ECOLOGY) and City of Ellensburg (RECIPIENT) for the 2021-2023 Biennial Stormwater Capacity Grants (PROJECT).

The purpose of this amendment is to increase the grant funding by an additional \$62,500. The grant end date will also be extended from the original end date of 3/31/23 to 6/30/23 to allow more time for the additional funding to be utilized.

IT IS MUTUALLY AGREED that the AGREEMENT is amended as follows:

Total Cost:

Original: 70,000.00 Amended: 132,500.00

Total Eligible Cost:

Original: 70,000.00 Amended: 132,500.00

Expiration Date:

Original: 03/31/2023 Amended: 06/30/2023

CHANGES TO THE BUDGET

Funding Distribution EG220305

Funding Title: 2021-23 capacity grant

Funding Type: Grant

Funding Effective Date: 07/01/2021

Funding Expiration Date: 06/30/2023

Funding Source:

Title: Model Toxics Control Operating Account (MTCOA)

Fund: FD

Type: State

Funding Source %: 100%

Description: MTCA

Approved Indirect Costs Rate: Approved State Indirect: 30%
Recipient Match %: 0%
InKind Interlocal Allowed: No
InKind Other Allowed: No
Is this Funding Distribution used to match a federal grant? No

2021-23 capacity grant	Task Total
Project Administration/Management	\$ 2,000.00
Permit Implementation	\$ 130,500.00

Total: \$ 132,500.00

CHANGES TO SCOPE OF WORK

Task Number: 1 **Task Cost: \$2,000.00**

Task Title: Project Administration/Management

Task Description:

A. The RECIPIENT shall carry out all work necessary to meet ECOLOGY grant or loan administration requirements. Responsibilities include, but are not limited to: maintenance of project records; submittal of requests for reimbursement and corresponding backup documentation; progress reports; and a recipient closeout report (including photos).

B. The RECIPIENT shall maintain documentation demonstrating compliance with applicable procurement, contracting, and interlocal agreement requirements; application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items.

C. The RECIPIENT shall manage the project. Efforts include, but are not limited to: conducting, coordinating, and scheduling project activities and assuring quality control. Every effort will be made to maintain effective communication with the RECIPIENT's designees; ECOLOGY; all affected local, state, or federal jurisdictions; and any interested individuals or groups. The RECIPIENT shall carry out this project in accordance with any completion dates outlined in this agreement.

Task Goal Statement:

Properly managed and fully documented project that meets ECOLOGY's grant and loan administrative requirements.

Task Expected Outcome:

- * Timely and complete submittal of requests for reimbursement, quarterly progress reports, Recipient Closeout Report, and two-page Outcome Summary Report.

- * Properly maintained project documentation.

Deliverables

Number	Description	Due Date
1.1	Progress Reports that include descriptions of work accomplished, project challenges, and changes in the project schedule. Submitted at least quarterly in EAGL.	
1.2	Recipient Closeout Report (EAGL Form).	
1.3	Two-page draft and Final Outcome Summary Reports.	

CHANGES TO SCOPE OF WORK

Task Number: 2 **Task Cost:** \$130,500.00

Task Title: Permit Implementation

Task Description:

Conduct work related to implementation of municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit requirements. If the RECIPIENT is out of compliance with the municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit, the RECIPIENT will ensure funds are used to attain compliance where applicable. The following is a list of elements RECIPIENT's project may include.

- 1) Public education and outreach activities, including stewardship activities.
- 2) Public involvement and participation activities.
- 3) Illicit discharge detection and elimination (IDDE) program activities, including:
 - a) Mapping of municipal separate storm sewer systems (MS4s).
 - b) Staff training.
 - c) Activities to identify and remove illicit stormwater discharges.
 - d) Field screening procedures.
 - e) Complaint hotline database or tracking system improvements.
- 4) Activities to support programs to control runoff from new development, redevelopment, and construction sites, including:
 - a) Development of an ordinance and associated technical manual or update of applicable codes.
 - b) Inspections before, during, and upon completion of construction, or for post-construction long-term maintenance.
 - c) Training for plan review or inspection staff.
 - d) Participation in applicable watershed planning effort.
- 5) Pollution prevention, good housekeeping, and operation and maintenance program activities, such as:
 - a) Inspecting and/or maintaining the MS4 infrastructure.
 - b) Developing and/or implementing policies, procedures, or stormwater pollution prevention plans at municipal properties or facilities.
- 6) Annual reporting activities.
- 7) Establishing and refining stormwater utilities, including stable rate structures.
- 8) Water quality monitoring to implement permit requirements for a Water Cleanup Plan (TMDL). Note that any monitoring funded by this program requires submittal of a Quality Assurance Project Plan (QAPP) that the DEPARTMENT approves prior

to awarding funding for monitoring.

Monitoring, including:

- a) Development of applicable QAPPs.
 - b) Monitoring activities, in accordance with a DEPARTMENT- approved QAPP, to meet Phase I/II permit requirements.
- 9) Structural stormwater controls program activities (Phase I permit requirement)
- 10) Source control for existing development (Phase I permit requirement), including:
- a) Inventory and inspection program.
 - b) Technical assistance and enforcement.
 - c) Staff training.
- 11) Equipment purchases that result directly in improved permit compliance. Equipment purchases must be specific to implementing a permit requirement (such as a vactor truck) rather than general use (such as a pick-up truck). Equipment purchases over \$5,000 must be pre-approved by Ecology.

Documentation of all tasks completed is required. Documentation may include: field reports, dates and number of inspections conducted, dates of trainings held and participant lists, number of illicit discharges investigated and removed, summaries of planning, stormwater utility or procedural updates, annual reports, copies of approved QAPPs, summaries of structural or source control activities, summaries of how equipment purchases have increased or improved permit compliance. Capital construction projects, incentives or give-a-ways, grant application preparation, TAPE review for proprietary treatment systems, or tasks that do not support Municipal Stormwater Permit implementation are not eligible expenses.

Task Goal Statement:

This task will improve water quality in the State of Washington by reducing the pollutants delivered by stormwater to lakes, streams, and the Puget Sound by implementing measures required by Phase I and II NPDES permits.

Task Expected Outcome:

RECIPIENTS will implement measures required by Phase I and II NPDES permits.

Deliverables

Number	Description	Due Date
2.1	Documentation of tasks completed	

Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
2021-23 capacity grant	0 %	\$ 0.00	\$ 132,500.00	\$ 132,500.00
Total		\$ 0.00	\$ 132,500.00	\$ 132,500.00

AUTHORIZING SIGNATURES

All other terms and conditions of the original Agreement including any Amendments remain in full force and effect, except as expressly provided by this Amendment.

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

This amendment will be effective 07/01/2022.

IN WITNESS WHEREOF: the parties hereto, having read this Amendment in its entirety, including all attachments, do agree in each and every particular and have thus set their hands hereunto.

Washington State
Department of Ecology

City of Ellensburg

By: _____

Vincent McGowan, P.E.
Water Quality
Program Manager

Date

By: _____

Ryan Lyyski
Public Works and Utilities Director

Date

Template Approved to Form by
Attorney General's Office



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Amendment No. 1 to the Interlocal Agreement Between Kittitas County Public Hospital District No. 1 (KVH) and the City of Ellensburg for Cabulance Service

Submitted by: Betsy Dunbar Public Works & Utilities

Recommended Action or Motion: Approve Amendment No. 1 to the Interlocal Agreement between KVH and the City of Ellensburg for Cabulance Service, extending the term of the Interlocal Agreement to June 30, 2025.

Background/Summary: Amendment No. 1 to the Interlocal Agreement between KVH and the City of Ellensburg for Cabulance Service will be for the next biennium of July 1, 2023, through June 30, 2025.

Previous Council Action: On July 19, 2021, the City Council approved the previous agreement between KVH and the City of Ellensburg for Cabulance service.

Analysis: Approval of Amendment No. 1 to the Interlocal Agreement between KVH and the City of Ellensburg will allow KVH, through its staff, to request Cabulance service when an accessible vehicle is required to transport an individual from an Ellensburg medical facility to their residence within the City limits after the completion of treatment and the individual does not require emergency or ambulance transportation. On May 16, 2023, the Public Transit Advisory Committee recommended Council approve the 2023 - 2025 Amended Agreement.

Financial Impact: Funding for Cabulance service is included in the City's adopted 2023 - 2024 Transit Budget and procured through the City's Cabulance contract with HopeSource (also on this agenda).

Attachments:
[No. 1 Amendment KVH Interlocal Agreement](#)

**Amendment No. 1 to Interlocal Agreement
Between
Kittitas County Public Hospital District No. 1
And
City of Ellensburg for Cabulance Service**

This Amendment No. 1, made and entered into this ____ day of _____ 2023, by and between Kittitas County Public Hospital District No. 1 (Kittitas Valley Healthcare) of Kittitas County Washington, hereinafter referred to as “KVH”, and the City of Ellensburg, a Washington municipal corporation, hereinafter referred to as “City”, pursuant to the authority granted by the Interlocal Cooperation Act, Chapter 39.34 RCW, by which KVH will continue its ability to initiate Cabulance service from the City of Ellensburg through the City’s contractor when non-emergency accessible transportation from a KVH facility is required.

WHEREAS, the City and KVH are parties to an Interlocal Agreement dated April 6, 2021; and

WHEREAS, funding for the Cabulance service has been included in the City’s 2023 – 2024 biennial budget and included in the Financial Plan of the City’s Transit Development Plan for 2025; and

WHEREAS, Section 7 of the Interlocal Agreement provides that any amendment must be amended by written agreement executed by both parties.

NOW, THEREFORE, The parties agree as follows:

1. The term, as set forth in Section 3 of the Agreement, is hereby extended to the period from July 1, 2023 to June 30, 2025.
2. Except as specifically amended herein, all other provisions of the Agreement, as previously amended, remain in full force and effect.

KVH

CITY OF ELLENSBURG

Julie Petersen Date
Chief Executive Officer

Heidi Behrends Cerniwey Date
City Manager

Approve as to form:

Attest:

(For KVH)

Clerk

Terry Weiner
City Attorney



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Amendment No. 1 to the Interlocal Agreement Between Kittitas Fire and Resue (KVFR) and the City of Ellensburg for Cabulance Service

Submitted by: Betsy Dunbar Public Works & Utilities

Recommended Action or Motion: Approve Amendment No. 1 to the Interlocal Agreement between KVFR and the City of Ellensburg for Cabulance Service, extending the term of the Interlocal to June 30, 2025.

Background/Summary: Amendment No. 1 to the Interlocal Agreement between KVFR and the City of Ellensburg for Cabulance Service will be for the next biennium of July 1, 2023, through June 30, 2025.

Previous Council Action: On July 19, 2021, the City Council approved the previous agreement between KVFR and the City of Ellensburg for Cabulance service.

Analysis: Approval of the Amendment No. 1 to the Interlocal Agreement between KVFR and the City of Ellensburg will allow KVFR's Emergency Medical Technicians and Paramedics to request Cabulance service when an accessible vehicle is required to transport an individual to an Ellensburg medical facility and the individual does not require emergency or ambulance transportation.

On May 16, 2023, the Public Transit Advisory Committee recommended Council approve the 2023 - 2025 Amended Agreement.

Financial Impact: Funding for Cabulance service is included in the City's adopted 2023 - 2024 Transit Budget and procured through the City's Cabulance contract with HopeSource (also on this agenda).

Attachments:
[Amendment No. 1 KVFR Cabulance](#)

**Amendment No. 1 to Interlocal Agreement
Between
Kittitas Valley Fire and Rescue
And
City of Ellensburg for Cabulance Service**

This Amendment No. 1, made and entered into this ____ day of _____ 2023, by and between Kittitas Valley Fire and Rescue, hereinafter referred to as “KVFR”, and the City of Ellensburg, a Washington municipal corporation, hereinafter referred to as “City,” pursuant to the authority granted by the Interlocal Cooperation Act, Chapter 39.34 RCW, for KVFR to continue its ability to initiate Cabulance service from the City of Ellensburg through the City’s contractor when non-emergency accessible transportation to a health care facility is required in response to an EMT call and pursuant to the terms and conditions of this agreement.

WHEREAS, the City and KVFR are parties to an Interlocal Agreement dated July 20, 2021; and

WHEREAS, funding for the Cabulance service has been included in the City’s 2023 – 2024 biennial budget and included in the Financial Plan of the City’s Transit Development Plan for 2025 and;

WHEREAS, Section 7 of the Interlocal Agreement provides that any amendment must be amended by written agreement executed by both parties.

NOW, THEREFORE, The parties agree as follows:

1. The term, as set forth in Section 3 of the Agreement, is hereby extended to the period from July 1, 2023 to June 30, 2025.
2. Except as specifically amended herein, all other provisions of the Agreement, as previously amended, remain in full force and effect.

KVFR

CITY OF ELLENBURG

John Sinclair Date
Fire Chief

Heidi Behrends Cerniwey Date
City Manager

Approve as to form:

Attest:

(For KVFR)

Clerk

Approved as to form:

City Attorney



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Amendment No. 1 to the Interlocal Agreement between The State of Washington Central Washington University (CWU) and the City of Ellensburg continue providing transit services.

Submitted by: Betsy Dunbar Public Works & Utilities

Recommended Action or Motion: Approve Amendment No. 1 to the Interlocal Agreement between CWU and the City of Ellensburg to continue providing Central Transit services.

Background/Summary: Amendment No. 1 to the Interlocal Agreement between CWU and the City of Ellensburg for Central Transit service will be for the next biennium of July 1, 2023, through June 30, 2025.

Previous Council Action: On July 19, 2021, City Council approved the previous interlocal agreement between CWU and the City of Ellensburg for transit service.

Analysis: Approval of Amendment No. 1 to the Interlocal Agreement between CWU and the City of Ellensburg extends the term of the Interlocal Agreement to June 30, 2025 and will ensure the ongoing ASCWU financial contribution of \$75,000 per year and an ASCWU representative for PTAC.

On May 16, 2023, the Public Transit Advisory Committee recommended Council approve the 2023 - 2025 Amended Agreement.

Financial Impact: The 2023 - 2024 Transit Budgets anticipated the ASCWU funding contribution of \$75,000 per year.

Attachments:
[Amendment No.1 Central Washington University](#)

**Amendment No. 1 to Interlocal Agreement
Between
The State of Washington
Central Washington University
AND
City of Ellensburg**

This Amendment No. 1, made and entered into this _____ day of _____ 2023, by and between Central Washington University, hereinafter referred to as “University” or “CWU”, and the City of Ellensburg, a Washington municipal corporation, hereinafter referred to as “City,” pursuant to the authority granted by the Interlocal Cooperation Act, Chapter 39.34 RCW, to continue providing transit services for the University and the Ellensburg community.

WHEREAS, the City and CWU are parties to an Interlocal Agreement dated July 20, 2021; and

WHEREAS, funding for public transit services have been included in the City’s 2023 – 2025 biennial budget and included in the Financial Plan for the City’s Transit Development Plan for 2025; and

WHEREAS, Section 7 of the Interlocal Agreement provides that any amendment must be amended by written agreement executed by both parties.

NOW, THEREFORE, The parties agree as follows:

1. The term, as set forth in Section 3 of the Agreement, is hereby extended to the period from July 1, 2023 to June 30, 2025.
2. Except as specifically amended herein, all other provisions of the Agreement, as previously amended, remain in full force and effect.

STATE OF WASHINGTON
Central Washington University

Signature

Title Date

Approved As To Form:

CITY OF ELLENSBURG

Signature

City Manager
Title Date

Attest:

Clerk

City Attorney



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Amendment No. 1 to the Cabulance Operating Agreement Between the City of Ellensburg and HopeSource

Submitted by: Betsy Dunbar Public Works & Utilities

Recommended Action or Motion: Approve Amendment No. 1 to the Cabulance Operating Agreement between the City of Ellensburg and HopeSource, extending the term of the Agreement to June 30, 2025.

Background/Summary: Amendment No. 1 to the Cabulance Operating Agreement between the City of Ellensburg and HopeSource for Cabulance Service will be for the next biennium of July 1, 2023, through June 30, 2025.

Previous Council Action: The previous Cabulance Operating Agreement between the City of Ellensburg and HopeSource for Cabulance service was signed by the City Manager on March 16, 2021.

Analysis: The amendment to the 2023 - 2025 Cabulance Operating Agreement will extend the term of services and compensation for HopeSource to provide non-emergency medical transportation services within in the City of Ellensburg.

On May 16, 2023, the Public Transit Advisory Committee unanimously recommended Council approve the 2023 - 2025 Amended Agreement

Financial Impact: Funding for Cabulance service is included in the City's adopted 2023 - 2024 Transit Budget. The amendment includes additional funding to the contractor to cover increased operating costs to provide 24-7 service. Current contract (July 2022-June 2023) costs to operate are \$42,912.00 annually, or \$3,576.00 per month. Any trips beyond 15 per month, will be billed at \$166.00 per trip.

Attachments:
[Cabulance 2023 - 2025 Amendment Agreement](#)

**Amendment No. 1 to Cabulance Operating Agreement
between
City of Ellensburg and HopeSource**

This Amendment No. 1, made and entered into this _____ day of _____ 2023, by and between the City of Ellensburg (“the City”), a Washington municipal corporation, and HopeSource (“Contractor”), a Washington non-profit corporation and community action agency, for the purpose of extending the term of services and compensation for HopeSource to provide Cabulance services for and in the City of Ellensburg.

WHEREAS, the City and HopeSource are parties to a Cabulance Operating Agreement (“Agreement”) dated March 16, 2021; and

WHEREAS, the City issued Request for Proposal (RFP) No. 2018-075 for cabulance services, and Contractor was selected to provide such services based on its response to the RFP, which included information concerning its experience and ability to provide cabulance services, and such RFP was incorporated by reference into the Agreement;

WHEREAS, funding for public transit services have been included in the City’s 2023 – 2024 biennial budget and included in the Financial Plan for the City’s Transit Development Plan for 2025; and

WHEREAS, Section 17 of the Agreement provides that any amendment must be approved by the parties in writing;

NOW, THEREFORE, The parties agree as follows:

1. The term, as set forth in Section 3 of the Agreement, is hereby extended to the period from July 1, 2023 to June 30, 2025.
2. Section 4 of Agreement, “Compensation,” is amended for compensation payments for the extension period of July 1, 2023 through June 30, 2025 Extension Agreement (Payment) by deletion of the existing provisions and replacement with the following:
 - A. Payment to the Contractor will be made on a quarterly bases per the payment schedule table below, net 30 days from receipt of invoice.

Contractor invoices shall be documented with ridership and eligibility reporting and invoiced to the City on or before the 10th day of the quarter following actual provision of service.

Quarter	Year	Amount	Yearly Expense
Third	2023	13,000.00	
Fourth	2023	13,000.00	26,000.00
First	2024	13,000.00	
Second	2024	13,000.00	
Third	2024	13,000.00	
Fourth	2024	13,000.00	52,000.00
First	2025	13,000.00	
Second	2025	13,000.00	26,000.00

B. Third Quarter payments, for January 1, 2025 through June 30, 2025, will be evaluated based on the December 2024 CPI-U Category Transportation. In addition, the site Best Gas Prices & Local Gas Stations in Ellensburg, WA (gasbuddy.com) will be used to determine significant increases or decreases in fuel prices in calculating the need for an amended quarterly compensation based on fuel costs.

3. RFP 17-056 (incorporated by reference in Section 1 of the Agreement) is amended as follows:

A. Section 2.5 – Staffing and Supervision, subsection 2.5.6.1 is amended by replacing the

7th Bullet Point, regarding wheelchairs, is hereby replaced by the following:

“Vehicle operators shall be trained to proficiency in operating the accessibility equipment, including wheelchair and passenger securements on-board the vehicles.”

B. Section 5.2 – Billing Requirements, subsection 5.2.1 Travel Voucher, is replaced by the following:

The Cabulance provider must fill out each section of the Travel Voucher including all locations, names, signatures and times

recorded in military time. The Travel Voucher is required for the submission of the billing invoice and project data oversight. Incomplete vouchers may not qualify for payment of services.

4. Except as specifically amended herein, all other provisions of the Agreement, as previously amended, remain in full force and effect.

HopeSource

CITY OF ELLENSBURG



05 / 22 / 2023

Susan Grindle, CEO

Date

Heidi Behrends Cerniwey,
City Manager

Date

Approve as to form:

Attest:

(for HopeSource)

Clerk

Approved as to form:

City Attorney



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: City Obligation for Kachess Dam Safety Modifications

Submitted by: Ryan Lyyski Public Works & Utilities

Recommended Action or Motion: Authorize the Mayor to sign the attached Amendment 1 to Pay as you Go contract with Bureau of Reclamation for repairs at Kachess Dam.

Background/Summary: A portion of the City's water portfolio includes a 6,000 acre foot surface water right obtained through the United States Bureau of Reclamation. The water right obligates the City and other users to participate in maintenance and repairs on the Yakima River storage and conveyance system. The Bureau of Reclamation needs to make repairs on Kachess Dam and has prepared the attached amendment for the City to sign making a minor modification to the City's obligation on the project.

Previous Council Action: At its July 21, 2022 meeting, the Utility Advisory Committee forwarded a favorable recommendation to City Council authorizing the Pay as you Go contract with Bureau of Reclamation for repairs at Kachess Dam.

The City Council authorized the agreement at its August 1, 2022 regular meeting.

Analysis: The Bureau's work schedule anticipates construction during the years of 2023-2027. The proposed repayment schedule is estimated and is subject to change. The agreement is designed so that the City will not be paying interest on the construction as long as the City makes the annual payments.

The City received a signed agreement back from the Bureau of Reclamation in May of 2023, after all parties had signed the Agreement. The City then received the proposed Amendment 1, which provides a minor limitation on the participating agencies' potential cost-sharing.

Financial Impact: The City's anticipated annual payments are as follows:

September 1, 2023 \$56,542
September 1, 2024 \$92,524
September 1, 2025 \$11,308
September 1, 2026 \$5,997
September 1, 2027 \$4,969

The City's portion of the work is included in the 2023/2024 Water budget and will be included in upcoming Water Division budgets. These amounts were also included in the Cost of Service Analysis.

Attachments:

[BOR - Kachess Letter](#)

[BOR - Kachess Amendment 1](#)

[BOR - Kachess Executed Agreement](#)



United States Department of the Interior

BUREAU OF RECLAMATION

1150 North Curtis Road
Boise, ID 83706-1234



IN REPLY REFER TO:

CPN-6322

2.2.4.23

MAY 11 2023

City Manager
City of Ellensburg
501 N. Anderson Street
Ellensburg, WA 98926
lyyskir@ci.ellensburg.wa.us

Subject: Notice of Execution of Contract No. 22SD102177 for Repayment of Kachess Dam
Safety of Dams Modification Costs, Yakima Project, Washington

Dear Contractor:

The subject repayment contract between the United States of America (United States) and the City of Ellensburg (City), signed by the City on August 1, 2022, has now been executed by the Bureau of Reclamation on behalf of the United States.

Please find enclosed the executed original of Contract No. 22SD102177 for the repayment of Kachess Dam Safety of Dams (SOD) costs. Note that information regarding completion of the Environmental Assessment and Finding of No Significant Impact has been inserted into Explanatory Recital 2(i). Also enclosed is a proposed amendment to the contract. As a result of negotiations with some of the other contractors for the SOD repayment contracts, a clause in Article 9 (Statement of Costs) was revised to language they favored. In the spirit of equity among all the contractors, we would like to offer this same contract language to the City. The amendment would change a clause in Article 9 as shown below (changes shown with bold and strikeout):

9. STATEMENT OF COSTS

The costs which make up the various obligations to be paid by the Contractor to the United States under this Contract shall embrace all expenditures of whatsoever nature or kind in discharge of the obligations undertaken pursuant to Article 5(a), including, but without limitation by reason of this enumeration, cost of surveys and investigations, labor, property, material and equipment, engineering, legal work, superintendence, administration, overhead, general inspection services, and claims of all kinds **as provided by law**, ~~whether or not involving the negligence of officers, agents, or employees of the United States~~. The Contracting Officer's determinations as to what costs are properly chargeable under this Contract, and as to the classification of those charges for repayment purposes, shall be conclusive.

If the City would like to take advantage of this change, please sign the attached amendment, and return it by June 30, 2023. Once received the amendment will be signed by Reclamation on behalf of the United States and a fully executed copy will be returned for the City's records.

INTERIOR REGION 9 • COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

* PARTIAL

Reclamation appreciates the City's efforts in bringing the development of this contract to a successful conclusion. If you have any questions about the contract or the amendment document, please contact Mr. Michael Cobell, Economist, Reclamation Law Administration, at (208) 378-5223 or mcobell@usbr.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer J. Carrington', with a long, sweeping horizontal line extending to the right.

Jennifer J. Carrington
Regional Director

Enclosures – 2

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

YAKIMA PROJECT, STORAGE DIVISION

**AMENDATORY CONTRACT BETWEEN THE UNITED STATES OF AMERICA
AND THE CITY OF ELLENSBURG FOR
REPAYMENT OF SAFETY OF DAMS COSTS**

THIS CONTRACT AMENDMENT, is made pursuant to the Reclamation Act of June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, including the Reclamation Safety of Dams Act of 1978 (Public Law 95-578; 43 U.S.C. § 506, et seq.), as amended; all of which are commonly referred to as the Federal Reclamation Laws, between the **UNITED STATES OF AMERICA**, hereinafter referred to as the “United States,” acting through the Department of the Interior, Bureau of Reclamation, hereinafter referred to as “Reclamation,” and the **CITY OF ELLENSBURG**, hereinafter referred to as the “Contractor,” a municipal corporation existing under and by virtue of the laws of the State of Washington.

The parties agree that the following changes are hereby made to Contract No. 22SD102177:

Article 9, entitled “STATEMENT OF COSTS,” is hereby amended to read as follows:

“9. **STATEMENT OF COSTS**

The costs which make up the various obligations to be paid by the Contractor to the United States under this Contract shall embrace all expenditures of whatsoever nature or kind in discharge of the obligations undertaken pursuant to Article 5(a), including, but without

limitation by reason of this enumeration, cost of surveys and investigations, labor, property, material and equipment, engineering, legal work, superintendence, administration, overhead, general inspection services, and claims of all kinds to the extent allowed by law. The Contracting Officer's determinations as to what costs are properly chargeable under this Contract, and as to the classification of those charges for repayment purposes, shall be conclusive.”

All other terms and conditions of Contract No. 22SD102177 shall remain in full force and are not affected by this amendment.

IN WITNESS WHEREOF, the parties hereto have signed their names on the date(s) set forth below.

CITY OF ELLENSBURG

By: _____

Title: _____

Date: _____

(SEAL)

ATTEST:

By: _____

Title: _____

THE UNITED STATES OF AMERICA

By: _____

Regional Director
U.S. Bureau of Reclamation
Columbia-Pacific Northwest Interior
Region 9

Date: _____

STATE OF WASHINGTON)

:ss

County of _____)

On this ____ day of _____, 20 ____, personally appeared before me _____ and _____, known to me to be the official(s) of the CITY OF ELLENSBURG that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said CITY OF ELLENSBURG and on oath stated they are authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.

(SEAL)

Notary Public in and for the
State of _____
Residing at: _____
My commission expires: _____

* * * * *

STATE OF IDAHO)

: ss

County of Ada)

On this ____ day of _____, 20 ____, personally appeared before me _____, known to me to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said UNITED STATES OF AMERICA, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.

(SEAL)

Notary Public in and for the
State of IDAHO
Residing at: _____
My commission expires: _____

For Internal Use

Reference Date: 05-11-2023

Contract No.: 22SD102177

Type: Pay-Go

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Yakima Project, Storage Division

CONTRACT BETWEEN THE UNITED STATES OF AMERICA
AND THE CITY OF ELLENSBURG FOR
REPAYMENT OF SAFETY OF DAMS COSTS

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Contract No.: 22SD102177
Type: Pay-Go

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

YAKIMA PROJECT, STORAGE DIVISION

**CONTRACT BETWEEN THE UNITED STATES OF AMERICA
AND THE CITY OF ELLENSBURG FOR
REPAYMENT OF SAFETY OF DAMS COSTS**

1. **THIS REPAYMENT CONTRACT**, hereinafter referred to as the "Contract," is made pursuant to the Reclamation Act of June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, including the Reclamation Safety of Dams Act of 1978 (Public Law 95-578; 43 U.S.C. § 506, et seq.), as amended; all of which are commonly referred to as the Federal Reclamation Laws, between the **UNITED STATES OF AMERICA**, hereinafter referred to as the "United States," acting through the Department of the Interior, Bureau of Reclamation, hereinafter referred to as "Reclamation," and the **CITY OF ELLENSBURG**, hereinafter referred to as the "Contractor," a municipal corporation existing under and by virtue of the laws of the State of Washington.

WITNESSETH THAT:

2. **EXPLANATORY RECITALS**

The following statements are made in explanation:

(a) **WHEREAS**, the United States completed construction of Kachess Dam in 1912 as a feature of the Storage Division, Yakima Project (Project); and

- (b) **WHEREAS**, the Reclamation Safety of Dams Act of 1978 (Public Law 95-578; 43 U.S.C. § 506, et seq.), as amended, authorizes the Secretary of the Interior, through Reclamation, to perform Safety of Dams modifications; and
- (c) **WHEREAS**, investigations and studies completed under Reclamation's Safety of Dams Program have confirmed that dam safety issues exist at Kachess Dam that contribute to the risk of failure, and Reclamation has concluded that the possibility of the failure modes and the associated potential loss of life, property damages, and loss of benefits requires that risk reduction actions be implemented at Kachess Dam; and
- (d) **WHEREAS**, the Commissioner of Reclamation has approved certain work to make the dam safe while providing project benefits and protecting downstream property and lives; and
- (e) **WHEREAS**, the need for Safety of Dams modifications at Kachess Dam results from new hydrologic or seismic data or changes in state-of-the-art criteria deemed necessary for safety purposes, and thus the Reclamation Safety of Dams Act of 1978 (Public Law 95-578; 43 U.S.C. §506, et seq.), as amended, and Reclamation policy provide that 15 percent of the costs incurred for the Safety of Dams modifications shall be allocated to authorized reimbursable purposes of the structure, and thus are reimbursable by the Irrigation and Municipal and Industrial water supply purposes users; and
- (f) **WHEREAS**, the Contractor is a Project water user that benefits from the Project and is responsible for repayment of its proportionate share of the reimbursable cost of the corrective Safety of Dams Modifications; and
- (g) **WHEREAS**, pursuant to the contract of December 21, 1971 (Contract No. 14-06-100-7216), as such contract may have been supplemented and amended, the Contractor receives a supply of water from Project Storage Division facilities, which includes Kachess Dam, for

Municipal and Industrial use. Based on the amount of contracted Project water provided pursuant to the above-referenced contract, the Contractor's proportionate share of the Total Reimbursable Cost allocable to Municipal and Industrial water supply is determined to be 44.10305 percent; and

(h) **WHEREAS**, the Contractor desires and is willing to repay its proportionate share of the reimbursable cost for the modification of Kachess Dam as the construction work proceeds, and Reclamation is agreeable to such arrangements as provided hereinafter; and

(i) **WHEREAS**, Reclamation has met all environmental compliance requirements for the execution of this Contract through preparation and issuance of an Environmental Assessment and Finding of No Significant Impact, PN-FONSI 22-07 approved on September 22, 2022

NOW, THEREFORE, in consideration of the mutual covenants and stipulations herein contained, it is mutually agreed by and between the parties hereto as follows:

3. **DEFINITIONS**

The following terms, whenever used in this Contract, shall have the following respective meanings:

(a) "Contracting Officer" means the Regional Director of the Columbia-Pacific Northwest Interior Region 9 of the United States Bureau of Reclamation, as the Federal official authorized to execute and administer this Contract on behalf of the United States in accordance with applicable Federal Reclamation Law, regulation, and policy.

(b) "Contractor's Repayment Obligation" means the Contractor's share of the Total Reimbursable Cost to correct the deficiencies at Kachess Dam.

- (c) “Interest During Construction” or “IDC” means the amount of annual interest that accrues on Federal expenditures during the period of construction of the Safety of Dams Modifications.
- (d) “Irrigation Use” means the use of water to irrigate land primarily for the production of commercial agricultural crops or livestock, and domestic and other uses that are incidental thereto.
- (e) “Municipal and Industrial Use” means the use of water for municipal, industrial, and miscellaneous other purposes not falling under the definition of Irrigation use or within another category of water use under an applicable Federal authority.
- (f) “Safety of Dams Act” means the Reclamation Safety of Dams Act of 1978 (Public Law 95-578; 43 U.S.C. § 506, *et seq.*), as amended by the Reclamation Safety of Dams Act Amendments of August 28, 1984 (Public Law 98-404), October 27, 2000 and several subsequent Acts, including (Public Law 106-377), December 3, 2004 (Public Law 107-117, Public Law 108-439), and December 18, 2015 (Public Law 114-113).
- (g) “Safety of Dams Modifications” means any work or modifications identified by Reclamation as necessary to correct safety deficiencies at Kachess Dam.
- (h) “Substantial Completion” means the point that Reclamation determines, in its sole discretion, that the Safety of Dams Modifications work is far enough along that the dam safety risk has been reduced to an acceptable level.
- (i) “Total Reimbursable Cost” means 15 percent of the actual total Safety of Dams Modifications cost to correct the deficiencies at Kachess Dam, as provided in the Safety of Dams Act and Reclamation policy.

4. CONTRACT TERM AND SCOPE

(a) This Contract shall become effective upon the date of signature of the last signatory party herein, and its provisions shall remain in effect until the Contractor has paid all amounts owed to the United States under this Contract.

(b) This Contract does not affect other contracts between the United States and the Contractor unless the terms of those other contracts are contrary to the terms of this Contract, in which case the terms of this Contract shall prevail. This Contract shall not be deemed a new or amended contract for the purposes of Section 203(a) of the Reclamation Reform Act of 1982 (96 Stat. 1263 to 1274).

5. **SAFETY OF DAMS MODIFICATIONS WORK TO BE PERFORMED**

(a) The United States will finance and perform all construction of the Safety of Dams Modifications work. The Safety of Dams Modifications work is anticipated to begin in calendar year 2023 and is estimated to be Substantially Complete in calendar year 2027. The Safety of Dams Modifications are projected to include the following work, described below, as may be further defined by the Contracting Officer:

- (1) Clearing and grubbing of trees in the construction project area.
- (2) Development of access roads and construction contractor use areas.
- (3) Upgrade electrical service to dam site.
- (4) Fabrication and delivery of pipes.
- (5) Excavation of foundation for outlet works conduit extension.
- (6) Construction of conduit extension.
- (7) Placement of a four-sided diaphragm filter around conduit extension.
- (8) Installation of concrete around the pipe downstream of the conduits.
- (9) Construction of a stability berm above the filter zone.

- (10) Installation of a drainage system and inspection well.

Should it appear necessary or desirable to the Contracting Officer either before or during construction, Safety of Dams Modifications work may be modified in design or location, work may be eliminated, or other work may be added thereto, in keeping with the objectives of this Contract. The Contracting Officer will notify the Contractor, in advance, of any substantial change in modification requirements or work.

- (b) The Contracting Officer shall determine and notify the Contractor in writing when the work as described in this article is Substantially Complete.

6. **COST OF MODIFICATIONS AND CONTRACTOR'S REPAYMENT OBLIGATION**

- (a) The total estimated cost for Safety of Dams Modifications is thirty-seven million (\$37,000,000) dollars, of which fifteen percent (15%), or an estimated five million five hundred and fifty thousand dollars ($\$5,550,000 = \$37,000,000 \times 0.15$) is the Total Reimbursable Cost.

- (b) Based on economic benefit calculations performed by Reclamation ninety-three percent (93%) of the Total Reimbursable Cost is to be allocated to Irrigation water supply and is estimated to be five million one hundred sixty-one thousand and five hundred dollars ($\$5,161,500 = \$5,550,000 \times 0.93$), hereinafter referred to as the "Allocated Reimbursable Cost to Irrigation Water Supply." Seven percent (7%) of the Total Reimbursable Cost is to be allocated to Municipal and Industrial water supply and is estimated to be three hundred eighty-eight thousand and five hundred dollars ($\$388,500 = \$5,550,000 \times 0.07$), hereinafter referred to as the "Allocated Reimbursable Cost to Municipal and Industrial Water Supply."

- (c) The Contractor's Repayment Obligation is the Contractor's proportionate share of the Allocated Reimbursable Cost to Municipal and Industrial Water Supply and shall be

44.10305 percent of the Allocated Reimbursable Cost to Municipal and Industrial Water Supply. Accordingly, the Contractor's Repayment Obligation is estimated to be one hundred seventy-one thousand three hundred forty dollars ($\$171,340 = \$388,500 \times 0.4410305$). This obligation may be adjusted under the provisions of Article 8 and Article 9 of this Contract.

(d) The Contractor understands that the figures in sub-articles 6(a)-(c) above are estimates only and that the Contractor is responsible for its proportionate share of the actual cost of Safety of Dams Modifications. It is understood that the total costs of Safety of Dams Modifications may exceed the estimated costs due to circumstances encountered during the performance of the Safety of Dams Modifications. If this occurs, the Contractor is responsible for its proportionate share of the additional costs. Likewise, if the actual costs are less than the estimated costs, it is understood that the Contractor is only responsible for its proportionate share of the actual costs.

(e) The Contracting Officer, at his/her discretion, will make reasonable efforts to complete the Safety of Dams Modifications within the cost estimate in sub-article 6(a) above. If it becomes evident during the course of the Safety of Dams Modifications that the costs will exceed the estimate, the Contracting Officer will inform the Contractor of this conclusion in writing with documentation of the reason for the additional costs and an itemized summary of the costs incurred.

7. Omitted.

8. **MUNICIPAL AND INDUSTRIAL WATER SUPPLY ALLOCATION -
REPAYMENT OF CONTRACTOR'S OBLIGATION**

(a) Annual Payments During the Construction Period:

(1) The Contractor agrees to make annual payments for the repayment of the Contractor's Repayment Obligation, without interest, in the same proportion to Reclamation's

expenditure of Safety of Dams Program funds, beginning in the year that the Safety of Dams Modifications work is initiated through the year in which the Contracting Officer provides the Contractor with written notice of the Substantial Completion of the Safety of Dams Modifications work. On or before September 1 of each year during the construction period of the Safety of Dams Modifications work the Contractor shall pay to the United States its annual amount identified as due and payable on the schedule shown in Exhibit B, which may be updated, as provided herein, from time to time without amendment of this Contract.

(2) After the execution of this Contract, the Contractor may request that any portion of a required annual payment(s), including the full amount(s), be postponed and added to the amount scheduled to become due in a subsequent or later year during the construction period: *Provided*, that such a request be made in writing to the Contracting Officer at least one-hundred eighty (180) days prior to the required annual payment becoming due: *Provided, further*, that unless and until the Contracting Officer grants written approval to the Contractor, as provided in sub-article 8(b), the Contractor shall make its annual payments as scheduled in Exhibit B.

(b) Postponement of Annual Payments – Interest Charges Applicable:

(1) The total amount of the Contractor's required annual payment(s) requested to be postponed shall be subject to Interest During Construction charges and accrual during the postponement period until the amounts are repaid.

(2) The interest rate used for determining the Interest During Construction charges applicable to the amount of postponed annual payment(s) shall be the rate determined by the Secretary of the United States Treasury which is in effect for the fiscal year in which federal funds are expended for the Safety of Dams Modifications work.

(3) Within sixty (60) days of receipt of the Contractor's request made pursuant to sub-article 8(a)(2), the Contracting Officer will provide written notice of approval of Contractor's request. A revised and updated Exhibit B will be issued by the Contracting Officer at such time.

(c) Prepayments Authorized:

Notwithstanding the schedule of payments provided in Exhibit B, the Contractor may prepay all or any portion of the outstanding balance of the Contractor's Repayment Obligation prior to the payment becoming due.

9. STATEMENT OF COSTS

The costs which make up the various obligations to be paid by the Contractor to the United States under this Contract shall embrace all expenditures of whatsoever nature or kind in discharge of the obligations undertaken pursuant to Article 5(a), including, but without limitation by reason of this enumeration, cost of surveys and investigations, labor, property, material and equipment, engineering, legal work, superintendence, administration, overhead, general inspection services, and claims of all kinds, whether or not involving the negligence of officers, agents, or employees of the United States. The Contracting Officer's determinations as to what costs are properly chargeable under this Contract, and as to the classification of those charges for repayment purposes, shall be conclusive.

10. TITLE

Title to the works and facilities constructed, repaired, or replaced pursuant to this Contract shall be and remain in the United States.

11. STANDARD PROVISIONS

The Standard Provisions applicable to this Contract are listed below. The full text of these articles is attached as Exhibit A and is hereby made a part of the Contract.

- a. Charges for Delinquent Payments
- b. General Obligation - Benefits Conditioned Upon Payment
- c. Confirmation of Contract
- d. Notices
- e. Contingent on Appropriation or Allotment of Funds
- f. Officials Not to Benefit
- g. Changes in Contractor's Organization
- h. Books, Records, and Reports
- i. Equal Employment Opportunity
- j. Compliance with Civil Rights Laws and Regulations
- k. Certification of Nonsegregated Facilities
- l. Medium for Transmitting Payments
- m. Contract Drafting Considerations

IN WITNESS WHEREOF, the parties hereto have signed their names as of the day and year first above written.

CITY OF ELLENSBURG



By: *Nancy L. Hildquist*
 Title: Mayor

Date: August 1, 2022

ATTEST:

By: *Beth Seader*
 Title: City Clerk

THE UNITED STATES OF AMERICA

By: *[Signature]*
 Regional Director
 U.S. Bureau of Reclamation
 Columbia-Pacific Northwest Interior
 Region 9

Date: 5/11/2023

STATE OF WASHINGTON)

County of Kittitas :SS

On this 1st day of August, 2022, personally appeared before me Nancy Lillquist and Mayor, known to me to be the official(s) of the CITY OF ELLENSBURG that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said CITY OF ELLENSBURG and on oath stated they are authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



Beth A. Leader
 Notary Public in and for the
 State of Washington
 Residing at: Ellensburg
 My commission expires: 7-13-2025

STATE OF IDAHO)

County of Ada) : SS

On this 11th day of May, 2023 personally appeared before me Jennifer J. Carrington, known to me to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said UNITED STATES OF AMERICA, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



Linda Swanson
 Notary Public in and for the
 State of IDAHO
 Residing at: Meridian ID
 My commission expires: 6/2/2024

EXHIBIT ASTANDARD PROVISIONSCHARGES FOR DELINQUENT PAYMENTS

a. (1) The Contractor shall be subject to interest, administrative, and penalty charges on delinquent payments. If a payment is not received by the due date, the Contractor shall pay an interest charge on the delinquent payment for each day the payment is delinquent beyond the due date. If a payment becomes 60 days delinquent, the Contractor shall pay, in addition to the interest charge, an administrative charge to cover additional costs of billing and processing the delinquent payment. If a payment is delinquent 90 days or more, the Contractor shall pay, in addition to the interest and administrative charges, a penalty charge for each day the payment is delinquent beyond the due date, based on the remaining balance of the payment due at the rate of 6 percent per year. The Contractor shall also pay any fees incurred for debt collection services associated with a delinquent payment.

(2) The interest rate charged shall be the greater of either the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments, or the interest rate of 0.5 percent per month. The interest rate charged will be determined as of the due date and remain fixed for the duration of the delinquent period.

(3) When a partial payment on a delinquent account is received, the amount received shall be applied first to the penalty charges, second to the administrative charges, third to the accrued interest, and finally to the overdue payment.

GENERAL OBLIGATION--BENEFITS CONDITIONED UPON PAYMENT

b. (1) The obligation of the Contractor to pay the United States as provided in this Contract is a general obligation of the Contractor notwithstanding the manner in which the obligation may be distributed among the Contractor's water users and notwithstanding the default of individual water users in their obligations to the Contractor.

(2) The payment of charges becoming due pursuant to this Contract is a condition precedent to receiving benefits under this Contract. The United States shall not make water available to the Contractor through Yakima Project, Storage Division facilities during any period in which the Contractor is in arrears in the advance payment of the any operation and maintenance charges due the United States or in arrears for more than 12 months in the payment of any construction charges due the United States. The Contractor shall not deliver water under the terms and conditions of this Contract for lands or parties that are in arrears in the advance payment of operation and maintenance charges or in arrears more than 12 months in the payment of construction charges as levied or established by the Contractor.

CONFIRMATION OF CONTRACT

c. Promptly after the execution of this Contract, the Contractor will provide evidence to the Contracting Officer that, pursuant to the laws of the State of Washington, the Contractor is a legally constituted entity and the contract is lawful, valid, and binding on the Contractor. This Contract will not be binding on the United States until the Contractor provides evidence to the Contracting Officer's satisfaction. In addition to other forms of evidence to meet the requirements of this article, the Contractor may provide or the Contracting Officer may require a certified copy of a final decree of a court of competent jurisdiction in the State of Washington, confirming the proceedings on the part of the Contractor for the authorization of the execution of this Contract.

NOTICES

d. Any notice, demand, or request authorized or required by this Contract shall be deemed to have been given, on behalf of the Contractor, when mailed, postage prepaid, or delivered to the Regional Director, Columbia-Pacific Northwest Interior Region 9, Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise, Idaho 83706-1234, and on behalf of the United States, when mailed, postage prepaid, or delivered to City Manager, City of Ellensburg, 501 N. Anderson Street, Ellensburg, Washington 98926. The designation of the addressee or the address may be changed by notice given in the same manner as provided in this article for other notices.

CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS

e. The expenditure or advance of any money or the performance of any obligation of the United States under this Contract shall be contingent upon appropriation or allotment of funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any obligations under this Contract. No liability shall accrue to the United States in case funds are not appropriated or allotted.

OFFICIALS NOT TO BENEFIT

f. No Member of or Delegate to the Congress, Resident Commissioner or official of the Contractor shall benefit from this Contract other than as a water user or landowner in the same manner as other water users or landowners.

CHANGES IN CONTRACTOR'S ORGANIZATION

g. While this Contract is in effect, no change may be made in the Contractor's organization, by inclusion or exclusion of lands or by any other changes which may affect the respective rights, obligations, privileges, and duties of either the United States or the Contractor under this Contract including, but not limited to, dissolution, consolidation, or merger, except upon the Contracting Officer's written consent.

BOOKS, RECORDS, AND REPORTS

h. The Contractor shall establish and maintain accounts and other books and records pertaining to administration of the terms and conditions of this Contract, including the Contractor's water supply data; water-use data; and other matters that the Contracting Officer may require. Reports shall be furnished to the Contracting Officer in such form and on such date or dates as the Contracting Officer may require. Subject to applicable Federal laws and regulations, each party to this Contract shall have the right during office hours to examine and make copies of the other party's books and records relating to matters covered by this Contract.

EQUAL EMPLOYMENT OPPORTUNITY

i. During the performance of this Contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advancements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

(3) The Contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.

(4) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency Contracting Officer, advising the labor union or workers' representative of the Contractor's commitments under section 202 of Executive Order No. 11246

of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(5) The Contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(6) The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Contracting Agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(7) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of such rules, regulations, or orders, this Contract may be canceled, terminated or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept. 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(8) The Contractor will include the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

COMPLIANCE WITH CIVIL RIGHTS LAWS AND REGULATIONS

j. (1) The Contractor shall comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. § 2000d), the Rehabilitation Act of 1973 (Pub. L. 93-112, Title V, as amended; 29 U.S.C. § 791, et seq.), the Age Discrimination Act of 1975 (Pub. L. 94-135, Title III; 42 U.S.C. § 6101, et seq.), Title II of the Americans with Disabilities Act of 1990 (Pub. L. 101-336; 42 U.S.C. § 12131, et seq.), and any other applicable civil rights laws, and with the applicable implementing regulations and any guidelines imposed by the U.S. Department of the Interior and/or Bureau of Reclamation.

(2) These statutes prohibit any person in the United States from being excluded from participation in, being denied the benefits of, or being otherwise subjected to discrimination under any program or activity receiving financial assistance from the Bureau of Reclamation on

the grounds of race, color, national origin, disability, or age. By executing this Contract, the Contractor agrees to immediately take any measures necessary to implement this obligation, including permitting officials of the United States to inspect premises, programs, and documents.

(3) The Contractor makes this agreement in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts, or other Federal financial assistance extended after the date hereof to the Contractor by the Bureau of Reclamation, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Contractor recognizes and agrees that such Federal assistance will be extended in reliance on the representations and agreements made in this article and that the United States reserves the right to seek judicial enforcement thereof.

(4) Complaints of discrimination against the Contractor shall be investigated by the Contracting Officer's Office of Civil Rights.

CERTIFICATION OF NONSEGREGATED FACILITIES

k. The Contractor hereby certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments and that it does not permit its employees to perform their services at any location under its control where segregated facilities are maintained. It certifies further that it will not maintain or provide for its employees any segregated facilities at any of its establishments and that it will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The Contractor agrees that a breach of this certification is a violation of the Equal Employment Opportunity clause in this Contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, disability, or otherwise. The Contractor further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) it will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Employment Opportunity clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A Certification of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Employment Opportunity clause. The certification may be submitted either for each subcontract

or for all subcontracts during a period (i.e., quarterly, semiannually, or annually). Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. § 1001.

MEDIUM FOR TRANSMITTING PAYMENTS

1. (1) All payments from the Contractor to the United States under this Contract shall be by the medium requested by the United States on or before the date payment is due. The required method of payment may include checks, wire transfers, or other types of payment specified by the United States.

(2) Upon execution of the Contract, the Contractor shall furnish the Contracting Officer with the Contractor's taxpayer's identification number (TIN). The purpose for requiring the Contractor's TIN is for collecting and reporting any delinquent amounts arising out of the Contractor's relationship with the United States.

CONTRACT DRAFTING CONSIDERATIONS

m. This Contract has been negotiated and reviewed by the parties hereto, each of whom is sophisticated in the matters to which this Contract pertains.

EXHIBIT B

**SCHEDULE OF ESTIMATED PAYMENTS OF
CONTRACTOR'S SAFETY OF DAMS REPAYMENT OBLIGATION**

The total estimated cost for the Safety of Dams Modifications is thirty-seven million (\$37,000,000) dollars. The Total Reimbursable Cost is estimated at five million five hundred and fifty thousand dollars ($\$5,550,000 = \$37,000,000 \times 0.15$). Based on economic benefit calculations performed by Reclamation ninety-three percent (93%) of the Total Reimbursable Cost is to be allocated to the Irrigation water supply and is estimated to be five million one hundred sixty-one thousand and five hundred dollars ($\$5,161,500 = \$5,550,000 \times 0.93$). Seven percent (7%) of the Total Reimbursable Cost is to be allocated to Municipal and Industrial water supply and is estimated to be three hundred eighty-eight thousand and five hundred dollars ($\$388,500 = \$5,550,000 \times 0.07$).

As provided in Article 6 of the Contract, the Contractor's Repayment Obligation is the Contractor's proportionate share of the Allocated Reimbursable Cost to Municipal and Industrial Water Supply, which is 44.10305 percent of \$388,500 and estimated to be \$171,340.

Based on the currently anticipated construction schedule and budget for the Safety of Dams Modifications work the Contractor's annual payments during the period of construction are:

Payment Date Due	Payment Amount
September 1, 2023	\$56,542
September 1, 2024	\$92,524
September 1, 2025	\$11,308
September 1, 2026	\$5,997
September 1, 2027	\$4,969

The Contractor's Repayment Obligation and the estimated payment amounts displayed above do not reflect any adjustment for the assessment and accumulation of Interest During Construction, which may become due in accordance with the terms of Article 8, in which case the Contractor will be provided a revised Exhibit B by the Contracting Officer.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Traffic Impact Fee (TIF) Exemption Approval, Payment from Public Funds, and Corresponding Budget Adjustment - Happy Feet Early Learning Center

Submitted by: Derek Mayo Public Works & Utilities

Recommended Action or Motion: Staff requests Council:

- Approve the 80% (\$90,348.23) TIF exemption (previously approved with estimated dollar amounts).
- Authorize payment for the remaining 20% (\$25,410.45) of the TIF for Happy Feet into the City's TIF fund from other public funds, specifically the City's received State and Local Fiscal Recovery Funds (SLFRF) funding.
- Approve the necessary budget adjustments.

Background/Summary: A new early learning facility is being proposed at 2410 South Lakeshore Way - Happy Feet Academy. The facility is planning on serving 112 children ranging in age from 30 days to 6 years old. The project is being funded, in part, through grants from the state Department of Commerce and Kittitas County. The project has completed the SEPA process and building/civil plans are in the process of being submitted to the City seeking approval and permits. City Code requires that new building construction participate in the City's Traffic Impact Fee (TIF) program. Recent State laws and Ellensburg City Code contain provisions for either a partial or full waiver of traffic impact fees for early learning facilities.

Previous Council Action: At the April 17, 2023 Regular Meeting, Council considered different options for allowed exemptions per Chapter 14.04 ECC for portions of the TIF for the Happy Feet Early Learning Center project and directed staff to proceed with the allowed 80% exemption, and use City Funds to pay the remaining 20% into the Traffic Impact Fee fund.

Analysis: Building Plans were recently submitted for the Happy Feet Early Learning Center project, and staff has now been able to determine the final TIF costs. The Traffic Impact Fee for a day

care facility of this size calculates to be \$115,758.68 based off of the vehicular peak hour trips associated with a 8,960sf daycare facility. As previously directed by Council, 80% of this fee was exempted, as allowed by ECC 14.04.050(E) and RCW 82.02, reducing the total TIF (including Admin fees) to \$23,151.74, and assuming the payment of the remaining 20% to be paid from other public funds by the City.

Financial Impact:

The City of Ellensburg's financial responsibility is \$23,151.74 to be paid into the City's TIF fund. Staff recommends these funds be paid from the City's received SLFRF funding. The City's SLFRF funding is treated as "revenue replacement" dollars under the Final Rule for SLFRF published by the US Department of the Treasury effective April 1, 2022. As described by the Washington State Auditor's Office (SAO), the City, "...can use funding under the revenue loss category as it would its own money..." subject to the limitations on revenue replacement dollars established in the Final Rule. These funds, when paid to meet the City's TIF responsibility, will be considered "expended" for SLFRF purposes and not require subsequent monitoring and control as federal funds.

The City completed a similar arrangement to pay into the Health and Benefits Fund to offset increased costs related to the pandemic.

As outlined in the Final Rule, use of SLFRF dollars to support early learning or childcare facilities is specifically authorized as an approved expenditure. Further, in a FAQ published with the Final Rule, Treasury affirmatively states supporting childcare investments is an allowable use for revenue replacement dollars, termed "government services funds" in portions of the rule, "Treasury encourages the use of government services funds on uses enumerated in these categories [categories specifically authorized for SLFRF expenditures], including but not limited to affordable housing, **childcare investments** [emphasis added], supporting public sector workers, job training and workforce development, and investments in public health."

Attachments:

[Happy Feet Daycare Traffic Impact Fee Calculation Worksheet](#)

TRAFFIC IMPACT FEE CALCULATION WORKSHEET

Sheet Updated: 6/15/2020

Date: _____ Project Number: _____ Official Zone: _____

Building Permit Number: _____

Project Name/Address: _____

Project Applicant Paying Fee: _____

A. _____ (Quantity/Unit): _____

B. Trip Generation Manual (ITE Code and Land Use): _____

C. Traffic Impact Fee Rate Applied (incl. admin): _____

D. Total Traffic Impact Fee (incl. admin) = A*C: _____

E. Traffic Impact Fee Reduction (if applicable): _____

F. Total Traffic Impact Fee after Fee Reduction = D*E: _____

G. Total Traffic Impact (w/o admin: use lesser of D or F)

If D, then $G = D / 1.05$: _____

(Traffic Impact Fee)

Admin = D - G: _____

(Admin Fee)

Or

If F, then $G = F / 1.025$: _____

(Traffic Impact Fee)

Admin = F - G: _____

(Admin Fee)

Comments:

Approved by City Engineer/Public Works Director: _____

VOUCHER APPROVAL

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


AUDITING OFFICER

6-12-23
DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **20TH DAY OF JUNE 2023**. THE COUNCIL, BY A VOTE, HAS APPROVED FOR PAYMENT THE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS:

Claims Fund				Total Amounts	
Check #'s	162175	TO	162341	\$	915,416.46
EFT #'s	6283	TO	6309	\$	711,702.53
Treasure Cash				Total Amounts	
EFT #'S	43		59	\$	538,595.62
Payroll Fund				Total Amounts	
Check #'s	96022	TO	96030	\$	14,038.79
Direct Deposits	73513	TO	73761	\$	474,234.62

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Climate Commitment Act May 31, 2023 Cap-and-Invest Auction Update

Submitted by: Buddy Stanavich Public Works & Utilities

Recommended Action or Motion: Report for Information only

Background/Summary: The City of Ellensburg participated in the May 31, 2023 Cap-and-Invest Auction held by Washington State Department of Ecology. Current Auction Vintage 2023 allowances were offered as well as Advance Auction Vintage 2026 allowances.

The City was successful in acquiring current (2023) allowances and advance (2026) allowances. For reference, the Auction Floor Price was \$22.20, and the Auction Ceiling Price was \$81.47. Auction #1, held on February 28, 2023, resulted in a settlement price of \$48.50.

Ecology announced that because the auction settlement price was above \$51.90, the trigger price for 2023, an auction of allowances from the Allowance Price Containment Reserve (APCR) will be held on August 9. More information will be provided as the Department of Ecology has recently filed an emergency rulemaking for the APCR and announced a permanent rulemaking process for this on June 8, 2023.

Previous Council Action: Ordinance 4913 authorizing auction participation and purchase of carbon compliance instruments.

Analysis:	Type of Allowances	Settlement Price
	Current (2023)	\$56.01
	Advance (2026)	\$31.12

Financial Impact: No Impact - Informational Update Only

Attachments:

[Washington Cap-and-Invest Program Auction #2 May 2023 Summary Report](#)



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

**Washington Cap-and-Invest Program
Auction #2 May 2023
Summary Report**

Issued on June 7, 2023

Background

Ecology held an auction of allowances on May 31, 2023. The auction included the sale of year 2023 current vintage and year 2026 future vintage allowances. No allowances were consigned for sale.

Prior to today's certification of Auction #2, Ecology staff and the independent market monitor evaluated bids and determined that the auction process and procedures complied with the requirements of the Washington Regulation. The Market Monitor made the following determination:

The Market Monitor found that the auction was cleared consistent with the auction clearing rules in the regulation and appropriate economic logic. The Market Monitor confirmed the clearing price and clearing quantities by qualified bidder. The auction algorithm correctly applied requirements of the regulation covering the bid guarantee. The Market Monitor did not observe any breaches of communication protocols.

The Market Monitor recommends Ecology approve the May 2023 Auction results.

The Financial Services Administrator will distribute auction proceeds to the State of Washington after all qualified bidder payments are received. Ecology will release information on June 28, 2023, in the Auction Public Proceeds Report, providing the final amount of proceeds generated from Auction #2.

Auction Results

All allowances offered for sale by Ecology were sold. The settlement price for current vintage allowances was \$56.01 per allowance. The settlement price for future vintage allowances was \$31.12 per allowance.

Table 1: Qualified Bid Statistics for Auction #2 May 2023

Auction Statistics	Current Auction	Advance Auction
Auction Floor Price	\$22.20	\$22.20
Settlement Price	\$56.01	\$31.12

Table 2: Allowances offered for sale in Auction #2 May 2023

Description of Allowances	Current Auction Vintage 2023 total	Advance Auction Vintage 2026 total
Allowances offered by Washington entity consignment	None	N/A
Allowances offered by Ecology	8,585,000	2,450,000
Total allowances offered for sale	8,585,000	2,450,000

Table 3: Allowances sold in Auction #2 May 2023

Description of Allowances	Current Auction Vintage 2023 Total	Advance Auction Vintage 2026 total
Allowances sold for Washington entity consignment	None	None
Allowances sold by Ecology	8,585,000	2,450,000
Total allowances sold at auction	8,585,000	2,450,000

Table 4: Auction Data for Auction #2 May 2023

Auction Data	Current Auction	Advance Auction
Total qualified bids divided by total allowances available for sale	1.95	1.44
Proportion of allowances purchased by compliance entities	89.88%	73.55%
Herfindahl-Hirschman Index*	631	756

*Herfindahl-Hirschman Index (HHI) is a measure of market concentration and competitiveness, the values of which range from 0 to 10,000. A lower HHI value indicates a higher level of competition. A higher HHI value indicates greater market concentration among fewer entities.

List of qualified bidders for Auction #2 May 2023

A qualified bidder is an entity that completed an auction application, submitted a bid guarantee that was accepted by the Financial Services Administrator, and was approved by Ecology to participate in the auction. Qualified bidders may or may not have participated in the auction.

This list includes 54 qualified bidders.

CITSS Entity ID	Entity Legal Name
WA3591	Avista Corp.-Electric
WA3452	Bellus Ventures III LP
WA3446	BP PRODUCTS NORTH AMERICA INC.
WA3556	Braeswood Climate Partners, LP
WA3542	Brookdale Receivables LLC
WA3530	Cascade Natural Gas Corporation
WA3549	CenTrio Energy Seattle, LLC
WA3562	Charter Oak Carbon Fund II LP
WA3545	CHEVRON U.S.A. INC.
WA3621	CHS Inc.
WA3551	City of Ellensburg
WA3636	CityServiceValcon, LLC
WA3544	Coleman Oil Company, LLC
WA3557	Constellation Energy Generation, LLC
WA3468	CP Energy Marketing (US) Inc
WA3528	East Coast Environmental, LLC
WA3659	Emerald Kalama Chemical, LLC
WA3610	Exxon Mobil Corporation
WA3479	GAS TRANSMISSION NORTHWEST LLC
WA3460	Gelber & Associates Corp
WA3547	Gen IV Investment Opportunities, LLC
WA3457	Grays Harbor Energy LLC
WA3519	HF Sinclair Puget Sound Refining LLC
WA3488	Idemitsu Apollo Corporation
WA3563	Kcarbon Holdings LLC
WA3447	Klima Holdings W LLC
WA3579	Macquarie Energy LLC
WA3435	MARATHON PETROLEUM COMPANY LP
WA3510	Mercuria Energy America LLC
WA3590	Midstream Energy Partners (USA), LLC
WA3536	Morgan Stanley Capital Group Inc.
WA3472	Musket Corporation
WA3442	MV Global Carbon Fund LP
WA3565	NGL Supply Co. Ltd.
WA3496	NORTHWEST PIPELINE LLC
WA3502	NW Natural Gas Co.

CITSS Entity ID	Entity Legal Name
WA3470	Oregon Carbon Holdings, LLC
WA3487	PacifiCorp
WA3600	Petrogas, Inc.
WA3424	Phillips 66 Company
WA3475	Powerex Corp.
WA3438	Puget Sound Energy, Inc.
WA3662	SeaPort Sound Terminal, LLC
WA3474	Shell Energy North America (US), L.P.
WA3491	Space Age Fuel, Inc
WA3679	THE ANDERSONS, INC.
WA3416	Trafigura Trading LLC
WA3482	Trailstone Energy Marketing, LLC
WA3570	TRANSALTA ENERGY MARKETING (U.S.) INC.
WA3668	TransCanada Energy Sales Ltd.
WA3481	U.S. OIL & REFINING CO.
WA3509	Vitol Inc.
WA3527	Washington State University
WA3454	Wilson Oil Inc

How does Ecology decide what information to share?

Ecology shares information about the outcome of each quarterly auction as required by the Washington regulation and to support the successful implementation of the program. Ecology does not share information that could potentially enable market manipulation or other unfair practices by market participants.

Contact Information

If you have questions about the information in this auction summary, please contact:

Website: cca.wa.gov/auctions-and-trading

Email: RegistrarCCA@ecy.wa.gov

Ecology CCA Help Desk: 360-407-6296

ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188. To request an ADA accommodation, contact Ecology by phone at 360-407-6800 or email Melanie Forster at melanie.forster@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877- 833 - 6341.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Board and Commission Appointments - Utility Advisory Committee

Submitted by: Cynthia LaChappelle-Mathis City Manager Department

Recommended Action or Motion: Approve appointment of members to City Boards and Commissions as recommended by the Utility Advisory Committee

Background/Summary: There are two vacancies on the Utility Advisory Committee. The applications for appointment were forwarded to the staff member assigned to the Utility Advisory Committee to process for consideration of appointment.

Previous Council Action: N/A

Analysis: As directed by Council, the applicants requesting appointment have completed the preliminary process of attending a meeting and interviewing with a subcommittee of the Commission. Applications for appointment are attached to the agenda report. The Utility Advisory Committee is recommending that Audrey Huerta and Grant Craig fill the vacancies.

Financial Impact: N/A

Attachments:

[UAC Appointment Recommendation Memo 6-20-23](#)

[Audrey Huerta Application](#)

[Grant Craig Application](#)



TO: City Council
FROM: Utility Advisory Committee
DATE: June 20, 2023
RE: Recommendation of Appointment

Audrey Huerta and Grant Craig submitted Applications for Appointment to the Utility Advisory Committee (UAC). They have both attended UAC meetings, as required.

The UAC subcommittee consisting of Councilmember Nancy Goodloe, Councilmember Nancy Lillquist and Buddy Stanavich, staff, conducted interviews on June 5, 2023.

The Utility Advisory Committee currently has two vacancies – both vacancies are for city utility customers of one or more utility systems. Based on the interviews, both Audrey and Grant are appropriately qualified to serve on the UAC. The subcommittee is recommending that the City Council appoint Audrey Huerta and Grant Craig to the vacant Utility Advisory Committee positions.

From:
Sent:
To:
Subject:

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 Utility Advisory Commission

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

Name of Applicant: Audrey Huerta

Address

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

City Ellensburg

State WA

Zip 98926

Email Address

Phone Number

Length of Residency in
Kittitas County 14 years

Do you live within the city
limits? Yes

ECC 1.12.120 Residency qualification. Except where a commission, board or committee specifically requires city residency as a condition of appointment, members of all other commissions, boards and committees shall maintain residency within the Kittitas County limits. "Residency," as used herein, means

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

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

Field not completed.

Occupation Status and Background:

I am currently a Assoc. Professor of Geology at CWU, on appointment at the National Science Foundation. I have a bachelors degree in Mechanical Engineering, and worked as a Sales Engineer in Commercial heating, ventilation, air conditioning systems for 4 years. I have a broad background in energy and water systems, both as an engineer, and as a geologist.

Organization Affiliations:

American Geophysical Union, Geological Society of America, Society for the Advancement of Chicano and Native American Scientists

Why are you seeking appointment?

I believe that the citizens of Ellensburg are facing challenging times as we move into a cleaner energy and water systems, and I believe that my experience and expertise would be of use to the community.

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

Boards & Commissions

Affordable Housing Commission

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

From:
To:
Subject:
Date:

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 Utility Advisory Commission

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

Name of Applicant: Grant Craig

Address

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

City Ellensburg

State WA

Zip 98926

Email Address

Phone Number

Length of Residency in Kittitas County Approx 60 years

Do you live within the city limits? No

ECC 1.12.120 Residency qualification. Except where a commission, board or committee specifically requires city residency as a condition of appointment, members of all other commissions, boards and committees shall maintain residency within the Kittitas County limits. "Residency," as used herein, means residing within the city or county limits, as applicable, both at the time of appointment and for at least 270 days within each calendar year for the duration

of the member's term, but shall not include any period for which a member is absent due to military service.

If applying for the Sr. Citizens' Advisory Board, are you at least 55 years of age?	<i>Field not completed.</i>
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Occupation Status and Background:	I am currently the Corporate Production Manager and Ellensburg Division Manager for Twin City Foods, Inc. I am a resident of Kittitas County and have natural gas service from the City of Ellensburg at my residence. I have lived in Kittitas County approximately 60 years.
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Organization Affiliations:	Twin City Foods, Inc my employer. Through my employer we are members of NFPA (Northwest Food Processors Association)
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Why are you seeking appointment?	To listen closely to utility activities in our County/City and help determine the best course of action for Ellensburg Utilities customers.
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Will you be able to attend meetings regularly if appointed?	Yes
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If your first choice, as listed above, is not available, which other boards or commissions would you be interested in serving on?

Boards & Commissions	<i>Field not completed.</i>
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Boards & Commissions	<i>Field not completed.</i>
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CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Public Hearing (Legislative) to Consider a Resolution Adopting the City's Six-Year Transportation Improvement Plan (TIP) 2024-2029 and Provide an Annual Complete Streets Update

Submitted by: Josh Mattson Public Works & Utilities

Recommended Action or Motion: Adopt the proposed Resolution 2023-14 approving the TIP for 2024-2029, amending the TIP for 2023-28, and authorize staff to submit listed projects for funding as grant opportunities become available.

Background/Summary: The City is required by law to annually update its Six-Year Transportation Improvement Plan (TIP) and file a copy with the State as well as the Quad County Regional Transportation Organization. Also, in conjunction with the TIP, and in accordance with Section 4.05.090 of the Ellensburg City Code (ECC), staff is required to provide an annual 'Complete Streets' update.

Projects proposed in the TIP represent work remaining from previous plans, incorporates projects from the Comprehensive Transportation Plan, the Active Transportation Plan, and several major maintenance/asphalt overlay projects. The adopted TIP may be amended by resolution at any time during the year should changes be required or additional funding opportunities become available. Council can also add, delete, modify or move the priority of projects.

In 2016, Council adopted a 'Complete Streets' policy by Ordinance (Chapter 4.05 ECC). This Ordinance calls for an annual update in conjunction with the TIP. 'Complete Streets' is defined in ECC 4.05.020 as "a road that is designed to be safe for drivers, bicyclists, transit vehicles and riders, and pedestrians of all ages and abilities."

Previous Council Action: On June 21, 2022, Council conducted a public hearing and adopted the 2023-2028 Six-Year TIP through Resolution 2022-24. On January 3, 2023, Council conducted a public hearing

and adopted a revised 2023-2028 Six-Year TIP through Resolution 2023-02.

Analysis:

Several City transportation projects consistent with the 'Complete Streets' goals and objectives of ECC 4.05.090 have been completed and others are currently under construction since the last report on June 21, 2022. Completed projects include the Alder St and 14th Ave Signalization and PTC Reconnect Trail Project from 14th Ave to the Kittitas Valley Event Center (KVEC) which installed a 12-foot-wide concrete shared use pathway along Alder St from the PTC trailhead at the KVEC north to 14th Ave. A traffic signal system was also installed at the intersection of Alder St with Dean Nicholson Blvd / 14th Ave. Signal enhancements at University Way and Alder St were also included.

The University Way and Reecer Creek Rd Signalization project was recently finished with the installation of a flashing yellow left turn arrow for east bound traffic and improvements to the traffic signal system's video vehicle detection.

The 5th Ave and Railroad Ave Traffic Signal Installation project was also recently completed. In addition to the new signal, the work included installation of Americans with Disabilities Act (ADA) accessible pedestrian signals, illumination system improvements, video vehicle detection, and illuminated street name signs.

Multiple sidewalk upgrade and installation projects were also completed with the 2022 work plan including the Capitol Ave Sidewalk Replacement on the south side of the street from Sprague St to Anderson St, a new sidewalk on the east side of Alder St from Capitol Ave to First Ave, and the Sixth Ave Paverstone Walk on the south side of the street from Sprague St to Anderson St. These projects all had multiple elements that enhanced Ellensburg's overall 'Complete Streets' system.

Attached is a matrix, Exhibit "A", of the proposed TIP showing transportation projects proposed for incorporation in the years 2024-2029. With Council's concurrence, staff will submit grant applications to the various funding agencies as grant opportunities become available.

This TIP continues the overlay program on the arterial street system. Of the listed projects, numbers 9, 10, 23, 24, 31, 33, and 43 are specifically asphalt overlay projects, and funding for these projects is proposed from state and federal grants, and sales tax/gas tax contributions.

Projects planned for construction in 2023 are also included in the TIP attachment (Exhibit A), shown as project numbers 7 through 11. Both Main St from 3rd Ave to University Way and Wildcat Way from University Way to 18th Ave will receive an asphalt overlay this year. Work includes upgrades of curb ramps to ADA accessibility standards. Preservation of downtown streets is currently planned for July 3, 2023 with the Downtown Slurry Seal project, number 8, through the application of a fine aggregate seal coat and new pavement markings.

Progress continues on the University Gateway project. Utility work is nearly complete and most of the overhead utility lines have been relocated to new underground facilities. Installation of the new paverstone pathway has begun and is planned for completion later this year. The project includes street lighting, a stormwater buffer strip with street trees, a mid-block pedestrian crossing, and transit bus turnouts.

Project numbers 12-17 in the TIP are currently in the design phase. Construction is planned for these projects in later years as shown on the TIP.

Staff recently received notice of a potential grant funding source for the University Way Overlay, project number 23, currently scheduled for construction in 2024. Eligible projects must be shovel ready and obligate the funds before October of 2023. In order to expedite the funding obligation if awarded, staff is requesting council to pre-approve the TIP amendments for this project, conditioned upon the funding award. The project would be moved to 2023 on the 2024 to 2029 TIP shown with secured funding. Required City matching funds would be advanced to 2023 and the project extent would be revised to the Burlington Northern Santa Fe (BNSF) railroad overpass bridge to Cle Elum St. The project would also be

added to the 2023 to 2028 TIP.

Financial Impact:

The “S” or “P” designation next to each project number, designates whether a project has Secured (S) or Potential (P) funding. The projects shown with secured funding are all included in the 2023-2024 Budget. Most of the proposed plan relies on a combination of potential funding sources that include grants, motor vehicle fuel tax, federal allocations, sales tax, local improvement districts, and others.

Attachments:

[Resolution No 2023-14 Six Year TIP 2024-2029](#)
[2024-2029 Six Year TIP Exhibit A](#)

RESOLUTION NO. 2023-14

A RESOLUTION adopting the City of Ellensburg's Six-Year Transportation Improvement Plan (TIP) for the years 2024 to 2029, inclusive, and amending the 2023 to 2028 TIP adopted in Resolution 2022-24 and amended in Resolution 2023-02, as recommended to the City Council by the Public Works and Utilities Department.

WHEREAS, a public hearing on the TIPs was held before the Ellensburg City Council on June 20, 2023 in the manner required by RCW 35.77.010; and

WHEREAS, the Six-Year TIP has been updated for 2024-2029 in accordance with the State requirements; and

WHEREAS, additional TIP amendments may be needed in 2023 if the University Way Overlay project is awarded grant funding;

NOW, THEREFORE,

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

Section 1. That the Six-Year Transportation Improvement Plan, attached hereto, for street and arterial street improvements for the years 2024 to 2029, inclusive, as now filed with the City Council of the City of Ellensburg, be and the same is hereby approved and adopted.

Section 2. An amendment to the 2024 to 2029 TIP, as adopted in Section 1, for the "University Way Overlay project number 29," is approved without further action by the City Council, conditioned upon grant funding being awarded. If such funding is awarded, City staff is directed to move the project from 2024 to 2023, shown with secured funding, amend the project limits, and adjust the 2024 budget for the project as needed to provide matching funds in 2023; and City staff is further directed to add the project to the approved and amended 2023 to 2028 TIP.

ADOPTED by the City Council of the City of Ellensburg this 20th day of June 2023.

Mayor

ATTEST:

City Clerk

EXHIBIT A

CITY OF ELLENSBURG 6-YEAR TRANSPORTATION IMPROVEMENT PLAN 2024 TO 2029 (INCLUDES CURRENT WORK REMAINING IN 2023)			PUBLIC HEARING DATE: 6/20/2023 ADOPTION DATE: 6/20/2023 RESOLUTION NO. 2023-TBD								
REVENUE BY YEAR (thousands)											
SOURCE			2023*	2024	2025	2026	2027	2028	2029		TOTALS
ARTERIAL STREET			735	136	308	45	113	395	118		1,850
REGIONAL STBG			20	1,284	0	0	0	710	750		2,764
SALES TAX RESERVE			1,370	1,340	0	430	1,425	1,155	500		6,220
FEDERAL SAFE ROUTES TO SCHOOL & PEDESTRIAN/BICYCLE GRANTS			0	2,580	872	0	750	750	250		5,202
WSDOT SAFETY PROGRAM			0	0	0	4,350	0	0	0		4,350
TRANSPORTATION IMPROVEMENT BOARD (TIB) - Grant Programs			260	2,472	886	200	1,700	3,475	2,800		11,793
DISTRESSED COUNTY SALES/USE TAX			62	144	134	0	0	609	0		949
1/4 CENT REAL ESTATE EXCISE TAX			438	2,141	162	50	0	250	0		3,041
MAP-21 TRANSPORTATION ALTERNATIVES PROGRAMS			0	403	0	0	0	475	0		878
DOE FISCAL YEAR WATER QUALITY GRANT			1,450	4,250	0	0	0	0	0		5,700
COUNTY LODGING TAX GRANT			0	67	0	0	0	0	0		67
LOCAL LODGING TAX FUNDS			0	66	0	0	0	0	0		66
TRANSIT			25	0	0	0	0	0	0		25
OTHER AGENCY OR CITY DEPARTMENT			5	8,501	330	0	0	1,036	300		10,172
LOCAL IMPROVEMENT DISTRICT (LID) / DEFERRALS			0	4,700	0	0	1,145	695	8,200		14,740
TRAFFIC IMPACT FEES			62	831	55	2,195	0	990	993		5,126
NOT FUNDED			0	0	0	0	0	0	0		0
TOTAL REVENUE			4,427	28,915	2,747	7,270	5,133	10,540	13,911		72,943
EXPENDITURES BY YEAR (thousands)			2023*	2024	2025	2026	2027	2028	2029	Future	TOTALS
Funding (S/P)	PROJECT		2023*	2024	2025	2026	2027	2028	2029	Future	TOTALS
1	S/P	Bridge Inspections	5	5	5	5	5	5	5	0	35
2	S/P	Engineering Transfer	15	15	15	15	15	15	15	0	105
3	S/P	Signal Optimization	25	25	25	25	25	25	25	0	175
4	S/P	Alley Reconstruction (Semi-Annual)	80	0	85	0	90	0	95	0	350
5	S	University Way and Reece Creek Road Signalization	25	0	0	0	0	0	0	0	25
6	S	5th Ave. and Railroad Ave. Traffic Signal Installation	124	0	0	0	0	0	0	0	124
7	S	University Way Gateway - Nanum Street to Red Horse Diner	2,500	0	0	0	0	0	0	0	2,500
8	S	Downtown Slurry Seal	129	0	0	0	0	0	0	0	129
9	S	Main St. Overlay - 3rd Ave to University Way	592	0	0	0	0	0	0	0	592
10	S	Wildcat Way Overlay (University Way to 18th Ave)	646	0	0	0	0	0	0	0	646
11	S	Ruby St Skim Patch	220	0	0	0	0	0	0	0	220
12	S	Pfennig Road Shared Use Pathway	50	526	0	0	0	0	0	0	576
13	S/P	Helena Ave Imp (Water St to 3,200' west, Cora Connection, portion in KC juris)	150	300	0	0	0	0	5,450	0	5,900
14	S	Brick Rd Improvements	191	1,485	0	0	0	0	0	0	1,676
15	S/P	Mountain View Ave and Bull Rd/Willow St Intersection Enhancements	75	0	750	0	0	0	0	0	825
16	S/P	University Way Gateway II - Vista Rd to east City Limits	510	515	5,125	0	0	0	0	0	6,150
17	S	Pfennig Rd Sidewalk - 240' North of Vantage Hwy to Radio Rd	272	1,867	0	0	0	0	0	0	2,139
18	S/P	Alder St Sidewalk - One Side - Capitol Ave to 4th Ave	0	75	0	80	0	85	0	0	240
19	P	Large Scale Wayfinding Implementation Project	0	133	0	0	0	0	0	0	133
20	S/P	Capitol Ave Sidewalk Replacement - Main St. to Sampson St.	0	100	0	110	0	130	0	0	340
21	P	Anderson/Umptanum/Railroad Ave. Road Widening/Overlay (Joint w/ County)	0	500	550	6,260	0	0	0	0	7,310
22	P	Recon. Trail and Sidewalk Extension - PTC to Bender and Hannah to Whiskey Creek	0	250	2,791	0	0	0	0	0	3,041
23	P	University Way Overlay - (BNSF To Whiskey Creek)	0	540	0	0	0	0	0	0	540
24	P	Water St. Overlay - University Way to Manitoba, Manitoba from Water to Main	0	0	1,416	0	0	0	0	0	1,416
25	P	1st Ave Sidewalk Improvements - Ruby St. to Sampson St. - North Side	0	0	234	0	0	0	0	0	234
26	P	Palouse to Cascades Reconnect Trail - Sanders to Airport	0	0	804	0	0	0	0	0	804
27	P	15th Ave Sidewalk Improvements - Cora St to Water St - North Side	0	0	185	0	0	0	0	0	185
28	P	Wildcat Way and 18th Intersection Enhancements	0	0	0	756	0	0	0	0	756
29	P	University Way and Water Street Intersection Enhancements and Widening	0	0	0	3,270	0	0	0	0	3,270
30	P	Mountain View Ave and Ruby St Intersection Enhancements and Widening	0	0	0	2,920	0	0	0	0	2,920
31	P	Canyon Rd Overlay - Umptanum to Mountain View Ave	0	0	0	280	0	0	0	0	280
32	P	Walnut St and 18th Bike Lane - Dean Nicholson to Alder St	0	0	0	0	150	0	0	0	150
33	P	Water St. Overlay - University Way to Helena	0	0	0	0	1,550	0	0	0	1,550
34	P	University Way Sidewalks - Brick Rd. to Vista Rd.	0	0	0	0	2,040	0	0	0	2,040
35	P	Industrial Way Improvements - LID	0	0	0	0	1,280	0	0	0	1,280
36	P	Canyon Rd and Umptanum Rd Intersection Enhancements and Widening	0	0	0	0	0	3,390	0	0	3,390
37	P	3rd Ave. Paverstone Sidewalks and Historic Lighting - Water St. to Depot	0	0	0	0	0	810	0	0	810
38	P	Capitol Ave. Improvements - Willow St. to Oak St.	0	0	0	0	0	1,525	0	0	1,525
39	P	Airport Rd Sidewalk Improvements - Dean Nicholson to N. City Limits	0	0	0	0	0	1,170	0	0	1,170
40	P	City to Canyon Trail - Umptanum Rd to Tjossem Rd	0	0	0	0	0	3,600	0	0	3,600
41	P	3rd Ave and Ruby St Intersection Enhancements	0	0	0	0	0	0	890	0	890
42	P	14th Ave and Wildcat Way Bike Lane - B St to University Way	0	0	0	0	0	0	103	0	103
43	P	Mountain View Overlay - Canyon to Willow	0	0	0	0	0	0	1,500	0	1,500
44	P	Helena Ave Extension - PTC Trail to Dry Cr Rd	0	0	0	0	0	0	4,100	0	4,100
45	P	Cora Street Ext - PTC Trail to Bender Rd (portion in KC jurisdiction)	0	0	0	0	0	0	7,200	0	7,200
46	P	Chestnut St and Walnut St Bike and Ped Improvements								263	263
47	P	8th Ave LID (University Way to Maple St)								1,061	1,061
48	P	Trail Connection - 5th Ave to University Way (near CWU)								250	250
49	P	5th and Ruby Intersection Enhancements and Widening								741	741
50	P	Helena Ave and Walnut St Intersection Enhancements and Widening								740	740
51	P	Circle the City Trail - Enterprise Way to Faust Rd								4,200	4,200
52	P	Helena Ave and Water St Intersection Enhancements and Widening								936	936
53	P	Manitoba Ave and Ruby St Intersection Enhancements and Realignment								1,332	1,332
54	P	University Way and Alder St Intersection Enhancements and Widening								1,558	1,558
55	P	University Way and Main St Intersection Enhancements and Widening								3,338	3,338
56	P	Water St and Bender Rd Intersection Enhancements								966	966
57	P	Airport Rd and Bender Rd Intersection Enhancements								1,008	1,008
58	P	Capitol Ave and Chestnut St Intersection Enhancements								672	672
59	P	Sanders Rd and Alder St Intersection Enhancements								665	665
60	P	Capitol Ave and Willow St Intersection Enhancements								524	524
61	P	Anderson Rd and Umptanum Rd Intersection Enhancements								1,252	1,252
62	P	15th Ave and Cora St Intersection Enhancements								432	432
63	P	18th Ave and Alder St Intersection Enhancements								720	720
64	P	Pfennig Rd Sidewalks - Radio Rd to 14th Ave								1,101	1,101
TOTAL EXPENDITURE			5,609	6,336	11,985	13,721	5,155	10,755	19,383	21,759	94,702
ARTERIAL STREET FUND BEGINNING BALANCE (01/01/2022))			1,329	714	698	510	585	592	317		
EST. GAS TAX REVENUE & SCHEDULED SALES TAX TRANSFER			120	120	120	120	120	120	120		
ARTERIAL STREET FUND ENDING BALANCE			714	698	510	585	592	317	319		

*Current year projects shown for accounting purposes.

**TIP plans calls for road widening/impr. projects to be funded from Sales Tax Reserve, to replace the Federal STP funding which is now shown for potential asphalt overlay funding. (Average annual need to overlay the arterial street system on a 15 year cycle is in excess of \$1,079,000 per year.)



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Public Hearing (Legislative) to Consider Annexation Request - Parcel 946133 Located at 1501 W Dolarway Rd. and First Reading of Ordinance 4919 Approving the Annexation

Submitted by: Laura Wilson Community Development

Recommended Action or Motion: Following the open record legislative public hearing, conduct first reading of Ordinance 4919 approving annexation request P23-018 for parcel 946133 located at 1501 W Dolarway Road with simultaneous adoption of Regional Center Mixed Use zoning.

Background/Summary: A notice of intent to commence annexation was received by the Community Development Department from Solar Dolar LLC., property owner, to consider annexation of parcel 946133, located at 1501 W Dolarway Rd. The notice of intent to annex is for one parcel, with one property owner, therefore the owner's signature is 100% of the total assessed value, thus complying with the requirement of RCW 35A.14.120 that the proposed annexation area include at least 60% of the total assessed value.

The parcel proposed for annexation is located at 1501 N Dolarway Rd. on the north side of Dolarway Rd. A map of the parcel proposed to be annexed is attached to this report (Exhibit 1). Per Ellensburg City Code, annexation requests are a Type V process and therefore require a legislative public hearing before the Planning Commission, with its recommendation forwarded to City Council as the final decisionmaker.

The Planning Commission held a public hearing on June 8, 2023, to consider the petition for annexation, at the conclusion of which it unanimously recommended Council approve the request for annexation as presented.

Consistent with Ellensburg City Code, notice of the City Council public hearing was published in the Ellensburg Daily

Record on June 6, 2023 (Exhibit 4); property owners within 300 feet of the proposed annexation area were mailed a notice of public hearing (Exhibit 5); and land use action signs were posted on the property (Exhibit 6).

Previous Council Action:

The initial meeting with Council presenting the Intent to Annex, was held on March 20, 2023 and the item was tabled until April 3, 2023. Staff returned to the April 3 meeting, noting the parcel adjacent to the proposed parcel was served by city utilities with no utility extension agreement for the adjacent parcels. Council unanimously determined the following:

- Accept the proposed annexation as geographically proposed in the notice of intent;
- Require the simultaneous adoption of Regional Center Mixed Use zoning; and
- Require the annexation area to assume a proportional share of City indebtedness.

Analysis:

Following Council's determination to accept the annexation proposal, a petition for annexation was filed with the Kittitas County Assessor. On April 26, 2023 the Assessor determined the petition for annexation sufficient with regard to legal description and corresponding owner of record (Exhibit 7).

The Planning Commission held a public hearing on June 8, 2023 to consider the petition for annexation. There were no public comments. Commissioner Harrell asked for clarification on the Regional Center Mixed Use (RCMU) Zone and the appropriateness of the location on Dolarway Rd. Staff explained the RCMU zone and that a comprehensive plan amendment was completed in 2022 to amend the future land use map for tax parcel 946133 from Industrial to Community Mixed Use which would support the requested zone of RCMU. Upon completion of the public hearing, the Planning Commission unanimously recommended Council approve the annexation request as presented with simultaneous adoption of Regional Center Mixed Use zoning. The proposed parcel to be annexed is currently serviced by City utilities. As detailed in the Public Works Department memorandum dated June 2, 2023, further development following annexation may trigger improvements consistent with Public Works Development Standards (see Exhibit 8). Any further development would also be required to meet Ellensburg City Land Development Code

standards and applicable Fire Code requirements.

This parcel, along with two other parcels, are part of an unincorporated island. The property value of the two other parcels did not meet the 60% assessed value rule to allow their inclusion in the annexation. The proposed annexation will not eliminate the unincorporated island, but it will reduce the size of the island. This parcel is served by city utilities and is bordered by City limits on the west, north, and east sides. The incorporated parcel on the west side of the proposed annexation area is zoned Light Industrial (I-L). The incorporated parcels on the north and east sides of the proposed annexation area are zoned Heavy Industrial (I-H) (Exhibit 2).

Staff recommends Regional Center Mixed Use (RCMU) zoning for the parcel proposed to be annexed. RCMU zoning of this property is supported by the Community Mixed Use designation, as adopted in Ordinance 4785, as amended by Ordinance 4910, in the Comprehensive Plan Future Land Use Map (Exhibit 3).

Financial Impact: As assessed for 2024 the City property tax revenue for parcel 946133 is estimated to be approximately \$794 per year.

Attachments:

[Ordinance 4919 - P23-018 Annexation \(First Reading\)](#)
[Exhibit 1 - Annexation Area Map Solar Dolar](#)
[Exhibit 2 - Zoning Map Solar Dolar](#)
[Exhibit 3 - Future Land Use SolarDolar](#)
[Exhibit 4 - Daily Record Legal Ad Confirmation](#)
[Exhibit 5 - P23-018 Affidavit of Mailing](#)
[Exhibit 6 - P23-018 Affidavit of Posting](#)
[Exhibit 7 - Assessor Petition Certification P23-018 Solar Dolar LLC](#)
[Exhibit 8 - PW comments Annexation SolarDolar P23-018](#)

ORDINANCE NO. 4919

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON ANNEXING PARCEL 946133 TO THE CITY OF ELLENSBURG, WASHINGTON, ASSIGNING REGIONAL CENTER MIXED USE ZONING CLASSIFICATION, PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on February 10, 2023, the City of Ellensburg, Washington received a notice of intention to commence annexation proceedings pursuant to the “direct petition” method of RCW 35A.14.120 for parcel 946133, as more fully described in Section 1 of this Ordinance and depicted in Exhibit A, attached hereto; and

WHEREAS, on April 3, 2023, the City Council of the City of Ellensburg, Washington held a public meeting with the annexation initiator pursuant to RCW 35A.14.120 and determined that the initiator could proceed to acquire a 60% petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, at its April 3, 2023 public meeting the City Council set the annexation area and further determined that the property subject to annexation would be zoned Regional Center Mixed Use, and assume the annexation area’s proportional share of City indebtedness; and

WHEREAS, the owner of not less than 60% in value, according to the assessed valuation for general taxation of the property hereinafter described, signed the petition pursuant to RCW 35A.14.120 for the annexation of said area to the City of Ellensburg, Washington; and

WHEREAS, the petition for annexation was certified as sufficient by the Kittitas County Assessor, on April 26, 2023, having determined that the petition signature has a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, in compliance with RCW 35A.01.040; and

WHEREAS, the City provided public notice of the petition for annexation and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public hearing; and

WHEREAS, on June 8, 2023, pursuant to proper notice given in accordance with RCW 35A.14.130, the Planning Commission conducted a public hearing on the proposed annexation, and following such hearing recommended City Council approve the annexation request; and

WHEREAS, on June 20, 2023 and August 7, 2023, pursuant to proper notice given in accordance with RCW 35A.14.130, the City Council received and reviewed all of the documentation associated with this annexation proposal, conducted public hearings on the proposed annexation in accordance with RCW 35A. 14.140 and RCW 35A.14.330-.340, and following such hearings determined to effect the annexation of the territory described in Section 1 of this ordinance, finding that the petition for annexation met the applicable requirements, and that the best interests of the City of Ellensburg, Washington, will be served by the annexation and that it is appropriate to good government of the City of Ellensburg, Washington, and therefore accepted the petition for annexation pursuant to RCW 35A.14.120 and Chapter 15.360 of the Ellensburg City Code; and

WHEREAS, the territory described in Section 1 of this ordinance is contiguous to the City of Ellensburg, Washington and entirely within the City of Ellensburg Urban Growth Area established pursuant to RCW 36.70A.110,

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

Section 1. Annexation. The following described parcel and rights-of-ways are hereby annexed to and made a part of the City of Ellensburg, Washington, to wit:

TRACT A:

The West Half of the Southwest Quarter of the Southeast Quarter of Section 34, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, EXCEPT:

1. Beginning at the Southwest corner of the Southwest Quarter of the Southeast Quarter of said Section, and running thence North, along the West boundary line thereof, 330 feet; thence East 264 feet; thence 330 feet to the South boundary line of said Quarter of Quarter section; thence West, along said South boundary line, 264 feet to the point of beginning;
2. Beginning 30 feet North of a point on the South section line which is 264 feet East of the South Quarter corner of said Section 34; thence North, parallel to the Quarter section line, 200 feet; thence East 72 feet; thence South 200 feet to the North right of way of the County road; thence West along said right of way 72 feet to the point of beginning;
3. Right of way of Dolarway County Road along South boundary thereof.

Section 2. Assessment and Taxation. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Ellensburg, Washington is assessed and taxed to pay for any outstanding indebtedness of the City of Ellensburg, Washington as presently adopted or as is hereafter amended.

Section 3. Comprehensive Plan Designation. All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Ellensburg, Washington as presently adopted or as is hereinafter amended.

Section 4. Land Use Designation and Zoning. All property within the territory so annexed shall be hereby zoned as follows: Kittitas County Assessor Parcel Numbers 946133 shall be zoned Regional Center Mixed Use (RCMU).

Section 5. Transmittal and Filing. The Ellensburg City Clerk is directed to file a certified copy of this ordinance with the Kittitas County Board of County Commissioners.

Section 6. Severability. If any portion of this ordinance is declared invalid of unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 7. 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, sections/subsections numbers and any references thereto.

Section 8. Effective Date. This ordinance shall take effect and be in full 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 August, 2023.

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4919 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4919 was published as required by law.

EXHIBIT A: ANNEXATION PARCEL



Proposed Annexation Area for Parcel

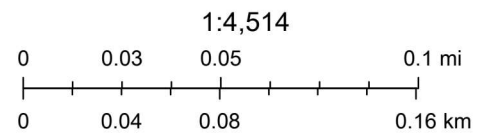
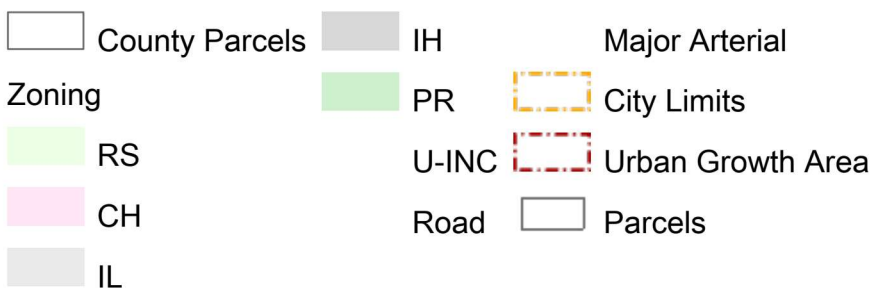


- Urban_Growth_Area
- CityLimits
- Proposed Parcel
- Road
- Major Arterial
- Railroad

Zoning Map

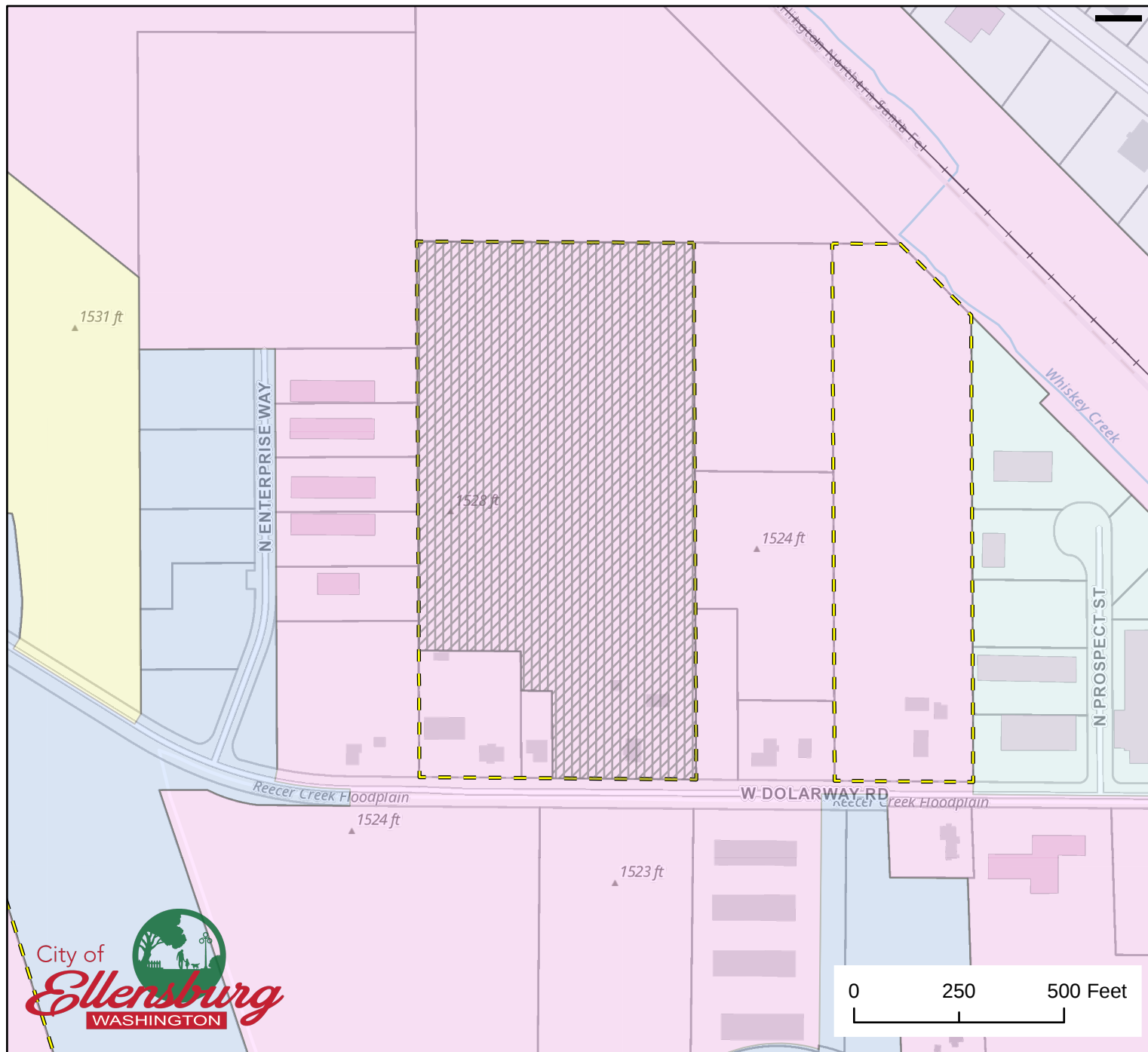


6/9/2023, 10:20:47 AM



Google Maps

Future Land Use



- Proposed Parcel
- City Limits
- Urban_Growth_Area
- Road
- Major Arterial
- Railroad

Land Use

- Blended residential neighborhood
- Community mixed use
- General commercial and services
- Heavy industrial

- Industrial residential
- Light industrial
- Mixed business park
- Neighborhood commercial
- Neighborhood mixed use

- Open space (pvt/non-city owned)
- Parks and open space
- Public/institutional
- Residential neighborhood
- Urban center
- Urban neighborhood

Exhibit 4: Daily Record Legal Ad Confirmation

ADVERTISING PROOF

401 N Main St,
 Ellensburg, WA 98926
Ph. (509) 204-8250 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
05/31/23	49715

CITY OF ELLENSBURG-COMMUNITY DEVELOP-
 MENT
 501 N. ANDERSON
 ELLENSBURG, WA 98926

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
380357	NOTICE OF AN OPEN PU	06/06/23	06/06/23	2	\$116.75

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
------	--------	-----------	---------------	-------	--------

Discount: **\$0.00**
 Surcharge: **\$0.00**
 Credits: **\$0.00**

Gross: **\$116.75**
 Paid Amount: **\$0.00**

Amount Due: **\$116.75**

We Appreciate Your Business!

**NOTICE OF AN OPEN PUBLIC HEARING
ANNEXATION REQUEST**

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold two open record public hearing on **Tuesday June 20, 2023 at 7:00 pm and Monday, August 7, 2023 at 7:00 pm** remotely via zoom and in person, to consider an annexation request (**P23-018**) submitted by Solar Dolar LLC., property owner. The applicant seeks to annex parcel number 946133 into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned Regional Center Mixed Use (RCMU). The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>, at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, Washington. Anyone wishing to receive a copy of the annexation request is invited to call (509) 962-7231 or visit the Community Development Department.

Project Location: The parcel is located at 1501 W Dolarway Road, Ellensburg, Washington 98926. Kittitas County Assessor's Parcel Number 946133.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff. An email link, text link, or phone number will be provided which will allow for electronic participation in the public meeting. Written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email at wilsonl@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Tuesday, June 20, 2023 for the first hearing and by 5:00pm on Monday, August 7, 2023 for the second hearing.**

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable for individuals with disabilities. A "Request for Accommodation" form may be obtained from City Clerk Beth Leader (First Floor - City Hall) or by calling 509-925-8614.

PUBLISH: Daily Record: June 6, 2023 / LEGAL #: 380357

Exhibit 5: P23-018 Affidavit of Mailing

BIRDWELL, LARRY G
1511 W DOLARWAY RD
ELLENSBURG WA 98926-9313

BNSF RAILWAY COMPANY
PO BOX 961089
FORT WORTH TX 76161-0089

CITY OF ELLENSBURG
501 N ANDERSON ST
ELLENSBURG WA 98926-3147

DOYLE, LEONARD G
1405 W DOLARWAY RD
ELLENSBURG WA 98926-9314

ELLENSBURG COLD STORAGE BUILDING LLC
4405 7TH AVE SE STE 301
LACEY WA 98503-1055

LARSON, DALE E ETUX
1316 W DOLARWAY RD
ELLENSBURG WA 98926

LINDSAY, DEBORAH S ETVIR
1908 LIGHTHOUSE ON NE
TACOMA WA 98422-3473

MCCULLUGH, JEFFREY D
1314 W DOLARWAY RD
ELLENSBURG WA 98926

RINGEL, MELVIN L ETUX
1515 W DOLARWAY RD
ELLENSBURG, WA 98926-9313

RINGEL, MELVIN L ETUX
1515 W DOLARWAY RD
ELLENSBURG WA 98926-9313

SINGER, GREGORY E & SARA A
2340 E 3RD AVE
ELLENSBURG WA 98926-8175

SOLAR DOLAR LLC
1410 W DOLARWAY RD STE 301
ELLENSBURG, WA 98926

SOLAR DOLAR LLC
940 SOUTHRIDGE DR
ELLENSBURG WA 98926-5049

TAJ LLC
902 N ENTERPRISE WAY
ELLENSBURG WA 98926-8233

WALES, RYAN D & BROOKE R
PO BOX 445
ELLENSBURG, WA 98926-1914

WEEKS, ISABELLE B
1315 W DOLARWAY RD
ELLENSBURG WA 98926-9324

KITTITAS COUNTY
411 N RUBY ST STE1
ELLENSBURG, WA 98926

KITTITAS COUNTY
411 N RUBY ST STE 2
ELLENSBURG, WA 98926

P23-018 946133
CERTIFICATE OF TRANSMITTAL

On this day, the undersigned sent to
the addressee(s) the original
document(s) by U.S. Mail.

I certify under penalty of perjury
under the laws of the State of WA
that the forgoing is true and correct.

Date *6/6/23*

Signed

Kathy Boots



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

Land Use Permitting (509) 962-7231 Construction Permitting (509) 962-7239

Chuck Doan, Interim Director

Phone: (509) 925-8663 Fax: (509) 925-8655 E-Mail: doanc@ci.ellensburg.wa.us

June 6, 2023

RE: Notice of two Open Record Public Hearings for Annexation request, case #P23-018, submitted by Solar Dolar LLC

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold two open record public hearing on **Tuesday June 20, 2023 at 7:00 pm and Monday, August 7, 2023 at 7:00 pm** remotely via zoom and in person, to consider an annexation request (**P23-018**) submitted by Solar Dolar LLC., property owner. The applicant seeks to annex parcel number 946133 into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned Regional Center Mixed Use (RCMU). The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects>, at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, Washington. Anyone wishing to receive a copy of the annexation request is invited to call (509) 962-7231 or visit the Community Development Department.

Project Location: The parcel is located at 1501 W Dolarway Road, Ellensburg, Washington 98926. Kittitas County Assessor's Parcel Number 946133.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff. An email link, text link, or phone number will be provided which will allow for electronic participation in the public meeting. Written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email at wilsonl@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Tuesday, June 20, 2023 for the first hearing and by 5:00pm on Monday, August 7, 2023 for the second hearing.**

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable for individuals with disabilities. A "Request for Accommodation" form may be obtained from City Clerk Beth Leader (First Floor - City Hall) or by calling 509-925-8614.

If you have any questions regarding this matter, please contact me at 509-962-7235 or via the email listed above.

Sincerely,

Laura Wilson
Planner
wilsonl@ellensburgwa.gov



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

Land Use Permitting (509) 962-7231 Construction Permitting (509) 962-7239

Chuck Doan, Interim Director

Phone: (509) 925-8663 Fax: (509) 925-8655 E-Mail: doanc@ci.ellensburg.wa.us

Proposed Annexation Area for Parcel



Exhibit 6: P23-018 Affidavit of Posting



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St, Ellensburg WA 98926

Land Use Permitting (509) 962-7231 Construction Permitting (509) 962-7239

Chuck Doan, Interim Director

Phone: (509) 925-8663 Fax: (509) 925-8655 E-Mail: doanc@ci.ellensburg.wa.us

RECEIVED

JUN 01 2023

COMMUNITY DEVELOPMENT

AFFIDAVIT OF POSTING

As per Revised Code of Washington (RCW) 35A.14.130, Ellensburg City Code requires that all public hearings pertaining to annexation requests shall have a notice posted in **three** publicly accessible places within the territory proposed for annexation. Per ECC 15.220.050, the following shall apply:

1. The posting of a weather-resistant sign posted on the subject property, visible to members of the public who may be passing on nearby public rights-of-way, and free from obstructions.
2. If the project abuts more than one public right-of-way, more than one sign may be required as determined by the responsible official.
3. The responsibility for the posting of the sign shall be upon the project applicant.
4. The sign shall be at least two feet by three feet in size, have a written description of the proposal, include a site drawing which shows the proposed project, have the date listed when comments are due, and where comments are to be mailed.

DATE: May 30, 2023	PLANNER: Laura Wilson, Planner
PROJECT NAME: Annexation of parcel into the City of Ellensburg	FILE NUMBER: P23-018

PLEASE COMPLETE THE FOLLOWING:

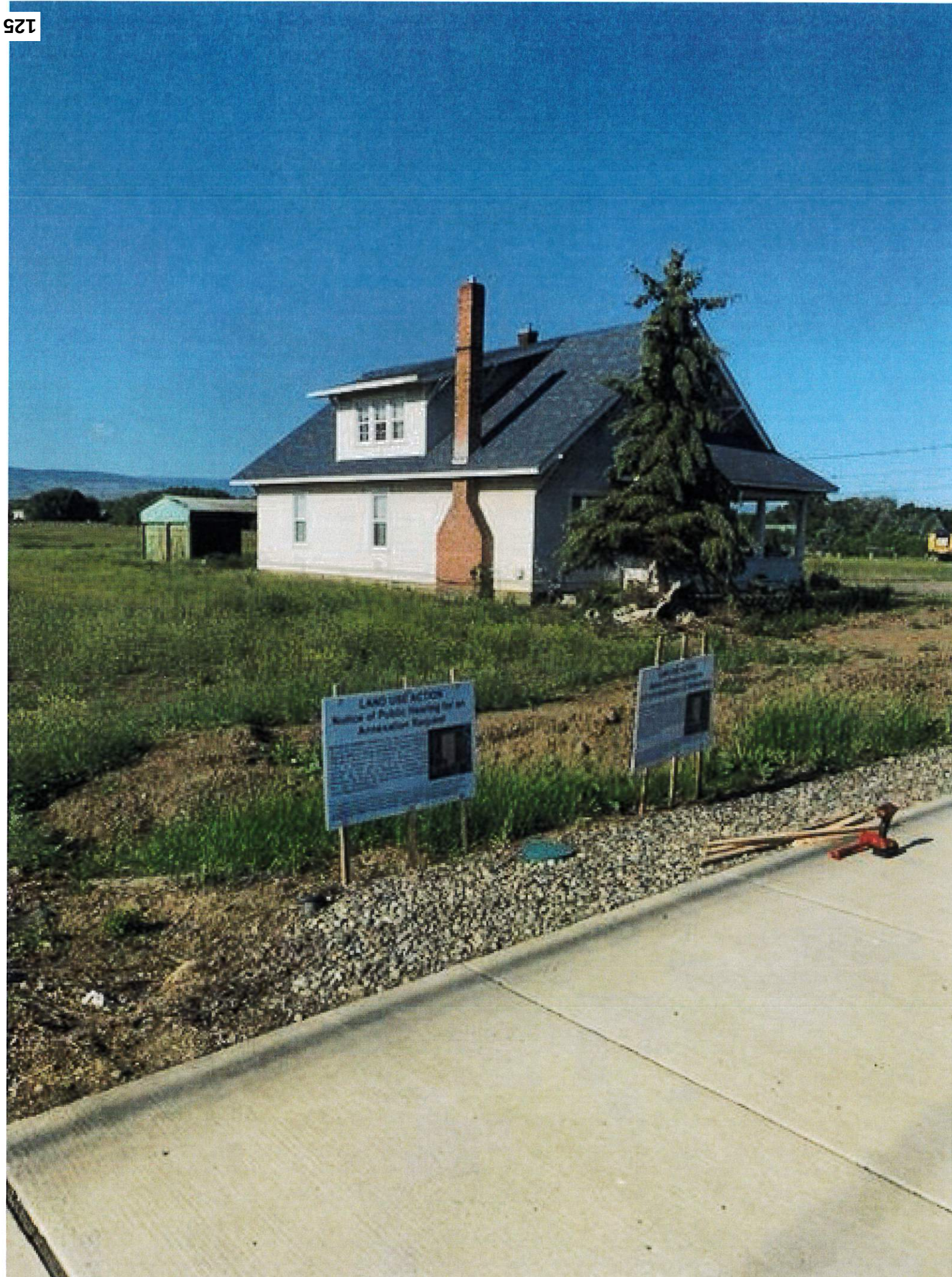
I, Joel Greear, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Ellensburg City Code. I understand that the that the posting period begins immediately and ends after the ending of the appeal period on the final decision by the City Council and the sign(s) will be posted at the site until this time. **Please post the site and return this form to the Community Development Department in a timely manner.**

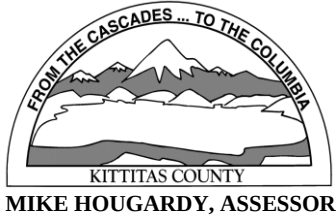
Joel Greear

Signature

June 1st 20 23
Date

Please return the above affidavit and a photograph of the posted sign(s) to Laura Wilson, Planner, by email: wilsonl@ci.ellensburg.wa.us; Fax 509-962-7235; mail; or deliver to: Community Development Dept., City Hall, 501 N. Anderson St., Ellensburg, WA 98926.





Kittitas County Assessor

205 W 5th Avenue, Suite 101 • Ellensburg, WA 98926-2887

Phone (509) 962-7501

Upper County Toll-Free 674-2584

www.co.kittitas.wa.us/assessor

April 26, 2023

City of Ellensburg
Community Development Department
501 N Anderson St
Ellensburg WA 989256

RE: Proposed Annexation Petition, P23-018 Solar Dolar LLC
Parcel 946133

To whom it may concern,

I, Mike Hougardy, as Assessor of Kittitas County, Washington, Hereby Certify that the parcel legally described and mapped in the proposed annexation, P23-018 received by this office April 24th, 2023 have been verified regarding legal description and corresponding owner of record.

Please feel free to contact me if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Mike Hougardy". The signature is written in a cursive, flowing style.

Mike Hougardy
Kittitas County Assessor



CITY OF ELLENSBURG

Public Works Department
501 North Anderson Street; Ellensburg, WA 98926
Ph: (509) 962-7230 Fax: (509) 962-7127

Memorandum

Date: June 2, 2023

To: Laura Wilson, Planner

From: Craig Jones, Development Coordinator *CJ*

Thru: Derek Mayo, City Engineer *DKM*

Re: Solar Dolar Annexation – P23-018

The Public Works Department has no direct comments at this time on the Solar Dolar annexation along Dolarway Rd. Water and sewer are available in Dolarway Rd. These mains would need to be extended to and through the site depending on development details. Applicant is cautioned that any development on the property may trigger improvements consistent with Public Works Development Standards. Public Works will comment on all future development of the property at time of development.

Cc: File 23-030



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Public Hearing (Legislative) to Consider Annexation Request File Number P23-022 for Parcels 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633 located at Umptanum Road and Anderson Road

Submitted by: Jeremy Johnston Community Development

Recommended Action or Motion:

1. Hold an open record legislative public hearing; and
2. Conduct first reading of Ordinance 4920, approving annexation request P23-022 for parcels 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633 and associated right-of-way located at Umptanum Road and Anderson Road and simultaneous adoption of Light Industrial zoning.

Background/Summary: Intent to Annex and Initial City Council Meeting
A notice of intent to commence annexation for 13 parcels owned by MTA Holdings, LLC was received by the Community Development Department on March 6, 2023, to consider annexation of parcels 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, and 538633. To avoid creating unnecessary unincorporated islands within the Ellensburg UGA, Community Development staff added the following eight parcels to the annexation proposal: 086833, 096833, 296833, 408533, 428533, 418533, 438533, and 718633. As noted below, three additional parcels were added by staff when the Petition for Annexation was filed with the County Assessor: 838633, 848633, and 728633; creating a total of 24 parcels being considered for annexation in this hearing.

The initial meeting to review the annexation request with Council was held on March 20, 2023, where staff

recommended the inclusion of eight additional parcels contiguous to the MTA parcels, to prevent creating unincorporated islands in the Urban Growth Area (UGA) if the annexation is approved. The parcels added at the meeting were: 086833, 096833, 296833, 408533, 428533, 418533, 438533, and 718633, thus expanding the annexation area to 21 parcels, total. Although the Staff Report recommended Industrial Light (I-L) zoning for all 21 parcels, staff verbally amended their written report to note that the following five of the added parcels were in residential use and should be zoned Residential Medium (R-M): 418533, 438533, 718633 (owned by Les Bonke); and 096833 and 296833 (owned by Charles Fischer).

Council unanimously determined at the meeting to: 1) accept the proposed annexation as geographically proposed in the notice of intent, including the original 13 parcels, along with the eight additional parcels recommended by staff to be added to the annexation area; 2) require the simultaneous adoption of Industrial Light zoning for 16 parcels and Residential Medium zoning for the five parcels as recommended by staff at the meeting; and 3) require the proportional assumption of existing City indebtedness by the area.

Change in Zoning Recommendations and Additional Parcels Added to Annexation Area

Following the March 20 meeting, Community Development staff determined that a Residential Medium (R-M) zoning designation would be inconsistent with the Future Land Use designation of the area. They also discovered there were three additional parcels contiguous to the approved annexation area that should be included to, again, avoid unincorporated islands: 838633 (owned by Jerel Brown), 848633 (owned by Marlin Dykman) and 728633 (owned by Les Bonke), bringing the total number of parcels to be included in the annexation area to 24. Staff has therefore revised their recommendation from the initial March 20 meeting to instead propose a zoning designation of Light Industrial (I-L) for all 24 parcels in the proposal, as prescribed by the City of Ellensburg's Future Land Use Map.

A map of the parcels proposed to be annexed is attached to

this report (Exhibit 1). The thirteen (13) original parcels proposed for annexation and owned by the applicant MTA Holdings, LLC represent more than 87% of the total assessed valuation of the twenty-four (24) parcels. This exceeds the 60% valuation requirement under RCW 35A.14.120.

After the Council's determination to accept the annexation proposal, a petition for annexation was filed with the Kittitas County Assessor. On April 26, 2023, the Assessor determined the petition for annexation to be sufficient with regard to legal description and corresponding owners of record (Exhibit 4).

The original 13 parcels included in the petition for annexation are owned by MTA Holdings, LLC and include land utilized for Anderson Hay & Grain Co, Inc. for business purposes as well as some undeveloped parcels. The 11 parcels added to the annexation area include:

- 086833, an undeveloped parcel owned by the City of Ellensburg
- 838633, owned by Jerel Brown with a single-family residence
- 848633, owned by Marlin Dykman, containing a duplex
- 096833 and 296833, owned by Charles Fischer, each with a single-family residence
- 418533, 438533, 718633, 408533, 428533, 728633, owned by Les Bonke, including one residence and several appurtenant and storage structures located on the other parcels.

Community Development sent notification letters to all property owners after the annexation boundary was established by the City Council on March 20, 2023. A map of the parcels proposed to be annexed is attached to this report as Exhibit 1. Per Ellensburg City Code, annexation requests are a Type V process and therefore require a public hearing before the Planning Commission to make a recommendation, with the City Council as the final decision maker.

Planning Commision Hearing

On June 8, 2023, the City of Ellensburg Planning Commission held a Public Hearing to consider a recommendation to City

Council regarding the proposed MTA annexation. The Planning Commission took public testimony from two landowners (Les Bonke and Jerel Brown) within the annexation boundary, from one virtual attendee (Cathy Caraway) associated with one of the property owners, and Community Development received a written comment (Exhibit 8) the day of the hearing, sent by the Cathy Caraway in conjunction with of one of the landowners who also testified. Cathy Caraway and Les Bonke stated that they opposed annexation of the Bonke properties and they expressed concerns regarding traffic impacts, the ability to continue current uses on the property, and tax implications. Mr. Brown expressed the same concerns but also wanted to see site screening and noise dampening improvements and garbage containment from the Anderson Hay properties adjacent to his parcel. Mr. Brown also inquired as to a requirement for sidewalks to be initiated by the City of Ellensburg. Planning Commission offered a recommendation of approval with the inclusion of pre annexation letters to the landowners in attendance addressing their ability to continue current uses on their properties once annexed.

Consistent with Ellensburg City Code, notice of the City Council public hearing was published in the Ellensburg Daily Record on June 6, 2023 (Exhibit 5); property owners within 300 feet of the proposed annexation area were mailed a notice of public hearing (Exhibit 6); and land use action signs were posted on the property (Exhibit 7).

Previous Council Action: The initial meeting with Council was held on March 20, 2023, and Council unanimously made the recommendations for proceeding with the annexation, as noted in the Background/Summary section, above.

Analysis: The proposed parcels to be annexed are not currently served by City utilities nor do any of the properties have Utility Extension Agreements. Once the property is annexed, further development will necessitate connection to City utilities. City utilities are near the proposed annexation area and would be available to service the parcels should the annexation request be approved. Upon annexation, further development would be required to meet the Ellensburg Public Works Standards, the Ellensburg Land Development Code standards, and fire code requirements.

The parcels are bordered by City limits on the north and west sides, property which is zoned Light Industrial (I-L). Land to the south and east is unincorporated property and is zoned by Kittitas County as Industrial. The annexation of these parcels would be a logical extension of the city.

Staff recommends Industrial Light (I-L) zoning for all the parcels proposed to be annexed. These parcels are designated in the City of Ellensburg's Future Land Use Map as Industrial and Industrial Residential in the Comprehensive Plan (Exhibit 2), ECC 15.300.050(C)(6) prescribes zoning of Light Industrial for these Future Land Use designations. Therefore, and as noted above, the original staff suggestion to zone five of the properties as Residential Medium (R-M) was found to be inconsistent with the Comprehensive Plan Future Land Use.

Financial Impact:

If adopted this annexation request will add approximately 2 miles of laneways along Anderson and Umptanum Roads to maintain, which will be an added cost for road maintenance.

Property tax revenues for the annexed area are estimated to total approximately \$22,000 annually.

Attachments:

- Ordinance 4920 - MTA Annexation (first reading)
- Exhibit 1 - Annexation Area Map MTA
- Exhibit 2 - Future Land Use MTA
- Exhibit 3 - Petition for Annexation
- Exhibit 4 - P23-022 Anderson County Assessor
- Exhibit 5 - CC Affidavit of Publication
- Exhibit 6 - CC Affidavit of Mailing
- Exhibit 7 - CC Affidavit of Posting
- Exhibit 8 - Cathy Caraway and Les Bonke Comments 6-8-23

ORDINANCE NO. 4920

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON ANNEXING PARCELS 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633 TO THE CITY OF ELLENSBURG, WASHINGTON, ASSIGNING LIGHT INDUSTRIAL ZONING CLASSIFICATION, PROVIDING FOR THE PROPORTIONAL ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on March 6, 2023, the City of Ellensburg, Washington received a notice of intention to commence annexation proceedings pursuant to the “direct petition” method of RCW 35A.14.120 for parcels 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, and 538633, as more fully described in Section 1 of this Ordinance and depicted in Exhibit A, attached hereto; and

WHEREAS, to avoid creation of new unincorporated islands within the City of Ellensburg’s Urban Growth Area, Community Development Staff added eleven (11) adjacent parcels to the proposal. These parcel numbers include 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633; and

WHEREAS, on March 20, 2023, the City Council of the City of Ellensburg, Washington held a public meeting with the annexation initiators pursuant to RCW 35A.14.120. and determined that the initiators could proceed to acquire a 60% petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, at its March 20, 2023, public meeting the City Council set the annexation area by adding eight (8) additional parcels, 086833, 096833, 296833, 408533, 428533, 418533, 438533, and 718633 to the annexation area to avoid creating unincorporated islands with the City’s Urban Growth Area (UGA); and

WHEREAS, City Council further determined at the March 20, 2023 meeting that five (5) of the added parcels, 408533, 428533, 418533, 438533, and 718633, would be designated at a Residential-Medium zoning designation, the remaining parcels subject to annexation would be zoned Light Industrial, and all twenty-one (21) parcels would assume the annexation area’s proportional share of City indebtedness; and

WHEREAS, subsequent to the March 20, 2023 meeting, City staff determined that three additional parcels, 838633, 848633 and 728633, which are contiguous to the annexation area, should be added to the annexation to prevent them from becoming unincorporated islands in the City’s UGA; and

WHEREAS, staff have determined that the City's Future Land Use map in the Comprehensive Plan does not support Residential Medium (R-M) zoning for the five (5) parcels originally recommended for such zoning, and they should not be included with the other twenty-one (21) parcels for Industrial Light (I-L) zoning; and

WHEREAS, the owners of not less than 60% in value, according to the assessed valuation for general taxation of the property hereinafter described, signed the petition pursuant to RCW 35A.14.120 for the annexation of said area to the City of Ellensburg, Washington; and

WHEREAS, the petition for annexation was certified as sufficient by the Kittitas County Assessor, on April 26, 2023. City staff determined that the petition signatures have a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, in compliance with RCW 35A.01.040; and

WHEREAS, the City provided public notice of the petition for annexation and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public hearing; and

WHEREAS, on June 8, 2023, pursuant to proper notice given in accordance with RCW 35A.14.130, the Planning Commission conducted a public hearing on the proposed annexation, and following such hearing recommended City Council approve the annexation request with pre annexation letters provided to affected property owners; and

WHEREAS, on June 20, 2023 and August 7, 2023, pursuant to proper notice given in accordance with RCW 35A.14.130, the City Council received and reviewed all of the documentation associated with this annexation proposal, conducted public hearings on the proposed annexation in accordance with RCW 35A. 14.140 and RCW 35A.14.330-.340, and following such hearings determined to effect the annexation of the territory described in Section 1 of this ordinance, finding that the petition for annexation met the applicable requirements, and that the best interests of the City of Ellensburg, Washington, will be served by the annexation and that it is appropriate to good government of the City of Ellensburg, Washington, and therefore accepted the petition for annexation pursuant to RCW 35A.14.120 and Chapter 15.360 of the Ellensburg City Code; and

WHEREAS, the territory described in Section 1 of this ordinance is contiguous to the City of Ellensburg, Washington and entirely within the City of Ellensburg Urban Growth Area established pursuant to RCW 36.70A.110,

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

Section 1. Annexation. The following described parcel and rights-of-ways are hereby annexed to and made a part of the City of Ellensburg, Washington, to wit:

1. Parcel Number: 12364
Acres: 7.66
Legal Description: ACRES 7.66, CD. 7955-1; SEC. 3, TWP. 17, RGE. 18, PTN. S $\frac{1}{2}$ SE $\frac{1}{4}$ LYING SWLY OF I-90
2. Parcel Number: 448533
Acres: 51.17
Legal Description: ACRES 51.17, CD. 8075; SEC. 10, TWP. 17, RGE. 18; PTN NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ TAX #7, 8, & PTN 9 LESS .26 RD R/W; NE $\frac{1}{4}$ PTN TAX #1 & 2; LESS 9.70 @ INTERSTATE 90; LESS .26 @ CO RD
3. Parcel Number: 13144
Acres: .73
Legal Description: Acres .73. CS/ 8075-3; SEC. 10, TWP. 17, RGE. 18; PTN NE $\frac{1}{4}$ PTN TAX #1 & 2 (MUST BE SOLD WITH PARCEL 17-18-10010-0024)
4. Parcel Number: 525136
Acres: 1.53
Legal Description: Acres 1.53, CD. 8075-1; PTN SE $\frac{1}{4}$ NE $\frac{1}{4}$ LYING NLY DAMMAN RD (MUST BE SOLD WITH PARCEL 17-18-10010-00026) SEC. 10, TWP. 17, RGE. 18
5. Parcel Number: 548633
Acres: 8.2
Legal Description: Acres 8.2, CD. 8152; SEC. 11; TWP. 17; RGE. 18; NW $\frac{1}{4}$ TAX NO. 6
6. Parcel Number: 956844
Acres: 7.84
Legal Description: Acres 7.84; PTN SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 2 & PTN NE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11, T17R18; SEC 11, TWP 17, RGE 18
7. Parcel Number: 558633
Acres: 9.25
Legal Description: Acres 9.25; CD. 8149; PTN NE $\frac{1}{4}$ NW $\frac{1}{4}$; SECT 11, TWP 17, RGE 18
8. Parcel Number: 136833
Acres: 1.86
Legal Description: Acres 1.86, CD. 7898; SEC. 2; TWP. 17; RGE. 18; SW $\frac{1}{4}$ TAX NO. 32 (OUT OF TAX 11)
9. Parcel Number: 688633
Acres: 13.42
Legal Description: Acres 13.42, CD. 8150; SEC. 11, TWP 17, RGE. 18; PTN. NW $\frac{1}{4}$ NW $\frac{1}{4}$

10. Parcel Number: 668633
Acres: .39
Legal Description: Acres 0.39; CD # 8155; NW 1/4 TAX NO 10; SEC 11, TWP 17, RGE 18
11. Parcel Number: 858633
Acres: .67
Legal Description: Acres .67, TEETER SHORT PLAT 78-12 LOT 3; SEC. 11; TWP. 17; RGE 18
12. Parcel Number: 658633
Acres: 1.25
Legal Description: Acres 1.25, CD. 8158; SEC. 11; TWP. 17; RGE. 18; NW 1/4 TAX NO. 15 (OUT OF TAX 13)
13. Parcel Number: 538633
Acres: 1.25
Legal Description: Acres 1.25, CD. 8157; SEC. 11; TWP. 17; RGE. 18; PTN. NW 1/4 (TAX 13)
14. Parcel Number: 086833
Acres: 1.25
Legal Description: ACRES 1.25, CD. 7897; SEC. 2; TWP. 17; RGE. 18; SW 1/4 TAX NO. 30 (OUT OF TAX 11)
15. Parcel Number: 096833
Acres: 1.16
Legal Description: ACRES 1.16, CD. 7888; SEC. 2; TWP. 17; RGE. 18; SW 1/4 SW 1/4 TAX 36
16. Parcel Number: 296833
Acres: 1.1
Legal Description: ACRES 1.10, CD # 7887; SEC. 2; TWP. 17; RGE. 18; SW 1/4 SW 1/4 TAX NO. 11
17. Parcel Number: 838633
Acres: 1.00
Legal Description: ACRES 1.00, TEETER SHORT PLAT 78-12 LOT 1 SEC. 11; TWP. 17; RGE. 18
18. Parcel Number: 848633
Acres: .60
Legal Description: ACRES .60, TEETER SHORT PLAT 78-12 LOT 2 SEC. 11; TWP. 17; RGE. 18
19. Parcel Number: 408533
Acres: .80
Legal Description: ACRES .80, CD. 8084; SEC. 10; TWP. 17; RGE. 18; NE 1/4 TAX NO. 20

20. Parcel Number: 428533
Acres: .08
Legal Description: ACRES .08, CD. 8085-A; SEC. 10; TWP. 17; RGE. 18; NE 1/4 TX 22 (OUT OF TX 21)
21. Parcel Number: 418533
Acres: 1.13
Legal Description: ACRES 1.13, CD. 8082; SEC. 10, TWP. 17, RGE. 18; NE 1/4 TAX NO. 17; LESS .97 S.R. 90
22. Parcel Number: 438533
Acres: .16
Legal Description: ACRES .16; CD 8085; SEC 10; TWP 17; RGE 18; NE 1/4 TAX NO. 21 LESS TAX 22 LESS .16 S.R. 90
23. Parcel Number: 728633
Acres: .03
Legal Description: ACRES .03, CD # 8153-1; SEC. 11; TWP. 17; RGE. 18 PTN. NW ¼
24. Parcel Number: 718633
Acres: .46
Legal Description: ACRES .46, CD. 8153; SEC. 11; TWP. 17; RGE. 18; NW 1/4 TAX NO. 7

Including all rights-of-way adjacent to said parcels pursuant to RCW 35A.14.410.

Section 2. Assessment and Taxation. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Ellensburg, Washington is assessed and taxed to pay for any outstanding indebtedness of the City of Ellensburg, Washington as presently adopted or as is hereafter amended.

Section 3. Comprehensive Plan Designation. All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Ellensburg, Washington as presently adopted or as is hereinafter amended.

Section 4. Land Use Designation and Zoning. All property within the territory so annexed shall be hereby zoned as follows: Kittitas County Assessor Parcel Numbers 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633 shall be zoned Light Industrial (I-L).

Section 5. Transmittal and Filing. The Ellensburg City Clerk is directed to file a certified copy of this ordinance with the Kittitas County Board of County Commissioners.

Section 6. Severability. If any portion of this ordinance is declared invalid of unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 7. 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, sections/subsections numbers and any references thereto.

Section 8. Effective Date. This ordinance shall take effect and be in full 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 7th day of August 2023.

MAYOR

ATTEST:

CITY CLERK

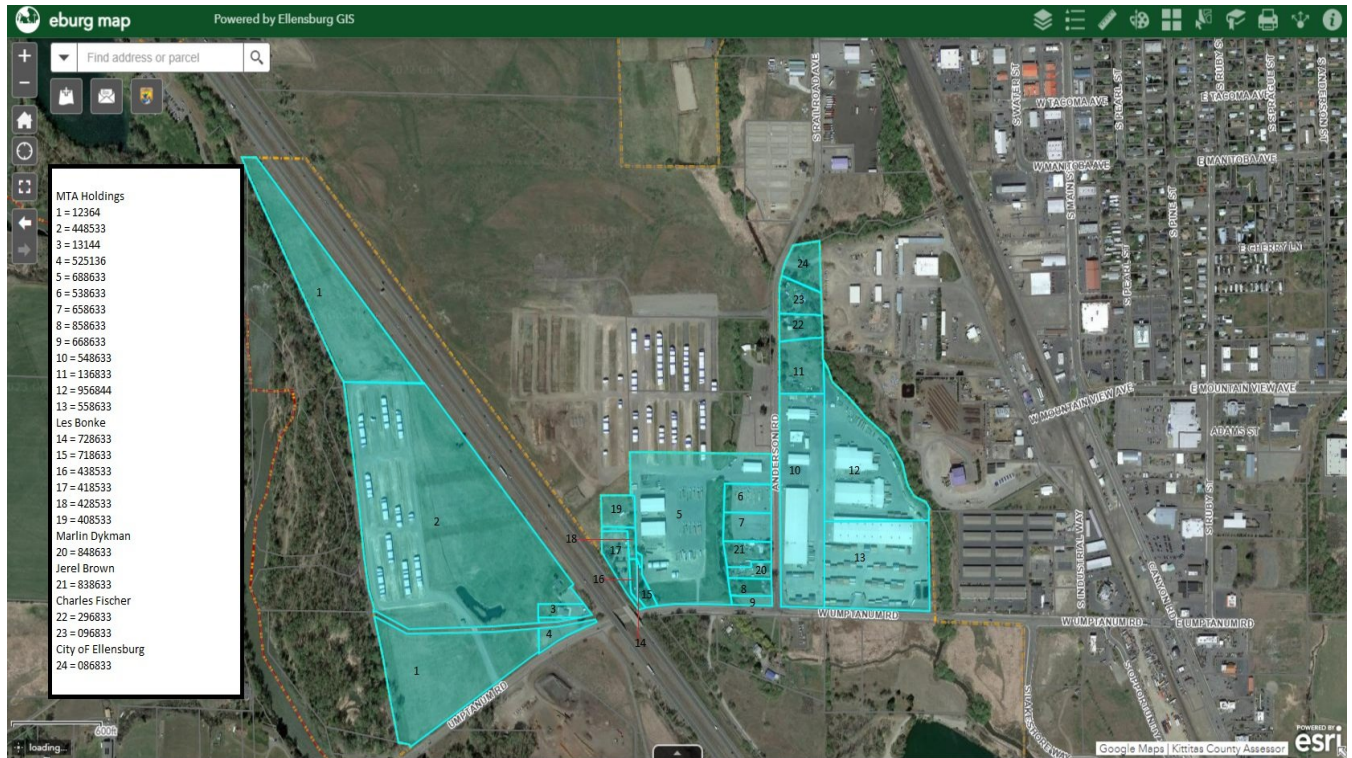
Approved as to form:

CITY ATTORNEY

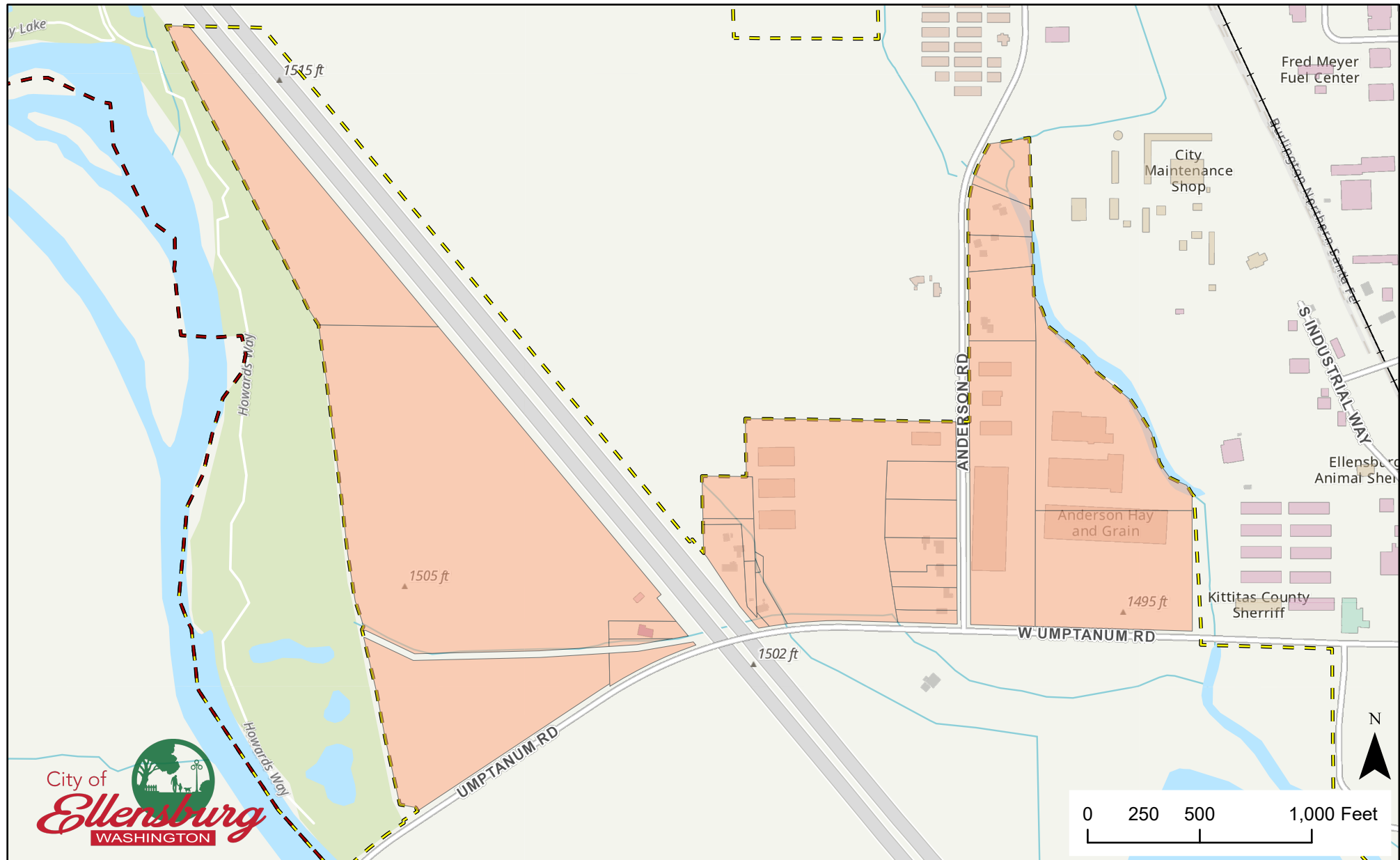
Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4920 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4920 was published as required by law.

Exhibit A: Annexation of Parcels

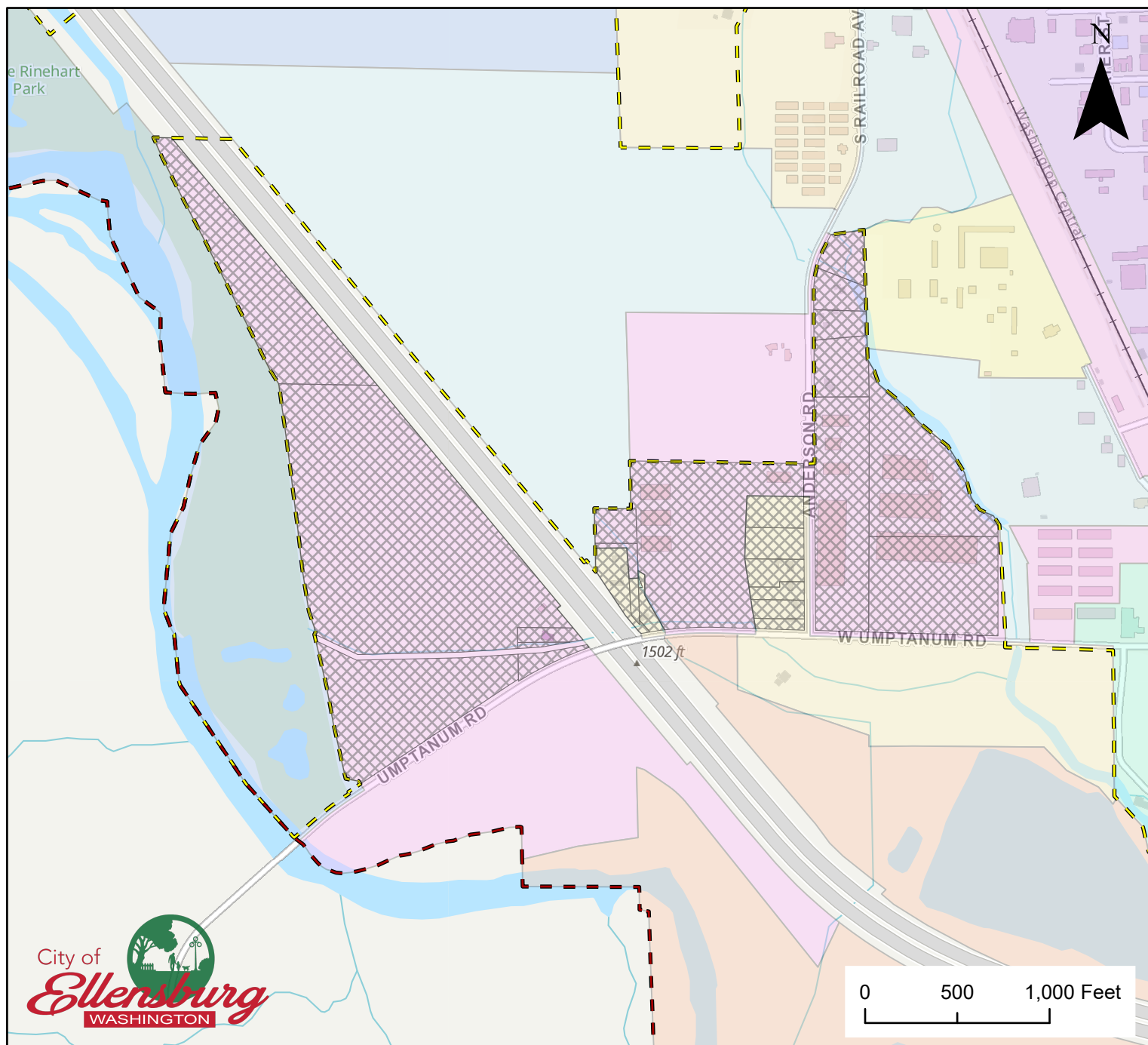


Proposed Map of Annexation Area



- | | |
|-------------------|----------------|
| Urban_Growth_Area | Road |
| CityLimits | Major Arterial |
| Proposed Parcels | Railroad |

Future Land Use



Parcels

Urban_Growth_Area

CityLimits

Major Arterials

Road

Major Arterial

Railroad

Land Use

Blended residential neighborhood

Community mixed use

General commercial and services

Heavy industrial

Industrial residential

Light industrial

Mixed business park

Neighborhood commercial

Neighborhood mixed use

Open space (pvt/non-city owned)

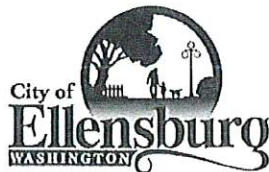
Parks and open space

Public/institutional

Residential neighborhood

Urban center

Urban neighborhood



Petition For Annexation



PF-02
FORM

Community Development Department

501 N. Anderson, Ellensburg, WA 98926 (509) 962-7239 (Building) (509) 962-7231 (Planning) permits@ci.ellensburg.wa.us

PETITION FOR ANNEXATION TO THE CITY OF ELLENSBURG, WASHINGTON

TO: The City Council
City of Ellensburg
501 North Anderson
Ellensburg, Washington

WE, the undersigned, being the owners of not less than sixty percent in value (according to the assessed valuation for general taxation), of the real property described on Exhibit "A" attached hereto, lying contiguous to the City of Ellensburg, Washington, do hereby petition that such territory be annexed to and made a part of the City of Ellensburg under the provisions of RCW 35A.14.120, et seq., and any amendments thereto, of the State of Washington.

The territory proposed to be annexed is within Kittitas County, Washington, and is described in Exhibit "A", attached hereto.

WHEREFORE, the undersigned respectively petition the Honorable City Council and ask:

(a) That appropriate action be taken to entertain this petition, fixing a date for a public hearing, causing notice to be published and posted, specifying the time and place of such hearing, and inviting all persons interested to appear and voice approval or disapproval of such annexation; and

(b) That following such hearing, the City Council determine by Ordinance that such annexation shall be effective; and that property so annexed shall become a part of the City of Ellensburg, Washington, subject to its laws and ordinances then and thereafter in force.

The Petitioners subscribing hereto agree "...that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on the same basis as property within the City of Ellensburg for any now outstanding indebtedness of said City, including assessments or taxes in payments of any bonds issued or debts contracted, prior to or existing at the date of annexation, and that simultaneous adoption of proposed zoning regulations be required" in accordance with the requirements of the City Council of said City, and as quoted herein from the minute entry of the records of said City Council meeting of March 20, 2023

This petition is accompanied and has attached hereto as Exhibit "B" a diagram, which outlines the boundaries of the property sought to be annexed.

These pages are a group of pages containing an identical text and prayer intended by the signers of this petition to be presented and considered as one petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single petition.

WARNING: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he is not a legal voter, or signs a petition when he is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

PRAYER OF PETITION: (1) Annexation of area described in Exhibits "A" and "B", and
(2) Assumption of indebtedness of the City of Ellensburg, and (3) Adoption of the City of Ellensburg Comprehensive Zoning Plan.



OWNER'S SIGNATURE

PO Box 99, Ellensburg WA 98926

ADDRESS

Mark T. Anderson

PRINTED NAME

2/21/2023

DATE SIGNED

>

OWNER'S SIGNATURE

ADDRESS

PRINTED NAME

DATE SIGNED

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OWNER'S SIGNATURE

ADDRESS

PRINTED NAME

DATE SIGNED

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OWNER'S SIGNATURE

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PRINTED NAME

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OWNER'S SIGNATURE

ADDRESS

PRINTED NAME

DATE SIGNED

EXHIBIT A: Proposed Annexation Area – Parcel #'s 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, 718633

The following corrected information describes the proposed annexation area as affirmed by Ellensburg City Council on March 20, 2023.

Parcel Number:	12364
Acres:	7.66
Legal Description:	ACRES 7.66, CD. 7955-1; SEC. 3, TWP. 17, RGE. 18, PTN. S ½ SE ¼ LYING SWLY OF I-90
Parcel Number:	448533
Acres:	51.17
Legal Description:	ACRES 51.17, CD. 8075; SEC. 10, TWP. 17, RGE. 18; PTN NW ¼ NE ¼ ; NE ¼ TAX #7, 8, & PTN 9 LESS .26 RD R/W; NE ¼ PTN TAX #1 & 2; LESS 9.70 @ INTERSTATE 90; LESS .26 @ CO RD
Parcel Number:	13144
Acres:	.73
Legal Description:	Acres .73. CS/ 8075-3; SEC. 10, TWP. 17, RGE. 18; PTN NE ¼ PTN TAX #1 & 2 (MUST BE SOLD WITH PARCEL 17-18-10010-0024)
Parcel Number:	525136
Acres:	1.53
Legal Description:	Acres 1.53, CD. 8075-1; PTN SE ¼ NE ¼ LYING NLY DAMMAN RD (MUST BE SOLD WITH PARCEL 17-18-10010-00026) SEC. 10, TWP. 17, RGE. 18
Parcel Number:	548633
Acres:	8.2
Legal Description:	Acres 8.2, CD. 8152; SEC. 11; TWP. 17; RGE. 18; NW ¼ TAX NO. 6

Parcel Number: 956844
Acres: 7.84
Legal Description: Acres 7.84; PTN SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 2 & PTN NE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11, T17R18; SEC 11, TWP 17, RGE 18

Parcel Number: 558633
Acres: 9.25
Legal Description: Acres 9.25; CD. 8149; PTN NE $\frac{1}{4}$ NW $\frac{1}{4}$; SECT 11, TWP 17, RGE 18

Parcel Number: 136833
Acres: 1.86
Legal Description: Acres 1.86, CD. 7898; SEC. 2; TWP. 17; RGE. 18; SW $\frac{1}{4}$ TAX NO. 32 (OUT OF TAX 11)

Parcel Number: 688633
Acres: 13.42
Legal Description: Acres 13.42, CD. 8150; SEC. 11, TWP 17, RGE. 18; PTN. NW $\frac{1}{4}$ NW $\frac{1}{4}$

Parcel Number: 668633
Acres: .39
Legal Description: Acres 0.39; CD # 8155; NW $\frac{1}{4}$ TAX NO 10; SEC 11, TWP 17, RGE 18

Parcel Number: 858633
Acres: .67
Legal Description: Acres .67, TEETER SHORT PLAT 78-12 LOT 3; SEC. 11; TWP. 17; RGE 18

Parcel Number: 658633
Acres: 1.25
Legal Description: Acres 1.25, CD. 8158; SEC. 11; TWP. 17; RGE. 18; NW $\frac{1}{4}$ TAX NO. 15 (OUT OF TAX 13)

Parcel Number: 538633
Acres: 1.25
Legal Description: Acres 1.25, CD. 8157; SEC. 11; TWP. 17; RGE. 18; PTN. NW ¼ (TAX 13)

Parcel Number: 086833
Acres: 1.25
Legal Description: ACRES 1.25, CD. 7897; SEC. 2; TWP. 17; RGE. 18; SW ¼ TAX NO. 30 (OUT OF TAX 11)

Parcel Number: 096833
Acres: 1.16
Legal Description: ACRES 1.16, CD. 7888; SEC. 2; TWP. 17; RGE. 18; SW ¼ SW ¼ TAX 36

Parcel Number: 296833
Acres: 1.1
Legal Description: ACRES 1.10, CD # 7887; SEC. 2; TWP. 17; RGE. 18; SW 1/4 SW 1/4 TAX NO. 11

Parcel Number: 838633
Acres: 1.00
Legal Description: ACRES 1.00, TEETER SHORT PLAT 78-12 LOT 1 SEC. 11; TWP. 17; RGE. 18

Parcel Number: 848633
Acres: .60
Legal Description: ACRES .60, TEETER SHORT PLAT 78-12 LOT 2 SEC. 11; TWP. 17; RGE. 18

Parcel Number: 408533
Acres: .80
Legal Description: ACRES .80, CD. 8084; SEC. 10; TWP. 17; RGE. 18; NE ¼ TAX NO. 20

Parcel Number: 428533
Acres: .08
Legal Description: ACRES .08, CD. 8085-A; SEC. 10; TWP. 17; RGE. 18; NE ¼ TX 22 (OUT OF TX 21)

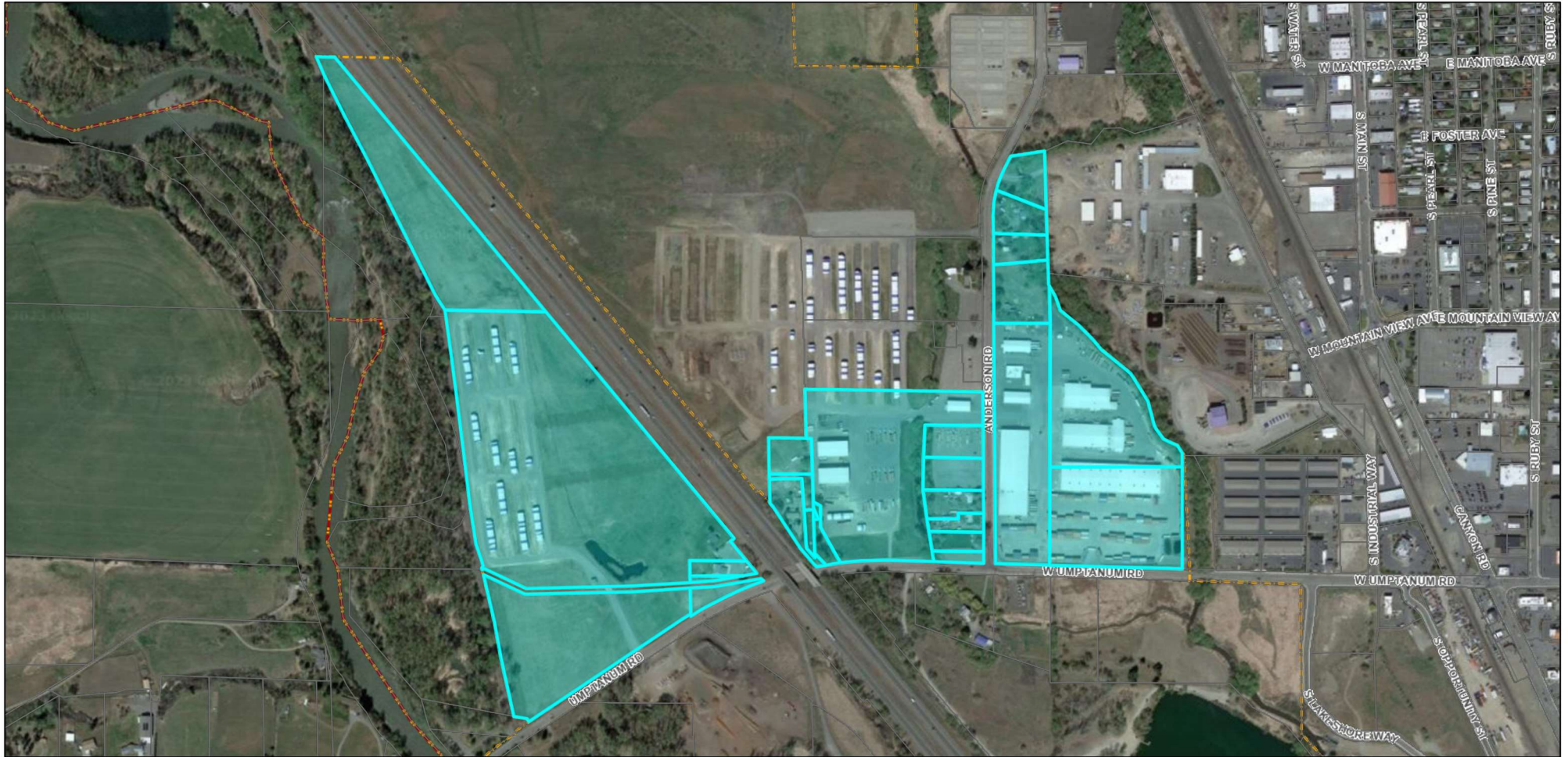
Parcel Number: 418533
Acres: 1.13
Legal Description: ACRES 1.13, CD. 8082; SEC. 10, TWP. 17, RGE. 18; NE ¼ TAX NO. 17; LESS .97 S.R. 90

Parcel Number: 438533
Acres: .16
Legal Description: ACRES .16; CD 8085; SEC 10; TWP 17; RGE 18; NE ¼ TAX NO. 21 LESS TAX 22 LESS .16 S.R. 90

Parcel Number: 728633
Acres: .03
Legal Description: ACRES .03, CD # 8153-1; SEC. 11; TWP. 17; RGE. 18 PTN. NW ¼

Parcel Number: 718633
Acres: .46
Legal Description: ACRES .46, CD. 8153; SEC. 11; TWP. 17; RGE. 18; NW ¼ TAX NO. 7

EXHIBIT B: Map of proposed annexation area



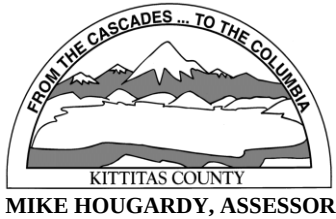
4/11/2023, 1:52:59 PM

 County Parcels
  Major Arterial Road
  Urban Growth Area
  City Limits
  Parcels

1:9,028

Google Maps

Google Maps | Hexagon, WaTech, Kittitas County GIS | Kittitas County Public Works | Kittitas County Auditor | Esri Community Maps Contributors, City Of Ellensburg GIS, City of Yakima, County of Kittitas, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land



Kittitas County Assessor

205 W 5th Avenue, Suite 101 • Ellensburg, WA 98926-2887

Phone (509) 962-7501

Upper County Toll-Free 674-2584

www.co.kittitas.wa.us/assessor

April 26, 2023

City of Ellensburg
Community Development Department
501 N Anderson St
Ellensburg WA 989256

RE: Proposed Annexation Petition, P23-022 Anderson

Parcels: 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633 & 718633

To whom it may concern,

I, Mike Hougardy, as Assessor of Kittitas County, Washington, Hereby Certify that the parcels legally described and mapped in the proposed annexation, P23-022 received by this office April 19th, 2023 have been verified regarding legal description and corresponding owner of record.

Please feel free to contact me if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Hougardy", is written in a cursive style.

Mike Hougardy
Kittitas County Assessor

ADVERTISING PROOF

401 N Main St,
 Ellensburg, WA 98926
Ph. (509) 204-8250 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
05/30/23	50080

CITY OF ELLENSBURG-CITY CLERK
 501 N. ANDERSON
 ELLENSBURG, WA 98926

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
379906	NOTICE OF OPEN PUBLI	06/06/23	06/06/23	2	\$109.24

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
------	--------	-----------	---------------	-------	--------

Discount: **\$0.00**
 Surcharge: **\$0.00**
 Credits: **\$0.00**

Gross: **\$109.24**
 Paid Amount: **\$0.00**

Amount Due: **\$109.24**

We Appreciate Your Business!

**NOTICE OF OPEN PUBLIC HEARINGS
ANNEXATION REQUEST**

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold two open record public hearings on **Tuesday, June 20, 2023 at 7:00pm and Monday, August 7, 2023 at 7:00pm** remotely via zoom and in person, to consider an annexation request (P23-022) submitted by MTA Holdings LLC., property owner. The applicant seeks to annex parcel numbers listed below into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned light industrial. The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects> or at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, WA. Anyone wishing to receive a copy of the annexation request is invited to call (509) 962-7232.

Project Location: The parcels are located off Anderson Road and W Umptanum Road, Ellensburg, Washington 98926. Kittitas County Assessor's Parcel Numbers 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this remote meeting by contacting staff. An email link, text link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email at johnstonj@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Tuesday, June 20, 2023 for the first hearing and by 5:00 pm on Monday, August 7, 2023 for the second hearing.**

PUBLISH: Daily Record: June 6, 2023 / LEGAL #: 379906

FAGALDE, DANA S &
200 S ELLIOTT ST
ELLENSBURG, WA 98926

ELLEVEST LLC
4621 RADER RD
ELLENSBURG WA98926-6942

PUGET SOUND ENERGY INC
PO BOX 97034
BELLEVUE WA98009-9734

SCHMITT, TYLER & RIKKI
4871 TJOSSEM RD
ELLENSBURG, WA 98926

BROWN, JEREL D
1109 ANDERSON RD
ELLENSBURG WA98926-9695

MRM CONSTRUCTION INC
PO BOX 838
ELLENSBURG WA98926-1922

DYKMAN, MARLIN
1113 ANDERSON RD #2
ELLENSBURG WA98926-9695

CENTRAL STORAGE AND OFFICE LLC
PO BOX 858
ELLENSBURG WA98926-1923

MTA HOLDINGS LLC
PO BOX 99
ELLENSBURG WA98926-1909

BONKE, LES
1083 W UMPTANUM RD
ELLENSBURG WA98926-8960

KITTITAS CO (AUDITOR)
205 W 5TH AVE STE 105
ELLENSBURG WA98926-2891

USA (BOR)
1917 MARSH RD
YAKIMA WA98907

FISCHER, CHARLES R ETUX
PO BOX 228
THORP WA98946

O'BRIEN, WILLIAM P ETUX
4801 VIEW DR
EVERETT WA98203-2428

SOLAR DOLAR LLC
1410 W DOLARWAY ROAD STE 301
ELLENSBURG WA98926

BELLO, MICHAEL C & CAMI A
2601 E 3RD AVE
ELLENSBURG WA98926

STATE OF WASH WILDLIFE
600 CAPITOL WAY N
OLYMPIA, WA 98501-1076

BELL, JAMES P II
820 W UMPTANUM
ELLENSBURG, WA 98926

FAGALDE, DANA S &
200 S ELLIOTT ST
ELLENSBURG, WA 98926

P23-022

CERTIFICATE OF TRANSMITTAL

On this day, the undersigned sent to
the addressee(s) the original
document(s) by U.S. Mail.

I certify under penalty of perjury
under the laws of the State of WA
that the foregoing is true and correct.

Date 6/6/23

Signed

Kathy Boots



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

Land Use Permitting (509) 962-7231 Construction Permitting (509) 962-7239

Chuck Doan, Interim Director

Phone: (509) 925-8663 Fax: (509) 925-8655 E-Mail: doanc@ci.ellensburg.wa.us

June 6, 2023

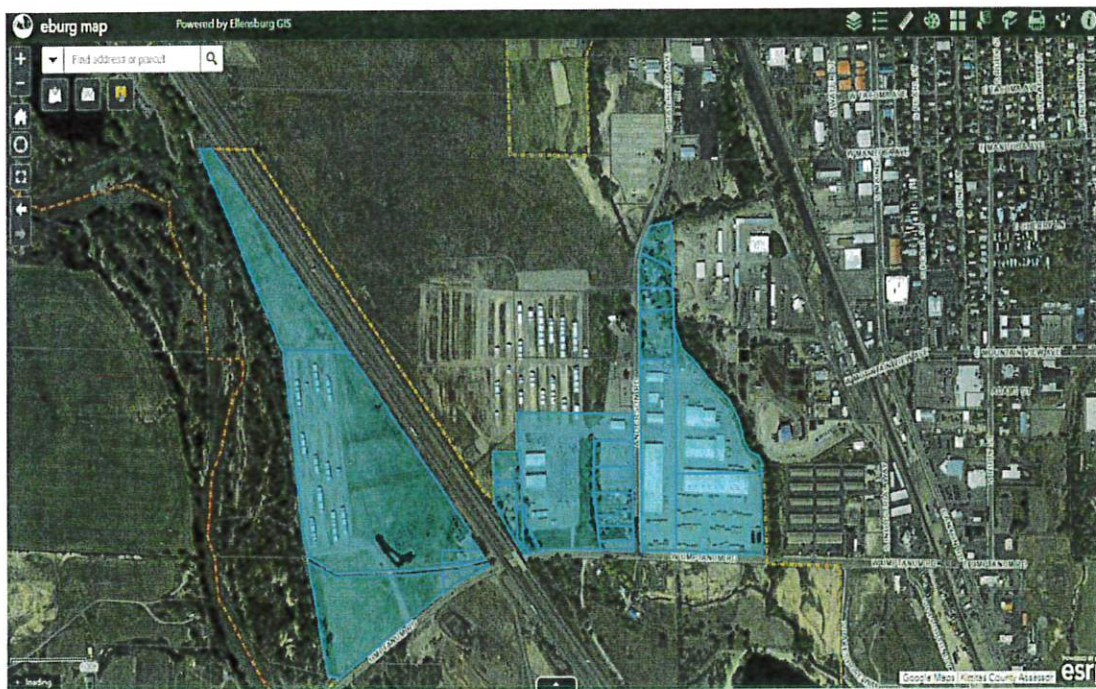
RE: Notice of two Open Record Public Hearings for Annexation request, case # P23-022, submitted by MTA Holdings LLC.

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold two open record public hearings on **Tuesday, June 20, 2023 at 7:00 pm and Monday, August 7, 2023 at 7:00pm** remotely via zoom and in person, to consider an annexation request (P23-022) submitted by MTA Holdings LLC., property owner. The applicant seeks to annex parcel numbers 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633 into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned light industrial. The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623/Public-NoticesCurrent-Projects> or at the City of Ellensburg Community Development Department, 501 North Anderson Street, Ellensburg, WA. Anyone wishing to receive a copy of the annexation request is invited to call (509) 962-7232.

Project Location: The parcels are located off Anderson Road and W Umptanum Road, Ellensburg, Washington 98926. Kittitas County Assessor's Parcel Numbers 12364, 448533, 13144, 525136, 548633, 956844, 558633, 136833, 688633, 668633, 858633, 658633, 538633, 086833, 096833, 296833, 838633, 848633, 408533, 428533, 418533, 438533, 728633, and 718633

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this remote meeting by contacting staff. An email link, text link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the Community Development Department, 501 North Anderson Street, or via email at johnstoni@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Tuesday, June 20, 2023 for the first hearing and by 5:00 pm on Monday, August 7, 2023 for the second hearing.**

The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. A "Request for Accommodation" form may be obtained from City Clerk Beth Leader (First Floor - City Hall) or by calling 509-925-8614.



If you have any questions regarding this matter, please contact me at 509-962-7232 or via the e-mail listed above.

Sincerely,

Jeremy Johnston
Planning Manager
johnstonj@ci.ellensburg.wa.us



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St, Ellensburg WA 98926

Land Use Permitting (509) 962-7231 Construction Permitting (509) 962-7239

Chuck Doan, Interim Director

Phone: (509) 925-8663 Fax: (509) 925-8655 E-Mail: doanc@ci.ellensburg.wa.us

AFFIDAVIT OF POSTING

As per Revised Code of Washington (RCW) 35A.14.130, Ellensburg City Code requires that all public hearings pertaining to annexation requests shall have a notice posted in **three** publicly accessible places within the territory proposed for annexation. Per ECC 15.220.050, the following shall apply:

1. The posting of a weather-resistant sign posted on the subject property, visible to members of the public who may be passing on nearby public rights-of-way, and free from obstructions.
2. If the project abuts more than one public right-of-way, more than one sign may be required as determined by the responsible official.
3. The responsibility for the posting of the sign shall be upon the project applicant.
4. The sign shall be at least two feet by three feet in size, have a written description of the proposal, include a site drawing which shows the proposed project, have the date listed when comments are due, and where comments are to be mailed.

DATE: May 30, 2023	PLANNER: Jeremy Johnston, Planning Manager
PROJECT NAME: Annexation of parcels into the City of Ellensburg	FILE NUMBER: P23-022

PLEASE COMPLETE THE FOLLOWING:

I, Alan Fife / Fac Mgr, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Ellensburg City Code. I understand that the that the posting period begins immediately and ends after the ending of the appeal period on the final decision by the City Council and the sign(s) will be posted at the site until this time. **Please post the site and return this form to the Community Development Department in a timely manner.**

Alan Fife / Fac Mgr
Signature

6/1/23 20____
Date

Please return the above affidavit and a photograph of the posted sign(s) to Jeremy Johnston, Planning Manager, by email: johnstonj@ci.ellensburg.wa.us; Fax 509-962-8653; mail; or deliver to: Community Development Dept., City Hall, 501 N. Anderson St., Ellensburg, WA 98926.

LAND USE ACTION **Notice of Public Hearings for an** **Annexation Request**

NOTICE IS HEREBY GIVEN that the City of Eldersburg City Council will hold two open record public hearings on Tuesday, June 28, 2022 at 7:00 pm and Wednesday, August 3, 2022 at 7:00 pm, to consider an annexation request (P2022-022) submitted by MFA Holdings LLC, to annex 24 parcels into the City of Eldersburg, Maryland. The City of Eldersburg, Maryland, and the Maryland Department of Transportation, upon annexation the parcels will be zoned Light Industrial (LI).



All interested citizens may participate in the public hearing and be heard for or against the matter on which action is being taken. The public hearing will be held at the City of Eldersburg, 100 N. American St., Eldersburg, MD 21784. The public hearing will be held on Tuesday, June 28, 2022 for the first hearing and on Wednesday, August 3, 2022 for the second hearing. Please contact: 206-655-8622.

LAND USE ACTION **Notice of Public Hearing for an** **Annexation Request**

NOTICE IS HEREBY GIVEN that the City of Eldersburg Planning Commission will hold an open record public hearing on Thursday, June 9, 2022 at 3:00 pm, to consider an annexation request (P2022-022) submitted by MFA Holdings LLC, to annex 24 parcels into the City of Eldersburg, Maryland. The City of Eldersburg, Maryland, and the Maryland Department of Transportation, upon annexation the parcels will be zoned Light Industrial (LI).



All interested citizens may participate in the public hearing and be heard for or against the matter on which action is being taken. The public hearing will be held at the City of Eldersburg, 100 N. American St., Eldersburg, MD 21784. The public hearing will be held on Thursday, June 9, 2022. Please contact: 206-655-8622.



LAND USE ACTION Notice of Public Hearing for an Annexation Request

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on **Thursday, June 8, 2023 at 5:45 p.m.** remotely via Zoom, to consider an annexation request (P23-022) submitted by MTA Holdings LLC, to annex 24 parcels into the City of Ellensburg. Consistent with Ellensburg City Code and the Comprehensive Plan, upon annexation the parcels will be zoned U-Grand (Urban).

All interested persons may participate in the public hearing and be heard for or against the matter, or submit comments by the first date of the public hearing, **Thursday, June 8, 2023 at 5:45 p.m.** on Thursday, June 8, 2023. Project Planner - Jeremy Johnson, 509-923-8653



LAND USE ACTION Notice of Public Hearings for an Annexation Request

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold two open record public hearings on **Thursday, June 20, 2023 at 7:00 p.m.** and **Monday, August 7, 2023 at 7:00 p.m.** in person at 501 N. Anderson St. or remotely via Zoom, to consider an annexation request (P23-022) submitted by MTA Holdings LLC, to annex 24 parcels into the City of Ellensburg. Consistent with Ellensburg City Code and the Comprehensive Plan, upon annexation the parcels will be zoned U-Grand (Urban).



All interested persons may participate in the public hearing and be heard for or against the matter, or submit comments by the first date of the public hearing, **Thursday, June 20, 2023 at 7:00 p.m.** on Thursday, June 20, 2023 for the first hearing and on **Monday, August 7, 2023 at 7:00 p.m.** on Monday, August 7, 2023 for the second hearing. Project Planner - Jeremy Johnson, 509-923-8653

Jeremy Johnston

From: Cathy Caraway <eburgteamc@yahoo.com>
Sent: Thursday, June 8, 2023 9:06 AM
To: Jeremy Johnston; Cathy Caraway; Les
Subject: [Ext] Public hearing

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

Our lot numbers are included in this. We reject being annexation of said property into the city of Ellensburg.
Les will be there in person b
Cathy would like the electronic participation for the public hearing

Sent from Yahoo Mail for iPhone



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Ordinance 4917 - Increase City Manager Purchasing Authority

Submitted by: Ryan Lyyski Public Works & Utilities

Recommended Action or Motion: Approve first reading of Ordinance 4917, relating to purchasing authority and amending sections 1.06.040 and 1.06.045 of the Ellensburg City Code.

Background/Summary: City Code Chapter 1.06 regulates the purchasing authority provided to the City Manager to conduct business on behalf of the City. This routine business includes executing agreements, contracts, and leases as well as having the authority to waive competitive purchasing requirements in limited circumstances.

From time to time, these specific limits have restricted the City from being able to conduct business in the best interest of the City, when decisions need to be made and could not wait until the next available Council meeting for authorization.

Previous Council Action: N/A

Analysis: Supply chain delays have been an issue for many years, but became exacerbated during and after the pandemic. Many of the City's suppliers now provide pricing on purchases with short acceptance windows. These short windows can create challenges for the City when the bidder's pricing must be accepted on extremely short notice, sometimes as little as the close of business or within 24 hours. These timeframes do not provide staff with sufficient time to take an agenda item to Council and seek authorization for the purchase. This purchasing issue is not unique to the City of Ellensburg. A recent example was when Council held a special meeting to authorize the purchase of electrical cable for the Light Department. This was an important and opportune purchase that needed Council approval; however, a Special Meeting of the City Council was required.

Expanding the City Manager's authority, with specified

parameters, will provide efficiency and financial savings for the City. As stated in the proposed ordinance, with the proposed changes, the City Manager will be required to update Council at the next Council meeting that this authority was exercised.

Financial Impact:

Not measurable; however, providing the City Manager additional purchasing authority will lead to savings and efficiency for the City.

Attachments:

[Ordinance 4917- Purchasing Authority](#)

ORDINANCE NO. 4917

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO PURCHASING AUTHORITY AND AMENDING SECTIONS 1.06.040 AND 1.06.045 OF THE ELLENSBURG CITY CODE.

WHEREAS, national and worldwide supply chain issues have impacted the City of Ellensburg's ability to routinely acquire necessary products and services in its business; and

WHEREAS, the City utilizes a wide range of trained volunteers to assist with the delivery of city programs and projects and providing department directors the authority to authorize trained volunteers to make purchases on behalf of the City would create efficiencies within the daily operations of City business; and

WHEREAS, many vendors and contractors are now providing stipulations on quotes and bids with very short acceptance timeframes making it impossible for City staff to secure these benefits to the City and its citizens due to City financial policy limitations.

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

Section 1. Section 1.06.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4888, is hereby amended to read as follows:

1.06.040 Authority to execute agreements, contracts and leases.

A. The city manager, and, in the absence of the city manager, the assistant city manager or acting city manager, and designees of the city manager, assistant city manager or acting city manager employed in the administrative service of the city, are authorized to execute the following agreements, contracts and leases on behalf of the city of Ellensburg; provided, that sufficient funds required for any appropriations have been budgeted by the council and there is adherence to the applicable procurement requirements of external funding sources:

1. Purchases and sales that do not exceed \$75,500. The city manager may delegate this authority to department directors for contracts under which the city's liability does not exceed \$25,000. Department directors may delegate this authority to other employees of their department for contracts under which the city's liability does not exceed \$10,000;

2. Agreements and contracts which have an annual value up to \$75,500, and amendments thereto which do not increase the annual value of such agreement or contract beyond an aggregate amount of \$75,500. The city manager may delegate this authority to department directors for agreements and contracts under which the city's liability does not exceed \$25,000. Department directors may delegate this authority to other employees of their department for contracts under which the city's liability does not exceed \$10,000;

3. Leases that do not exceed one year in length and do not exceed \$75,500 in value;
4. Agreements and contracts with the city's designated public depositaries;
5. Agreements, contracts and leases awarded by the council at any regular or special meeting of the council;
6. Any other agreements, contracts and leases authorized by the council by ordinance, resolution, or motion;
7. Amendments to agreements, contracts and leases awarded or authorized by the council; provided, that the aggregate value of all amendments to any agreement, contract or lease may not exceed \$75,500 or 10 percent of the original contract amount, whichever is greater, unless otherwise authorized by the council;
8. Amendments to agreements, contracts and leases awarded or authorized by the council that do not materially alter such agreement, contract or lease, and do not increase the financial obligation of the city beyond the total amount authorized by the council in its award, ordinance, resolution or motion; and
9. Emergency purchases, contracts and leases awarded without competitive bidding due to an emergency as authorized in ECC 1.06.045(A).
10. Agreements, contracts, or leases, to procure supplies, materials, or equipment, in excess of \$75,500 where, due to market or supply chain conditions outside of the City's control, obtaining purchase authority at the next regularly scheduled city council meeting will increase cost, impact the ability to serve customers/serve community needs, or restrict the ability to secure the supplies, materials or equipment due to limited availability. When this specific authority is exercised, the city manager shall report the expenditure at the next city council meeting.

B. Agreements, contracts, and leases executed on behalf of the city shall be filed with the office of the city clerk and open to public inspection in the manner provided by law subject to exceptions, prohibitions, and exemptions therein provided. The city manager shall regularly report to the council all agreements, contracts and leases he or she executes on behalf of the city. [Ord. 4888 § 1, 2022; Ord. 4835 § 1, 2019; Ord. 4804 § 13, 2018.]

Section 2. Section 1.06.045 of the Ellensburg City Code, as last amended by Section 2 of Ordinance 4888, is hereby amended to read as follows:

1.06.045 Authority to waive competitive purchasing requirements.

A. Emergency Waiver of Competitive Bidding Requirements.

1. In the event of an emergency, as defined in RCW 39.04.280, as currently enacted or hereinafter amended, the city manager, and, in the absence of the city manager, the assistant city

manager or acting city manager, or their designees, may issue a declaration of emergency for the purposes of expediently addressing the emergency.

2. A declaration of emergency must recite the facts constituting the emergency. As part of the declaration, or by separate order, the city manager may issue a waiver of the public advertising and competitive procurement requirements of state law and city policy for purchases of personal property, services, and public works.

3. The declaration or separate order must be distributed to the council within 24 hours, and any contract awarded without competitive bidding due to an emergency must be duly entered of record with the city clerk within two weeks, and reported to council at the next city council meeting following the award of the contract.

B. Nonemergency Waiver of Competitive Bidding and Purchasing Requirements.

1. The city manager is authorized to waive competitive bidding requirements when awarding contracts for purchases when only one supplier is capable of delivering the required product or service, as determined through research, and purchases involving special facilities or market conditions.

2. The City Manager is authorized to waive competitive bidding and purchasing requirements established in city policy for purchases, contracts, and leases of supplies, materials, and equipment in situations outside of the City's control where the time implications of waiting until a regularly scheduled Council meeting will increase cost, impact the ability to serve customers/serve community needs, or restrict the ability to secure materials due to limited availability.

2.3. Any contract awarded with a waiver of competitive purchasing requirements in this subsection (B) must be reported to council at the next city council meeting following the award of the contract. Immediately after the award of the contract, the contract and the factual basis for the exception must be recorded with the city clerk and open to public inspection. [Ord. 4888 § 2, 2022.]

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 3rd day of July, 2023.

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4917 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4917 was published as required by law.

BETH LEADER



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Ordinance 4918 (First Reading) Adding Section 5.22 (Compost Procurement Policy) to the Ellensburg City Code

Submitted by: Derek Mayo Public Works & Utilities

Recommended Action or Motion: Approve first reading of Ordinance 4918 adding Section 5.22 to the Ellensburg City Code (ECC).

Background/Summary: In March of 2022, House Bill (HB) 1799 was signed into law. This bill requires that all cities with a population over 25,000 or those cities with fewer than 25,000 that provide organic material collection services, must adopt a compost procurement ordinance as outlined in RCW 43.19A.120. The City of Ellensburg currently contracts with Waste Management and they do provide an organic materials collection service.

Previous Council Action: No previous action.

Analysis: As required by HB 1799, staff prepared the attached Ordinance for Council consideration. Staff reviewed the requirements outlined in HB 1799, guidance from MRSC, and other agencies' Compost Procurement Policies in creating this Ordinance. The primary goal of this Ordinance and HB 1799 is to increase the diversion of organic materials going to landfills in order to reduce methane emissions as landfills are a significant source of methane emissions. As more organic materials are diverted and recycled, it is critical that the compost manufactured be procured by local jurisdictions and others in order to support the economic viability of these processes and programs.

Financial Impact: Fiscal impacts for this item are limited to the commitment of staff time. Staff has committed about 20 hours of time in meeting with the Dept. of Ecology regarding these new requirements and drafting the Ordinance before Council. Staff also anticipates needing to annually dedicate 20 to 30 hours for record keeping and recording.

Attachments:

[Ordinance 4918 - Ch. 5.22 ECC Composting](#)

ORDINANCE NO. 4918

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO COMPOST PROCUREMENT AND ADDING A NEW CHAPTER TO THE ELLENSBURG CITY CODE ENTITLED “5.22 COMPOST PROCUREMENT POLICY”

WHEREAS, in March 2022, ESSHB 1799 was signed into Washington law; and

WHEREAS, the primary goal of the law is to increase the diversion of organic materials going to landfills in order to reduce methane emissions as landfills are a significant source of methane emissions; and

WHEREAS, as more organic materials are diverted and recycled, it is critical that the compost manufactured be procured by local jurisdictions and others in order to support the economic viability of these processes and programs; and

WHEREAS, the legislature has found that compost production and use provide significant environmental benefits to our soil and food; and

WHEREAS, ESSHB 1799 requires that all cities such as Ellensburg with a population of 25,000 or fewer in which organic material collection services are provided under chapter 70A.205 RCW must adopt a compost procurement ordinance to implement RCW 43.19A.120;

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

Section 1. A new chapter entitled “5.22 Compost Procurement Policy” is hereby added to Title 5 of the Ellensburg City Code to read as follows:

Chapter 5.22 COMPOST PROCUREMENT POLICY

Sections

5.22.020 Purpose.
5.22.040 Definition.
5.22.060 General Policy.
5.22.080 Local Purchasing.
5.22.100 Planning.
5.22.140 Reporting.

5.22.020 Purpose.

The purpose of this chapter is to establish compost procurement requirements to strengthen markets for the increasing the amount of compost generated statewide by requiring local

governments to plan for the use of compost in landscaping projects, construction and post construction soil amendments, and other projects.

5.22.040 Definition.

For the purposes of this chapter, the definitions set forth in RCW 43.19A.010 shall apply unless the context clearly requires otherwise.

5.22.060 General Policy.

When planning government-funded projects or soliciting and reviewing bids for such projects, the city shall consider whether compost products can be utilized in the project. If compost products can be utilized in the project, the City shall use compost products to the extent required by law, including, without limitation, RCW 43.19A.120(2).

5.22.080 Local Purchasing.

A. To the extent required by RCW 43.19A.150(6), the city shall give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs while meeting quality standards adopted by the department of transportation or adopted by rule by the Department of Ecology.

B. In accordance with RCW 39.30.040(1), the city may allow for the preferential purchase of compost to meet the requirements of RCW 43.19A.120.

5.22.100 Planning.

To the extent required by RCW 43.19A.150(3), the city shall plan for compost use in the following categories:

- (a) Landscaping projects;
- (b) Construction and post construction soil amendments;
- (c) Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways; and
- (d) Low-impact development of green infrastructure to filter pollutants to keep water onsite or both.

This plan will be re-assessed by December 31, 2024, and each December 31st of even-numbered years thereafter as part of the reporting obligations as set forth in RCW 43.19A.150(5).

5.22.120 Reporting.

By December 31, 2024, and each December 31st of even-numbered years thereafter, the City of Ellensburg shall report the following information to the Department of Ecology:

- (a) The total tons of organic material diverted each year;
- (b) The volume and cost of composted materials purchased each year; and
- (c) The source(s) of the finished compost product purchased.

Section 2. 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 3. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Effective Date. This ordinance 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, 2023.

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4918 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4918 was published as required by law.

BETH LEADER



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Ordinance 4921 (First Reading) –Traffic Code Revisions

Submitted by: Josh Mattson Public Works & Utilities

Recommended Action or Motion: Staff recommends Council consider first reading of the proposed Traffic Code Ordinance 4921.

Background/Summary: An ordinance is required to revise regulatory signage on the City street system. The proposed Ordinance 4921 reflects parking revision requests from staff due to the Central Business District (CBD) City Street Slurry Seal project, increased traffic from developments, and increased event traffic at the Kittitas Valley Event Center (KVEC).

The proposed revisions and justifications are as follows:

- Disabled Parking. (ECC 8.22.020):
 - With the CBD City Street Slurry Seal capital improvement project this summer, install or revise the following on-street Americans with Disabilities Act (ADA) accessible parking stalls:
 - Add four new ADA parking stalls on Fourth Avenue between Water Street and Ruby Street,
 - Add one new ADA parking stall on Water Street between Third Avenue and Fourth Avenue,
 - Add one new ADA parking stall on Pearl Street between Third Avenue and Fourth Avenue,
 - Add two new ADA parking stalls on Pine Street between Third Avenue and Fifth Avenue,
 - Two existing ADA parking stalls on Fourth Avenue will be relocated adjacent to existing ADA sidewalk curb ramps.
 - All-way stop intersections designation – Procedures Required (ECC 8.36.080):
 - With growth from development on the north

side of Ellensburg, revise the intersection of Bender Road/Sanders Road and Airport Road from a two-way stop control intersection to all-way stop control.

- With increased event traffic at the Kittitas County Event Center (KVEC), revise the intersection of Eighth Avenue and Poplar Street from a two-way stop control intersection to all-way stop control.
- Stopping required at certain cross-streets (ECC 8.36.120):
 - With revision of the intersection of Bender Road/Sanders Road and Airport Road to all-way stop control, remove the following stops required at certain cross-streets:
 - Bender Road at Airport Road,
 - Sanders Road at Airport Road.

Previous Council Action: None

Analysis:

Staff has reviewed the proposed parking revision requests to sections 8.22.020, 8.36.080 and 8.36.120 of the ECC and have no objections or concerns with these requests.

Several city streets in the Central Business District will be resurfaced with the CBD City Street Slurry Seal capital improvement project this summer. Parking areas will be re-striped after installation of the new surfacing. Additional on-street ADA accessible parking stalls are needed to meet the International Building Code's current on-street parking standards.

Staff recently performed a traffic control warrant analysis at the intersection of Bender Road/Sanders Road and Airport Road. From this analysis, staff found that the most appropriate control of traffic at this intersection is through a two-way stop configuration with stop signs on Airport Road in the north/south direction. The current two-way stop configuration is with stop signs on Bender Road and Sanders Road in the east/west direction. However, warrants for an all-way stop configuration were nearly met in the analysis and are projected to be fully met with continued growth in the next two years. Rather than switching the east/west stop sign configuration to the new

north/south configuration and then adding the east/west stop sign in a few years to create an all-way stop configuration is not recommended and may potentially confuse drivers. Instead, staff is recommending the revision to all-way stop control at this time to accommodate increased traffic and limit revisions to the traffic control at the intersection.

Staff is also recommending the revision of the intersection of Eighth Avenue and Poplar Street to all-way stop control. This intersection is currently in a two-way stop configuration with stops on Poplar Street in the north/south direction. With growth in both the frequency and attendance of events at the KVEC, greater control of vehicle movement during high peak flow at the intersection is desired. An all-way stop configuration will also help improve safety for bicycles turning at this intersection on a designated bike route.

Financial Impact: No fiscal impact.

Attachments:

[Ordinance 4921 - Traffic Code Revisions](#)

ORDINANCE NO. 4921

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO TITLE 8 “TRAFFIC” AND AMENDING SECTIONS 8.22.020 8.36.080 AND 8.36.120 OF THE ELLENSBURG CITY CODE.

WHEREAS, City staff is requesting an update to on-street disabled parking in the Central Business District in conjunction with the 2023 Central Business District City Street Slurry Seal project, in compliance with on-street parking standards in the International Building Code; and

WHEREAS, City staff is requesting revision of existing two-way stop control to all-way stop control at the intersections of Eighth Avenue and Poplar St and Bender Road/Sanders Road and Airport Rd;

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

Section 1. Section 8.22.020 of the Ellensburg City Code, as last amended by Section 5 of Ordinance 4842, is hereby amended to read as follows:

8.22.020 Disabled parking.

It shall be unlawful for any person, firm or corporation to stand or park any motor vehicle not authorized for the transportation, and so marked, of disabled persons at the following locations:

Street Name	Side	Location
Alder St.	West	From 155 feet to 175 feet south of the centerline of Eleventh Ave.
“B” St.	West	From 590 feet north to 627 feet north of the centerline of Eleventh Ave.
Fifth Ave.	North	From 45 feet west of the centerline of Pine St. to a point 78 feet west of the intersection of Pine St.

Street Name	Side	Location
Fifth Ave.	South	From 25 feet east to 47 feet east of the east right-of-way line of Pearl St.
<u>Fourth Ave.</u>	<u>South</u>	<u>The westernmost space between Water St. and Main St.</u>
Fourth Ave.	North	The easternmost space between Water St. and Main St.
<u>Fourth Ave.</u>	<u>North</u>	<u>The easternmost space between Main St. and Pearl St.</u>
Fourth Ave.	South	The easternmost <u>westernmost space on the west side of the alley</u> between Pearl St. and Pine St.
<u>Fourth Ave.</u>	<u>South</u>	<u>The westernmost space between Pine St. and Ruby St.</u>
Fourth Ave.	South	The first easternmost <u>space east of the alley</u> between Pine St. and Ruby St.
<u>Fourth Ave.</u>	<u>North</u>	<u>The easternmost space between Pine St. and Ruby St.</u>

Street Name	Side	Location
Fourth Ave.	South	From a point 108 feet east of the centerline of Sprague St. to a point 130 feet east of said centerline.
Main St.	East	From 153 feet north to 198 feet north of the centerline of Second Ave.
Main St.	West	From 137 feet south to 168 feet south of the centerline of Sixth Ave.
Main St.	West	The northernmost space located between Fourth Ave. and Fifth Ave.
Nanum St.	West	From a point on the south right-of-way of Sixth Ave. to a point 20 feet south of the south right-of-way of Sixth Ave.
Pearl St.	East	From 192 feet north to 214 feet north of the centerline of Manitoba St.
Pearl St.	West	From 115 feet south to 139 feet south of the centerline of First Ave.
Pearl St.	East	The eleventh and twelfth spaces north of First Ave.

Street Name	Side	Location
<u>Pearl St.</u>	<u>West</u>	<u>The southernmost space between Third Ave. and Fourth Ave.</u>
Pearl St.	East	The southernmost space between Fourth Ave. and Fifth Ave.
Pearl St.	East	From a point 221 feet north to a point 239 feet north of the centerline of Jackson St.
Pine St.	West	From 108 feet south to 130 feet south of the centerline of First Ave.
<u>Pine St.</u>	<u>West</u>	<u>The northernmost space between Third Ave. and Fourth Ave.</u>
Pine St.	West	The northernmost space between Fourth Ave. and Fifth Ave.
<u>Pine St.</u>	<u>East</u>	<u>The northernmost space between Fourth Ave. and Fifth Ave.</u>
Ruby St.	West	From 187 feet north to 210 feet north of the centerline of Second Ave.
Ruby St.	West	From a point 142 feet south of the centerline of Fourth Ave. to a point 160

Street Name	Side	Location
		feet south of the centerline of Fourth Ave.
Sampson St.	East	From 2 feet north to 20 feet south of the centerline of Washington Ave.
Seventh Ave.	South	From 31 feet west of the centerline of Poplar St. to 31 feet east of the centerline of Poplar St.
Sixth Ave.	North	From a point 322 feet east to 358 feet east of the centerline of Chestnut St.
Sixth Ave.	South	The easternmost space between Main St. and Water St.
Sixth Ave.	South	The first space east of the alley between Pine St. and Ruby St.
Third Ave.	North	The westernmost space between Main St. and Pearl St.
Third Ave.	South	From a point 137 feet west of the centerline of Pine St. to a point 160 feet west of the centerline of Pine St.
Third Ave.	South	From 35 feet east of the centerline of Ruby St. to

Street Name	Side	Location
		75 feet east of the centerline of Ruby St.
Third Ave.	South	From 932 feet east of the centerline of Alder St. to 992 feet east of the centerline of Alder St.
Third Ave.	South	From 1,311 feet east of the centerline of Alder St. to 1,339 feet east of the centerline of Alder St.
Third Ave.	South	From 1,509 feet east of the centerline of Alder St. to 1,547 feet east of the centerline of Alder St.
<u>Water St.</u>	<u>West</u>	<u>From 55 feet north of the centerline of Third Ave. to 85 feet north of the centerline of Third Ave.</u>
Water St.	West	From 90 feet north of the centerline of Fourth Ave. to 120 feet north of the centerline of Fourth Ave.

[Ord. 4842 § 5, 2019; Ord. 4742 § 2, 2016; Ord. 4726 § 2, 2016; Ord. 4702 § 2, 2015; Ord. 4670 § 1, 2014; Ord. 4561 § 3, 2010; Ord. 4544 § 3, 2009; Ord. 4522 § 3, 2008; Ord. 4417 § 2, 2005; Ord. 4387, 2004; Ord. 4321, 2002; Ord. 4295, 2001; Ord. 4256, 2000; Ord. 4115, 1997; Ord. 4050 § 1, 1996; Ord. 4036 § 1, 1996; Ord. 4010 § 2, 1995; Ord. 3935 § 1, 1994; Ord. 3858 § 2, 1993; Ord. 3821 § 1, 1992; Ord. 3755 § 1, 1991; Ord. 3732 § 1, 1991.]

Section 2. Section 8.36.080 of the Ellensburg City Code, as last amended by Section 4 of Ordinance 4891, is hereby amended to read as follows:

8.36.080 All-way stop intersections designated – Procedures required.

The following intersections, when appropriately signed, are designated as “all-way” stop intersections, and all traffic approaching each such intersection shall first come to a complete stop before proceeding into or through the intersection, and then enter with due caution and yield the right-of-way to other traffic entering said intersection on the right:

Bender Rd./Sanders Rd. and Airport Rd.

Capitol Ave. and Chestnut St.

Capitol Ave. and Pine St.

Capitol Ave. and Ruby St.

Eighteenth Ave. and Alder St.

Eighteenth Ave. and Brook Lane

Eighth Ave. and Poplar St.

Eleventh Ave. and “D” St.

Fifteenth Ave. and Cora St.

Fifth Ave. and Pearl St.

Fifth Ave. and Ruby St.

Fourteenth Ave. and Alder St.

Manitoba Ave. and Pine St.

Radio Road and Vista Road

Spokane St. and Whitman Ave.

Tenth Ave. and “B” St.

Third Ave. and Chestnut St.

Third Ave. and Lincoln St.

Third Ave. and Pearl St.

Third Ave. and Ruby St.

Walnut St. and Dean Nicholson Blvd.

Washington Ave. and Anderson St.

Water St. and Helena Ave.

Water St. and Idaho Ave./Ridgeview Ave.

White Birch Ave. and Chestnut St.

[Ord. 4891 § 4, 2022; Ord. 4854 § 4, 2020; Ord. 4490 § 9, 2007; Ord. 4417 § 4, 2005; Ord. 4219, 1999; Ord. 4135, 1998; Ord. 4063 § 2, 1996; Ord. 3991 § 2, 1995; Ord. 3797 § 2, 1992; Ord. 3752 § 1, 1991; Ord. 3642 § 2, 1988; Ord. 3589 § 2, 1987; Ord. 3515 § 2, 1985; Ord. 3507 § 2, 1985; Ord. 3498 § 2, 1985; Ord. 3488 § 2, 1985; Ord. 3393 § 1, 1983; Ord. 3303 § 2, 1981; Ord. 3252 § 1, 1980; Ord. 3246 § 1, 1980; Ord. 3098 § 3, 1976; Ord. 3078 § 2, 1975.]

Section 3. Section 8.36.120 of the Ellensburg City Code, as last amended by Section 5 of Ordinance 4891, is hereby amended to read as follows:

8.36.120 Stopping required at certain cross-streets – Procedures.

Unless otherwise indicated by supplemental regulatory signage, all traffic traveling in the direction indicated and on the street specified shall first come to a complete stop before proceeding into the intersection with the cross-street specified, then enter with due caution and yield the right-of-way to all other traffic entering each such intersection on such designated cross-streets:

Direction		Street
Northbound	on	Abbey Glen Court at Idaho Ave.
Westbound	on	Acacia Lane at Chestnut St.
Westbound	on	Adams St. at Ruby St.

Direction		Street
Southbound	on	Alder St. at Capitol Ave.
Northbound	on	Anderson St. at Capitol Ave.
Southbound	on	Anderson St. at First Ave.
Northbound	on	Anderson St. at University Way
Eastbound	on	Annie Place at Ellington St.
Eastbound	on	Ashford Way at Pfenning Road
Southbound	on	“B” St. at University Way
Southbound	on	“B” St. at Fourteenth Ave.
Eastbound	on	Bender Road at Airport Road
Northbound	on	Benjamin Ln. at Twenty-Sixth Ave.
Westbound	on	Berry Road at Canyon Road
Westbound	on	Bonnie Lane at Brick Road
Westbound	on	Bluegrass Lane at Cora St.
Southbound	on	Brentwood St. at Idaho Ave.
Southbound	on	Brick Road at University Way
Eastbound	on	Bridgeview Lane at Stonebridge St.
Northbound	on	Bridgewood Lane at Bluegrass Lane
Southbound	on	Brook Court at Fifteenth Ave.

Direction		Street
Westbound	on	Brook Lane at Willow St.
Southbound	on	Brooksfield St. at Helena Ave.
Northbound	on	“C” St. at Eleventh Ave.
Southbound	on	“C” St. at University Way
Southbound	on	Canal St. at Bender Road
Eastbound	on	Canterbury Drive at Pfenning Road
Southbound	on	Canterbury Drive at Radio Road
Eastbound	on	Carriage Loop at Alder St.
Southbound	on	Cascade Court at University Way
Northbound	on	Cascade St. at Dolarway Road
Westbound	on	Chason Ave. at Ellington St.
Westbound	on	Cherry Lane at Ruby St.
Southbound	on	Chestnut St. at Eighteenth Ave.
Southbound	on	Clearview Dr. at Old Highway 10
Northbound	on	Clearview Dr. at Creeksedge Way
Northbound	on	Clearview Dr. at Dry Creek Road
Southbound	on	Clearview Dr. at Creeksedge Way
Southbound	on	Cle Elum St. at Fifth Ave.

Direction		Street
Northbound	on	Cle Elum St. at University Way
Eastbound	on	Cliff Ave. at Chestnut St.
Southbound	on	Cobblefield St. at Helena Ave.
Northbound	on	Columbia St. at Bender Road
Northbound	on	Columbia St. at Fifteenth Ave.
Southbound	on	Columbia St. at Greenfield Ave.
Southbound	on	Columbia St. at University Way
Southbound	on	Cora St. at University Way
Eastbound	on	Courtney Court at Ellington St.
Northeastbound	on	Craig Ave. at Alder St.
Southwestbound	on	Craig Ave. at exit of Reed Park
Southbound	on	Cypress Ct. at Hobert Ave.
Southbound	on	Currier St. at University Way
Northbound	on	“D” St. at Eighteenth Ave.
Westbound	on	Dairy Lane at Alder St.
Southbound	on	Dandelion Ln. at Greenfield Ave.
Southbound	on	Delphine St. at Ridgeview Lane
Northbound	on	Dennis St. at Railroad Ave.

Direction		Street
Westbound	on	Dolarway Road at University Way – SR 97 Intersection
Southbound	on	Douglas St. at Mountain View Ave.
Westbound	on	Eighth Ave. at University Way
Eastbound	on	Eleventh Ave. at Alder St.
Westbound	on	Eleventh Ave. at Cora St.
Westbound	on	Eleventh Ave. at Main St.
Eastbound	on	Eleventh Ave. at Water St.
Northbound	on	Ellington St. at Chinook Road
Southbound	on	Ellington St. at Idaho Ave.
Northbound	on	Elliot St. at Fifth Ave.
Southbound	on	Elliot St. at First Ave.
Southbound	on	Enterprise Way at Dolarway Road
Westbound	on	Fifteenth Ave. at Brook Lane
Eastbound	on	Fifteenth Ave. at Wildcat Way
Eastbound	on	First Ave. at Ruby St.
Eastbound	on	First Ave. at Walnut St.
Eastbound	on	Foster Ave. at Pine St.
Westbound	on	Fourteenth Ave. at Pfenning Road

Direction		Street
Westbound	on	Fourth Ave. at Pacific St.
Eastbound	on	Fourth Ave. at Pearl St.
Eastbound	on	Fourth Ave. at Pine St.
Eastbound	on	Fourth Ave. at Railroad Ave.
Westbound	on	Fourth Ave. at Wenas St.
Westbound	on	Franklin St. at Alder St.
Southbound	on	Gail Road at Bender Road
Northbound	on	Glen Drive at 17th Ave.
Westbound	on	Green Parks Drive at Park Lane Ave.
Southbound	on	Green Parks Drive at Regal St.
Westbound	on	Gregory Place at Bull Road
Northbound	on	Gregory Place at Mountain View Ave.
Westbound	on	Heatherstone Ct. at Gail Road
Northbound	on	Hibbs Road at Dolarway Road
Eastbound	on	Hobert Ave. at Pfenning Road
Westbound	on	Hobert Ave. at Whitman St.
Eastbound	on	Hobert Ave. at Willow St.
Eastbound	on	Idaho Ave. at Airport Road

Direction		Street
Eastbound	on	Illinois Ave. at Water St.
Northbound	on	Indiana Drive at Illinois Ave.
Northbound	on	Iowa St. at Illinois Ave.
Southbound	on	Iowa St. at Indiana Drive
Eastbound	on	Indiana Drive at Water St.
Southbound	on	Industrial Way at Umptanum Road
Westbound	on	Jackson Ave. at Main St.
Eastbound	on	Jackson Ave. at Pine St.
Eastbound	on	Joanna Place at Ellington St.
Westbound	on	Juniper Ave. at Chestnut St.
Eastbound	on	King Place at Regal St.
Southbound	on	Kittitas St. at First Ave.
Northbound	on	Kittitas St. at University Way
Westbound	on	Kristen Ave. at Ellington St.
Northbound	on	Lakeshore Way at Umptanum Road
Southbound	on	Lakeshore Way at Opportunity St.
Southbound	on	Landon Ln. at Idaho Ave.
Westbound	on	Lexus Lane at “B” St.

Direction		Street
Northbound	on	Lincoln St. at Fifth Ave.
Southbound	on	Linda Lane at Fourth Ave.
Northbound	on	Locust St. at Capitol Ave.
Southbound	on	Magnolia St. at Kittitas Highway
Northbound	on	Magnolia St. at Seattle Ave.
Northbound	on	Maple St. at Eleventh Ave.
Southbound	on	Maple St. at Mountain View Ave.
Southbound	on	Maple St. at University Way
Southbound	on	McIntosh St. at Idaho Ave.
Northbound	on	Middlecrest Dr. at Creeksedge Way
Southbound	on	Middlecrest Dr. at Sunnyview Ln.
Westbound	on	Midlin Dr. at Dandelion Ln.
Westbound	on	Millstone Loop at Alder St.
Westbound	on	Mountain View Ave. at Industrial Way
Westbound	on	Mt. Adams Court at Water St.
Westbound	on	Mt. Baker Court at Water St.
Westbound	on	Mt. Hood Court at Water St.
Southbound	on	Nanum St. at Fifth Ave.

Direction		Street
Northbound	on	Nanum St. at University Way
Eastbound	on	Nineteenth Ave. at Alder St.
Eastbound	on	Ninth Ave. at “B” St.
Westbound	on	Ninth Ave. at Chestnut St.
Eastbound	on	Ninth Ave. at “D” St.
Eastbound	on	Ninth Ave. at Main St.
Northbound	on	Ohio St. at Illinois St.
Northbound	on	Okanogan St. at Fifteenth Ave.
Southbound	on	Okanogan St. at University Way
Eastbound	on	Old Highway 10 at Reecer Creek Road
Eastbound	on	Olive Lane at Alder St.
Northbound	on	Opportunity St. at Umptanum Road
Northbound	on	Pacific St. at Railroad Ave.
Northbound	on	Park Lane at Helena Ave.
Northbound	on	Pearl St. at Fourth Ave.
Southbound	on	Pearl St. at Mountain View Ave.
Northbound	on	Pearl St. at Third Ave.
Northbound	on	Pearl St. at University Way

Direction		Street
Westbound	on	Peakview Dr. at Middlecrest Dr.
Southbound	on	Peakview Dr. at Clearview Dr.
Southbound	on	Pine St. at Fifth Ave.
Southbound	on	Pine St. at Fourth Ave.
Southbound	on	Pine St. at Mountain View Ave.
Northbound	on	Pine St. at University Way
Eastbound	on	Plumridge Ave. at Pfenning Road
Southbound	on	Poplar St. at Manitoba Ave.
Southbound	on	Poplar St. at Seventh Ave.
Northbound	on	Poplar St. at University Way
Eastbound	on	Sunnyview Ln. at Peakview Dr.
Northbound	on	Sunnyview Ln. at Creeksedge Way
Eastbound	on	Queen Place at Regal St.
Northbound	on	Radio Road at Brick Road
Eastbound	on	Radio Road at Pfenning Road
Eastbound	on	Rainier St. at Cora St.
Northbound	on	Ravenswood Lane at Sixteenth Ave.
Eastbound	on	Ravenswood Lane at Stonebridge St.

Direction		Street
Northbound	on	Regal St. at Helena Ave.
Southbound	on	Regal St. at Park Lane Ave.
Southbound	on	Ruby St. at Canyon Road
Southbound	on	Ruby St. at Umptanum Road
Northbound	on	Ruby St. at University Way
Southbound	on	Sampson St. at Manitoba Ave.
Westbound	on	Sanders Road at Airport Road
Westbound	on	Seattle Ave. at Chestnut St.
Eastbound	on	Second Ave. at Kittitas St.
Westbound	on	Second Ave. at Kittitas St.
Westbound	on	Second Ave. at Lincoln St.
Eastbound	on	Second Ave. at Railroad Ave.
Eastbound	on	Seventh Ave. at Pacific St.
Eastbound	on	Seventh Ave. at Railroad Ave.
Westbound	on	Seventeenth Ave. at “B” St.
Westbound	on	Seventeenth Ave. at Brook Lane
Eastbound	on	Seventeenth Ave. at “D” St.
Northbound	on	Shumard St. at Spokane Ave.

Direction		Street
Southbound	on	Shumard St. at Hobert St.
Eastbound	on	Sixth Ave. at Railroad Ave.
Eastbound	on	Sixth Ave. at Wenas St.
Westbound	on	Sixteenth Ave. at Cora St.
Eastbound	on	Sixteenth Ave. at Stonebridge St.
Eastbound	on	Sixteenth Ave. at Walnut St.
Westbound	on	Skyline Drive at Brick Road
Westbound	on	Spokane Ave. at Magnolia St.
Eastbound	on	Spokane Ave. at Maple St.
Eastbound	on	Spokane Ave. at Willow St.
Northbound	on	Sprague St. at Capitol Ave.
Southbound	on	Sprague St. at Fifth Ave.
Southbound	on	Sprague St. at First Ave.
Northbound	on	Sprague St. at Fourth Ave.
Southbound	on	Sprague St. at Manitoba Ave.
Westbound	on	Stanford Ave. at Ellington St.
Northeastbound	on	Stanford Ave. at Gail Road
Northbound	on	Stonebridge St. at Bluegrass Lane

Direction		Street
Southbound	on	Stonebridge St. at Fifteenth Ave.
Southbound	on	Sycamore at Helena Ave.
Eastbound	on	Tacoma Ave. at Maple St.
Eastbound	on	Tanglewood Ct. at Pfenning Road
Westbound	on	Tenth Ave. at Chestnut St.
Westbound	on	Tenth Ave. at Cora St.
Eastbound	on	Tenth Ave. at “D” St.
Eastbound	on	Tenth Ave. at University Way
Eastbound	on	Third Ave. at Railroad Ave.
Eastbound	on	Third Ave. at Wenas St.
Westbound	on	Third Ave. at Wenas St.
Westbound	on	Thirteenth Ave. at Delphine St.
Eastbound	on	Thirteenth Ave. at Water St.
Southbound	on	Tower St. at Sanders Road
Southbound	on	Trail’s Edge Drive at Illinois St.
Westbound	on	Twelfth Ave. at Main St.
Eastbound	on	Twelfth Ave. at Water St.
Westbound	on	Twenty-Eighth Ave. at Susie Ct.

Direction		Street
Eastbound	on	Twenty-Sixth Ave. at Ellington St.
Westbound	on	Unnamed public right-of-way bordering on the north edge of the Ellensburg Inn short plat at Canyon Road
Southbound	on	Viewridge Court at Mountain View Ave.
Southbound	on	Vista Road at University Way
Eastbound	on	Walnut Circle at Walnut St.
Southbound	on	Walnut St. at Fourteenth Ave.
Eastbound	on	Washington Ave. at Maple St.
Eastbound	on	Washington Ave. at Sampson St.
Westbound	on	Washington Ave. at Walnut St.
Westbound	on	Washington Ave. at Willow St.
Northbound	on	Water St. at Bender Road
Northbound	on	Water St. at Idaho Ave.
Northbound	on	Wenas St. at Third Ave.
Northbound	on	Wenas St. at University Way
Eastbound	on	Wheaton Court at Alder St.
Southbound	on	Whitman St. at Mountain View Ave.
Southbound	on	Willow St. at Brick Road
Northbound	on	Willow St. at Capitol Ave.

Direction		Street
Northwestbound	on	Yale Ct. at Stanford Ave.
Northbound	on	Yellowstone St. at Helena Ave.

[Ord. 4891 § 5, 2022; Ord. 4859 § 3, 2020; Ord. 4842 § 8, 2019; Ord. 4770 § 3, 2017; Ord. 4697 § 3, 2015; Ord. 4677 § 2, 2014; Ord. 4635 § 4, 2013; Ord. 4561 § 4, 2010; Ord. 4522 § 5, 2008; Ord. 4490 § 10, 2007; Ord. 4453 § 4, 2006; Ord. 4432 § 4, 2006; Ord. 4417 § 5, 2005; Ord. 4404, 2005; Ord. 4387, 2004; Ord. 4372, 2003; Ord. 4316, 2002; Ord. 4291, 2001; Ord. 4256, 2000; Ord. 4236, 2000; Ord. 4216, 1999; Ord. 4202, 1999; Ord. 4054 § 1, 1996; Ord. 4013 § 1, 1995; Ord. 4009 § 1, 1995; Ord. 3938 § 1, 1994; Ord. 3936 § 1, 1994; Ord. 3928 § 1, 1994; Ord. 3779 § 1, 1992; Ord. 3735 § 1, 1991; Ord. 3719 § 1, 1991; Ord. 3671 § 1, 1990; Ord. 3642 § 3, 1988; Ord. 3557 § 1, 1986; Ord. 3530 § 2, 1986; Ord. 3453 § 1, 1984; Ord. 3393 § 2, 1983; Ord. 3375 § 2, 1982; Ord. 3374 § 1, 1982; Ord. 3303 § 1, 1981; Ord. 3299 § 2, 1981; Ord. 3278 § 2, 1980; Ord. 3137 § 2, 1977; Ord. 3098 § 4, 1976; Ord. 3078 § 3, 1975.]

Section 4. 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 5. 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 6. 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 3rd day of July, 2023.

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4921 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4921 was published as required by law.

BETH LEADER



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Resolution Amending the Pay Resolution for Fiscal Year 2023 to Address Staffing Changes, Temporary Employees, and Interns

Submitted by: Lisa Young Human Resources

Recommended Action or Motion: Adopt Resolution 2023-16 and approve the necessary budget adjustments.

Background/Summary: This Resolution addresses several staffing changes in IT, formally recognizes previously approved temporary and intern positions, and implements wage scales for Recreation Leaders from Parks and Recreation who were previously covered by the OPEIU Collective Bargaining Agreement until the Agreement was ratified on June 5, 2023.

Previous Council Action: Approval of the original Pay Plan for 2023 in Resolution 2022-42 and subsequent amendments 2023-09 and 2023-12, as well as ongoing support of changes that improve the City's operations and service and enhance our efforts to be an employer of choice in Kittitas County.

Analysis: With the introduction of the IT Director, several changes have been identified to improve operational efficiency, customer service, and recruitment efforts, and to create a path for anticipated future needs in technology services. The department also had a long-standing vacancy for Network/Desktop Analyst. HR reviewed the position with Director Goeben and it was determined that Service Desk Specialist would better fit the current desktop support needs of the City. The Systems Administrator and Systems Administrator - SQL positions were combined for improved flexibility and knowledge-sharing, and the Applications Specialist which was previously with the Finance Department will now be in the IT Department; however, their primary focus will continue to be supporting the Finance Department's software and reporting needs.

With the IT department operating at 50% of its approved staffing levels, the team required immediate support in the form of a temporary Service Desk Specialist, and Desktop Support Intern.

Other departments have temporary employees and interns budgeted for 2023, but not included in prior pay resolutions. This includes a Temporary Marketing Specialist (approved in 2022, but not filled) to assist HR with recruitment and advertising efforts for Journey Level Linepersons, and a GIS Intern to assist the Public Works & Utilities Gas Division with GIS.

Upon ratification of the OPEIU Collective Bargaining Agreement for 2023-2025 by Council at its June 5, 2023 meeting, the Parks & Recreation Rec Leaders (I, II, and III) and Aquatics & Rec Leaders became non-Union positions. This Resolution sets the non-Union wages for these positions and creates a step structure that is more like the other non-Union positions.

Financial Impact:

For the changes in the IT Department:

The Network/Desktop Analyst position has been vacant for almost ten (10) months resulting in approximately \$69,000 in base wage savings.

The Service Desk Specialist position has been set at a lower pay grade as it is a more entry-level position. If filled at Step 1 the estimated base wage cost for six (6) months of 2023 would be \$38,556. It likely will not be filled until Mid-July at the earliest.

The Temporary Service Desk Specialist is anticipated to work for twelve (12) weeks at an estimated cost of \$7,700.

The Desktop Support Intern has a rate of \$16 per hour. The internship is anticipated to last twelve (12) weeks, also at an estimated cost of \$7,700.

The GIS Intern for the Gas Division was already in the 2023 budget and the cost is not expected to exceed what was budgeted.

The Temporary Marketing Specialist has an hourly rate of \$50. Employment will be limited in duration and will be covered by vacancy savings in the Electric Utility fund budget (expected cost is less than \$10,000).

The adjustments to the Parks and Recreation employees will result in an approximate total cost of \$14,200 for administrative pay corrections back to January 1, 2023, due to the change in minimum wage, and status quo retroactive pay for the duration of time the positions were covered by the OPEIU contract while negotiations were underway back to January 1, 2023. For the remainder of 2023 the cost for increased wages will be approximately \$15,000 over what was budgeted (base wages only).

Attachments:

[Resolution 2023-16 - 2023 Pay Plan](#)

RESOLUTION NO. 2023-16

A RESOLUTION amending the current pay plan for Fiscal Year 2023 to address staffing changes in IT, Parks & Recreation, as well as several temporary and/or intern positions.

WHEREAS, the City Manager has prepared and submitted to the City Council of the City of Ellensburg a standard schedule of pay via Resolution 2022-42, which was then amended by Resolutions 2023-09 and 2023-12; and

WHEREAS, with the addition of an IT Director, several staffing change needs have been identified to optimize efficiency and service; and

WHEREAS, the Recreation Leaders, including aquatics, were removed from the OPEIU union upon ratification of the 2023-2025 Collective Bargaining Agreement and therefore need to be added to the Pay Plan for non-represented employees; and

WHEREAS, several interns and temporary staff were authorized with the 2023-2024 biennial budget but were not identified in Resolution 2022-42 or the subsequent amendments; and

WHEREAS, the City Council of said City desires to adopt such amended pay plan,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Resolution Nos. 2022-42, 2023-09, and 2023-12 be hereby amended as set forth herein, and that the said amendments be effective June 20, 2023.

Section 2. Effective June 20, 2023, the pay range assignment for each non-union class title shall be as follows (amendments noted in **bold**):

CLASS TITLES BY DEPARTMENT

PAY RANGE

CITY MANAGER

TITLE	MIN	MAX	Pay Grade
City Manager	13,733	15,538	50
Assistant City Manager/City Attorney	13,071	14,789	48
Human Resources Director	10,467	11,842	39
Assistant City Attorney	9,482	10,728	35
Public Information Officer	8,176	9,251	29
Arts & Economic Development Manager	7,782	8,805	27
HR Specialist	6,387	7,227	19
Executive Assistant – City Attorney/Deputy City	6,232	7,051	18
Executive Assistant – City Manager	5,508	6,232	13
HR Assistant	5,508	6,232	13
Civil Service Secretary/Chief Examiner	150	150	n/a
Temporary Marketing Specialist	\$50/hr	\$50/hr	n/a

COMMUNITY DEVELOPMENT DEPARTMENT

TITLE	MIN	MAX	Pay Grade
Community Development Director	10,467	11,842	39
Building Official	7,977	9,025	28
Planning Manager	7,977	9,025	28
Building Inspector I	6,387	7,227	19

FINANCE DEPARTMENT

TITLE	MIN	MAX	Pay Grade
Finance Director	11,553	13,072	43
Assistant Finance Director	9,482	10,728	35
Utility Services Supervisor	8,176	9,251	29
Accounting Manager	7,977	9,025	28
Accountant III – Budget Officer	7,977	9,025	28
Application Specialist (Moved to IT Department)	7,407	8,381	25
City Clerk	7,051	7,977	23
Accountant II	6,547	7,408	20

INFORMATION TECHNOLOGY

TITLE	MIN	MAX	Pay Grade
IT Director	10,467	11,842	39
IT & Telecommunications Manager	8,590	9,719	31
IT Systems Administrator (2 positions)	7,407	8,381	25
IT Systems Administrator – SQL	7,407	8,381	25
Applications Specialist (from Finance)	7,407	8,381	25
Network/Desktop Analyst	6,547	7,408	20
Service Desk Specialist	5,508	6,232	13
Temporary Service Desk Specialist	\$31.78/hr	\$31.78/hr	n/a
IT Intern – Desktop Support	\$16/hr	\$16/hr	n/a

LIBRARY

TITLE	MIN	MAX	Pay Grade
Library Director	9,719	10,997	36
Librarian	5,787	6,547	15
Part-time Library Substitute*	15.79/hr	17.23/hr	n/a

**Reflects WA Minimum Wage increase of 8.6%*

PARK AND RECREATION DEPARTMENT

TITLE	MIN	MAX	Pay Grade
Parks & Recreation Director	9,719	10,997	36

TITLE	MIN	MAX	Pay Grade
Aquatic & Recreation Supervisor	6,387	7,227	19

Steps	1	2	3
Recreation Leader – AAC/SBYC*	21.11	22.17	23.28
Recreation Leader – KVMP*	22.17	23.28	24.44

*AAC – Adult Activity Center; SBYC – Stan Basset Youth Center; KVMP – Kittitas Valley Memorial Pool

2023 State Minimum Wage - \$15.74	I	II	III	IV	V	VI
Custodian	16.53	17.36	18.23			
Recreation Aide	17.36	18.23	19.14	20.10		
Sports Official	17.36	18.23	19.14	20.10	21.11	22.17
Swim Instructor	18.23	19.14	20.10			
Senior Van Driver	18.23	19.14	20.10			
Lifeguard	19.14	20.10	21.11			

POLICE DEPARTMENT

TITLE	MIN	MAX	Pay Grade
Police Chief	11,553	13,072	43
Police Captain (2 positions)	9,962	11,272	37
Police Records Supervisor	6,547	7,408	20
Crime Analyst	6,262	7,051	18
Reserve Officer	15.74/hr	15.74/hr	n/a

PUBLIC WORKS AND UTILITIES DEPARTMENT

TITLE	MIN	MAX	Pay Grade
Public Works & Utilities Director	13,071	14,789	48
Engineering Services Manager	10,996	12,422	41
Assistant Utilities Director	10,728	12,138	40
Senior Electrical Engineer	10,211	11,553	38
Project Engineer	9,962	11,272	37
Construction Project Manager (Temp thru 2024)	9,719	10,997	36
Energy Resources Manager	9,719	10,997	36
Assistant Public Works Director	9,482	10,728	35
Assistant City Engineer/Capital Projects Manager	9,482	10,728	35
Light Operations Supervisor	9,482	10,728	35
Gas Engineer	9,251	10,467	34
Stormwater Utility Manager	8,590	9,719	31
Transit Manager	8,590	9,719	31
Shop/Warehouse Manager	8,590	9,719	31

TITLE	MIN	MAX	Pay Grade
Civil Engineer	7,977	9,025	28
PW Finance Officer	6,547	7,408	20
Sustainability Coordinator	6,387	7,227	19
Rate Analyst	6,232	7,051	18
Operations Analyst – ES	5,787	6,547	15
GIS Intern – Gas Division	\$22/hr	\$22/hr	n/a

All other City positions are covered by Union contracts. This resolution has no application to such positions.

Section 3. The amended Pay Plan Schedule is hereby adopted as hereinafter set forth. All remaining terms and conditions of Resolution 2022-42, as amended by Resolutions 2023-09 and 2023-12, remain in full force and effect.

PASSED AND ADOPTED by the City Council of the City of Ellensburg at a regular meeting on the 20th day of June, 2023.

Mayor

Attest:

City Clerk



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: June 20, 2023

Item Title/Agenda Subject: Purchase and Sale Agreement for Property Known as the Ellensburg Racquet and Recreation and Center

Submitted by: Terry Weiner City Attorney Department

Recommended Action or Motion: Adopt Resolution 2023-15, approving the sale of the ERRC property to Al Dahra ACX, Inc.

Background/Summary: The City has operated the ERRC at 6061 Vantage Highway since 2000, after it was donated to the City. The facility offered a number of activities, including tennis, pickle-ball, racquetball, indoor soccer, gymnastics (through rental to a third party), weight room, and facility rentals. Unfortunately, the ERRC suffered a total fire loss due to suspected arson on December 2, 2022.

The City has since determined that due to the location of the ERRC several miles outside the City limits and for other reasons, it will rebuild a new facility at Rotary Park.

Previous Council Action: Council adopted Resolution 2023-03 on January 17, 2023, declaring the ERRC as surplus property and authorizing its sale by any means provided in Chapter 2.06 of the Ellensburg City Code (Surplus and Sale of Real Property).

Analysis: The ERRC was donated to the City in 1999 and has since been used extensively by a variety of user groups. The property comprises approximately 2.46 acres and the building which included various indoor sports facilities. The destruction of the ERRC leaves Ellensburg and the Kittitas County community without access to any local indoor racquet sports or soccer facility. Some temporary pickleball courts were arranged for use at Ellensburg School District facilities during the winter months, but a permanent replacement indoor sports facility is obviously needed. Although the loss of the ERRC is heartbreaking for many members of the community, it also presents an opportunity for the City to build a replacement recreation center using the insurance proceeds that covered

the ERRC and other funding sources currently being explored. However, the location of the ERRC several miles outside of Ellensburg was not ideal for both users and staff.

As a result of these factors, City Council declared the ERRC property as surplus and directed staff to sell the property. An appraisal was obtained earlier this year. Subsequently, negotiations for sale of the ERRC property were initiated with Al Dahra ACX, Inc. ("ACX"), which owns adjacent parcels and who also had some of their buildings destroyed in the fire. The parties have agreed to a sale price of \$100,000. In addition, ACX will purchase the property "as is" and the City will therefore avoid any cleanup costs for the property, which would have been significant given the magnitude of destruction from the fire.

Financial Impact:

Per Resolution 2023-03, the proceeds from the sale of the property will be earmarked for construction of the new replacement facility.

Attachments:

[Resolution 2023-15 - Approving Sale of ERRC](#)

RESOLUTION NO. 2023-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, authorizing the Mayor and/or City Manager to execute the Agreement for the Purchase and Sale of Real Estate and other related documents for the sale of the property commonly known as the “Ellensburg Racquet and Recreation Center” (“Property”) by the City of Ellensburg (“City”) to Al Dahra ACX, Inc. (“ACX”).

WHEREAS, the City owns the Property located at 6061 Vantage Highway, Ellensburg, Washington, identified as Kittitas County Tax Parcel No. 514934, and legally described as:

CD. 10606-1; SEC. 33, TWP. 18, RGE. 19; PTN. SE1/4 SE1/4; RACQUET & REC. CENTER;

and

WHEREAS, the building located on the property that served as the Ellensburg Raquet and Recreation Center (“ERRC”) suffered a total loss from a fire on December 2, 2023; and

WHEREAS, the City Council of Ellensburg ("City Council") approved Resolution 2023-03 on January 17, 2023, which declared the Property as surplus to the City's needs, and the sale of the Property by any means authorized in the Ellensburg City Code and state law; and

WHEREAS, the City has determined not to rebuild the ERRC on the Property, and has not yet commenced with the cleanup of the property, which is estimated to exceed \$100,000.

WHEREAS, the City commissioned an appraisal of the subject property, and the proposed purchase price for the Property offered by ACX in the amount of \$100,000 is an amount equal to the fair market value of the lot based on the appraised value; and

WHEREAS, ACX has agreed to purchase the Property “as is,” thereby saving the City significant costs which it would otherwise incur for cleanup of the Property; and

WHEREAS, the Ellensburg City Council held a duly noticed hearing on January 17, 2023 in accordance with the provisions of Chapter 2.06 of the Ellensburg City Code (“ECC”) for the purpose of declaring the Property as surplus to the City’s needs; and

WHEREAS, the City Council hereby finds the disposition of the Property through a negotiated Purchase and Sale Agreement, attached hereto as Exhibit 1 and consistent with Chapter 2.06 ECC, will best serve the common public benefit;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, AS FOLLOWS:

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

Section 2. The disposition of the City's Property as authorized herein shall be by the negotiated Purchase and Sale Agreement (Exhibit 1) with ACX pursuant to Chapter 2.06 ECC.

Section 3. The Mayor and/or City Manager are hereby authorized to execute the Purchase and Sale Agreement for purchase of the surplus property described above to ACX. The Mayor and/or City Manager are also authorized to execute all other documents necessary to complete the sale of the Property as set forth herein.

Section 4. If any section, sentence, clause, or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Resolution.

ADOPTED by the City Council of the City of Ellensburg this 20th day of June, 2022.

MAYOR

ATTEST: _____
CITY CLERK



MANAGER'S REPORT

DATE: June 20, 2023

To: Ellensburg City Council

FROM: Heidi Behrends Cerniwey, City Manager

1. Touch-a-Truck and Bike Rodeo Event on June 21

The Touch-a-Truck event will be held on Wednesday, June 21, from 11:00 a.m. to 2:30 p.m. at Rotary Park. A bike rodeo, helmet and bike give-away will take place at the park too. The City Public Works and Utilities Department will be closed to the public to allow employees to be onsite to facilitate the event.

2. Historic Railroad Project Demo on June 20 at 6:00 p.m.

The public is invited to attend a historic miniature railroad project demonstration, beginning at 6:00 p.m. in the City Hall parking lot prior to the meeting on June 20, 2023.

3. Applications for Annual Comprehensive Plan Docket Due June 29

The City of Ellensburg is accepting proposed Comprehensive Plan amendments for the 2023 annual docket cycle. Proposals to amend the Comprehensive Plan may be submitted by any member of the public as well as any member of a City Board or Commission, member of City Council, or City staff. In order to be considered for docketing during the 2023 amendment process, proposals must be submitted in writing by June 29, 2023. The Comprehensive Plan Amendment Proposal Form can be found on the City's website at <https://ci.ellensburg.wa.us/DocumentCenter/View/12420/Comp-Plan-Amendment-Form?bidId=>. City Council will consider all proposed amendments at its regular meeting on July 17, 2023.

4. 2024 Grant Applications Available

Applications are available on the City website for 2024 Council-funded Grants and Arts Commission Grants for work to be completed in 2024. Each program has a specific purpose, application, and review criteria:

- Community Grants (\$18,908.62 available in 2024 to support actions to address community needs)
- Parks Partnership Grants (\$18,908.62 available to support capital projects to improve City parks, trails, open space, and recreation facilities)
- Water Quality Grants (total of \$10,000 to improve and protect local surface water quality)
- Historic Preservation Grants (total of \$18,908.62 available to support historic preservation activities)
- Arts Commission Grants (up to \$2,500 for groups and \$1,000 for individual artists to expand creative programs and performances)

Applications are due by 5:00 p.m. on August 31, 2023. Contact the City Manager's office for more information at citymanager@ellensburgwa.gov or 509-962-7221.

5. Downtown Street Maintenance on July 3

The City will be performing surface maintenance on downtown City streets this summer with the installation of an asphalt slurry seal and new painted parking markings. The project will take one full day and includes 4th Avenue from Water Street to Ruby Street and Pearl and Pine Streets from 3rd Avenue to 5th Avenue. This work will require a full day closure of downtown streets, planned for July 3, 2023.