

COUNCIL AGENDA

Monday, May 15, 2023



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https://us02web.zoom.us/webinar/register/WN_opwjX6mPRcCDCLox1lh-wQ

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AMERICANS WITH DISABILITIES ACT

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COUNCIL MEETING GUIDELINES FOR PUBLIC PARTICIPATION

GUIDELINES FOR PUBLIC PARTICIPATION

All City Council meetings are broadcast on Charter/Spectrum Channel 191 and available to livestream on Ellensburg Community Television at www.ectv2.com or on YouTube at [ECTV Ellensburg](https://www.youtube.com/channel/UCtV2mPRcCDCLox1lh-wQ). 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_opwX6mPRcCDCLox1lh-wQ - 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
And remotely via Zoom
Monday, May 15, 2023
7:00 PM - Regular Meeting**

Pledge of Allegiance

1. Call to Order and Roll Call

2. Proclamations (Public Comment Opportunity)

2.A Bike Month Proclamation 8
[Bike Month Proclamation 2023](#)

2.B National Public Works Week 9
[National Public Works Week](#)

3. Awards and Recognitions

4. Approval of Agenda (No Public Comment)

5. Consent Agenda (No Public Comment)

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

5.A Approve Minutes of May 1, 2023 Regular Meeting 10
[Regular Meeting Minutes 5-1-23](#)

5.B Acknowledge Minutes of Boards and Commissions 15
[DEI Commission 4-11-23](#)
[Lodging Tax 4-5-2023](#)
[Public Transportation Advisory Committee 3-21-23](#)

5.C Approve University Way Banner Request for CWU Fashion Show - May 30 - June 4, 2023 23
[CWU Fashion Show Banner Request form](#)

5.D Approve University Way Banner Request for CWU Commencement - June 6 - 12, 2023 24

CWU Banner Request Form

- 5.E Accept Resignation of Darren Reid from the Landmarks and Design Commission
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- 5.F Approval of Contract - City Hall Low Slope Roof Replacement 26
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- 5.G Dedication Deeds and Easement for the Heatherstone Plat Dedication Deed and
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Dedication Deed 5 ft strip w-REETA 2023-04-21
Heatherstone Survey - Preliminary 3-29-2023
- 5.H Approve May 15, 2023 Voucher Listing 49
5-15-23 Voucher Listing

6. Petitions, Protests, and Communications

- 6.A Historic Preservation Month Presentation (Public Comment Opportunity)
- 6.B 2022 Police Department Annual Report (Public Comment Opportunity) 50
2022 EPD Report
- 6.C Board and Commission Reappointments - Diversity, Equity and Inclusion
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K Cleary Reappointment Recommendation
K Cleary Reappointment Application
J Scheffer Reappointment Recommendation
J Scheffer Reappointment Application

7. Citizen Comment on Non-agenda Issues

8. Business Requiring Public Hearings

- 8.A Ordinance 4909 (Second Reading) - IOOF Annexation (legislative public hearing
continued from April 17, 2023) (Public Comment Opportunity) 79
Ordinance 4909-IOOF Annexation
Exhibit 1 - Proposed Annexation Area
Exhibit 2 - City of Ellensburg Zoning
Exhibit 3 - Kittitas County Zoning Map
Exhibit 4 - Comprehensive Plan Designations
Exhibit 5 - Proposed Zoning
Exhibit 6 -P22-085 Affidavit of Publication 4.27.23
Exhibit 7 - Affidavit of Posting
Exhibit 8 - Public Hearing Land Use Signs Posted
Exhibit 9 - P22-085 Buffer Mailing letter Second Reading
Exhibit 10 - Notification Map
Exhibit 11 - P22-085 Affidavit of Mailing

Exhibit 12 - January 3, 2023 City Council Meeting Minutes
Exhibit 13 - Notice of Intention to Annex
Exhibit 14 - Kittitas County Assessor Determination of Sufficiency

- 8.B Ordinance 4914 (Second Reading) - Teanaway Ridge Annexation (legislative public hearing) (Public Comment Opportunity) 126
Ordinance 4914 - P22-118 Annexation
Exhibit 1 P22-118 Map of Annex Area
Exhibit 2 P22-118 Zoning map
Exhibit 3 P22-118 Future Land Use Map
Exhibit 4 P22-118 Petition
Exhibit 5 P22-118 Kittitas County Assessor Determination of Sufficiency
Exhibit 6 Order Confirmation Legal Ad
Exhibit 7 P22-118 300' Buffer Map
Exhibit 8 P23-118 Affidavit of Posting
Exhibit 9 P22-118 Affidavit of Mailing 4.27.23

9. Introduction and Adoption of Ordinances and Resolutions

- 9.A Ordinance 4916 (Second Reading) - Increasing Membership of the Diversity, Equity & Inclusion Commission (Public Comment Opportunity) 147
4916 - DEI Membership Increase (2nd reading)
9.B Resolution 2023-12, Amending the Current Pay Plan for Fiscal Year 2023 (Public Comment Opportunity) 150
Resolution 2023-12 - 2023 Pay Plan

10. Unfinished Business

- 10.A P23-017: Appeal of P22-115 Adoption of Findings, Conclusions and Decision of City Council in the Matter of the Appeal of the COA (P22-115) issued to Brad Case-City of Ellensburg by the Landmarks and Design Commission (Public Comment Opportunity) 156
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Request for extension to present Decision - Unity Park Appeals
10.B Decision of Ellensburg City Council on Closed Record Hearing in the appeal of the COA (P23-02) for the design of new construction at Unity Park, issued to Brad Case-City of Ellensburg by the Landmarks and Design Commission (Public Comment Opportunity) 165
Decision on Appeal of COA for P23-002 (Unity Park Design)
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11. New Business

- 11.A 2023 First Quarter Financial Status and Investment Reports (Public Comment Opportunity) 175

1st Quarter Financial Status and Investment Reports

11.B Ellensburg 100-Year Rodeo Anniversary Mural	191
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12. Miscellaneous

12.A Manager's Report (No Public Comment)	193
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5-15-23 Public Awareness Survey	
Bike Month 2023	
Bike Month 2023 - Spanish	

12.B Councilmembers' Reports (No Public Comment)	
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13. Executive Session (No Public Comment)

- 13.A Two matters per RCW 42.30.110(1)(i): To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.
- 13.B Per RCW 42.30.110(c), to consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public.

14. Adjournment



City of Ellensburg

PROCLAMATION

Bike Month Proclamation

May 2023

Whereas, May is celebrated as National Bike Month, and May 19 is Bike to Work Day; and

Whereas, creating a cycling-friendly community has been shown to improve citizens' physical and mental health, well-being, and quality of life, growing the economy of Ellensburg, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads; and

Whereas, greater public awareness of bicycle operation and safety education will reduce collisions, injuries, and fatalities and improve health and safety for everyone on the road; and

Whereas, the State of Washington has been ranked the #1 Bicycle-Friendly State in the nation from 2008 to 2021, and is currently ranked #3; and

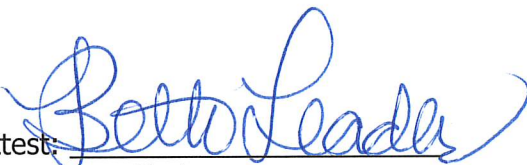
Whereas, Ellensburg and Kittitas County's road and trail system attracts bicyclists each year, providing economic health, transportation, tourism, and scenic benefits; and

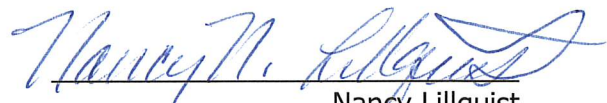
Whereas, the City of Ellensburg is a Silver-level Bicycle Friendly Community; and

Whereas, Ellensburg will celebrate Friday May 19, 2023 as Bike to Work Day, and invites everyone to join the 2nd Annual Ride to Renslow, the family Reconnection Ride, or join the bicycle celebration at Unity Park to receive free helmets, bells, and bikes on Saturday, May 20.

Now therefore, the City Council of the City of Ellensburg does hereby proclaim May as Bike Month in Ellensburg and urges all residents to give bicycling a try.

Signed this 15th day of May, 2023

Attest: 
City Clerk


Nancy Lillquist
Mayor





City of Ellensburg

PROCLAMATION

National Public Works Week

WHEREAS, public works and utilities professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Washington; and

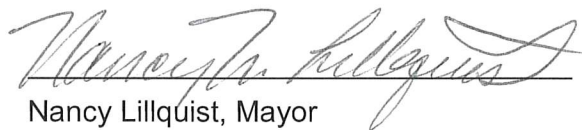
WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works and utilities professionals, who are engineers, managers, crew members, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings and other structures and facilities essential for our citizens; and

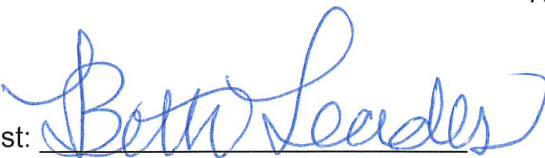
WHEREAS, it is in the public interest for the citizens, civic leaders and children of the state of Washington to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, the City Council and the City of Ellensburg do hereby designate the week of May 21-27, 2023 as "**National Public Works Week**"; we urge all our citizens to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, maintenance and operations personnel, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Signed this 15th day of May 2023.


Nancy Lillquist, Mayor

Attest: 
City Clerk



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Regular Meeting

May 1, 2023

7:00 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Winn

1. Call to Order and Roll Call

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

Absent: Monica Miller, who previously received an excused absence.

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Engineering Services Manager Mayo, Assistant Public Works Director Helgeson, Gas Engineer Yusi, Power & Gas Manager Stanavich, Planning Manager Johnston, Senior Planner Henderson, HR Director Young and approximately four members of the public

Others present remotely: Public Information Officer Klauss, Senior Planner Johnson and approximately seven members of the public

2. Proclamations

2.A. National Historic Preservation Month

Stacey Henderson, Senior Planner, commented regarding Historic Preservation Month.

2.B. National Day of Prayer

3. Awards and Recognitions

4. Approval of Agenda

Councilmember Elliott moved to Approve the Agenda as presented. **Motion Approved 6-0.**

5. Consent Agenda

5.A. Approve Minutes of the April 17, 2023 Regular Meeting

5.B. Acknowledge Minutes of Boards and Commissions

5.C. Award Bid Call 2023-03 Dolarway Substation Structural Steel to Callies Welding and Fabrication LLC

5.D. Naming of Wippel Park Gardens

5.E. Employment Agreement for Jim Goeben for Information Technology Director Position

5.F. Approve University Way Banner Request for National Day of Prayer - May 2-8, 2023

5.G. Memorandum of Understanding (MOU) Between Kittitas County Conservation District and the City of Ellensburg

5.H. Approve May 1, 2023 Voucher Listing

Councilmember Elliott moved to Approve the Consent Agenda as presented. **Motion Approved 6-0.**

6. Petitions, Protests, and Communications

6.A. Board and Commission Appointments - Landmarks and Design Commission
Gemma Fortier introduced herself as the newest member of the Lodging Tax Advisory Committee.

Jeff Watson introduced himself and expressed his interest in serving on the Landmarks & Design Commission.

Councilmember Elliott moved to Approve the recommendation of the Landmarks and Design Commission to appoint Jeff Watson and Cathy Poshusta. **Motion Approved 6-0.**

7. Citizen Comment on Non-agenda Issues

Thomas Jones, 1907 W Peakview Drive, spoke regarding vehicles speeding in his neighborhood and along Dry Creek Rd.

8. Business Requiring Public Hearings

8.A. Closed Record hearing (quasi-judicial) to Consider a Resolution to Approve Application for Preliminary Plat Approval (P22-126) submitted by William F Sparks and Sandra N Sparks, Owners-Sparks Plat
The Mayor opened the public hearing and asked Council the standard questions regarding appearance of fairness and conflict of interest. There were no appearance of fairness, ex parte contacts or conflicts of interest disclosed by the Mayor or the Councilmembers. Jeremy Johnston, Planning Manager, presented information in the staff report.

There were no questions or comments from the public and Councilmembers asked questions of staff. The Mayor closed the public hearing.

Councilmember Elliott moved to Approve adoption of Resolution 2023-11. **Motion Approved 6-0.**

9. Introduction and Adoption of Ordinances and Resolutions

9.A. Ordinance 4915 (Second Reading) - Wheeled All-Terrain Vehicles (WATV)
Mike Helgeson, Assistant Public Works Director, presented information in the staff report.

Councilmember David Miller moved to Approve second reading and adoption of Ordinance 4915. **Motion Approved 6-0.**

9.B. Ordinance 4916 (first reading) - Increasing Membership of the Diversity, Equity & Inclusion Commission
Nicole Klauss, Public Information Officer, presented information in the staff report.

Councilmember Elliott moved to Approve conducting first reading of Ordinance 4916. **Motion Approved 6-0.**

10. Unfinished Business

11. New Business

11.A. Agreement for Professional Services for the Granite Asphalt Plant and System Loop Design, Specifications and Permitting
Darin Yusi, Gas Engineer, presented information in the staff report and reviewed additional information in a presentation. Council asked questions of staff.

Josh Evans, Plant Manager for Granite Construction, spoke regarding their plant operations and the plan for reducing their carbon emissions.

David Dunbar, 670 Skyview Dr., spoke against the City proceeding with serving Granite with natural gas.

Written comments were submitted before the meeting by Meghan Anderson, Sylvia Shriner and David Dunbar.

Councilmember Elliott moved to Approve authorizing the City Manager to execute the Professional Services agreement with Kimley-Horn in the amount of \$168,425.00. **Motion Approved 6-0.**

Councilmember Goodloe moved to Approve requesting staff discuss with Granite and the Department of Ecology about Granite becoming an Emission Intensive Trade Exposed Entity (EITE). **Motion Failed 3-3 (Winn, Elliott and Beauchamp voted no).**

Councilmember David Miller moved to Approve directing staff to work with Granite to address the system cost impacts associated with the proposal which would reduce impacts to other gas utility customers. **Motion Approved 6-0.**

12. Miscellaneous

12.A. Manager's Report

The City Manager reviewed the report. She announced that the Annual Report is printed and will be sent out to citizens. Derek Mayo, Engineering Services Manager, presented information concerning flooding throughout the City.

An executive session was needed per RCW 42.303140(4)(a) and was estimated to take ten minutes.

12.B. Councilmembers' Reports

- Councilmember Beauchamp reported on the Sr. Citizen Advisory Committee
- Councilmember Elliott attended a KCCOG meeting and he requested Council have a conversation on a future agenda concerning KCCOG funding and autonomy and authority to represent each community individually through the RCW.
- Councilmember Goodloe attended the KCCOG, Utility Advisory Commission and Homelessness & Affordable Housing Committee meetings, the City Poem presentation; reported the DEI Commission is interviewing member applicants and the Human Library event was very successful
- Councilmember David Miller attended Public Transportation Advisory Committee meeting and the Arbor Day Ceremony
- Councilmember Winn attended Law & Justice Committee meeting and is filling sandbags at Wipple Park for the public
- Mayor Lillquist attended the Sustainability & Energy Steering Committee meeting, Arbor Day Ceremony and Human Library.

13. Executive Session

The Council recessed to executive session at 8:39 pm, which would take approximately ten minutes. No action would be taken.

Per RCW 42.30.140(4)(a), To review collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress.

Council reconvened at 8:47 pm.

14. Adjournment

The meeting adjourned at 8:47 pm

Mayor

ATTEST: _____
City Clerk

CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of Diversity, Equity & Inclusion

Commission Meeting

April 11, 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 3:02 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); Heidi Behrends Cerniwey, City Manager; Brad Case, Parks and Recreation Director; Ramona Bryant (League of Women Voters); Elliott Watkins; Pat Kelleher; and Amber Hofer.

2. Approval of Agenda

Commissioner Cleary moved to approve the amended agenda. Commissioner Colazo seconded the motion. **Motion approved 5-0.**

3. Approval of Minutes from March 7, 2023 Meeting

Commissioner Cleary moved to approve the March 7, 2023 meeting minutes. Commissioner Divine 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. **Nancy provided an updated release about the event.**
- Nicole needs to set up time for two commissioners to go to another commission meeting. **This month commission members Colazo and Mandujano will visit PTAC on 4/25.**
- Tylene will finalize sponsorship of Pride 2023. **No update.**
- Nancy will review subcommittees and individual responsibilities to commission. **On agenda.**
- Teresa will meet with CWU Day of Action/Block Party Committee. **Teresa got event funded.**
- Mayra and Alex will talk to contacts about plans for Cinco de Mayo event. **No updates.**
- Nancy will provide support to the Human Library event. **Event is 4/22.**

- Mayra and Tylenne will work on written request to ask Council to expand commission membership. **Commission member work is complete.**
- Nancy and Alex will meet with ESD & CWU to plan spring World Café event. **Event is complete.**
- DEI Commission will start conversation about what is a safe community on agendas. **Started at March meeting.**
- Nicole will work with DEI Commission members and IT to ensure access to City email. **In progress.**

6. Subcommittee Reports

Chair Goodloe is in contact with CWU about possibly holding a small Juneteenth event this year. Working with Hope Amason at CWU Museum. Commissioner Cleary volunteered to help.

7. Commission Member Reports

Commissioner Colazo said CWDR is bringing Outdoors For All accessible bikes to the Bike Month event at Unity Park.

8. New Business

A. Park Restroom Winter Accessibility Information

Parks and Recreation Director Brad Case provided a report about winterization of park restrooms, which close around October, and then reopen the Monday of Spring Break. All restrooms are currently open now. Case shared information about what other communities do regarding restrooms and winterization. The City looks at industry standards. City is researching automatic door locks and times to make it easier to open and close park restrooms and the possibility of heating restrooms year-round so pipes don't freeze.

Pat Kelleher provided public comment, asking the commission to issue a statement on minimum level of service to City Council and mentioned support for vault toilets.

Case said there are development standards the City must follow for vault toilets that determine if they are allowed in a location.

The new plan for Reed Park will have 1 gender neutral restroom and will have some ADA seating areas at the park. The Unity Park restroom will be open year-round; it will have 2 gender neutral restrooms that are open year-round like the ones at 3rd and Main. They will be large enough to accommodate a parent with young kids in a stroller.

Commission members asked if there are plans for making all parks have ADA restrooms year-round and what they can do to support park restrooms. Case will return to the May meeting with additional information.

B. Listening Tour Document

The Commission reviewed the draft listening tour document and recommended making City Hall a fallback location for the tours, rather than primary. The Commission recommended creating a script to read at the start of each listening tour so there is a consistent message being shared.

Klauss will ask the City Attorney to review the document section regarding the confidentiality and anonymity of the participants and will also ask about any special requirements involving minors such as a signed permission slip or parents present.

Chair Goodloe indicated the information included in the addendum to the document is not considered part of the listening tour policy but could be discussed by the Listening Tour subcommittee at their discretion.

Commissioner Cleary suggested having resources available at listening tours in case the questions bring up trauma for someone. KCHN put together a great resource packet so that can be printed and provide to listening tour members.

C. Review and Approve Grant Process

Carnell presented the draft of the grant application. The subcommittee is trying to make it as low barrier as possible. There was a suggestion to amend the “How does your project increase accessibility to...” to “How does your project minimize barriers to...”

The Commission asked if there is a limit on how much requests can be for and if the deadline is rolling or a set timeline; both need to be determined.

Klauss will forward the grant rubric that got left off the agenda packet. Feedback should be emailed to Klauss.

D. Review Commission Member Responsibilities

Chair Goodloe reviewed the document that outlines commission member responsibilities. The document will be used when onboarding new commission members.

9. Staff Report

Klauss reported on Belonging in The Burg.

Klauss said the commission has received 1 new application for the DEI Commission and has one on file from fall. Both will be invited to attend an upcoming DEI Commission meeting. Subcommittee needs to set up time to meet. Also need to interview current commission member interested in reappointment. Commissioner Divine will join interview subcommittee.

Klauss will be preparing a draft ordinance for City Council to consider adding two positions to the DEI Commission.

10. Public Comment

Chair Goodloe called for public comment; there was none.

11. Preview Next Meeting May 9, 2023

- Park Restroom Discussion Continued
- Review and Approve Listening Tour Document
- Finalize Grant Process
- Review and Approve Dates of Recognition For Social Media

Meeting adjourned.

Nicole Klauss

Drafted: 4/13/23

Approved: 5/9/23



CITY OF ELLENSBURG

Minutes of Lodging Tax Advisory Committee, Regular Meeting

Date of Meeting

April 5, 2023

Time of Meeting

2:00 PM

Place of Meeting

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

1. Call to Order and Roll Call

Roll Call Present: Adam Winn, Marie Smith, Lacie Dawson, and Steve Townsend

Absent: None

Also present in person: Cyndi LaChappelle, Executive Assistant, Matt Anderson, Director of Tourism, Brett Wachsmith, County Commissioner, Carl Jensvold, Ellensburg Rodeo Board, Kady Porterfield, Event Center Director, Gemma Fortier (remotely), LTAC candidate.

2. Approval of Minutes

Steve Townsend moved to approve the March 8, 2023 minutes as presented. **Motion approved 4-0.**

3. Correspondence and Public Comment

None

4. Unfinished Business

4.A. Tourism Report

Matt reviewed analytics and reported traffic to the site as 19-20K/month. The Chamber is including information on things to do in Ellensburg, i.e. restaurants, arts, the beer and wine scene, as well as Explore the Outdoors which includes trails and promoting Bike Month.

4.B. Revenues and Expenses

Information acknowledged.

5. New Business

5.A. Discussion and Consideration of Funding Dept Service to support KVEC/Rodeo Arena Capital Improvements.

Kady, Carl and Brett discussed the Rodeo Grandstands revitalization project and the necessity of same. Some funding has been secured but there is still a need.

Steve Townsend moved to authorize \$250K per year for ten years from LTAC funds to support the Ellensburg Rodeo Grandstands Project. **Motion approved 3-0 with 1 abstaining.**

Other: Cyndi advised that she has submitted the required JLARC report for 2022 expenditures.

The next meeting is scheduled for May 3 at 2:00 p.m.

6. Adjournment

With no further business, the meeting adjourned at 2:35 pm

Respectfully Submitted,
Cyndi LaChappelle-Mathis
Drafted: 4/5/23
Approved: 5/3/2023

PUBLIC TRANSIT ADVISORY COMMITTEE MEETING MINUTES

City of Ellensburg
Date & Time of Meeting
Place of Meeting

Minutes of PTAC Meeting
March 21, 2023 3:30 PM
Hybrid Meeting

1. Call to Order and Roll Call

Roll Call Present: David Miller, Jim Hurson, Sawyer Stearns, Amy Spitznas

Roll Call Absent: Joey Bryant, Christopher King

Also Present: Betsy Dunbar – COE, Spencer Klewin - HopeSource

2. Approval of Agenda

- Motion by to approve the March 21, 2023 PTAC Meeting Agenda was made by Jim Hurson.

Motion Affirmed by all.

3. Follow Up Items

- The status of the Zero-Emissions Transition Plan was shared with the committee. Tasks 1 & 2 have been completed which included an onsite visit.
- It was suggested we get public involvement by putting the Transition Plan on the City and Central Transit Websites.

4. Ridership Stats

- February 2023 Ridership Stats were shared with the committee members.

5. Agenda Items – Committee member Jim Hurson was nominated to fill the position of Vice Chair. **The motion was affirmed by all.**

6. Transit Marketing Updates

- The current advertisement at the SURC was shared.

7. Transit Updates

The following updates were given:

- The winning artwork for the SURC Bus Shelter.
- The route 15 detour feedback.
- The status of the Cabulance Extension.
- The ADA Transition Plan was introduced.

8. Approval of Minutes

- Motion to approve the February 21, 2023 minutes was made by Jim Hurson.
Motion Affirmed by all.

9. Member Updates

- It was suggested we get public involvement by putting the Transition Plan on the City and Central Transit Websites.
- Additional Cabulance Awareness at the hospital.
- Paratransit information on the buses.
- More transit brochures in key location throughout the city.
- Suggestions for more bus stops, time stops, and route modifications were made and discussed.

10. Next PTAC Meeting:

- The next regular PTAC meeting will be held **April 25, 2023.**

11. Adjournment:

With no further discussion, the meeting was adjourned at 4:48 PM

Betsy Dunbar

Drafted: March 27, 2023

Approved: April 25, 2023

Central Washington University

University Way Banner Request Form

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

Name of Event/Program: CWU Fashion Show

Contact Person: Andrea Eklund

Phone Number: 509-963-2067

Banner Hang Dates (Monday-Sunday): May 30-June 4, 2023

- CWU Scheduling Center has reserved the banner dates.

Phone: 509-963-1321 or 509-963-1641, Email: schedule@cwu.edu

- This Banner is a **maximum of 30' x 52"** and a **minimum of 24' x 48"** with **3" turnback at the top and bottom of the banner that will allow steel cable to be strung through it. No grommets.**

- We recommend that wind flaps be cut into the banner to prevent wind damage



* Example of a correctly made banner.

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



Important Notes:

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

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

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

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

City of Ellensburg approved by: _____ Date: _____

Disapproval/Reasons: _____

Central Washington University

University Way Banner Request Form

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

Name of Event/Program: CWU Commencement

Contact Person: Lauren Zeutenhorst

Phone Number: 509-963-2487

Banner Hang Dates (Monday-Sunday): June 6, 2023 - June 12, 2023

☒ CWU Scheduling Center has reserved the banner dates.

Phone: 509-963-1321, Email: schedule@cwu.edu

☒ Banner should be double-sided and a **maximum of 30' x 52"** and a **minimum of 24' x 48"** with **3" turnback at the top and bottom of the banner that will allow steel cable to be strung through it. No grommets.**

- We recommend that wind flaps be cut into the banner to prevent wind damage



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

City of Ellensburg approved by: _____ Date: _____

Disapproval/Reasons: _____

From: Darren Reid

Sent: Thursday, April 27, 2023 10:47 AM

To: Stacey Henderson

Subject: [Ext] Landmarks and Design resignation

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

Good morning Stacey. Consider this my email as my resignation from landmarks and Design effective May 1. I greatly appreciate what the commission and all that they do to make Ellensburg such a wonderful and historically significant town to live in. I have enjoyed working closely with you and the commission members over the past 2 years and will continue to advocate for historic preservation in Ellensburg.

I will be stepping down to focus my volunteer hours on being the board President for the EDA (effective June 1), and continuing to coach youth sports. As I will be vacating the EDA liaison to the Landmarks and Design commission role, I would like to recommend Andy Polak to the commission.

He is an EDA board member and will serve well in that EDA liaison seat within the commission. At the EDA's last board meeting on 4/24/23 Andy was unanimously supported in this role. Andy is passionate about historic preservation, has practical knowledge through his own historic preservation efforts, and is pragmatic in a time where that is vitally important on the commission.

A heartfelt thank you to the commission and you personally Stacey. It has been a pleasure serving with you these past 2 years.

Darren Reid



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Approval of Contract - City Hall Low Slope Roof Replacement

Submitted by: Hunter Slyfield Public Works & Utilities

Recommended Action or Motion: Authorize the City Manager to sign the Contract with M.G. Wagner Inc. and approve the necessary budget adjustments.

Background/Summary: The low slope roof areas of City Hall are covered with a mechanically attached single ply Thermoplastic Polyolefin (TPO) roof covering installed in 2003 with the renovation. This roofing system has been repaired and patched multiple times and has reached the end of its useful lifespan. Roof leaks persist during rain and snowmelt events resulting in interior damage to the building. Replacement of the existing roofing system is necessary to eliminate interior building leaks and damage to the facility. A mechanically attached 60 mil TPO roofing system with heat welded seams will be installed after removal of the old roof. This thicker roof membrane will provide superior protection and a longer useful lifespan.

Previous Council Action: N/A

Analysis: A quote for roof removal and new roof installation was provided by M.G. Wagner Inc. They are a licensed commercial roofing contractor and are listed on the MRSC Small Works Roster. Due to the estimated cost of the project the minimal competition bid limits apply. M.G. Wagner has a documented history of successful projects with the City of Ellensburg and can meet the short timeframe of the project.

Financial Impact: The roofing replacement is estimated to cost \$82,348.23 including sales tax. It will be funded from the Facilities Improvement Bond Fund and will require a supplemental budget adjustment.

Attachments:
[City Hall Reroof Contract](#)

**CONTRACT FOR CITY HALL REROOF OF LOW SLOPE AREAS
BETWEEN
THE CITY OF ELLENSBURG
AND
M.G. WAGNER CO. INC.**

This agreement, made and entered into this _____ day of _____, 20__ by and between the City of Ellensburg, Washington, hereinafter called the “Owner” and M.G. Wagner Co. Inc. called the “Contractor.”

WITNESSETH:

WHEREAS, the City desires to have Contractor perform the removal of the existing TPO roof and installation of a new mechanically attached TPO roof in certain low slope areas of City Hall at the locations outlined in Attachment A, within Ellensburg WA: and

WHEREAS, the City has solicited quotes from the Contractor, registered with the City’s small works roster and awarded a Contract to the contractor as herein set forth and as stated more in detail in the Scope of Work attachment, all of which Contract Documents are made a part hereof and which constitute the whole Contract between the City and Contractor, and

WHEREAS, the Contractor has offered its proposal and has been selected by competitive bid and/or quote as the “lowest responsible bidder submitting the lowest responsive bid” as that term is defined in Ch. 39.04 RCW,

NOW THEREFORE, the City and Contractor mutually agree as follows:

1. Description of the Work

The Contractor shall do all work and furnish all materials, tools, and equipment for to complete this Contract.

The Contractor shall provide and bear the expense of all equipment, work and labor any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work mentioned in the specifications in a professional and workmanlike manner. Any additional materials needed to complete the work will be billed to the Owner at the Contractors expense.

The Contractor shall complete its work in a timely manner and in accordance with the allowable working days submitted by the Contractor and approved by the City.

2. Contract Documents

The Contract between the parties is expressed in the Contract Documents, which includes Attachment A: the reroof limits, Attachment B: the accepted quote, L&I Statement of Intent to Pay Prevailing Wages-Public Works Contract; Copy of Contractor’s state contractor license and UBI number; Copy of Contractor’s city business license and this Contract.

3. Contract Amount

The City hereby agrees to pay the Contractor according to the Contractor's Bid/Quote in the amount of **\$75,967.00** plus Washington State Sales Tax in the amount of **\$6381.23**, at the time and manner and upon the conditions provided for in this contract.

4. Performance and Payment

The Contractor shall submit properly certified invoices for the work performed. The City agrees to pay the Contractor for the actual work completed to the satisfaction of the City and in conformance with this Contract. Upon acceptance of payment, Contractor waives any claims against the City related to the work covered by the invoice. The City shall pay the Contractor for services satisfactorily rendered within thirty days of receipt of such invoice.

Pursuant to RCW 39.08.010 for projects valued at thirty-five thousand dollars (\$35,000) or less, at the option of the Contractor, the City may, in lieu of a performance and payment bond, retain 50% of the compensation for the project for a period of thirty (30) days after final acceptance of the project or until receipt of all necessary releases from the Department of Revenue and Department of Labor and Industries and settlement of any liens filed under RCW 60.28 whichever is later.

5. Contract Time

Time is of the essence in the performance of this Contract. The Contractor agrees to work promptly and fully to complete the work within the limits described by 07/31/2023.

6. Prevailing Wage

The work under the Contract may be subject to the prevailing wage requirements of Chapter 39.12 RCW, as amended or supplemented. If this Contract is subject to prevailing wage requirements, the Contractor, each of its subcontractor(s) and other person(s) doing any work under the Contract shall pay all laborers, workers, mechanics not less than the prevailing rate of wage for an hour's work in the same trade or occupation in the locality within the State of Washington where such labor is performed as required by law. The prevailing rate of wage to be paid to all workman, laborers and mechanics employed in the performance of any part of this Contract shall be in accordance with the provisions of Chapter 39.12 RCW, as amended, and the rules and regulations of the Department of Labor and Industries. The rules and regulations of the Department of Labor and Industries and the schedule of the prevailing wage rates for the Industrial Statistician of the Department of Labor and Industries, are by reference made a part of this contract as though fully set forth herein. These rates may be accessed on the internet at <https://fortress.wa.gov/lni/wagelookup/prvWagelookup.aspx>.

The Contractor shall provide an Intent to Pay Prevailing Wages prior to commencement of work and a Labor & Industries Affidavit of Prevailing Wages Paid upon completion. No payments will be made until the Intent to Pay is received and no final payment made until the Affidavit of Wages Paid is received.

7. Hold Harmless and Indemnification

The Contractor shall hold harmless, indemnify and defend the City, Engineer, its officers, officials, employees and agents, from and against any and all claims, actions, suits, liability, loss, expenses, damages, and judgments of any nature whatsoever, including, but not limited to, reasonable costs and attorneys' fees in defense thereof, for injury, sickness, disability or death to persons or damage to property or business, caused by or arising out of the performance of this contract by the Contractor, its employees, agents, or subcontractors or anyone for whose acts any of them may be liable, except for injuries and damages caused by the sole negligence of the City.

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

8. Insurance

The Contractor shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors. The Contractor shall provide a Certificate of Insurance evidencing:

9.1 Automobile Liability insurance with limits no less than \$1,000,000 combined single limit per accident for bodily injury and property damage;

9.2 Commercial General Liability insurance written on an occurrence basis with limits no less than \$3,000,000 per occurrence and \$2,000,000 in the aggregate for personal injury, bodily injury and property damage. Coverage shall include but not be limited to: blanket contractual; products/completed operations; broad form property damage; explosion, collapse and underground (XCU) if applicable; and employer's liability; and

9.3 Worker's Compensation insurance at the limits established by the State of Washington.

Any payment of deductible or self-insured retention shall be the sole responsibility of the Contractor.

9. Termination

If the contractor should neglect to prosecute the work properly or should fail to perform any other provision of this contract, the City may, without prejudice to any other remedy it may have,

serve upon the contractor written notice specifying such failure and stating that if it is not corrected within three (3) days, or such longer period as the City may determine, the City may, among such other remedies (1) terminate all or part of the contract or (2) take over and do all or part of the work by contract or otherwise. The action taken under this paragraph by the City shall not relieve the contractor from liability arising from his/her failure to perform the contract. In the event the City terminates the contract pursuant to this paragraph, the contractor shall not remove any material or equipment from its location at the time of termination without the written consent of the City.

10. Non-Waiver of Rights

The parties agree that the excuse or forgiveness of performance, or waiver of any provisions of this Contract, does not constitute a waiver of such provisions for future performance, or prejudice the right of the waiving party to enforce any of the provisions of this Contract at a later time.

11. Independent Contractor

The Contractor shall perform this Contract as an Independent Contractor and not as an agent, employee or servant of the City. The parties agree that the Contractor is not entitled to any benefits or rights enjoyed by employees of the City. Contractor shall comply with all laws regarding workers' compensation.

The Contractor specifically has the right to direct and control Contractor's own activities in providing the agreed services in accordance with the specifications set out in this Contract. Furthermore, the Contractor shall have and maintain complete responsibility and control over all of its subcontractors, employees, agents, and representatives. No subcontractor, employee, agent, or representative of the Contractor shall be or deem to be or act or purport to act as an employee, agent, or representative of the City, unless otherwise directed by the terms of this Contract.

The Contractor agrees to immediately remove any of its employees or agents from assignment to perform services under this Contract upon receipt of a written request to do so from the City's Representative or designee.

12. Nondiscrimination

The Contractor, its assignees, delegates, or subcontractors shall not discriminate against any person in the performance of any of its obligations hereunder on the basis of race, color, creed, religion, national origin, age, sex, marital status, sexual orientation, veteran status, the presence of any disability, or for any other reason prohibited by state or federal law.

13. Choice of Law, Jurisdiction and Venue

Any action at law, suit in equity, or judicial proceeding for the enforcement of this contract or any provisions thereof shall be instituted and maintained only in the superior court of the State of Washington, Kittitas County. It is mutually understood and agreed that this contract shall be governed by the laws of the State of Washington, both as to interpretation and performance.

14. Successors And Assigns

The City, to the extent permitted by law, and the Contractor each bind themselves, their partners, successors, executors, administrators, and assigns to the other Party to this Contract and to the partners, successors, administrators, and assigns of such other party in respect to all covenants of this Contract.

15. Severability

If a court of competent jurisdiction holds any part, term or provision of this Contract to be illegal, or invalid in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.

If it should appear that any provision of this Contract is in conflict with any statutory provision of the United States or the State of Washington, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform to such statutory provision.

16. Entire Agreement

The parties agree that this Contract is the complete expression of its terms and conditions. Any oral or written representations or understandings not incorporated in this Contract are specifically excluded.

17. Modification.

No provisions of this Contract may be amended or modified except by written agreement signed by the Parties.

18. Notices

Any notices shall be effective if personally served upon the other party or if mailed by registered or certified mail, return receipt requested, to the addresses set out in Section 3. Notice may also be given by facsimile with the original to follow by regular mail. Notice shall be deemed to be given three days following the date of mailing or immediately if personally served. For service by facsimile, service shall be effective upon receipt during working hours. If a facsimile is sent after working hours, it shall be effective at the beginning of the next working day.

19. Standard Specifications

The Standard Specifications of the City of Ellensburg are the City of Ellensburg Standard Details, the 2014 Standard Specifications for Road, Bridge and Municipal Construction and amendments thereto, prepared by the Washington State Department of Transportation and the Washington State Chapter, American Public Works Association, and shall control in the preparation of the bidder's documents and contract completion unless otherwise amended herein.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed the day and year first herein above written.

CITY OF ELLENSBURG

CONTRACTOR

By: _____
City Manager

By: _____

Attest:

Printed name: _____

By: _____
City Clerk

Title: _____

Approved as to form:

City Attorney

Attachment A



Attachment B



To: City of Ellensburg

From: Ric Fernandez

Fax:

Pages: 2

Phone:

Attn: *Dustin*

PROJECT: *Ellensburg City Hall – Reroof of Low Slope Areas*

PROJECT DESCRIPTION: These roof areas have a single ply TPO roof system installed over woodfiber coverboard. The "base bid" of this proposal includes the 3 main larger roof areas and the small lower roof on the northeast corner. The entry roof and mechanical deck will be offered as alternate additions. Following is our proposed scope of work.

SCOPE OF WORK: *Mechanically Attached TPO Roof System (8,800 sq. feet)*

- Remove the existing TPO membrane and related flashings in their entirety. Inspect underlying coverboard to ensure there is no moisture saturation. All debris will be transported to the local landfill.
- Install a mechanically attached 60mil TPO roof system. The roofing is mechanically attached and heat-welded at the seams.
- Install TPO membrane flashings at parapet walls, roof curbs and roofing penetrations.
- Install slip flashing under interior leg of coping cap (unless coping is replaced – alternate pricing below).
- Upon completion, M.G. Wagner will install a 3-year workmanship warranty and a manufacturer's 15-year material warranty.

LABOR & MATERIALS: \$67,049.00

Add for Entry Roof: \$3,980.00

Add for Mechanical Deck: \$4,938.00



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Dedication Deeds and Easement for the Heatherstone Plat

Submitted by: Derek Mayo Public Works & Utilities

Recommended Action or Motion: Authorize the Mayor to execute the Dedication Deeds and Easement provided by the Heatherstone Plat.

Background/Summary: The Heatherstone Plat bonded for required improvement and received final plat approval in October of 2016. Construction of the required improvements have been ongoing for several years and are now complete. With the improvements, additional Rights of Way (ROW) and Easement are needed to be executed.

Previous Council Action: Council approved the final plat application for the Heatherstone Subdivision at the October 3, 2016 meeting.

Analysis: The first Dedication and Easement document attached, is for the dedication of additional right-of-way ("ROW") and Easement at the cul-de-sac at the East end of Heatherstone Court. This additional ROW and easement is needed due to the developer's contractor installing the frontage improvements slightly outside of the originally platted ROW, resulting in a slightly larger cul-de-sac. The second Dedication Deed is for an additional dedication of a 5' wide strip of ROW to widen the Heatherstone Court ROW. The development constructed half street improvements on Heatherstone Court, but it was decided during construction to dedicate an additional 5' of ROW to better construct half-street improvements to meet applicable fire code standards, without the potential to encroach the abutting property to the north. Future development of the property to the north will necessitate the construction of improvements for the north-half of Heatherstone Court. The required width of improvements at that time would be reduced based on the additional width of the completed improvements by the Heatherstone Subdivisions on Heatherstone Court.

Financial Impact: No Fiscal Impact.

Attachments:

[Dedication Deed and Easement w-REETA 2023-04-21](#)

[Dedication Deed 5 ft strip w-REETA 2023-04-21](#)

[Heatherstone Survey - Preliminary 3-29-2023](#)

After recording return to:
Department of Public Works
City of Ellensburg
501 N. Anderson St.
Ellensburg WA 98926

Document Title:	Dedication Deed
Grantor:	West Ridge Home Construction LLC, a Washington limited liability company
Grantee:	City of Ellensburg, a municipal corporation
Legal Description:	Ptn Lots 6 and 7, HEATHERSTONE, Book 12 of Plats, pgs 168-170
Assessor's Tax Parcel No.:	18-18-26101-0006 (960031); 18-18-26101-0007 (960032)

DEDICATION DEED

THIS DEDICATION DEED is made as of the _____ day of _____, 2023, by **West Ridge Home Construction LLC, a Washington limited liability company** ("Grantor") and the **City of Ellensburg, a municipal corporation** ("Grantee").

WHEREAS, the Grantor owns fee title to that certain real property located in Kittitas County, Washington and legally described as follows:

Lots 6 and 7, HEATHERSTONE, as per plat thereof recorded in Book 12 of Plats, at pages 168-170, under Auditor's File No. 201610070032, records of said county.

(said property hereinafter referred to as "Lots 6 and 7," said plat referred to as the "Plat," and the property subdivided by the Plat referred to hereinafter as "Heatherstone"); and

WHEREAS, Heatherstone is adjacent to a previously dedicated public road, which road had, at the time Heatherstone was subdivided, not yet been constructed. The construction of said road and the portion of Heatherstone Ct. created by the Plat (collectively, "Heatherstone Ct.") was a requirement of the approval of the Heatherstone subdivision and has now been completed; and

Page 1 of 4

Lathrop, Winbauer, Harrel & Slothower, L.L.P.
Attorneys at Law
415 E. Mountain View Ave., Suite 302
Ellensburg Washington 98926
Telephone 509-925-6916

WHEREAS, portions of the Heatherstone Ct. improvements were inadvertently constructed on portions of Lots 6 and 7; and

WHEREAS, the parties desire to dedicate to the use of the public additional property necessary to encompass the as-built location of Heatherstone Ct. and to expand the Utility Easement set forth on the Plat to encompass land 10 feet from the resultant new boundary line of Lots 6 and 7.

NOW, THEREFORE, for and in consideration of dedicating property encumbered by public facilities resulting from the development of real property, and with the intent of dedicating the hereinbelow described property with the same effect as had the dedication been included on the Plat,

THE GRANTOR does by these presents grant, convey and dedicate to the GRANTEE, the following described real property located in the County of Kittitas, State of Washington:

Parcels D1 and D2 of that certain Survey recorded April ____, 2023, in Book 45 of Surveys at pages ____, under Auditor's File No. ____, records of Kittitas County, Washington; being portions of Lots 6 and 7, HEATHERSTONE, as per plat thereof recorded in Book 12 of Plats, at pages 168-170, under Auditor's File No. 201610070032, records of said county; located in the Northeast Quarter of Section 26, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

TO HAVE AND TO HOLD the said described premises unto the said City of Ellensburg and its successor or successors for the use of the public forever for roadway and related purposes.

TOGETHER WITH perpetual, non-exclusive easements over, under and across the following described real property located in Kittitas County, Washington:

Easement E1 as delineated on that certain Survey recorded April ____, 2023, in Book 45 of Surveys at pages ____, under Auditor's File No. ____, records of Kittitas County, Washington; being across a portion of Lot 6R of said survey; located in the Northeast Quarter of Section 26, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

AND

Easement E2 as delineated on that certain Survey recorded April ____, 2023, in Book 45 of Surveys at pages ____, under Auditor's File No. ____, records of Kittitas County, Washington; being across a portion of Lots 6R and 7R of said survey; located in the Northeast Quarter of Section 26, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

(severally and collectively, the "Easement Area(s)"), for the construction, maintenance, operation, repair, replacement and/or enlargement of underground pipes, conduits, cables and wires, together with all reasonably necessary or convenient underground or ground-mounted appurtenances thereto for the purpose of serving the Heatherstone Plat and other adjacent properties with utilities (including without limitation, water, sanitary sewer, drainage, power, cable, fiber optic, gas, and telecommunications facilities); provided, however, Grantor expressly reserves unto the respective owner(s) of the affected Lot(s) all rights in and to the Easement Area(s) not specifically granted herein, including, but not limited to, the right to use the Easement Area(s) for any purpose and the right to grant any other easement, license or right-of-way on, over, under or across the Easement Area(s) so long as such uses and rights are not inconsistent with the easement rights granted herein; provided further, however, upon completion of any work relative to the rights granted herein, all disturbance to the surface or improvements shall be restored by the party performing the work to as good or better condition as existing immediately prior to such work.

Dated this _____ day of _____, 2023.

West Ridge Home Construction LLC,
a Washington limited liability company

By its Authorized Agent, Rachael Packard

Accepted and Ratified:

CITY OF ELLENSBURG

By: Nancy Lillquist, Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk: Beth Leader

Terry Weiner, City Attorney

STATE OF WASHINGTON)
) ss.
County of Kittitas)

On this day, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **RACHAEL PACKARD**, to me known to be the Authorized Agent of **WEST RIDGE HOME CONSTRUCTION LLC, A WASHINGTON LIMITED LIABILITY COMPANY**, the limited liability company that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument.

GIVEN under my hand and official seal this ____ day of _____, 2023.

Rhoda L. Crispin
Notary Public in and for the State of Washington
My commission expires: 7/11/2024

STATE OF WASHINGTON)
) ss.
County of Kittitas)

On this day, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Nancy Lillquist, to me known to be the Mayor of The City of Ellensburg, and acknowledged that the said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument.

GIVEN under my hand and official seal this ____ day of _____, 2023.

Printed Name: _____
Notary Public in and for the State of Washington
My commission expires: _____

Real Estate Excise Tax Affidavit

(RCW 82.45 WAC 458-61A)

Only for sales in a single location code on or after March 1, 2023.
This affidavit will not be accepted unless all areas on all pages are fully and accurately completed.
This form is your receipt when stamped by cashier. *Please type or print.*

☐ Check box if partial sale, indicate % sold.

List percentage of ownership acquired next to each name.

1 Seller/Grantor

Name West Ridge Home Construction LLC.
a Washington limited liability company
Mailing address 3191 Killmore Rd.
City/state/zip Ellensburg WA 98926
Phone (including area code) c/o 509-925-6916

2 Buyer/Grantee

Name City of Ellensburg, a municipal corporation
Mailing address 501 N. Anderson St.
City/state/zip Ellensburg WA 98926
Phone (including area code) (509) 962-7230

3 Send all property tax correspondence to: ☒ Same as Buyer/Grantee

Name _____
Mailing address _____
City/state/zip _____

List all real and personal property tax parcel account numbers	Personal property?	Assessed value(s)
<u>18-18-26101-0006 (960031)</u>	☐	<u>\$ 90,010.00</u>
<u>18-18-26101-0007 (960032)</u>	☐	<u>\$ 91,070.00</u>
_____	☐	<u>\$ 0.00</u>

4 Street address of property 504 E HEATHERSTONE CT and 506 E HEATHERSTONE CT, ELLENSBURG
This property is located in Ellensburg *(for unincorporated locations please select your county)*

☒ Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.
Legal description of property (if you need more space, attach a separate sheet to each page of the affidavit).

See attached Exhibit A

5 91 - Undeveloped land (land only)

Enter any additional codes _____
(see back of last page for instructions)

Was the seller receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit org., senior citizen or disabled person, homeowner with limited income)? ☐ Yes ☒ No

Is this property predominately used for timber (as classified under RCW 84.34 and 84.33) or agriculture (as classified under RCW 84.34.020) and will continue in it's current use? **If yes and the transfer involves multiple parcels with different classifications, complete the predominate use calculator (see instructions)** ☐ Yes ☒ No

6 Is this property designated as forest land per RCW 84.33? ☐ Yes ☒ No

Is this property classified as current use (open space, farm and agricultural, or timber) land per RCW 84.34? ☐ Yes ☒ No

Is this property receiving special valuation as historical property per RCW 84.26? ☐ Yes ☒ No

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)
NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, **you must sign on (3) below.** The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale (RCW 84.33.140 or 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land: ☐ does ☐ does not qualify for continuance.

Deputy assessor signature _____ Date _____

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)

NEW OWNER(S): To continue special valuation as historic property, **sign (3) below.** If the new owner(s) doesn't wish to continue, all additional tax calculated pursuant to RCW 84.26, shall be due and payable by the seller or transferor at the time of sale.

(3) NEW OWNER(S) SIGNATURE

Signature _____	Signature _____
Print name _____	Print name _____

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Signature of grantor or agent _____
Name (print) Rachael Packard
Date & city of signing _____

Signature of grantee or agent _____
Name (print) _____
Date & city of signing _____

Perjury in the second degree is a class C felony which is punishable by confinement in a state correctional institution for a maximum term of five years, or by a fine in an amount fixed by the court of not more than \$10,000, or by both such confinement and fine (RCW 9A.72.030 and RCW 9A.20.021(1)(c)).

To ask about the availability of this publication in an alternate format for the visually impaired, please call 360-705-6705. Teletype (TTY) users may use the WA Relay Service by calling 711.

Attachment to Real Estate Excise Tax Affidavit

Document Title:	Dedication Deed
Grantor:	West Ridge Home Construction LLC, a Washington limited liability company
Grantee:	City of Ellensburg, a municipal corporation
Legal Description:	Ptn Lots 6 and 7, HEATHERSTONE, Book 12 of Plats, pgs 168-170
Assessor's Tax Parcel No.:	18-18-26101-0006 (960031); 18-18-26101-0007 (960032)

Box 4, legal description:

Parcels D1 and D2 of that certain Survey recorded April ____, 2023, in Book 45 of Surveys at pages ____, under Auditor's File No. ____, records of Kittitas County, Washington; being portions of Lots 6 and 7, HEATHERSTONE, as per plat thereof recorded in Book 12 of Plats, at pages 168-170, under Auditor's File No. 201610070032, records of said county; located in the Northeast Quarter of Section 26, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

TOGETHER WITH perpetual, non-exclusive easements over, under and across the following described real property located in Kittitas County, Washington:

Easement E1 as delineated on that certain Survey recorded April ____, 2023, in Book 45 of Surveys at pages ____, under Auditor's File No. ____, records of Kittitas County, Washington; being across a portion of Lot 6R of said survey; located in the Northeast Quarter of Section 26, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

AND

Easement E2 as delineated on that certain Survey recorded April ____, 2023, in Book 45 of Surveys at pages ____, under Auditor's File No. ____, records of Kittitas County, Washington; being across a portion of Lots 6R and 7R of said survey; located in the Northeast Quarter of Section 26, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

After recording return to:
Department of Public Works
City of Ellensburg
501 N. Anderson St.
Ellensburg WA 98926

Document Title:	Dedication Deed
Grantor:	CTR-Gail, LLC, a dissolved Washington limited liability company by and through Craig Ronning and Teri Ronning, its sole members; and
Grantee:	City of Ellensburg, a municipal corporation
Legal Description:	Heatherstone Ct., HEATHERSTONE, Book 12 of Plats, pgs 168-170
Assessor's Tax Parcel No.:	18-18-26066-0002/P16887 (parent parcel)

DEDICATION DEED

THIS DEDICATION DEED is made as of the ____ day of _____, 2023, by **CTR-Gail, LLC, a dissolved Washington limited liability company by and through Craig Ronning and Teri Ronning, its sole members** ("Grantor") and the **City of Ellensburg, a municipal corporation** ("Grantee").

WHEREAS, by way of the plat of Heatherstone recorded under Auditor's File No. 201610070032 (the "Plat"), CTR-Gail, LLC, a Washington limited liability company subdivided that certain property located in the City of Ellensburg and more fully described thereon ("Heatherstone"); and

WHEREAS, Heatherstone is adjacent to a previously dedicated public road, identified on the Plat as Heatherstone Ct.; and

WHEREAS, pursuant to subdivision requirements for Heatherstone, a strip of land adjacent to Lots 1 through 6 of the Plat was platted to expand Heatherstone Ct. (the "Heatherstone Ct. Expansion"), which area has not yet been dedicated to the use of the public; and

WHEREAS, the parties desire to complete the dedication process of the Heatherstone Ct. Expansion.

NOW, THEREFORE, for and in consideration of satisfying the Heatherstone subdivision requirements and with the intent of dedicating the hereinbelow described property with the same effect as had the dedication been included on the Plat,

THE GRANTORS do by these presents grant, convey and dedicate to the GRANTEE, the following described real property located in the County of Kittitas, State of Washington:

Heatherstone Ct. of HEATHERSTONE, as per plat thereof recorded in Book 12 of Plats, at pages 168-170, under Auditor's File No. 201610070032, records of Kittitas County, Washington.

TO HAVE AND TO HOLD the said described premises unto the said City of Ellensburg and its successor or successors for the use of the public forever for roadway and associated purposes.

WITNESS our hands and seals this _____ day of _____, 2023.

Craig Ronning, individually and as member
of CTR-Gail, LLC, a dissolved Washington
limited liability company

Teri Ronning, individually and as member of
CTR-Gail, LLC, a dissolved Washington
limited liability company

Accepted and Ratified:

CITY OF ELLENSBURG

By: Nancy Lillquist, Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk: Beth Leader

Terry Weiner, City Attorney

STATE OF WASHINGTON)
) ss.
County of Kittitas)

On this day personally appeared before me Craig Ronning to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of March, 2023.

Printed Name: _____
Notary Public in and for the State of Washington
My commission expires: _____

STATE OF WASHINGTON)
) ss.
County of Kittitas)

On this day personally appeared before me Teri Ronning to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of March, 2023.

Printed Name: _____
Notary Public in and for the State of Washington
My commission expires: _____

STATE OF WASHINGTON)
) ss.
County of Kittitas)

On this day, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Nancy Lillquist, to me known to be the Mayor of The City of Ellensburg, and acknowledged that the said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument.

GIVEN under my hand and official seal this _____ day of _____, 2023.

Printed Name: _____
Notary Public in and for the State of Washington
My commission expires: _____

Real Estate Excise Tax Affidavit (RCW 82.45 WAC 458-61A)

Only for sales in a single location code on or after March 1, 2023.
This affidavit will not be accepted unless all areas on all pages are fully and accurately completed.
This form is your receipt when stamped by cashier. *Please type or print.*

☐ Check box if partial sale, indicate % _____ sold. List percentage of ownership acquired next to each name.

1 Seller/Grantor

Name Craig Ronning and Teri Ronning, individually and on behalf of
CTR-GAIL, LLC, a dissolved Washington limited liability company
Mailing address 224 Stougaard Ln
City/state/zip Ellensburg WA 98926
Phone (including area code) c/o 509-925-6916

2 Buyer/Grantee

Name City of Ellensburg, a municipal corporation

Mailing address 501 N. Anderson St.

City/state/zip Ellensburg WA 98926

Phone (including area code) (509) 962-7230

3 Send all property tax correspondence to: ☒ Same as Buyer/Grantee

Name _____

Mailing address _____

City/state/zip _____

List all real and personal property tax parcel account numbers	Personal property?	Assessed value(s)
18-18-26066-0002/P16887 (parent parcel)	☐	\$ 0.00
	☐	\$ 0.00
	☐	\$ 0.00

4 Street address of property Heatherstone Ct., Ellensburg WA

This property is located in Ellensburg (for unincorporated locations please select your county)

☐ Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.

Legal description of property (if you need more space, attach a separate sheet to each page of the affidavit).

Heatherstone Ct. of HEATHERSTONE, as per plat thereof recorded in Book 12 of Plats, at pages 168-170, under Auditor's File No. 201610070032, records of Kittitas County, Washington.

5 45 - Highway and street right of way

Enter any additional codes _____
(see back of last page for instructions)

Was the seller receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit org., senior citizen or disabled person, homeowner with limited income)? ☐ Yes ☒ No

Is this property predominately used for timber (as classified under RCW 84.34 and 84.33) or agriculture (as classified under RCW 84.34.020) and will continue in it's current use? **If yes and the transfer involves multiple parcels with different classifications, complete the predominate use calculator (see instructions)** ☐ Yes ☒ No

6 Is this property designated as forest land per RCW 84.33? ☐ Yes ☒ No

Is this property classified as current use (open space, farm and agricultural, or timber) land per RCW 84.34? ☐ Yes ☒ No

Is this property receiving special valuation as historical property per RCW 84.26? ☐ Yes ☒ No

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)

NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, **you must sign on (3) below**. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale (RCW 84.33.140 or 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land: ☐ does ☐ does not qualify for
continuance.

Deputy assessor signature	Date
---------------------------	------

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)

NEW OWNER(S): To continue special valuation as historic property, **sign (3) below**. If the new owner(s) doesn't wish to continue, all additional tax calculated pursuant to RCW 84.26, shall be due and payable by the seller or transferor at the time of sale.

(3) NEW OWNER(S) SIGNATURE

Signature	Signature
Print name	Print name

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Signature of grantor or agent _____
 Name (print) Craig Ronning
 Date & city of signing _____

Signature of grantee or agent _____
Name (print) _____
Date & city of signing _____

Perjury in the second degree is a class C felony which is punishable by confinement in a state correctional institution for a maximum term of five years, or by a fine in an amount fixed by the court of not more than \$10,000, or by both such confinement and fine (RCW 9A.72.030 and RCW 9A.20.021(1)(c)).

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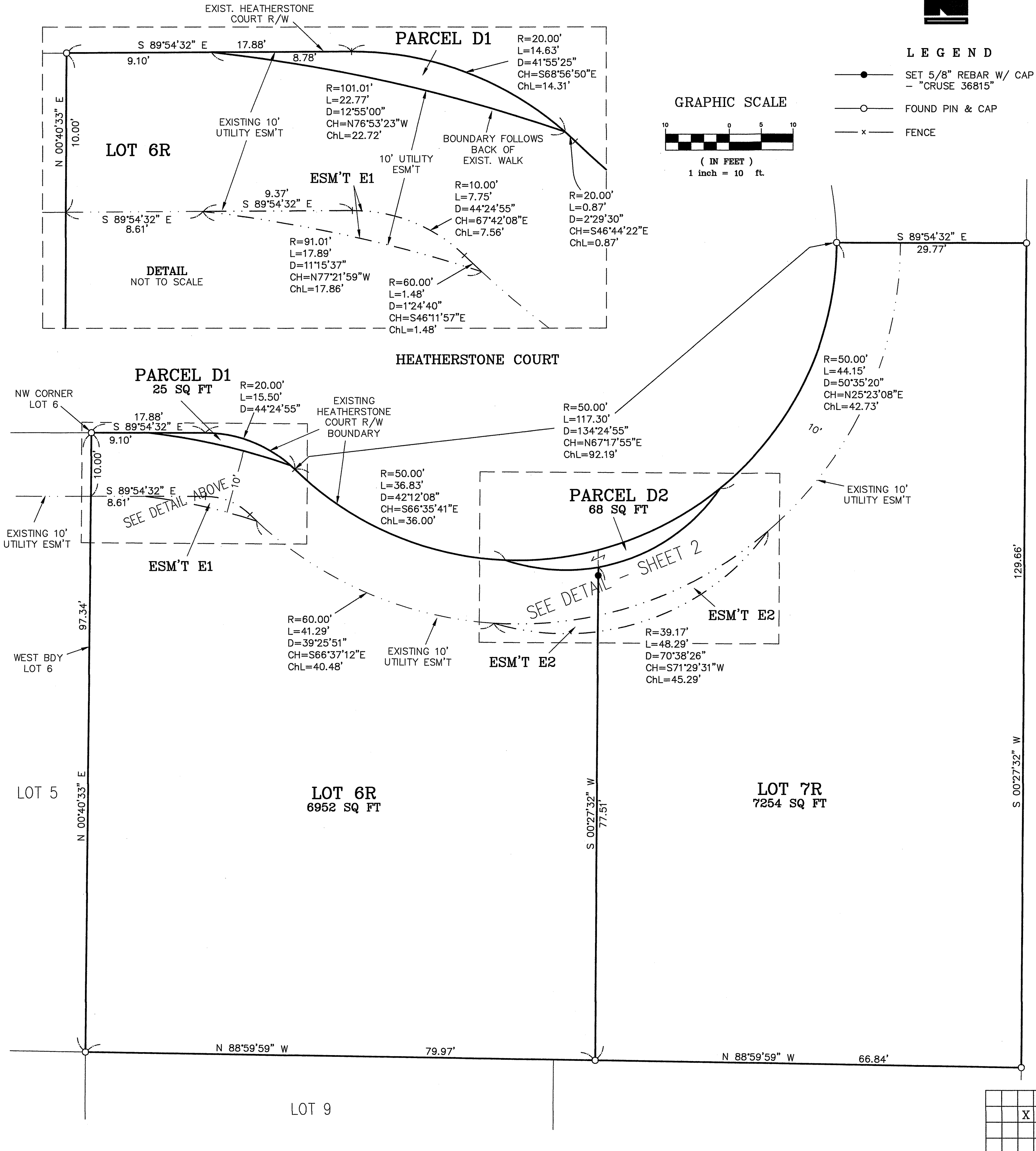
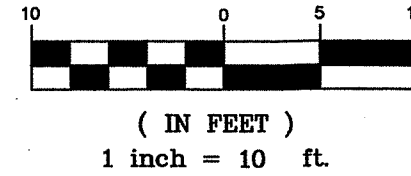
PART OF THE NORTHEAST QUARTER OF SECTION 26,
TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M.



LEGEND

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

GRAPHIC SCALE



SHEET 1 OF 2

AUDITOR'S CERTIFICATE

Filed for record this _____ day of _____
2023, at _____ M., in Book 45 of Surveys at
page(s) _____ at the request of Cruse & Associates.

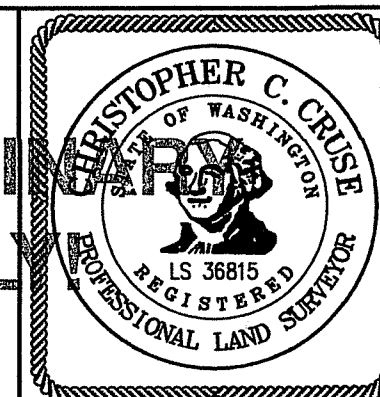
BRYAN ELLIOTT BY:
KITITAS COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or
under my direction in conformance with the requirements
of the Survey Recording Act at the request of
RHODA CRISPIN in MARCH of 2023.

CHRISTOPHER C. CRUSE
Professional Land Surveyor

DATE
License No. 36815



CRUSE & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

217 East Fourth Street P.O. Box 959
Ellensburg, WA 98926 (509) 962-8242

WEST RIDGE HOME
CONSTRUCTION, LLC PROP.

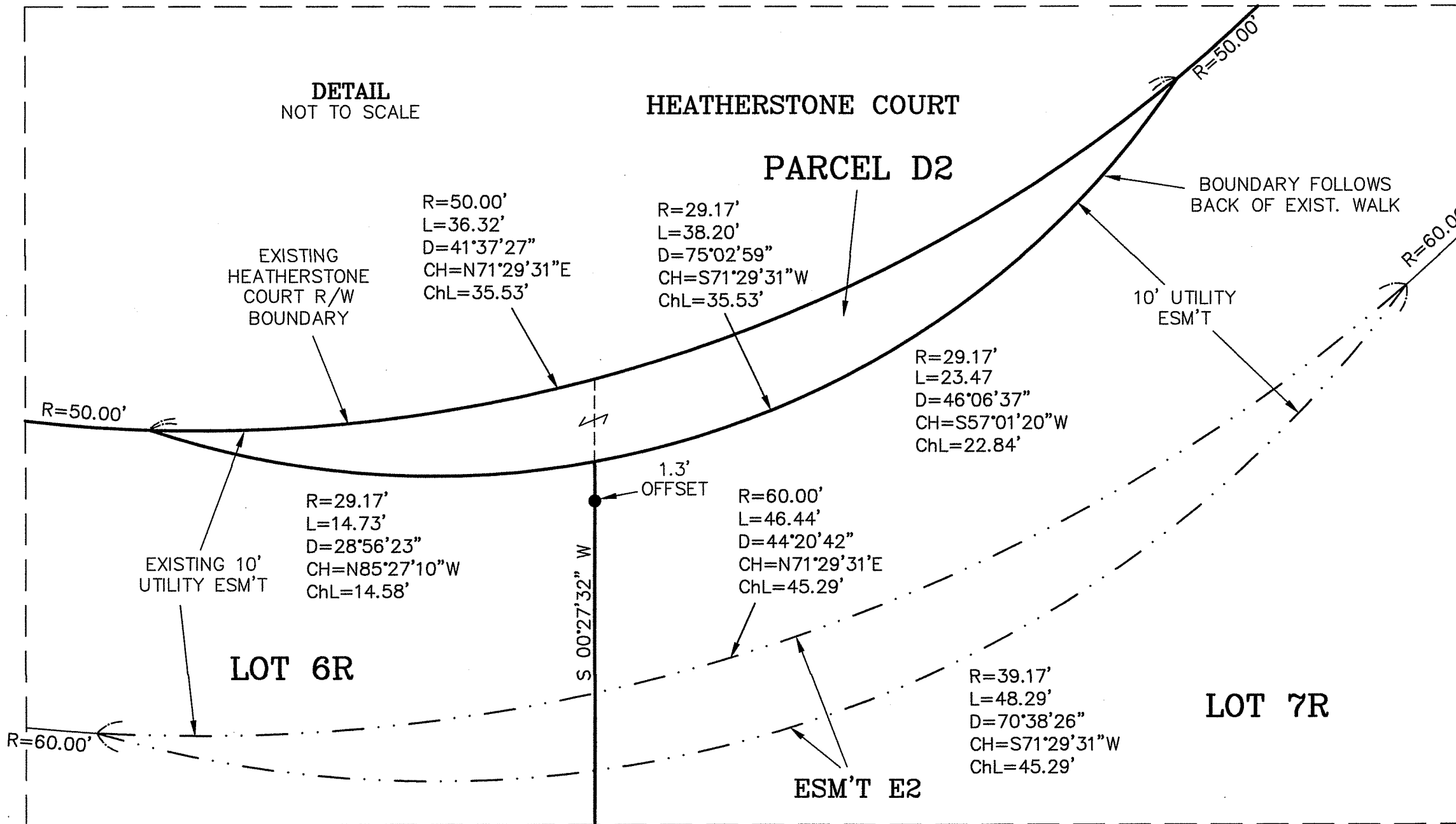
PRELIMINARY
ONLY

PART OF THE NORTHEAST QUARTER OF SECTION 26,
TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M.



LEGEND

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



NOTES:

- THIS SURVEY WAS PERFORMED USING A TOPCON GTS SERIES TOTAL STATION AND/OR SURVEY GRADE GPS. ACCURACY COMPLIES WITH THE REQUIREMENTS SPECIFIED IN WAC 332-130-080 AND 090.
- THIS SURVEY MAY NOT SHOW ALL EASEMENTS OR IMPROVEMENTS WHICH MAY PERTAIN TO THIS PROPERTY.
- FOR BASIS OF BEARINGS AND ADDITIONAL INFORMATION, SEE BOOK 12 OF PLATS, PAGES 168-170.

LEGAL DESCRIPTIONS

EXISTING LEGAL DESCRIPTIONS

LOTS 6 AND 7, HEATHERSTONE, AS PER PLAT THEREOF RECORDED IN BOOK 12 OF PLATS AT PAGES 168-170, UNDER AUDITOR'S FILE NO. 201610070032, RECORDS OF SAID COUNTY; LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

DESCRIPTIONS OF PROPERTY TO BE DEDICATED

PARCEL D1

PARCEL D1 OF THAT CERTAIN SURVEY RECORDED APRIL __, 2023, IN BOOK 45 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202304 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF LOT 6, HEATHERSTONE, AS PER PLAT THEREOF RECORDED IN BOOK 12 OF PLATS, AT PAGES 168-170, UNDER AUDITOR'S FILE NO. 201610070032, RECORDS OF SAID COUNTY; LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

PARCEL D2

PARCEL D2 OF THAT CERTAIN SURVEY RECORDED APRIL __, 2023, IN BOOK 45 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202304 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING PORTIONS OF LOTS 6 AND 7, HEATHERSTONE, AS PER PLAT THEREOF RECORDED IN BOOK 12 OF PLATS, AT PAGES 168-170, UNDER AUDITOR'S FILE NO. 201610070032, RECORDS OF SAID COUNTY; LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

LEGAL DESCRIPTIONS (CONT.)

DESCRIPTIONS OF PROPERTY AFTER DEDICATION

LOT 6R

LOT 6R OF THAT CERTAIN SURVEY RECORDED APRIL __, 2023, IN BOOK 45 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202304 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF LOT 6, HEATHERSTONE, AS PER PLAT THEREOF RECORDED IN BOOK 12 OF PLATS, AT PAGES 168-170, UNDER AUDITOR'S FILE NO. 201610070032, RECORDS OF SAID COUNTY; LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

LOT 7R

LOT 7R OF THAT CERTAIN SURVEY RECORDED APRIL __, 2023, IN BOOK 45 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202304 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF LOT 7, HEATHERSTONE, AS PER PLAT THEREOF RECORDED IN BOOK 12 OF PLATS, AT PAGES 168-170, UNDER AUDITOR'S FILE NO. 201610070032, RECORDS OF SAID COUNTY; LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

EASEMENT DESCRIPTIONS

EASEMENT E1

EASEMENT E1 AS DELINEATED ON THAT CERTAIN SURVEY RECORDED APRIL __, 2023, IN BOOK 45 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202304 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING ACROSS A PORTION OF LOT 6R OF SAID SURVEY; LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

EASEMENT E2

EASEMENT E2 AS DELINEATED ON THAT CERTAIN SURVEY RECORDED APRIL __, 2023, IN BOOK 45 OF SURVEYS AT PAGES __, UNDER AUDITOR'S FILE NO. 202304 __, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING ACROSS A PORTION OF LOTS 6R AND 7R OF SAID SURVEY; LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

SHEET 2 OF 2

AUDITOR'S CERTIFICATE

Filed for record this _____ day of _____
2023, at _____ M., in Book 45 of Surveys at
page(s) _____ at the request of Cruse & Associates.

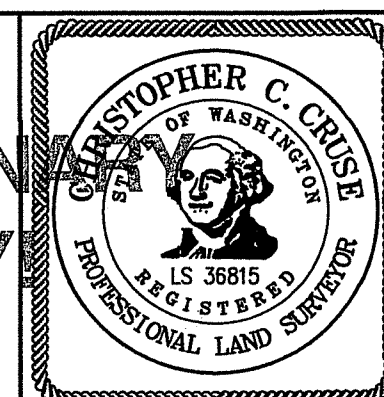
BRYAN ELLIOTT BY: _____
KITTITAS COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or
under my direction in conformance with the requirements
of the Survey Recording Act at the request of
RHODA CRISPIN in MARCH of 2023.

CHRISTOPHER C. CRUSE
Professional Land Surveyor

DATE
License No. 36815



CRUSE & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

217 East Fourth Street P.O. Box 959
Ellensburg, WA 98926 (509) 962-8242

WEST RIDGE HOME
CONSTRUCTION, LLC PROP.

PRELIMINARY
ONLY

VOUCHER APPROVAL

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

 5-8-23
AUDITING OFFICER DATE

CLAIMS VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING OFFICER HAVE BEEN RECORDED ON THE ATTACHED LISTING, WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS **15TH DAY OF MAY 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	161749	TO	161931	\$ 1,362,559.17
EFT #'s	6234	TO	6255	\$ 893,945.21

Payroll Fund				Total Amounts
Check #'s	96010	TO	96016	\$ 11,459.35
Direct Deposits	73020	TO	73265	\$ 457,336.13

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ATTEST: _____
CITY CLERK



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: 2022 Police Department Annual Report

Submitted by: Ken Wade Police

Recommended Action or Motion: None

Background/Summary: The Ellensburg Police Department has released its 2022 Annual Report to the public and City Council for review. The Police Department has a long history of producing an annual report to inform our community of what we do on an annual basis. Additionally, the Annual Report highlights individual employee achievement, community-policing initiatives, and provides a transparent look into departmental operations and activities. When the FBI - NIBRS information is published later this year, the Department will provide a crime report comparing historical crime statistic for the City of Ellensburg.

Previous Council Action: NA

Analysis: To the Honorable Mayor, City Council and Ellensburg Community, I present the 2022 Ellensburg Police Department Annual Report.

Department Awards: Officer of the year – **Jason Ramsey**. Officer Ramsey's outstanding work ethic, calming demeanor, reliability and professionalism has earned the respect of not only his peers, but the community he serves. As one of EPD's Traffic Safety Officers, Officer Ramsey has a well-balanced approach to his patrol style while being very proactive, which helps ensure the safety of the entire community.

Chief's Award – **Heidi Monson**. Heidi received the award for her dedication and commitment toward the community's furry friends. Heidi worked tirelessly as the Animal Control Officer while the department worked to switch the Ellensburg Animal Shelter over to the Yakima Humane Society.

New Hire – **Erick Quezada**. Erick joined EPD on March 1 as

an Entry Level Police Officer. Erick has worked for the Sunnyside School District for the past few years with additional experience as a STEM teacher and academic advisor in the Yakima area.

Goodbye – **Danielle Bertschi**. Daniel left the department in July 2022 to pursue other interests in the fire department. Danielle was a dedicated employee with the department for almost 10 years.

Chief's Message: This past year we continued with the many challenges left to us in a post COVID-19 environment. Officers had a 4.8% increase in incident reports, a 24% increase in criminal enforcement, a 14% increase in motor vehicle collisions (two deaths) compared to 2021, and experienced a record 455 mental health referrals. (Additional Crime Stats will be included in the 2022 Crime Report later this year.)

This was also a busy year with several significant administrative projects. The first of many projects involved an assessment of the animal shelter after the shelter manager and an animal control officer retired. August 1, 2022, the Yakima Humane Society took over operations of our shelter, renaming it the Ellensburg Adoption Center. This has increased adoptions and community involvement significantly.

We implemented a new police department policy manual through a contract with a nationally recognized vendor. This was an important project since recent legislation created significant changes which dramatically increased the level of risk associated with the policing profession.

Data Collection improvements continued with the addition of another service which allows for the collection of citizen interactions. This cloud-based internet application filled a gap in our data collection streams. We also improved our collection and analysis of crime and call data and use this information in a variety of products.

One of our most important programs of 2022 was our continued work with our community partners to include the school district, mental health, substance abuse and homelessness organizations, victim services, CWU and other law enforcement agencies. We held an educational summit to

help our law enforcement partners better understand and respond to the community challenges involving the intersection of mental health, substance abuse and homelessness.

Use of Force: The officers of the Ellensburg Police Department utilized reportable uses of force three times during two incidents in 2022. The first incident involved the use of two specific tools (OC-10 & Less-lethal impact weapon). The second incident involved OC-10. Of the 17,143-calls handled in 2022, a response to overcome the resistance of an individual occurred .0002% of the time.

Complaints: During 2022, the department investigated 10 complaints alleging inappropriate conduct by officers. This involved one response-to-resistance and nine job performance complaints. Of those ten complaints five were exonerated, four were unfounded and one is pending. Five job performance complaints alleged bias policing. Four of those investigations are complete and it was determined one was unfounded and three exonerated. One investigation is not yet complete.

Training: The Washington State Criminal Justice Training Commission mandates 24 hours per officer per year of ongoing and continuing education. In 2022, the officers of the Department averaged 81 hours. The topics vary from legal updates to leadership training to how best to serve sexual assault victims.

Patrol: There are 21 officers assigned to the Patrol section, when fully staffed, 20 officers are assigned to four patrol squads with five officers on each squad. Squads work a 12-hour shift from 7 a.m. to 7 p.m. or 7 p.m. to 7 a.m. 2022 Patrol Statistics: Calls for Service: 17,143. Reports Written: 4,776. Traffic Stops: 3,008. Citations: 613. Top Calls for Service: Check Welfare- 836. Suspicious- 777. Citizen Assist- 463.

Detectives: The detective unit of the Department consists of five officers and a sergeant. Three are generalist detectives, responsible for a wide range of investigations that include missing persons, runaway juveniles, child assaults, sexual assaults, fraud, shootings, and homicides. These detectives investigated more than 200 cases in 2022. The unit also has two anti-crime detectives, whose primary focus is investigating the sale and delivery of controlled substances and crimes

involving commercial theft or trafficking in stolen property. Anti-crime detectives investigated more than 40 cases in 2022.

Code Enforcement: The Code Enforcement division has two limited commissioned officers who handle parking enforcement as well as nuisance ordinance violations throughout the city. These violations impact the quality of life and health and safety. 2022 Code Enforcement Statistics. Parking Complaints: 529. Code Complaints: 162. Proactive Nuisance Calls: 1,321.

Animal Control: The year was one with many changes for the Animal Control Division. In prior years staff members operated the animal shelter as their primary duty with animal control services taking place as time allowed. In August of 2022, the Yakima Humane Society took over shelter care and adoption services and the Animal Control Officer's office was moved to the Police Department. This change allowed for more time to be devoted to animal-related calls.

Reserve Program: The Department Reserve Program utilizes volunteer officers to supplement the full-time officers of the department. Each reserve officer had to complete a five-month police academy to obtain their commission. The program currently has five members, four of whom are also administrators with the Ellensburg School District. These officers work closely with the School Resource Officer to provide security at school events in addition to assisting other EPD officers.

Records: The Records Department is made up of four full-time clerks and one supervisor, however, with Danielle Bertschi's departure in July, we finished out the year with just three. Records clerks are responsible for data entry, transcription of recordings, dissemination of confidential information and gathering and reporting statistics. Additionally, they fulfill public disclosure requests, process concealed pistol license applications and process parking ticket payments. 2022 Records Statistics: Concealed Pistol Licenses- 168. Firearms purchase and transferred- 623. Warrants Entered- 489. Court Orders Entered- 128. Public Disclosure Requests- 1,395. Reports Processed- 4,776.

School Resource Officer Program: With Officer Druktenis

moving back to patrol at the end of her term, Officer Lucas Anderson had the opportunity to step into the SRO position. In his first few months Anderson has worked to build his own relationships with students, faculty, and staff in the schools. Anderson is based out of the high school, but he splits his time between the high school, middle school and four elementary schools.

Community Outreach: During 2022, the department continued our participation in several community programs focused on child safety, law enforcement education and community support.

The Department hosted a **Citizen's Academy**, which involved members of our community who were interested in learning the job of an Ellensburg police officer. This year we had five citizens volunteer five weeks of their time to participate. We were pleased to have Councilmember Beauchamp in attendance last year.

For the past 20 years, Ellensburg has participated in the **Kittitas County Shop with a Cop and Firefighter holiday event**. The goal of this non-profit program is to provide children with the opportunity to participate in the holiday season in a fun and unique way. Various elementary schools throughout Kittitas County choose approximately 45 children in need to participate. The children enjoyed a shopping spree at Bi-Mart with their law enforcement or firefighter buddy. The money raised for this event comes from the community and is divided between the kids so they can purchase gifts for family, friends, or themselves. This event also includes a bicycle raffle for the participants.

2022 marked the 12th year for Ellensburg Police Department's **Eat with the Heat and National Night Out** event. Each year the event is held on the first Tuesday of August which fell on August 2nd and was held at Memorial Park. In 2022, we served approximately 700 hot dogs and hamburgers. We could not do this event without our community partners who participate in static displays, informational booths, and games for the kids. This event focuses on child safety and crime prevention.

In 2022, EPD hosted three **Car Seat Clinics** for our

community members where proximately 88 car seat checks were performed, and 22 car seats were gifted to families in need. EPD has two Child Safety Restraint Technicians who partnered with other local groups to offer this important safety inspection.

The 2022 **Cop on Top** event was another success. With the help of the community, we were able to raise \$3,513 for our local Special Olympics athletes. We appreciate the support provided by the Kittitas Valley Fire and Rescue for bringing out their ladder truck to get our law enforcement officers on and off the roof safely and to Fred Meyer for partnering with us each year for this event.

We had a busy year in 2022 and we look forward to the opportunities 2023 has to offer.

Financial Impact:

N/A

Attachments:

[2022 EPD Report](#)



2022
ELLENSBURG
POLICE
DEPARTMENT
ANNUAL REPORT

WE ARE YOU

2022 OFFICER OF THE YEAR

For his dedicated service to the City of Ellensburg. Officer Jason Ramsey's outstanding work ethic, calming demeanor, reliability and professionalism has earned the respect of not only Officer Ramsey's peers, but the community he serves. As one of EPD's Traffic Safety Officers, Officer Ramsey has a well-balanced approach to his patrol style while being very proactive, which helps ensure the safety of the entire community.



2022 CHIEF'S AWARD



Animal Control Officer Heidi Monson received the 2022 Chief's Award. Heidi received the award for her dedication and commitment toward the community's furry friends. Heidi worked tirelessly as the Animal Control Officer while the department worked to switch the Ellensburg Animal Shelter over to the Yakima Humane Society.

Thank you for your continued service to the animals and their owners in our community.

NEW HIRE

Erick Quezada joined EPD on March 1 as an Entry Level Police Officer. Erick has worked for the Sunnyside School District for the past few years with additional experience as a STEM teacher and academic advisor in the Yakima area. Congratulations and welcome to Ellensburg, Erick!



GOODBYE



Full-time Records Clerk, Danielle Bertschi, left the department in July 2022 to pursue other interests. Danielle was a dedicated employee with the department for almost 10 years, and we wish her well in her dream career. Danielle's enthusiasm and homemade goodies will be missed!

WE ARE YOU

MISSION

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

VISION

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

GOALS AND OBJECTIVES

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

FROM THE CHIEF



Chief Ken Wade

To the Honorable Mayor, Ellensburg City Council and the Ellensburg Community, I present the 2022 Ellensburg Police Department Annual Report.

This past year we continued with the many challenges left to us in a post COVID-19 environment. Officers had a 4.8% increase in incident reports, a 24% increase in criminal enforcement, a 14% increase in motor vehicle collisions —with two deaths — and

experienced a record 455 mental health referrals. We were fortunate in that we had a 67% reduction in drug overdose deaths.

This was also a busy year with several significant administrative projects. The first of many projects involved management of the animal shelter after the shelter manager and an animal control officer retired.

Research was conducted and we found the Yakima Humane Society, and other non-profits, often contracted with municipal governments to provide shelter services. On August 1, 2022, the Yakima Humane Society took over operations of our shelter. Renaming it the Ellensburg Adoption Center, they hired ex-city shelter staff and have done an outstanding job providing services to our community and the animals within. This project dramatically increased local adoptions, offered a host of other community centered opportunities and reduced costs by about \$150,000 annually.

We also implemented a new police department policy manual through a contract with a nationally-recognized vendor. This was an important project since recent legislation created significant changes which dramatically increased the level of risk associated with policing. Additionally, utilizing a vendor known for their public safety policy development, we were able to incorporate the new legal requirements and vetted best practices for police management which assisted with maintaining our WASPC accreditation. This project came with several challenges and took a large amount of department resources to accomplish. We plan on making our policy manual available to the public by adding it to the new city web page later this summer.

Data Collection improvements continued with the addition of other informational products which allow for the collection and analysis of crimes and other citizen interactions. This cloud-based internet application filled a gap in our data collection streams by allowing for the timely collection of contact information, including demographics.

We also improved our collection and analysis of crime and call data and use this information in a variety of products that are distributed by internal dashboards and other law enforcement partner distributions.

One of our most important programs of 2022 was our continued work with our community partners to include the school district, mental health, substance abuse and homelessness organizations, victim services, CWU and other law enforcement. We held an educational summit to help our law enforcement partners better understand and respond to the community challenges involving the intersection of mental health, substance abuse and homelessness.

Like the rest of the country we have experienced hiring challenges which were not limited to just our commissioned officers. During 2022, we have continually attempted to fill vacant police officer positions, a records clerk position and ended the year working toward selection of a criminal intelligence analyst. Working closely with HR and the civil service commission, we worked toward streamlining and improving our hiring process, holding a job fair, attended the Bite of the 'Burg and reached out to other organizations in an attempt to bring potential candidates to the department. Although the volume and quality of the applicants have fallen off, we will continue to seek candidates that meet our high standards.

Everybody in the department is working very hard to meet the needs of our community and we are excited to see what new challenges 2023 brings to the city and to our profession.

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

Respectfully,

A handwritten signature in dark ink, appearing to read "Ken Wade".

Chief Ken Wade

USE OF FORCE

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

	2022	2021
• A fatality occurred in connection with the use of force;	0	0
• Great bodily harm occurred in connection with the use of force;	0	0
• Substantial bodily harm occurred in connection with the use of force;	0	0
• Discharged a firearm at or in the direction of a person;	0	0
• Pointed a firearm at a person;	0	0
• Used a chokehold or vascular neck restraint;	0	0
• Used an electronic control weapon, a Taser, against a person;	0	1
• Used oleoresin capsicum spray against a person;	2	0
• Discharged an impact munitions at or in the direction of a person;	1	0
• Struck a person using an impact weapon or instrument	0	0
• Used any part of their body to physically strike a person;	0	1
• Used a vehicle to intentionally strike a person or vehicle;	0	0
• Engaged in a vehicle pursuit;	0	0
Total	3	2

Of the 17,143-calls handled in 2022, a response to overcome the resistance of an individual occurred .0002% of the time. Pepper spray was deployed using a pepper ball launcher, a tool that utilizes compressed air to deploy a round ball similar to a paintball which contains oleoresin capsicum. Impact munitions are a classification of less-lethal weapons that fires what is commonly referred to as bean bag round or other hard rubberized projectile from either a 12-gauge shotgun or other specialized weapon and causes pain.

COMPLAINTS

During 2022, the department received 10 complaints which included one response to resistance and nine job performance complaints. Of those ten complaints five were exonerated, four were unfounded and one is pending. Five job performance complaints alleged bias policing. Four investigations are complete and it was determined one was unfounded and three exonerated. One investigation not yet complete.

All complaints are:

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



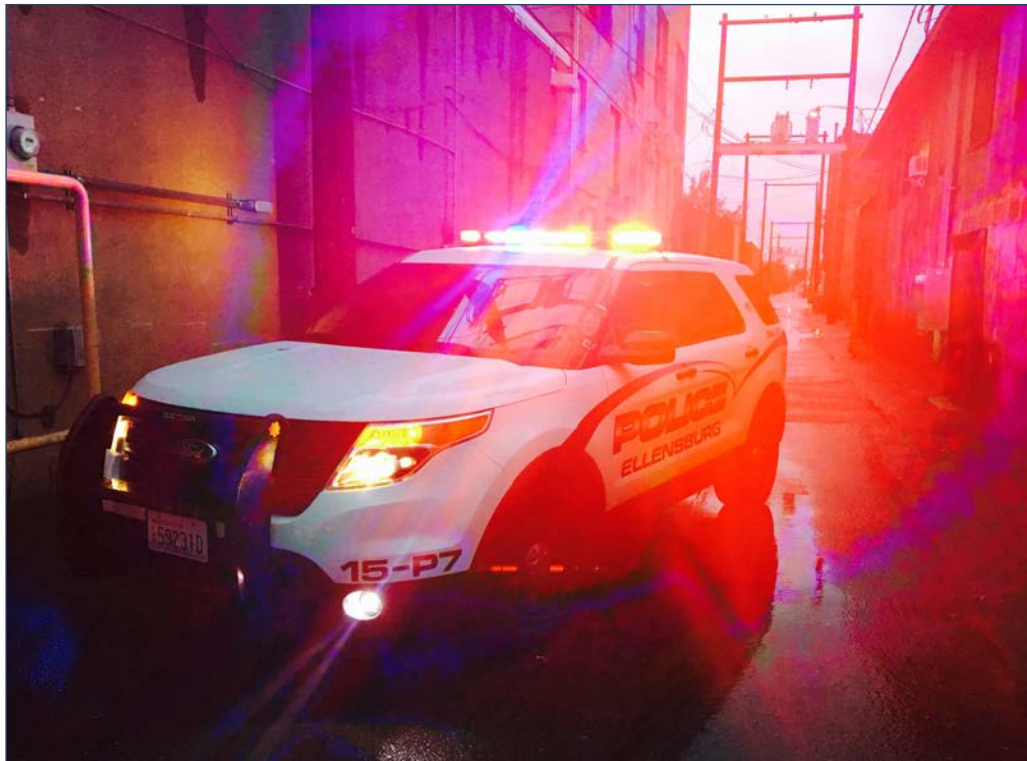
TRAINING

The Ellensburg Police Department firmly believes that providing training to our officers on industry standards, best practices and emerging trends help us provide the most state-of-the-art service when those officers hit the street.

The Washington State Criminal Justice Training Commission mandates 24 hours per officer per year of on-going and continuing education. In 2022, the officers of the Ellensburg Police Department averaged 81 hours. The topics vary from legal updates to leadership training to how best to serve sexual assault victims. We will continue to make training a centerpiece of our service provision going forward.

Each year officers are required to attend a 40 hour in-service week. During the week we had service providers from HopeSource, Kittitas County Health Network and Mental health all make presentations on how officers can leverage the available services to help those struggling with mental health and homelessness.

Dr. David Pena-Alfaro presented a block of instruction on cultural considerations around the migrant community and how to navigate successfully to ensure best service provision. We are proud of our officers and their commitment to all Ellensburg residents and visitors.



PATROL

There are 21 officers assigned to the Patrol section. When fully staffed 20 of these officers are assigned to four patrol squads with five officers on each squad. Squads work a 12-hour shift ranging from 7 a.m. to 7 p.m. or 7 p.m. to 7 a.m.

Operations Captain Dan Hansberry oversees the section and works closely with the sergeants toward achieving the Department's goals and objectives. A fulltime School Resource Officer is assigned to the section and supplements the day shift squads when school is not in session.

Patrol officers provide several layers of service to the community to include investigating crime scenes, participating in community outreach programs and conducting traffic enforcement. Their duties include patrolling around local schools and neighborhoods and responding to a variety of calls for service ranging from noise complaints to family violence. The basic nature of an officer's job is both the most exciting and most dangerous, they never know what their next dispatched call or encounter will be. They must be always alert for their safety and the safety of the community they serve, while at the same time being an approachable servant to the citizens of Ellensburg.

The department has partnered with local service providers to assist individuals suffering from substance use disorder or mental health issues. Officers provide people in need with help and facilitate getting them in direct contact with a resource provider.

Officers have embraced the "We Are You" motto to emphasize the department is part of and from the community it serves. Officers shop where you shop, their kids go to school with your kids, participate in similar social functions and are as committed as you are to providing a safe community in which to raise your family.

2022 Patrol Statistics

Calls for Service: 17,143	Top Calls for Service
Reports Written: 4,776	Check Welfare: 836
Traffic Stops: 3,008	Suspicious: 777
Citations: 613	Citizen Assist: 463



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

DETECTIVES

The detective unit for the Ellensburg Police Department consists of six officers and is supervised by Sgt. Cameron Clasen.

Three generalist detectives are responsible for a wide range of investigations that include missing persons, runaway juveniles, child assaults, sexual assaults, fraud, shootings and homicides.

Detectives receive additional specialized training each year to give them the skillset to handle these types of investigations. Ryan Shull has been in the unit for 11 years and Ryan Potter has been in the unit for more than two years. 2022 saw the addition of the third generalist detective – Daniel Ashby — for our department. This newly created position was held by Jason Brunk until his promotion to patrol sergeant. In total, these detectives investigated more than 200 cases in 2022.

The unit also consists of two anti-crime detectives whose primary focus is drug related crimes. Along with investigating the sale and delivery of controlled substances, they investigate related crimes such as theft or trafficking in stolen property. They assist generalist detectives in investigating larger scale investigations when they occur. John Bean is in his seventh year as an anti-crime detective and Derek Holmes is in his fourth year. Anti-crime detectives investigated more than 40 cases in 2022.



CODE ENFORCEMENT

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

Code Enforcement also deals with quality of life and nuisance issues such as large amounts of accumulating garbage in areas, weed abatement and snow and ice removal in the winter months.

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

2022 Code Enforcement Statistics

RPZ Time: 255 Hours

RPZ Warnings: 252

RPZ Tickets: 439

Downtown Time: 557

Downtown Warnings: 842

Downtown Tickets: 843

Parking Time: 619

Parking Complaints: 529

Parking Warnings: 1,583

Parking Tickets: 620

Code Complaints: 162

Code Warnings: 236

Code Tickets: 9

Proactive Nuisance Calls: 1,321



Animal Control Officer Heidi Monson with members of the Yakima Humane Society.

ANIMAL CONTROL

The 2022 calendar year was one of many changes for the Animal Control Division. In prior years staff members operated the animal shelter as their primary duty, with animal control services taking place as time allowed.

Due to the unexpected departure of some employees from the shelter, it was time to look at whether the prior model was still the best way to conduct business. What was learned is that there were many efficiencies to be achieved with a Humane Society Model.

In August of 2022, the Yakima Humane Society took over shelter care and adoption services and the Ellensburg Police Department Animal Control Officer was moved to the Police Department building. Since that time, the Humane Society has far exceeded expectations with regard to adoptions and animal care.

The department would like to extend a special thank you to Animal Control Officer Heidi Monson for her handling of the shelter operation with short staff and for assisting in the transition during the year. She has been awarded the Chief's Award for 2022 to recognize this excellent work in difficult circumstances.

Moving forward, citizens can expect to see ACO Monson regularly around town addressing leash law issues as well as licensing compliance and other animal code concerns.



RESERVES

The Ellensburg Police Department Reserve Program is a volunteer police force that supplements the full-time officers at the department. Each reserve officer had to complete a five-month police academy put on by EPD and Kittitas County Sheriff's Office to obtain their commission. This training includes everything from criminal law, patrol procedures, domestic violence response, traffic, defensive tactics, EVOC (driving) and firearms proficiency among other fields. Reserve officers are required to attend at least 24 hours of training per year and serve a minimum of 16 hours per month.

When a reserve officer is working, they have all the same rights as a full-time officer. Reserves have been involved in many incidents where their presence was vital to the outcome of the investigation and safe resolution of conflict in the past year.

The Reserve Program currently has five members, four of whom are also administrators with the Ellensburg School District. They work closely with the School Resource Officer to provide security at school events. Reserve officers also supplement patrol. They are a valuable asset to the department, providing back up, investigations and support to patrol officers.

The department is grateful to our reserve officers for their support. We appreciate their time and sacrifice.

Reserves Statistics

5 Reserve Officers

888 hours worked



Records Clerks are from left Lisa Tweed, Renee Moore and Cammie Dixon.

RECORDS

When entering the Ellensburg Police Department, whether to file a report with an officer or fill out a public records request, the first person you will see is a Records Clerk.

The Records Department is made up of four full-time clerks and one supervisor. As your first point of contact with the Department, clerks will direct you to the appropriate forms, departments or officers to best assist you whether by phone, e-mail or in person. Every record, report, ticket or document handled or generated by the police department will make its way to Records.

Records clerks are then responsible for data entry, transcription of recordings, dissemination of confidential information and gathering and reporting statistics. The Records Department fulfills public disclosure requests, concealed pistol license applications and processes parking ticket payments, just to name a few. Information to the National Incident Based Reporting System (NIBRS) is submitted monthly for further crime analysis.

2022 Records Statistics

Concealed Pistol Licenses: 168

Firearms Processed: 623

Warrants Entered: 489

Court Orders Entered: 128

Public Disclosure Requests: 1,395

Reports Processed: 4,776



SCHOOL RESOURCE OFFICER

With the end of the 2021-'22 school year, the familiar face of Officer Stephanie Druktenis that students were used to seeing, ended her three-year rotation as School Resource Officer and transitioned back to patrol for EPD. With Officer Druktenis moving back to patrol, Officer Lucas Anderson had the opportunity to step into the SRO position. In his first few months Anderson has worked to build his own relationships with students, faculty and staff in the schools. Anderson is based out of the high school but splits his time between the high school, middle school and four elementary schools in the community.

Student and faculty safety remain a high priority for Anderson and EPD. Working after school events with the assistance of reserve officers, conducting traffic safety enforcement in school zones and being present for needs that may arise within the schools, keep Anderson busy. During Anderson's down time you will likely find him interacting with students on one of our school campuses in town.



CITIZEN'S ACADEMY

Every year the Ellensburg Police Department hosts a Citizen's Academy. This involves members of our community who are interested in learning what it is we do, how we do it and why. This year we had five citizens volunteer five weeks of their time to do just that. The group ranged from college students to local business owners.

In these five weeks, the class got a department tour, learned about "typical calls" for patrols, the day in the life of a police officer, best day-worst day, mental health issues, use of force, less lethal force options, traffic enforcement and DUI's, and detective's role and investigations. The class got tours of not only the police department, but also Kittitas County Corrections and Kittcom.

The most popular day of class is always the Emergency Vehicle Operations Course (EVOC), scenarios and the range. The class were able to use our indoor range to shoot pistols and rifles under the supervision and instruction of a certified range instructor. We always get positive feedback from the people that have participated in the Citizen's Academy and hope more of you can join us!



SHOP WITH A COP

Ellensburg Police Department along with Kittitas Valley Fire and Rescue, Kittitas County Fire Districts 6 and 7, Thorp Fire Department, Cle Elum Fire Department, Easton Fire Department, Central Washington University Police Department, Kittitas County Sheriff's Office, and Kittitas County Corrections Center participated in the annual Shop With a Cop and Firefighter event.

For the past 20 years, Ellensburg has held Kittitas County Shop with a Cop and Firefighter. The goal of this non-profit program is to provide children the opportunity to participate in the holiday season in a fun and unique way. Various elementary schools in Kittitas County choose approximately 45 children in need to participate.

On December 10th, the children met local law enforcement officers and firefighters at the Kittitas Valley Fire and Rescue station, where they enjoyed a breakfast prepared by the firefighters. The children enjoyed a shopping spree at Bi-Mart with their law enforcement or firefighter buddy.

The money raised for this event is divided between the kids so they can purchase gifts for family, friends, or themselves.

The hope is that this experience of shopping for toys alongside Kittitas County's finest will instill in each child a positive experience with law enforcement which will carry into their adolescence and adulthood.



Capt. Dan Hansberry, Sgt. Josh Bender and Capt. Jim Weed pose with a young lady during the 2022 National Night Out held at Memorial Park in Ellensburg.

NATIONAL NIGHT OUT

2022 marked the 12th year for Ellensburg Police Department's Eat With the Heat and National Night Out event. Each year the event is held on the first Tuesday of August which fell on August 2nd and was held at Memorial Park. Of all the parks in Ellensburg, Memorial Park provides a large, shaded area in the summer when temperatures can be very high. The weather was hot, but that did not deter the community from attending in large numbers. When it was all said and done, we served approximately 700 hot dogs and hamburgers combined. As always, child ID kits were provided to interested parents, and a car seat clinic station was available to anyone wishing to have their car seats inspected for safety and proper installation. EPD could not do this event without our community partners who also participated in static displays as well as informational booths and games for the kids. Our partners who participated in this year's static displays were Kittitas Valley Fire & Rescue, Kittitas County Sheriff's Office, Washington State Patrol, Central Washington University, WA Department of Fish & Wildlife, DNR, and Central Valley Rodders. This year's vendors included WA State Traffic Safety Commission, Kittitas Valley Hospital, Kittcom, Aspen, CASA, 7-11, and Utopia. The food on hand was provided by Super One Foods, Fred Meyer, Franz Bakery, Sysco, Twin Pines Drive In and Utopia Frozen Yogurt and Coffee House.

CHILD PASSENGER SAFETY

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

In 2022, EPD hosted three Car Seat Clinics for our community members – March 12, June 11 and September 24. Car Seat Techs were also available for inspections and questions at our annual National Night Out in August.

Approximately 88 car seat checks were performed in 2022 and 22 car seats were gifted to families in need.



COP ON TOP



The 2022 Cop on Top event was a HUGE success! With the help of you all, we were able to raise \$3,513 for our local Special Olympics athletes!

We would like to give a big shout out to Kittitas Valley Fire and Rescue for bringing out their ladder truck to get our law enforcement officers on and off the roof of Fred Meyer safely.

A big thank you to Fred Meyer for partnering with us each year for this awesome event.

Special thanks to Kittitas County Sheriff's Office, CWU Police Department, Kittitas County Corrections Center and Kittitas Police Department for coming out, getting on roof, and helping to support the Special Olympics of Ellensburg.



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Board and Commission Reappointments - Diversity, Equity and Inclusion Commission and Arts Commission

Submitted by: Cynthia LaChappelle-Mathis

Recommended Action or Motion: Approve the reappointment of members of City Boards and Commissions as recommended by the Diversity, Equity and Inclusion Commission and Arts Commission.

Background/Summary: There are two vacancies on the Diversity, Equity and Inclusion Commission. One application for reappointment was forwarded to the staff member assigned to the Diversity, Equity and Inclusion Commission to process for consideration of reappointment.
There are two vacancies on the Arts Commission. One application for reappointment was forwarded to the staff member assigned to the Arts Commission to process for consideration of reappointment.

Previous Council Action: N/A

Analysis: Per Council direction, the applicants requesting reappointment have completed the process of interviewing with a subcommittee of the Board or Commission. The application for reappointment is attached to the agenda report. One reappointment application was received for the Diversity, Equity and Inclusion Commission, and Kandee Cleary is being recommended for reappointment. One reappointment application was received for the Arts Commission, and Jill Scheffer is being recommended for reappointment.

Financial Impact: N/A

Attachments:

[K Cleary Reappointment Recommendation](#)

[K Cleary Reappointment Application](#)

[J Scheffer Reappointment Recommendation](#)

[J Scheffer Reappointment Application](#)



To: City Council
From: Diversity, Equity & Inclusion Commission
Date: April 25, 2023
Re: Recommendation of Reappointment

Kandee Cleary submitted an Application for Reappointment to the Diversity, Equity & Inclusion Commission on March 30, 2023. She has been on the commission since the commission's formation in 2021 and served a randomly assigned two-year term. Terms were staggered when the commission was first formed, and all future terms are three years.

The Diversity, Equity & Inclusion Commission interview panel consisting of Councilmember and Commission Chair Nancy Goodloe, Commission member Teresa Divine, and commission staff member Nicole Klauss, conducted the interview on April 25, 2023.

Based on the interview, the subcommittee is recommending that the City Council reappoint Kandee Cleary to a three-year term with the Diversity, Equity & Inclusion Commission.

From: noreply@civicplus.com
To: [Cynthia LaChappelle-Mathis](#)
Subject: [Ext] Online Form Submittal: Application for Reappointment
Date: Thursday, March 30, 2023 11:41:37 AM

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

Application for Reappointment

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

Name of Board or Commission	Diversity, Equity, and Inclusion
-----------------------------	----------------------------------

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

First Name of Member	Delores
----------------------	---------

Last Name of Member	Cleary
---------------------	--------

Address 1	
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Address 2	<i>Field not completed.</i>
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City	Ellensburg
------	------------

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

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

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

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

I am requesting to be considered for reappointment for another ____ year term.	3
--	---

Why are you seeking reappointment?	The commission has moved DEI and belonging initiatives forward and I would like to contribute my skillset to the commission in making Ellensburg a place where all folks feel like they belong and see themselves as a member of the community. I would like to represent the great things and the things that need work moving forward that impact the American Indian
------------------------------------	---

community. I am appreciative of all the work of the commission.

Type your name as
your electronic
signature

Delores (Kandee) Cleary

Date

3/30/2023

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



TO: City Council
FROM: Ellensburg Arts Commission
DATE: May 15, 2023

RE: Recommendation of Appointment

The Arts Commission currently has one upcoming expiring term. Commissioner Jill Scheffer is requesting reappointment.

Arts Commission Interview panel consisting of Council member David Miller, Arts Commission Chair Alex Eyre and staff liaison Josephine Camarillo, interviewed Jill on April 13, 2023. The panel would like to recommend the reappointment of Jill Scheffer for term renewal.

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

Application for Reappointment

Application for Reappointment

For volunteering to serve on a Board or Commission

Name of Board or Commission	Arts Commission
Current Term Expires	May 31 of current year
First Name of Member	Jill
Last Name of Member	Scheffer
Address 1	
Address 2	<i>Field not completed.</i>
City	Ellensburg
State	WA
Zip	98926
Phone Number	
Email Address	
I am requesting to be considered for reappointment for another ____ year term.	4
Why are you seeking reappointment?	I've been enjoying my time on the Arts Commission. I was filling a vacant position that I didn't realize expired so soon, so I'd like to continue serving.

Type your name as your
electronic signature

Jill Scheffer

Date

4/4/2023

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CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Ordinance 4909 (Second Reading) - IOOF Annexation
(legislative public hearing continued from April 17, 2023)

Submitted by: Jeremy Johnston Community Development

Recommended Action or Motion: Continue the open record legislative public hearing opened on April 17, 2023 followed by second reading and adoption of Ordinance 4909

Background/Summary: A notice of intent to commence annexation (Exhibit 1) was received by the Community Development Department to consider annexation of parcels 744134, 474134, 513634, 503634 located at 1900 Brick Road. The notice of intent included signatures from the owner of the property, which consists of four parcels with one property owner, therefore the owner's signature is 100% of the total assessed property value. The parcels proposed for annexation are located on the east side of Brick Road and West Side of Pfenning Road, 1900 Brick Road. A map of the parcels proposed to be annexed is attached to this report (Exhibit 2). Per Ellensburg City Code, annexation requests are a Type V process and therefore require a legislative public hearing before the Planning Commission, with their recommendation forwarded to City Council as the final decision maker. During the Planning Commission public hearing, there were multiple public comments made. Twenty-six (26) members of the public signed in on the Planning Commission sign-in sheet and many others attended the hearing, twelve (12) additional exhibits were added to the record in the form of written comments provided after the packet had been sent to the planning commission for consideration. The Applicant had originally requested Residential Low-Density zoning upon annexation which is consistent with the Residential Neighborhood Comprehensive Plan designation. The applicant's representative, David Sturgill, mentioned that there was a mistake made when completing the application and the Oddfellows were actually requesting Residential-Medium zoning designation. Mr. Sturgill stated there are no

development plans for the property at this time, but they do need to do something to continue to fund the cemetery. Upon completion of the public hearing, the Planning Commission with a 4-1 vote recommended Council approve the annexation request as presented except for the zoning designation, with simultaneous adoption of Residential-Medium zoning.

Previous Council Action:

On September 6, 2022, City Council held the initial meeting to discuss the request for annexation. At the conclusion of the discussion, Council unanimously determined the following:

- Accept the proposed annexation as geographically proposed in the notice of intent;
- Require the simultaneous adoption of Residential Low (R-L) zoning; and
- Require the annexation area to assume a proportional share of existing City indebtedness.

Analysis:

After Council's determination to accept the annexation proposal, a petition for annexation was filed with the Kittitas County Assessor. On October 10, 2022 the Assessor determined the petition for annexation sufficient with regard to legal description and corresponding owner of record (Exhibit 3). The Planning Commission held a public hearing on November 10, 2022 to consider the petition for annexation. The Planning Commission voted 4-1 recommending Council approve the request for annexation with the Residential-Medium (R-M) zoning designation, which differed from the staff recommendation of Residential-Low (R-L) as well as Council's determination of R-L zoning at its initial consideration of the annexation request on September 6, 2022.

The proposed parcels to be annexed are not currently served by City utilities, nor do the properties have Utility Extension Agreements. Once the parcels are annexed, further development will necessitate connection to City utilities. City utilities are in close proximity to the proposed annexation area and would be available to service the parcels should the annexation request be approved. Upon annexation, further development may trigger improvements consistent with Public Works Development Standards, in addition to a requirement to meet Ellensburg City Land Development Code standards and fire code requirements.

The parcel is bordered by City limits on the south side. The incorporated parcels on the south and west sides of the

proposed annexation area are zoned both Residential-Suburban (R-S), and Residential Low (R-L). The proposed annexation area is bordered by unincorporated land zoned by Kittitas County as Urban Residential to the east. See Exhibit 3 Zoning Map. Annexation of these parcels would be a logical extension of the City.

Assigning zoning to a proposed annexation requires that first and second readings of a proposed ordinance be conducted as public hearings. Council held the first public hearing at its January 3, 2023 meeting to consider first reading of Ordinance 4909. After presentation of the staff report and testimony from the applicant (requesting R-M zoning) and the public, Council approved first reading of the ordinance with zoning determined as Residential Low (R-L).

The hearing for second reading and adoption of Ordinance 4909 was opened on April 17, 2023, but continued to May 15, 2023 and the request of staff and the applicant.

Financial Impact:

At the 2023 assessed value and levy amount, the annual property tax revenue from the two non-exempt parcels would be approximately \$540.

Attachments:

Ordinance 4909-IOOF Annexation
Exhibit 1 - Proposed Annexation Area
Exhibit 2 - City of Ellensburg Zoning
Exhibit 3 - Kittitas County Zoning Map
Exhibit 4 - Comprehensive Plan Designations
Exhibit 5 - Proposed Zoning
Exhibit 6 -P22-085 Affidavit of Publication 4.27.23
Exhibit 7 - Affidavit of Posting
Exhibit 8 - Public Hearing Land Use Signs Posted
Exhibit 9 - P22-085 Buffer Mailing letter Second Reading
Exhibit 10 - Notification Map
Exhibit 11 - P22-085 Affidavit of Mailing
Exhibit 12 - January 3, 2023 City Council Meeting Minutes
Exhibit 13 - Notice of Intention to Annex
Exhibit 14 - Kittitas County Assessor Determination of Sufficiency

ORDINANCE NO. 4909

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON ANNEXING PARCELS 744134, 474134, 513634, 503634 TO THE CITY OF ELLENSBURG, WASHINGTON, ASSIGNING RESIDENTIAL-LOW ZONING CLASSIFICATION, PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on July 26, 2022, 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 744134, 474134, 513634, and 503634, as more fully described in Section 1 of this Ordinance and depicted in Exhibit A, attached hereto; and

WHEREAS, on September 6, 2022, 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 September 6, 2022 public meeting the City Council set the annexation area and further determined that the property subject to annexation would be zoned Residential-Low, and assume the annexation area’s proportional share of City indebtedness; 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 October 10, 2022, having 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, on November 10, 2022, 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 January 3, 2023 and April 17, 2023, May 15, 2023 (continued from the April 17, 2023 hearing), 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 parcels and rights-of-ways are hereby annexed to and made a part of the City of Ellensburg, Washington, to wit:

Tract 1:

Lots 1,2,3 and 4 of that certain survey as recorded May 15, 2018, in Book 41 of Surveys, page 134, under Auditors File No. 201805150007, records of Kittitas County, Washington; being a portion of the State Addition and part of the Northeast Quarter of Section 36, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

Tract 2:

That portion of Tracts 76 and 77, State Addition to the City of Ellensburg No. 1, as per plat thereof recorded in Book 2, page 48, records of Kittitas County, and more particularly being described as that portion of Southeast Quarter of the Northeast Quarter of Section 36, Township 18 North, Range 18 East, W.M., County of Kittitas, State of Washington, as shown and described in the Record of Survey drawing prepared for Western Pacific Engineering, Inc., dated December 1983, described as follows:

Commencing at a found railroad spike monument marking the Southeast corner of the Northeast Quarter of said Section; thence North 00°25'17" West on the easterly boundary line of the Northeast Quarter of said Section a distance of 331.98 feet to the Southeast corner of the north half of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter said Section, Said point bears South 00°25'17" East on the easterly boundary line of the Northeast Quarter of said Section a distance of 23°23.85 feet from a found brass cap monument marking the Northeast corner of the Northeast Quarter of said Section; thence South 89°23'39" West on the Southerly boundary line of the North half of the South half of the Southeast Quarter of the Northeast Quarter of said Section and the Southerly boundary line of Tracts 96 and 77 of said Addition a distance of 847.63 feet to the true point of beginning, said point bears 89°23'39" East on the Southerly boundary line of the North half of the South half of the Southeast Quarter of the Northeast Quarter of said Section a

distance of 474.52 feet from the Southeast corner of the North half of the South half of the Southeast Quarter of the Northeast Quarter of said Section and North 89°23'39" East on the Southerly boundary line of Tract 77 of said Addition a distance of 414.52 feet from the Southwest corner of Tract 77 of said Addition; thence continuing South 89°23'39" West on the Southerly boundary line of the North half of the South half of the Southeast Quarter on the Northeast Quarter of said Section and the Southerly boundary line of Tract 77 of said Addition a distance of 30 feet; thence North 00°27'41" West a distance of 623.50 feet; thence North 89°26'27" East a distance of 30.02 feet; thence South 00°27'41" East a distance of 624.52 feet to the Southerly boundary line of the North half of the South half of the Southeast Quarter of the Northeast Quarter of said Section and to the Southerly boundary of Tract 77 of said Addition and to the true point of beginning. Including all rights-of-way adjacent to said parcels.

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 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 744134, 474134, 513634, & 503634 shall be zoned Residential-Low (R-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 or 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 15th day of May, 2023.

MAYOR

ATTEST:

CITY CLERK

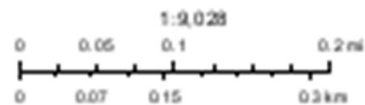
Approved as to form:

CITY ATTORNEY

Publish:

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4909 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4909 was published as required by law.

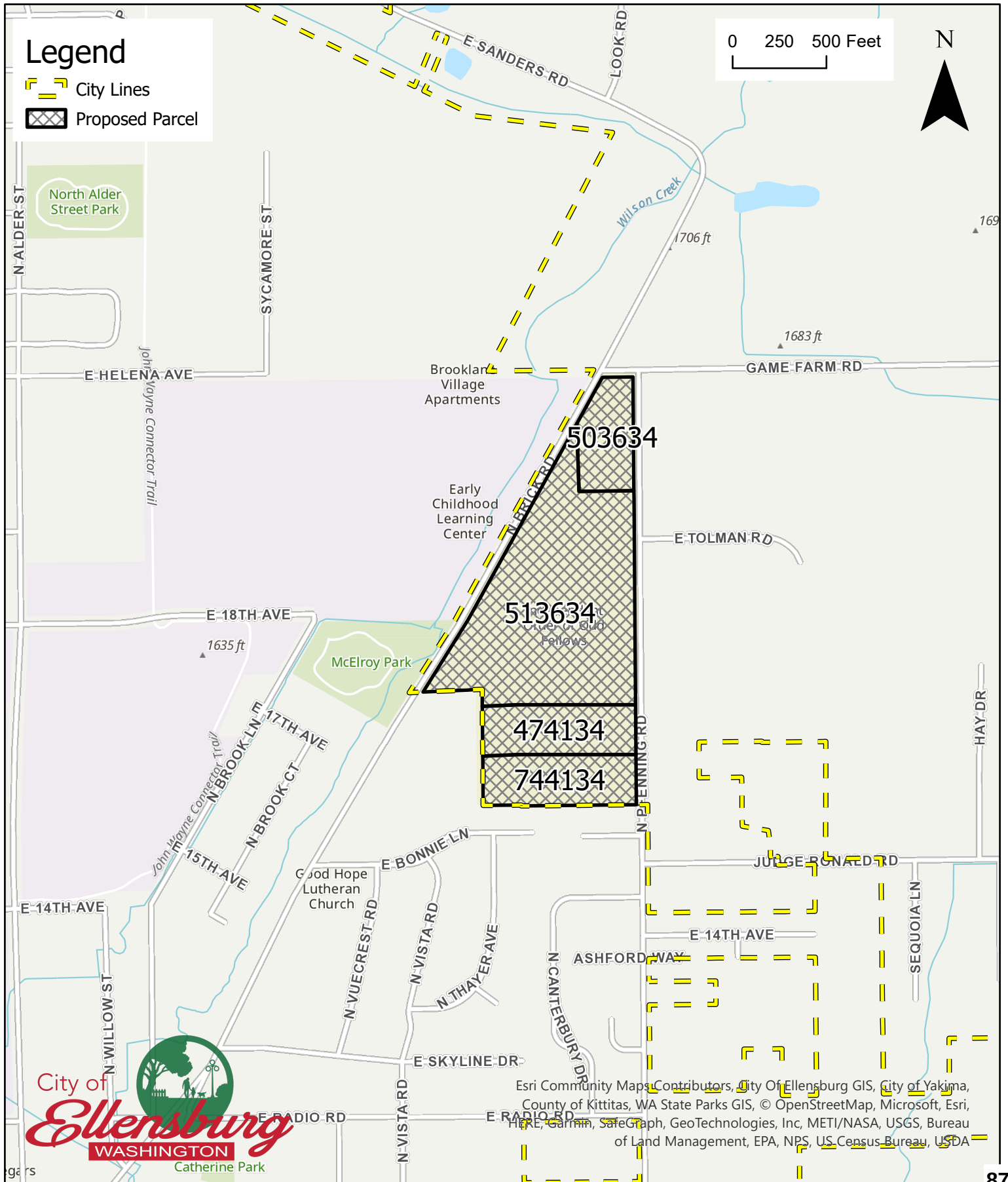
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 County Parcels  Urban Growth Area
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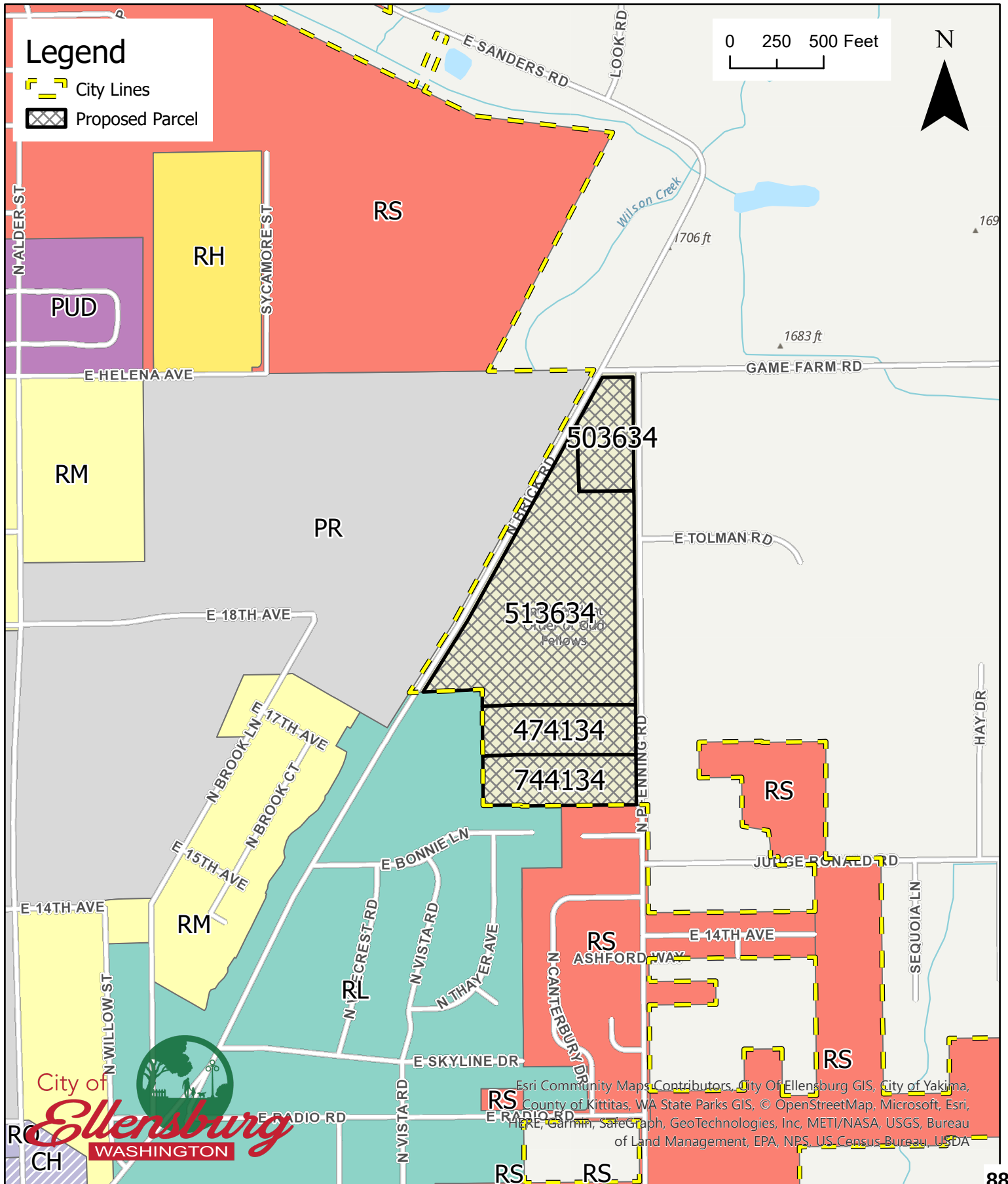
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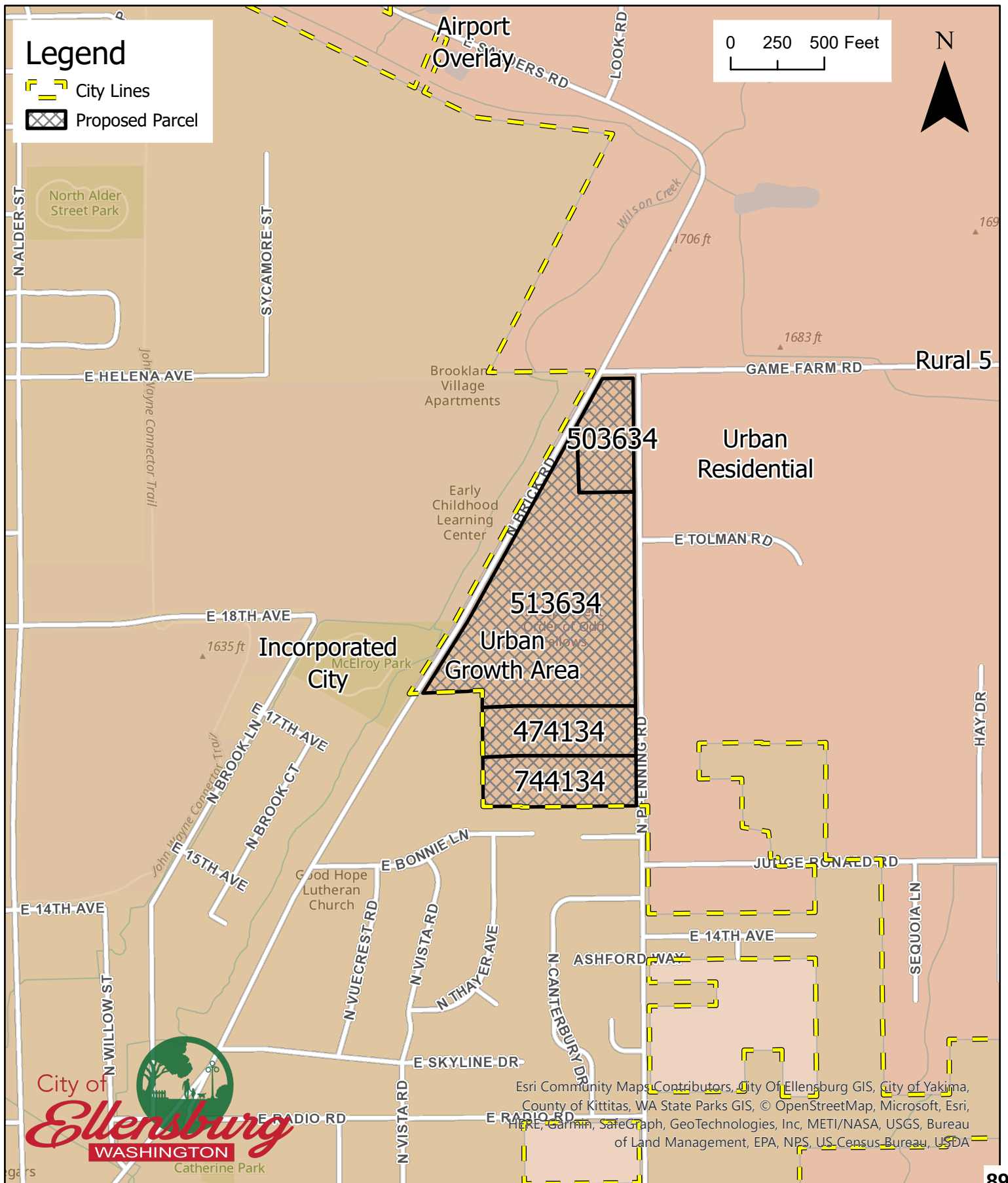
Proposed Annexation Area for Parcel



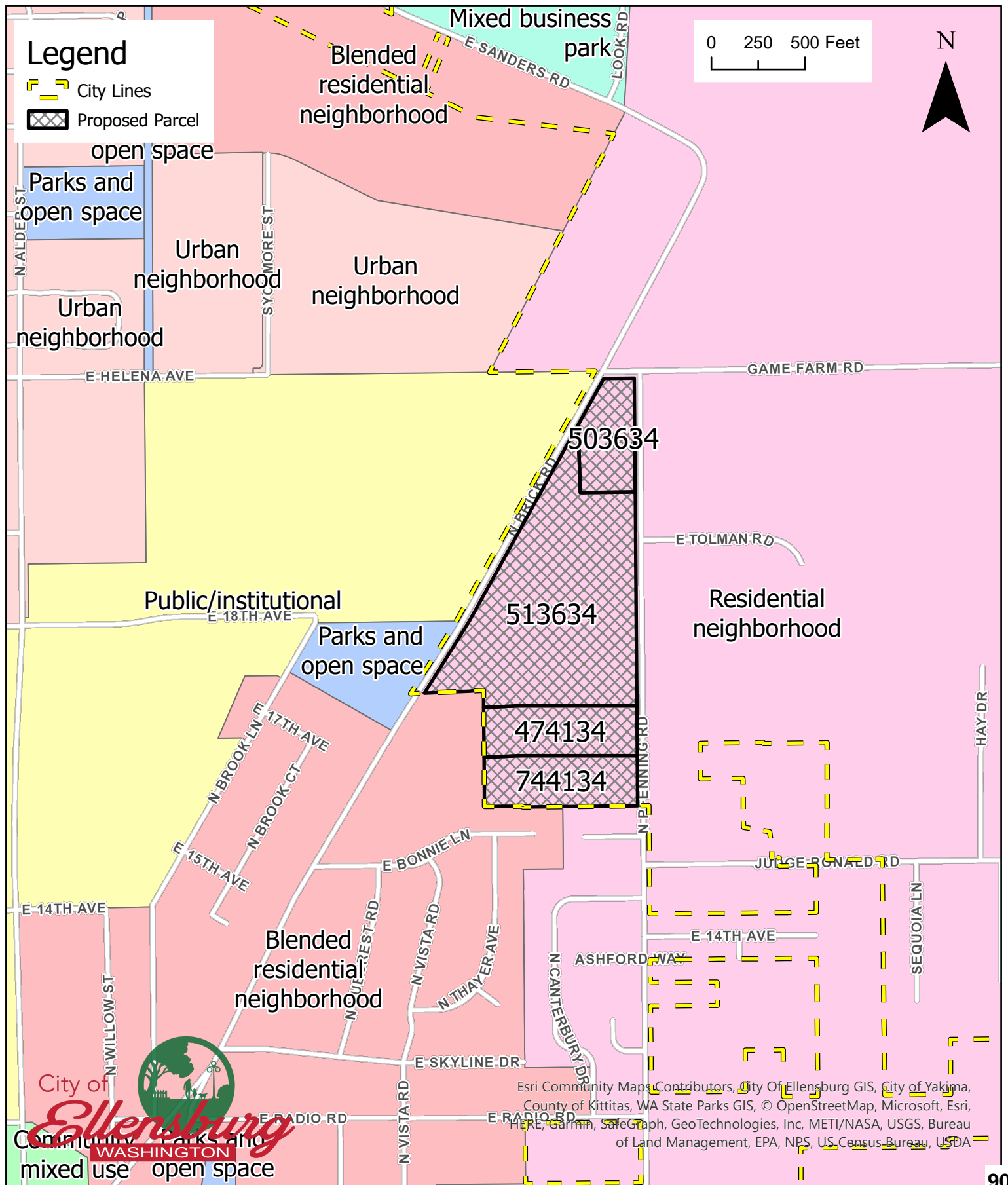
City of Ellensburg Zoning



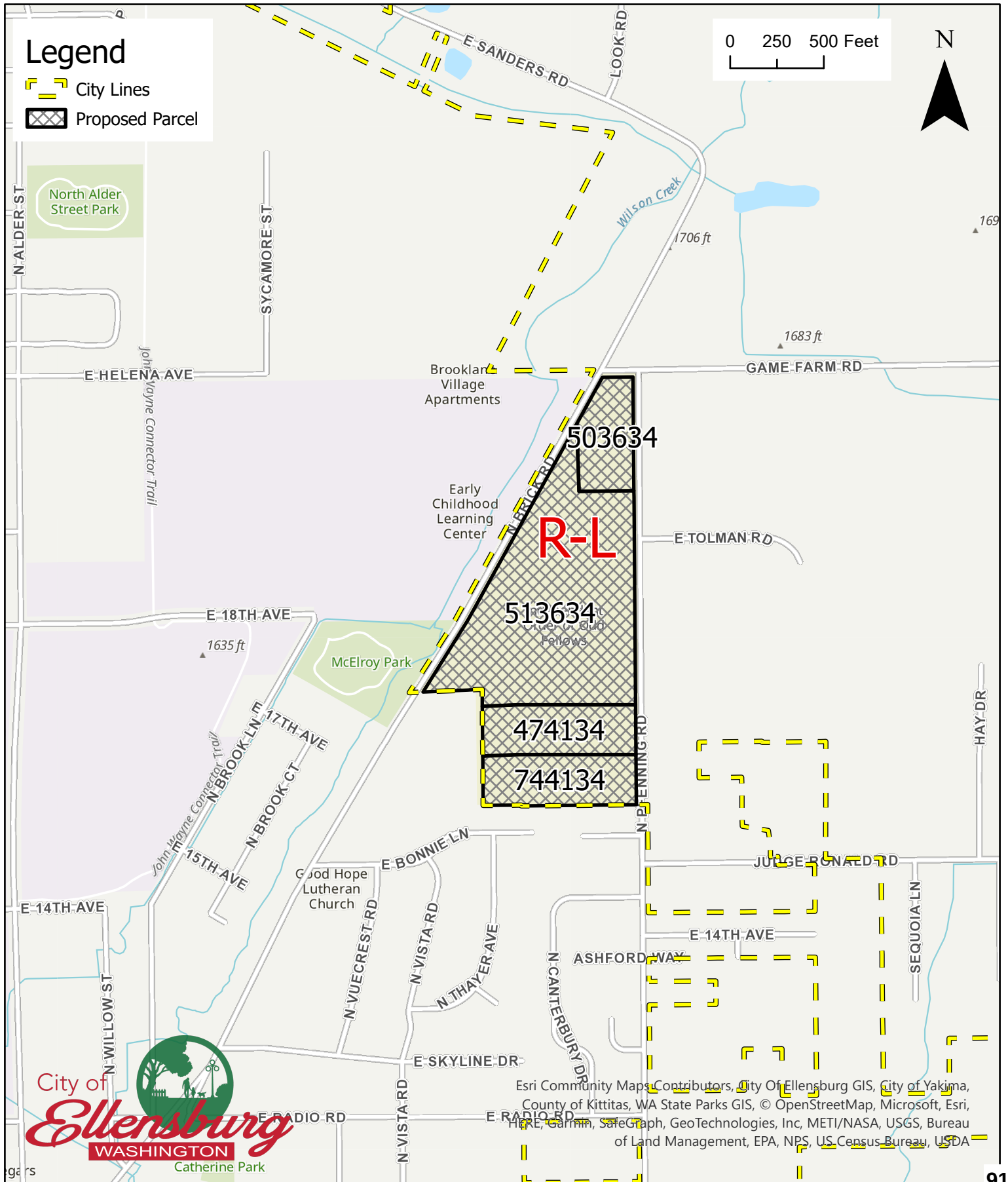
Kittitas County Zoning



City of Ellensburg Land Use



Proposed Zoning



AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: The undersigned being first duly sworn on oath, deposes and says: That he/she is the representative of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the County in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

CITY OF ELLENSBURG-CITY CLERK
N/OPEN PUBLIC HEARING P22-085 I.O.O.F.

is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

04/27/23

All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$96.75 the rate of \$9.00 per column inch for each insertion.



Subscribed to me this date: 04/27/23





Printed Name
Notary Public in and for
The State of Washington
(SEAL)

Signed Name

Legals

NOTICE OF AN OPEN PUBLIC HEARING
ANNEXATION REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council held an open record public hearing on Monday, April 17th, 2023, at 7:00 pm to consider an annexation request (P22-085) submitted by I O O F Lodge 20, property owner. The public hearing was continued to Monday, May 15, 2023 at 7:00pm. The applicant seeks to annex parcel numbers 744134, 474134, 513634, & 503634 into the City of Ellensburg, and upon annexation requests the parcels be zoned residential medium. The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623/Public-Notices/Current-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) 962-7231.

Project Location: The parcel is located at 1800 Brick Road, Ellensburg, Washington 99226, Kittitas County Assessor's Parcel Numbers 744134, 474134, 513634, & 503634.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff no later than 5:00 pm on Monday, May 15, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the City Clerk, 501 North Anderson Street, or via email at CityClerk@ci.ellensburg.wa.us. To be considered during the public hearing, written comments must be submitted by 5:00 pm on Monday, May 15, 2023.

PUBLISH: Daily Record: April 27, 2023 / LEGAL #: 364766

Legals

NOTICE OF A PUBLIC HEARING
ANNEXATION REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold an open record public hearing on Monday, May 15, 2023 at 7:00pm to consider an annexation request (P22-118) submitted by Teenaway Ridge LLC, property owner. The applicant seeks to annex parcel number 17826 into the City of Ellensburg, and upon annexation requests the parcel be zoned residential suburban. The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623/Public-Notices/Current-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) 962-7231.

Project Location: The parcel is East of Bull Road and North of Interstate 90, Kittitas County Assessor's Parcel Numbers 17826.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff no later than 5:00 pm on Monday, May 15, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the City Clerk, 501 North Anderson Street, or via email at CityClerk@ci.ellensburg.wa.us. To be considered during the public hearing, written comments must be submitted by 5:00 pm on Monday, May 15, 2023.

PUBLISH: Daily Record: April 27, 2023 / LEGAL #: 364201

NOTICE TO SUBCONTRACTORS
AND MATERIALMEN

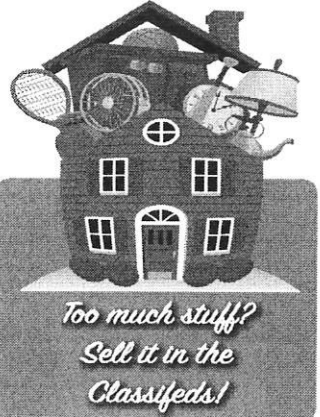
The State of Washington, Central Washington University, acting by and through Facilities Management Department, hereby advises all interested parties that Contract No. 15145-01 for the CWU Wahle Apartments, Central Washington University, Ellensburg, Washington with Bello USA Group, Birmingham, AL has been accepted as of April 26, 2023 by the Vice President for Business and Financial Affairs of Central Washington University.

The statutory lien period became effective for the filing of all liens and claims against the retained percentage of payment to the Contractor on the above date.

Any liens filed subsequent to June 10, 2023, will not be recognized.

STATE OF WASHINGTON
CENTRAL WASHINGTON UNIVERSITY
FACILITIES MANAGEMENT DEPARTMENT

PUBLISH: Daily Record: April 27 & 29, 2023 and May 2, 2023 / LEGAL #: 365037



Legals

Public Notice
Kittitas County, Ellensburg WA

REQUEST FOR STATEMENT OF QUALIFICATIONS

FOR DESIGN AND BUILD OF BROADBAND NETWORKS IN THE THORP AND EDMONT UNINCORPORATED AREAS OF KITTITAS COUNTY

All submittals received after 5:00 PM, local time, May 12th, 2023, will be discarded.

PURPOSE:

Through this Statement of Qualifications (SOQ) Kittitas County seeks a qualified contractor to conduct a broadband network build to connect unserved and underserved addresses of residents and businesses in the Thorp and Edgemont project areas. Kittitas County has received \$3.8 million in a grant from the Public Works Trust Fund Board to bring connectivity to a minimum of 459 households. Washington State has allocated Community Project Funding (CPF) to continue its work to expand broadband infrastructure across Kittitas County and bring broadband access to households and businesses that are currently unserved by an existing broadband network through competitive grant funding cycles.

Kittitas County is seeking qualified applicants to provide high-speed broadband connectivity (1Gbps symmetrical upload and download speeds).

- To the maximum number of unserved properties, residences, and businesses in the project areas of Thorp and Edgemont.
- At the least cost to the County.
- In compliance with all issued Capital Projects Fund guidance and requirements.
- Kittitas County anticipates awarding this contract to a single responder.

As American Rescue Plan Act (ARPA) federal funds are utilized as grant match, the Grant Agreement issued will be a sub-award and Bureau of Economic Analysis (BEA) will be ensuring compliance with all federal guidance and requirements, including the applicable requirements of the Code of Federal Regulations Part 200 (Uniform Guidance) or 2 CFR 200.

The selected bidder will be awarded funding not to exceed \$3.8 million to complete the high-speed broadband builds and supply service to the Thorp and Edgemont project areas.

The ongoing operation and maintenance of the project will be the sole responsibility of the selected bidder.

SCOPE OF PROJECT:

Kittitas County seeks to provide broadband connectivity to as many properties in the project areas at the least cost per premise. The scope of this project includes planning, construction, and installation of all necessary broadband infrastructure and equipment for providing access to broadband for unserved properties. Per Kittitas County's Public Works Board grant application, the following conditions must be met:

- Project is designed to deliver upon completion, service that reliably meets or exceeds symmetrical download and upload speeds of 1 Gbps. To accomplish these speeds, the project will prefer fiber-optic technology.
- Project must provide broadband access to Unserved Properties in the project areas. Any costs incurred for properties that do not meet the definition of Unserved Property, as defined by Kittitas County (refer to footnote 1, page 1) are not eligible to be covered by Kittitas County under this SOQ.
- Projects must be completed as soon as possible but no later than December 31, 2026, including the submission and approval of all project closeout documentation to BEA. Any costs incurred by the Applicant after December 31, 2026, will not be eligible for invoicing to Kittitas County.
- Applicant must be a Washington State municipality or qualified Washington State broadband provider, or both, and must be able to support the internet service once it is built.
- The proposed technology must have demonstrable efficacy and broad consumer acceptance in the market.
- Applicants must participate in, or intend to before execution of the project contract, the Affordable Connectivity Program and are committed to participating in any future federal subsidy program, as applicable.
- Applicant must include at least one low-cost option offered at speeds that are sufficient for a household with multiple users to simultaneously telework and engage in remote learning. Any future, low-cost option mandated by the federal government would negate this requirement.

Ongoing operations and maintenance of the system for a term of twenty (20) years will be the sole responsibility of the selected responder. Upon term expiration, all network assets owned by Kittitas County may be transferred to the selected responder.

The selected responder is responsible for compliance with all applicable local, state, and federal laws, codes, and regulations relative to the project and shall acquire

all necessary permits, approvals, and agreements.

PROCEDURES FOR SUBMITTAL:

If you wish to be considered for work under this Statement of Qualifications (SOQ), you must be a registered consultant on the Municipal Research and Service Center of Washington - Shared Small Works and Consultant Roster (www.msccroster.org).

A mandatory pre-submittal meeting is required to submit a response to this solicitation. The meeting location and time may be obtained by contacting: Ms. Candie Leader, Administrative Supervisor, 509-962-7523 or at candle.leader@ci.kittitas.wa.us. Specific performance criteria will be provided to prospective bidders at this meeting. Failure to attend results in disqualification from submitting a bid.

If interested in responding to this solicitation providing broadband service to Kittitas County residents, submit a sealed envelope to Mark R. Cook, Kittitas County Public Works Director, at 411 N. Ruby St., Suite 1, Ellensburg, WA 99226. Submittals shall include five (5) copies of your SOQ response.

For your records, the County will provide a confirmation email to the contacts provided in the submittal confirming receipt of your interest in the proposal. Submittals received after 5:00 PM local time May 12th, 2023, will be discarded. The County reserves the right to reject one or more submittals.

SELECTION PROCESS AND PROPOSED SCHEDULE:

Kittitas County selection will be based on the following criteria and completeness of response:

1. Pricing structure based on specifications provided at the mandatory pre-bid meeting (60 points)
2. Ability meeting supply chain project timelines (50 points)
3. Number of years providing telecommunication services (50 points)
4. Discuss Kittitas County customer service response policies (60 points).

An internal selection committee will review all submittals and select the provider for contracting. The committee may elect to conduct interviews with responders prior to selection. If interviews are desired, selected interviewees will be notified in advance. Following selection, the selected provider is required to enter into a Kittitas County professional services agreement.

The selection process shall be in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 412 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Anticipated Dates and Tasks

5 PM local time May 12th, 2023 - Deadline for SOQ submittals

May 26, 2023 - Selection of Firms to Interview

June 16, 2023 - Interviews and Reference Checks

June 23, 2023 - Provider selection

July 5, 2023 - BOCC Contract Award

The above noted schedule is tentative and may be changed based on the number of proposals submitted. Proposals will be evaluated immediately with final selection targeted for late June 2023.

AGREEMENT OF SERVICES:

The selected consultant(s) will be expected to enter into a standard Kittitas County Professional Services Agreement. Insurance requirements appear in that agreement. The contract period shall be July 5, 2023, to December 31, 2026.

Persons with disabilities may request this information be prepared and supplied in alternate forms by calling collect (509-962-7523).

Kittitas County reserves the right to accept or reject one or more proposal(s) or any items or part thereof or to waive any information or irregularities in the proposals. Kittitas County shall have the sole discretion to determine the most responsible proposal.

INQUIRIES:

Direct all inquiries regarding this request for services to Candie Leader, Administrative Supervisor at (509) 962-7523, or via e-mail to candle.leader@ci.kittitas.wa.us.

More information is online at <http://www.ci.kittitas.wa.us/notices/>.

Julie Kjosvick
Clerk of the Board

PUBLISH: Daily Journal of Commerce: April 20 & 27, 2023 and May 4 & 11, 2023

PUBLISH: Daily Record: April 20 & 27, 2023 and May 4 & 11, 2023 / LEGAL #: 361611





COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St, Ellensburg WA 98926

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

Jamey Ayling, Director

Phone: (509) 962-8653 Fax: (509) 925-8655 E-Mail: aylingj@ci.ellensburg.wa.us

AFFIDAVIT OF POSTING

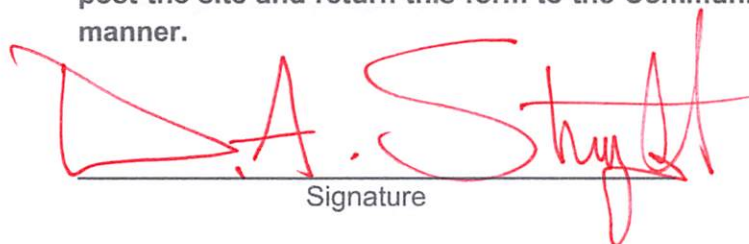
As per Revised Code of Washington (RCW) 35A.14.130, Ellensburg City Code requires that all public hearings pertaining to annexation requests shall have a notice posted in **three** publicly accessible places within the territory proposed for annexation. Per ECC 15.220.050, the following shall apply:

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: April 3 rd 2023	PLANNER: Kathy Boots, Planning Technician
PROJECT NAME: Annexation of parcels into the City of Ellensburg	FILE NUMBER: P22-085

PLEASE COMPLETE THE FOLLOWING:

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


Signature


Date

Please return the above affidavit and a photograph of the posted sign(s) to Kathy Boots, Planning Technician, by email: bootsk@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 HEARING FOR AN ANNEXATION REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on **Monday April 17, 2023, at 7:00 p.m.** in the City Council Chambers, 501 N. Anderson St, to consider an annexation request (P22-085) submitted by property owner IOOF Lodge 20 to annex parcel ID # 744134, 474134, 513634, and 503634 into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned Residential Low (R-L). **Written Comments: The public is encouraged to review and comment on the proposed project. Written comments must be received via email, or Community Development Office.** by 5:00 pm on Monday April 17, 2023.



All interested persons may appear at the public hearing and be heard for or against the matter. **Written Comments: The public is encouraged to review and comment on the proposed project. Written comments must be received via email** johnston@ellensburgwa.gov **or Community Development Office,** by 5:00 pm on Monday April 17, 2023. To obtain a copy and or review the applications and file documents visit the City of Ellensburg

Community Development Department webpage at [Public Notices/Current Projects | Ellensburg, WA](#)
Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926.



LAND USE ACTION

NOTICE OF PUBLIC HEARING FOR AN ANNEXATION REQUEST

NOTICE IS HEREBY GIVEN that the City of Steamboat Planning Commission will hold an open-house public hearing on Wednesday, November 14, 2018, at 10:00 AM, in the City Council Chambers, 307 S. Anderson St., to consider an annexation request (PUD 085) submitted by property owner DOB Luginbuhl to annex land (PUD 085, 4740th, 11100th, and 10800th) into the City of Steamboat. The City of Steamboat Planning Commission will be reviewing the request and the City of Steamboat Planning Commission will be reviewing the request and the City of Steamboat Planning Commission will be reviewing the request.



The hearing will be held at the City of Steamboat Planning Commission, 307 S. Anderson St., Steamboat, CO 80442. The hearing will be held at the City of Steamboat Planning Commission, 307 S. Anderson St., Steamboat, CO 80442. The hearing will be held at the City of Steamboat Planning Commission, 307 S. Anderson St., Steamboat, CO 80442.

and comments on the proposed project. Please provide comments by the deadline to the City of Steamboat Planning Commission, 307 S. Anderson St., Steamboat, CO 80442. The hearing will be held at the City of Steamboat Planning Commission, 307 S. Anderson St., Steamboat, CO 80442.

Office: 970.838.4400, Fax: 970.838.4401, Email: planning@cityofsteamboat.com

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 Monday April 17, 2023, at 7:00 p.m. in the City Council Chambers, 501 N. Anderson St, to consider an annexation request (P22-085) submitted by property owner IOOF Lodge 20 to annex parcel ID # 744134, 474134, 513634, and 503634 into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned Residential Low (R-L). **Written Comments:** The public is encouraged to review and comment on the proposed project. **Written comments must be received via email, or Community Development Office,** by 5:00 pm on Monday April 17, 2023.



All interested persons may appear at the public hearing and be heard for or against the matter. **Written Comments:** The public is encouraged to review and comment on the proposed project. **Written comments must be received via email** publicinput@ellensburgwa.us, **or Community Development Office, by 5:00 pm on Thursday, November 10, 2022.** To obtain a copy and/or review the applications and file documents visit the City of Ellensburg Community Development Department webpage at PublicNotices/CurrentProjects/EllensburgWA

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926.

received via email, or Community De

All interested persons may appear at the public hearing
and comment on the proposed project. Written comments
by 5:00 pm on Monday April 17, 2023.

Office, by 5:00 pm on Thursday, November 10, 2023.
Community Development Department webpage at Public

Mailing Address: Community Development Dept., 50



e matter. **Written Comments: *The public is***
a email Johnstonj@ellensburgwa.gov, or Con

review the applications and file documents visit
ellensburg, WA

, WA 98926.

PUBLIC HEARING FOR AN ANNEXATION

The City of Ellensburg Planning Commission will hold a public hearing on Monday, November 10, 2022, at 5:45 p.m.

Monday April 17, 2023, at 7:00 p.m.

01 N. Anderson St, to consider an annexation of property owner IOOF Lodge 20 to annex parcel ID 503634 into the City of Ellensburg. Consistent with Ellensburg Comprehensive Plan, upon annexation the property will be zoned Residential Low (R-L). **Written Comments: The public is invited to provide written comments on the proposed project. Written comments must be submitted to the Community Development Office,**

by 5:00 pm on Monday April 17, 2023.

LAND USE ACTION

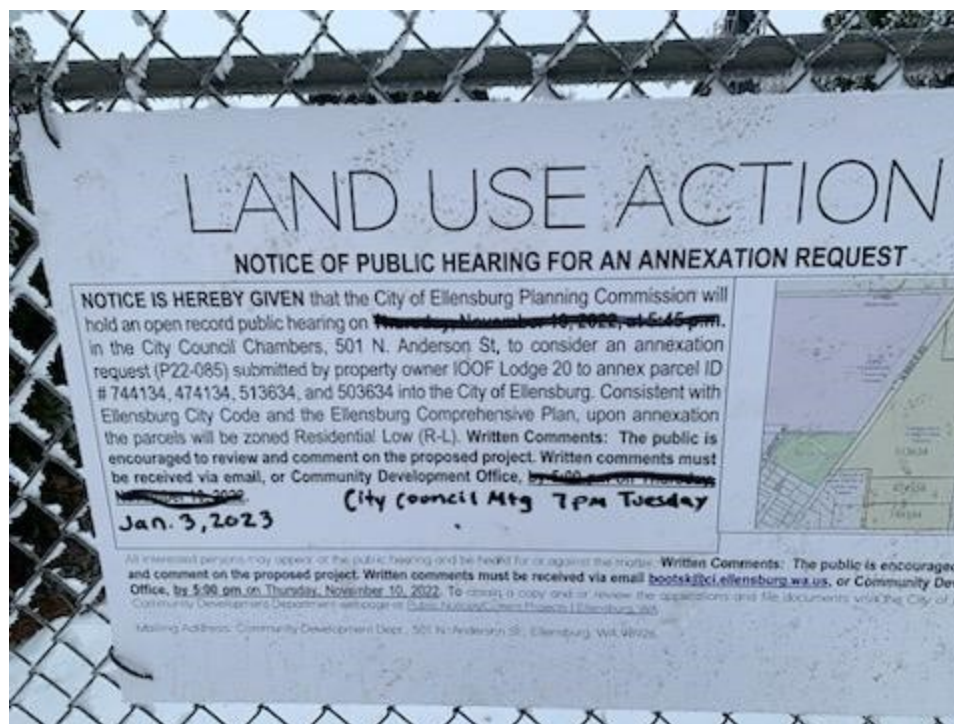
NOTICE OF PUBLIC HEARING FOR AN ANNEXATION REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg Planning Commission will hold an open record public hearing on **Monday, April 22, 2022, at 7:00 pm** in the City Council Chambers, 501 N. Anderson St, to consider an annexation request (P22-085) submitted by property owner IOOF Lodge 20 to annex parcel ID # 744134, 474134, 513634, and 503634 into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned Residential Low (R-L). **Written Comments: The public is encouraged to review and comment on the proposed project. Written comments must be received via email, or Community Development Office.**



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Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926





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, November 10, 2022, at 6:45 p.m.~~ in the City Council Chambers, 501 N. Anderson St, to consider an annexation request (P22-085) submitted by property owner IOOF Lodge 20 to annex parcel ID # 744134, 474134, 513634, and 503634 into the City of Ellensburg. Consistent with Ellensburg City Code and the Ellensburg Comprehensive Plan, upon annexation the parcels will be zoned Residential Low (R-L). **Written Comments:** The public is encouraged to review and comment on the proposed project. Written comments must be received via email, or Community Development Office, by ~~5:00 pm~~ on Thursday, November 10, 2022.

JANUARY 3, 2023

CITY COUNCIL - 7:00 PM TUESDAY



All interested persons may appear at the public hearing and be heard for or against the matter. **Written Comments:** The public is encouraged to review and comment on the proposed project. Written comments must be received via email bootsk@ci.ellensburg.wa.us, or Community Development Office, by 5:00 pm on Thursday, November 10, 2022. To obtain a copy and/or review the applications and file documents visit the City of Ellensburg Community Development Department webpage at PublicNotices/CurrentProjects/Ellensburg-WA

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926

LAND USE ACTION

NOTICE OF PUBLIC HEARING FOR AN ANNEXATION REQUEST

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JAN. 3, 2023



All interested persons may appear at the public hearing and be heard for or against the matter. **Written Comments: The public is encouraged to review and comment on the proposed project. Written comments must be received via email bootsk@ci.ellensburg.wa.us, or Community Development Office, by 5:00 pm on Thursday, November 10, 2022.** To obtain a copy and/or review the applications and file documents visit the City of Ellensburg Community Development Department webpage at PublicNotices/CurrentProjects/Ellensburg-WA

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926

LAND USE ACTION

NOTICE OF PUBLIC HEARING FOR AN ANNEXATION REQUEST

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JANUARY 3, 2023



All interested persons may appear at the public hearing and be heard for or against the matter. Written Comments: The public is encouraged to review and comment on the proposed project. Written comments must be received via email bootsk@ci.ellensburg.wa.us, or Community Development Office, by 5:00 pm on Thursday, November 10, 2022. To obtain a copy and/or review the applications and file documents visit the City of Ellensburg Community Development Department webpage at PublicNotices/CurrentProjects/Ellensburg-WA

Mailing Address: Community Development Dept., 501 N. Anderson St., Ellensburg, WA 98926





COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

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

Charles Doan, Interim Director

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

April 27, 2023

RE: Notice of Open Record Public Hearing for Annexation request, case # P22-085, submitted by I O O F Lodge 20

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council held an open record public hearing on Monday, April 17th, 2023 at 7:00 pm to consider an annexation request (P22-085) submitted by I O O F Lodge 20, property owner. The public hearing was continued to **Monday, May 15, 2023 at 7:00pm**. The applicant seeks to annex parcel numbers 744134, 474134, 513634, & 503634 into the City of Ellensburg, and upon annexation requests the parcels be zoned residential medium. 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) 962-7231.

Project Location: The parcel is located at 1900 Brick Road, Ellensburg, Washington 98926. Kittitas County Assessor's Parcel Numbers 744134, 474134, 513634, & 503634.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff no later than 5:00 pm on Monday, May 15, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the City Clerk, 501 North Anderson Street, or via email at CityClerk@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Monday, May 15, 2023.**



The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. An Accommodation may be obtained from the 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 509-962-7231 or via the e-mail listed above.

Sincerely,

Kathy Boots
Planning Technician



SHEERAN, JOSEPH R & LORI K
1707 E GALA WAY
ELLENSBURG WA 98926-5117

I O O F LODGE 20
PO BOX 154
ELLENSBURG WA 98926-1911

KALLAS, GLENDA J
1507 BONNIE LANE
ELLENSBURG WA 98926-9580

PANATTONI, KATLIN R & ERIC J
1703 E GALA WAY
ELLENSBURG WA 98926-5117

RIEXINGER, KEITH D & TAMRA
PO BOX 248
ELLENSBURG WA 98926-1912

CHRISTOPHERSON, DAVID & SUSAN
1709 E GALA WAY
ELLENSBURG WA 98926-1915

BERGMAN, LARRY E & DONNA K
1601 E BONNIE LN
ELLENSBURG WA 98926-9500

DAGGERHART, BRANT W &
6940 ROSEWELL RD UNIT 15F
ATLANTA GA 30328-2231

GRAY, WESLEY D & JO ANNE
1700 N PFENNING RD
ELLENSBURG WA 98926

ISITT, RONALD W & HOPE R
249 MAIN AVE S STE 107 PMB 146
NORTH BEND WA 98045-5016

SHAW, JAMES
1505 E BONNIE LN
ELLENSBURG WA 98926-9580

CHURCH OF LATTER DAY SAINTS
50 E NORTH TEMPLE FL 22
SALT LAKE CITY UT 84150-0022

HOOD, ROBERT B JR & SHIRLEY M
1605 E BONNIE LN
ELLENSBURG WA 98926-9500

MEYERS, BERNARD J & VELMA MARLENE
1701 E GALA WAY
ELLENSBURG WA 98926-5117

P22-085 474/34
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 **4/27/23** Signed **Vaughn Boots**

LEE, ABIGAIL MACRAE & JARRED SCOTT
ROOS
2200 N BRICK RD
ELLENSBURG WA 98926-9359

HOLLENBECK, GARY & REBECCA
1700 TOLMAN RD
ELLENSBURG WA 98926-5105

I O O F LODGE 20
PO BOX 154
ELLENSBURG WA 98926-1911

SEDLICKAS, GREG
160 GAMEFARM RD
ELLENSBURG WA 98926

TERRY, DANIEL C III & IMA M
2208 N BRICK RD
ELLENSBURG WA 98926-9359

STATE OF WASH (CWU) FAC. MGMT
DEPT
MAIL STOP # 7523
ELLENSBURG WA 98926-7502

WILLARD, MATTHEW M & TRISTEN B
2215 N BRICK RD
ELLENSBURG WA 98926-9374

GRAY, MICHAEL D & NICHOLE D
2000 PFENNING RD
ELLENSBURG WA 98926

WERNEX, JOSEPH ETUX
1901 TOLMAN RD
ELLENSBURG WA 98926

P22-085 503634
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 4/27/23

Signed

Kathy Boots

HOLLENBECK, GARY & REBECCA
1700 TOLMAN RD
ELLENSBURG WA 98926-5105

I O O F LODGE 20
PO BOX 154
ELLENSBURG WA 98926-1911

GRAY, WESLEY D & JO ANNE
1700 N PFENNING RD
ELLENSBURG WA 98926

AITKEN, BRENDA L
1810 N PFENNING RD
ELLENSBURG WA 98926-5103

WILLIAMS, MICHAEL L ETUX
PO BOX 1492
ELLENSBURG WA 98926

NEWHARD, NICHOLAS CHRISTOPHER &
HELEN RUTH
1610 N BRICK RD
ELLENSBURG WA 98926-9565

ALLEN, DARREN L & KENDRA B
1812 N PFENNING RD
ELLENSBURG WA 98926-5103

STATE OF WASH (CWU) FAC. MGMT
DEPT
MAIL STOP # 7523
ELLENSBURG WA 98926-7502

CHURCH OF LATTER DAY SAINTS
50 E NORTH TEMPLE FL 22
SALT LAKE CITY UT 84150-0022

WILLARD, MATTHEW M & TRISTEN B
2215 N BRICK RD
ELLENSBURG WA 98926-9374

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

GRAY, MICHAEL D & NICHOLE D
2000 PFENNING RD
ELLENSBURG WA 98926

WERNEX, JOSEPH ETUX
1901 TOLMAN RD
ELLENSBURG WA 98926

P22-085 513634
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 4/27/23

Signed

Wally Boots

DAVENPORT, PAUL A & YVONNE M
1602 E BONNIE LN
ELLENSBURG WA 98926-9500

P22-085 744134
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 4/27/23 Signed

Kathy Boots

SHEERAN, JOSEPH R & LORI K
1707 E GALA WAY
ELLENSBURG WA 98926-5117

WANG, FEN
1404 THAYER AVE
ELLENSBURG WA 98926

RINTA, BRANDON & DEANNA
1500 E BONNIE LN
ELLENSBURG WA 98926-9580

RINKER, JAN YVONNE
9520 KOPACHUCK DR NW
GIG HARBOR WA 98335

I O O F LODGE 20
PO BOX 154
ELLENSBURG WA 98926-1911

BRITSCHGI, MATTHEW WILLIAM & REKA
ZSOFIA
1704 E GALA WAY
ELLENSBURG WA 98926-5117

KALLAS, GLENDA J
1507 BONNIE LANE
ELLENSBURG WA 98926-9580

PANATTONI, KATLIN R & ERIC J
1703 E GALA WAY
ELLENSBURG WA 98926-5117

GRAY, WESLEY D & JO ANNE
1700 N PFENNING RD
ELLENSBURG WA 98926

WOLFE, SARA J
1706 GALA WAY
ELLENSBURG WA 98926

DOWNING, ROSEMARIE
1425 E BONNIE LN
ELLENSBURG WA 98926-9579

RIGGIN, LEONARD G
1604 BONNIE LANE
ELLENSBURG WA 98926

HALL, ROBERT V
2691 THOMAS RD
ELLENSBURG WA 98926

RIEXINGER, KEITH D & TAMRA
PO BOX 248
ELLENSBURG WA 98926-1912

CHRISTOPHERSON, DAVID & SUSAN
1709 E GALA WAY
ELLENSBURG WA 98926-1915

RODITELEVA-WIBE, MARIA
1502 E BONNIE LN
ELLENSBURG WA 98926-9580

GRAY, BRENT C
1405 N THAYER AVE
ELLENSBURG WA 98926-9583

GUNN, GERALD P & TATIANA A
1700 E GALA WAY
ELLENSBURG WA 98926-5117

BERGMAN, LARRY E & DONNA K
1601 E BONNIE LN
ELLENSBURG WA 98926-9500

DAGGERHART, BRANT W &
6940 ROSEWELL RD UNIT 15F
ATLANTA GA 30328-2231

JACK WILLIAM CARPENTER & VALERIE
ANN
1406 N THAYER AVE
ELLENSBURG WA 98926-9583

HENDRIX, ROBERT T ETUX
1403 THAYER AVE
ELLENSBURG WA 98926

ISITT, RONALD W & HOPE R
249 MAIN AVE S STE 107 PMB 146
NORTH BEND WA 98045-5016

SHAW, JAMES
1505 E BONNIE LN
ELLENSBURG WA 98926-9580

CHURCH OF LATTER DAY SAINTS
50 E NORTH TEMPLE FL 22
SALT LAKE CITY UT 84150-0022

CLARK, DENNY M & JAYME J
1702 E GALA WAY
ELLENSBURG WA 98926-5117

HOOD, ROBERT B JR & SHIRLEY M
1605 E BONNIE LN
ELLENSBURG WA 98926-9500

DAVIES, SANDRA E & DUANE F
1708 GALA WAY
ELLENSBURG WA 98926-5117

MEYERS, BERNARD J & VELMA MARLENE
1701 E GALA WAY
ELLENSBURG WA 98926-5117

HUSCHKA, FRED R ETUX
1427 BONNIE LN
ELLENSBURG WA 98926



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

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

Charles Doan, Interim Director

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

April 27, 2023

RE: Notice of Open Record Public Hearing for Annexation request, case # P22-085, submitted by I O O F Lodge 20

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council held an open record public hearing on Monday, April 17th, 2023 at 7:00 pm to consider an annexation request (P22-085) submitted by I O O F Lodge 20, property owner. The public hearing was continued to **Monday, May 15, 2023 at 7:00pm**. The applicant seeks to annex parcel numbers 744134, 474134, 513634, & 503634 into the City of Ellensburg, and upon annexation requests the parcels be zoned residential medium. 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) 962-7231.

Project Location: The parcel is located at 1900 Brick Road, Ellensburg, Washington 98926. Kittitas County Assessor's Parcel Numbers 744134, 474134, 513634, & 503634.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff no later than 5:00 pm on Monday, May 15, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the City Clerk, 501 North Anderson Street, or via email at CityClerk@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Monday, May 15, 2023.**



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If you have any questions regarding this matter, please contact me at 509-962-7231 or via the e-mail listed above.

Sincerely,

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

Kathy Boots
Planning Technician

Exhibit 12



CITY OF ELLENSBURG

Date of Meeting

Time of Meeting

Place of Meeting

Minutes of City Council, Regular Meeting

January 3, 2023

7:00 PM

Council Chambers 501 North Anderson Street

Ellensburg, WA 98926

And remotely via Zoom

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Lillquist

1. Call to Order and Roll Call

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

Absent: Monica Miller (excused)

Others present in person: City Manager Behrends Cerniwey, City Attorney Weiner, City Clerk Leader, Community Development Director Ayling, Civil Engineer Mattson and approximately 15 members of the public

Others present remotely via Zoom: approximately five members of the public

2. Proclamations

3. Awards and Recognitions

4. Approval of Agenda

Councilmember Elliott moved to Approve the Agenda as presented. **Motion Approved 6-0.**

5. Consent Agenda

5.A. Approve Minutes of the December 19, 2022 Regular Meeting

5.B. Acknowledge Minutes of Boards and Commissions

5.C. Approve University Way Banner Request for League of Women Voters Oct 24 – Nov 6, 2023

5.D. Resolution 2023 -01 Approving Kittitas Valley Healthcare's (KVH) Street Tree Removal Request at 603 S Chestnut Street

5.E. Project Acceptance - Bid Call 2021-07 for Walnut Street Rectifier and Deep Well Anode Replacement and Relocation.

5.F. Professional Services Agreement with Kittitas County Chamber of Commerce for 2023 Tourism Marketing and Visitor Information Center Operations

5.G. Interlocal Agreement for Professional Services with Ellensburg Business Development Authority (dba CenterFuse)

5.H. 2023 Interlocal Agreement with Kittitas County Emergency Medical Services (EMS) and Trauma Care Council

5.I. Approve January 3, 2023 Voucher Listing

Councilmember Elliott moved to Approve the Consent Agenda as presented. **Motion Approved 6-0.**

6. Petitions, Protests, and Communications

7. Citizen Comment on Non-agenda Issues

8. Business Requiring Public Hearings

8.A. Public Hearing (Legislative) to Consider Annexation Request from the International Order of Odd Fellows (IOOF) Lodge 20 for Parcels 744134, 474134, 513634, 503634 Located at 1900 Brick Road and First Reading of an Ordinance Approving Petition for Annexation P22-085

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

- David Sturgill, representing IOOF Lodge, spoke in favor of the annexation and medium density zoning
- Jeff Watson, 703 E Walnut, spoke in favor of the annexation and medium density zoning
- Dan Terry, 2208 Brick Rd, spoke against the proposed annexation zoning
- Ren, representing those living in affordable housing, spoke regarding residents in affordable housing
- Scott Nicolai, member of IOOF, 510 N Mt. Stuart Ave, spoke regarding the potential development of the property
- Dave Christopherson, 1709 E Gala Way, spoke regarding the development of the property
- Korbie Jorgensen Haley, 630 Fairview Rd, speaking for herself, spoke in support of the annexation and medium density zoning
- Dan Terry, 2208 Brick Rd, provided additional comments against the annexation

Council asked questions of city staff and the applicant representative.

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

Councilmember Goodloe moved to Approve annexation request P22-085 for parcels 744134, 474134, 513634, 503634 located at 1900 Brick Road; and simultaneous adoption of Residential-Medium zoning designation. **Motion died due to lack of second.**

Councilmember Elliott moved to Approve annexation request P22-085 for parcels 744134, 474134, 513634, 503634 located at 1900 Brick Road; and simultaneous adoption of Residential-Low zoning designation. **Motion Approved 5-1 (Goodloe voted no).**

Councilmember Elliott moved to Approve conducting first reading of Ordinance 4909.

Following a second to the main motion, Councilmember Elliott moved to amend the main motion to change the zoning reference in Section 4 of the Ordinance from Residential Medium (R-M) to Residential Low (R-L). **Motion Approved 6-0.**

Vote on main motion to Approve conducting first reading of amended Ordinance 4909. **Motion Approved 6-0.**

8.B. Public Hearing (Legislative) to Adopt Resolution 2023-02 Amending the City's Six-Year Transportation Improvement Plan (TIP) for 2023-2028; Revising Grant Funded Projects
The Mayor opened the public hearing. Josh Mattson, Civil Engineer, presented information in the staff report.

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

Councilmember Elliott moved to Approve adoption of Resolution 2023-02 amending the 2023-2028 Transportation Improvement Plan and authorize the Mayor and staff to execute any and all necessary grant paperwork associated with the Main Street Overlay and Pfenning Rd. Sidewalks projects. **Motion Approved 6-0.**

9. Introduction and Adoption of Ordinances and Resolutions

9.A. Ordinance 4906 (Second Reading) - Exclusion and Trespass from City Property
Terry Weiner, City Attorney, presented information in the staff report.

Tyrell Nielsen, 1200 N Craig ave, spoke in support of the ordinance and suggested amendments

Councilmember Goodloe moved to Approve second reading and adoption of Ordinance 4906. **Motion Approved 6-0.**

9.B. Ordinance 4907 (Second Reading) - Update of the Ellensburg City Code (ECC Ch. 3.12 Sign Code)

Jamey Ayling, Community Development Director, presented information in the staff report. He reviewed revisions to the Ordinance for second reading.

Councilmember Elliott moved to Approve conducting second reading and adoption of Ordinance 4907 as amended. **Motion Approved 6-0.**

9.C. Ordinance 4908 (Second Reading) Approving Rezone Request P22-075 Submitted by Jason Smith, Property Owner

Jamey Ayling, Community Development Director, presented information in the staff report.

Councilmember Elliott moved to Approve conducting second reading and adoption of Ordinance 4908. **Motion Approved 6-0.**

10. Unfinished Business

11. New Business

12. Miscellaneous

12.A. Manager's Report

The City Manager reviewed the report.

12.B. Councilmembers' Reports

- Councilmember Elliott volunteered at the Ellensburg Animal Shelter
- Councilmember Goodloe gave update of the Council funded grants subcommittee and that it was recommending to Council that the funding be allocated to Northwest Expressive Arts Response

Councilmember Goodloe moved to Approve award of a \$2500 community grant to Northwest Expressive Arts Response. **Motion Approved 6-0.**

- Councilmember Winn attended the Law & Justice Council meeting and elected chairperson for 2023
- Mayor Lillquist attended the Broadband Action Team meeting with the County and they are requesting testimonial letters in support of a Washington State Broadband Office grant application. Council consensus was for the Mayor to sign a letter of support from the City. She also thanked City staff for work performed over the Holidays.

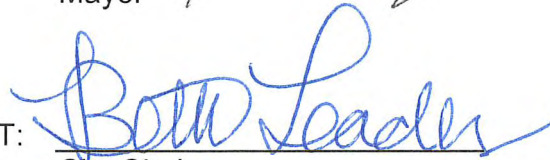
13. Executive Session

14. Adjournment

Meeting adjourned at 8:37 pm

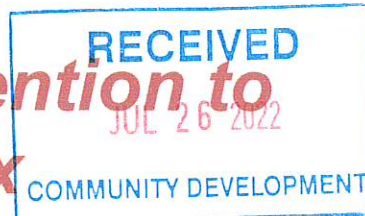

Mayor

ATTEST:


City Clerk



Notice of Intention to Annex



PF-04
FORM

Community Development Department

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

NOTICE OF INTENTION TO COMMENCE ANNEXATION TO THE CITY OF ELLENSBURG, WASHINGTON

TO: THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON

The undersigned, representing the ownership of more than ten percent of the acreage of the real property for which annexation is sought, as more particularly described below, hereby gives notice to the City Council of the City of Ellensburg, Washington, of their intent to commence annexation proceedings.

The City Council of the City of Ellensburg is hereby requested to set a date not later than 60 days after the date this NOTICE OF INTENTION is filed with the Community Development Department for a meeting with the initiating party to determine whether the city will accept, reject, or geographically modify the proposed annexation, whether it will require the simultaneous adoption of a proposed zoning regulation, and whether it will require the assumption of all or any portion of existing city indebtedness by the area sought to be annexed.

Information regarding real property for which annexation is sought:

1900 Brick Road	Ellensburg, WA 98926
<i>(Street address of property)</i>	<i>(City, State, Zip Code)</i>

775536, 744134, 474134, 513634, 503634	36.38
<i>(Parcel Number)</i>	<i>(Acreage)</i>

I O O F LODGE 20, Mailing Address: PO BOX 154, ELLENSBURG, WA 98926-1911
<i>(Legal)</i>

Respectfully submitted:

David A. Sturgell

(Signature of Initiator of Annexation)

David A. Sturgell

(Printed Name of Initiator of Annexation)

Mailing Address: PO BOX 154, ELLENSBURG
<i>(Petitioner's Address)</i>

Ellensburg, WA 98926-1911
<i>(City, State, Zip Code)</i>

Office: (509) 962-9768 Mobile: (509) 929-3258
<i>(Phone number)</i>

26 July 2022
<i>(Date Signed)</i>

*** List this same information for all signers representing the ownership of at least 10% of the most recent assessed valuation of the real property for which annexation is sought. Attach additional sheets, as necessary.*

*** Provide a location map identifying the area you are requesting to be annexed.*

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Signature of Petitioner)	(Printed Name of Petitioner)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Petitioner's Address)	(City, State, Zip Code)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Phone number)	(Date Signed)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Signature of Petitioner)	(Printed Name of Petitioner)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Petitioner's Address)	(City, State, Zip Code)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Phone number)	(Date Signed)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Signature of Petitioner)	(Printed Name of Petitioner)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Petitioner's Address)	(City, State, Zip Code)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Phone number)	(Date Signed)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Signature of Petitioner)	(Printed Name of Petitioner)

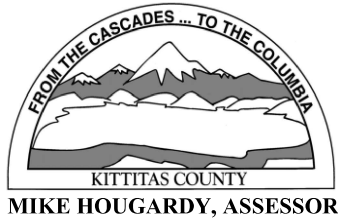
XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Petitioner's Address)	(City, State, Zip Code)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Phone number)	(Date Signed)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Signature of Petitioner)	(Printed Name of Petitioner)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Petitioner's Address)	(City, State, Zip Code)

XXXXXXXXXXXXXXXXXXXXX NONE XX	XXXXXXXXXX NONE XXXXXXXXX
(Phone number)	(Date Signed)



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

October 10, 2022

City of Ellensburg
Community Development Department
Attn: Jayme Ayling
501 N Anderson St
Ellensburg WA 989256

RE: Proposed Annexation Petition, P22-085 Oddfellows
Parcels: 744134, 474134, 513634 and 503634

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, P22-085 Oddfellows received by this office October 3, 2022, 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 "M Hougardy", is written over a light blue horizontal line.

Mike Hougardy
Kittitas County Assessor



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Ordinance 4914 (Second Reading) - Teanaway Ridge Annexation (legislative public hearing)

Submitted by: Jeremy Johnston Community Development

Recommended Action or Motion: Hold an open record legislative public hearing, followed by second reading and adoption of Ordinance 4914.

Background/Summary: City Council held a public hearing on April 3, 2023 to consider an annexation petition, submitted by property owner Teanaway Ridge LLC, for parcel 17826 located east of Bull Road. The annexation request was approved at the conclusion of the hearing and was immediately followed by first reading of Ordinance 4914.

The parcel proposed for annexation is located on the east side of Bull Road, and north of Interstate 90. 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 their recommendation forwarded to City Council as the final decision maker.

The Planning Commission held a public hearing on February 9, 2023 to consider the petition for annexation, at the conclusion of which they unanimously recommended Council approve the request for annexation as presented.

Consistent with Ellensburg City Code, notice of the City Council public hearing was noticed in the Ellensburg Daily Record on March 16, 2023 (Exhibit 6); property owners within 300 feet of the proposed annexation area were mailed a notice of public hearing (Exhibits 7 and 9); and land use action signs were posted on the property (Exhibit 8).

Previous Council Action: The initial meeting with Council was held on December 6, 2022 and Council unanimously determined the following:

- Accept the proposed annexation as geographically

- proposed in the notice of intent;
- Require the simultaneous adoption of Residential-Suburban (R-S) zoning; and
- Require the annexation area to assume a proportional share of existing City indebtedness.

Analysis:

After Council's determination to accept the annexation proposal a petition for annexation was filed with the Kittitas County Assessor. On January 23, 2023 the Assessor determined the petition for annexation sufficient with regard to legal description and corresponding owner of record (Exhibit 5).

During the February 9, 2023 Planning Commission public hearing, there were no public comments. Upon completion of the public hearing, the Planning Commission unanimously recommended Council approve the annexation request as presented with simultaneous adoption of Residential-Suburban zoning.

The proposed parcel to be annexed is not currently served by City utilities, nor does the property have a Utility Extension Agreement. Once the parcel is annexed, further development will necessitate connection to City utilities by the developer in addition to a requirement to meet Ellensburg City Land Development Code standards and fire code requirements.

This parcel is bordered by City limits on the south and west sides. Land to the North and East of the property is zoned by Kittitas County as Commercial Agriculture. Land to the South and East is zoned Residential Suburban (R-S) density. See Exhibit 2 Zoning Map. Annexation of this parcel would be a logical extension of the City of Ellensburg boundaries.

Staff recommends Residential-Suburban (R-S) zoning for the parcel proposed to be annexed. R-S zoning of this parcel is supported by the Residential Neighborhood designation in the Comprehensive Plan Future Land Use Map (Exhibit 3).

Financial Impact:

At the 2023 assessed value and levy amount, the annual property tax revenue from the parcel would be approximately \$70.

Attachments:

Ordinance 4914 - P22-118 Annexation

Exhibit 1 P22-118 Map of Annex Area

Exhibit 2 P22-118 Zoning map

Exhibit 3 P22-118 Future Land Use Map

Exhibit 4 P22-118 Petition

Exhibit 5 P22-118 Kittitas County Assessor Determination of Sufficiency

Exhibit 6 Order Confirmation Legal Ad

Exhibit 7 P22-118 300' Buffer Map

Exhibit 8 P23-118 Affidavit of Posting

Exhibit 9 P22-118 Affidavit of Mailing 4.27.23

ORDINANCE NO. 4914

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON ANNEXING PARCEL 17826 TO THE CITY OF ELLENSBURG, WASHINGTON, ASSIGNING RESIDENTIAL SUBURBAN ZONING CLASSIFICATION, PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on November 3, 2022, 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 17826, as more fully described in Section 1 of this Ordinance and depicted in Exhibit A, attached hereto; and

WHEREAS, on December 5, 2022, 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 December 5, 2022 public meeting the City Council set the annexation area and further determined that the property subject to annexation would be zoned Residential Suburban, and assume the annexation area’s share of City indebtedness; 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 January 23, 2023, having 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 February 9, 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 April 3, 2023 and May 15, 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:

Parcel B-3 of that certain Survey recorded August 30, 2022, in Book 28 of Surveys, page 9, under Auditor's File No. 200208300001, records of Kittitas County, Washington, being a portion of the East Half of Section 12, Township 17 North, Range 18 East, W.M. in the County of Kittitas, State of Washington, being a portion of the property conveyed that certain Statutory Warranty Deed recorded July 10, 2009 as Kittitas County Auditor File No. 200907100029.

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 Number 17826 shall be zoned Residential Suburban (R-S).

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 or 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 May, 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. 4914 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4914 was published as required by law.

EXHIBIT A: ANNEXATION PARCEL



3/27/2023, 9:28:16 AM

County Parcels Urban Growth Area
Major Arterial Parcels
City Limits

1:18,056
0 0.1 0.2 0.4 mi
0 0.15 0.3 0.6 km

Google Maps

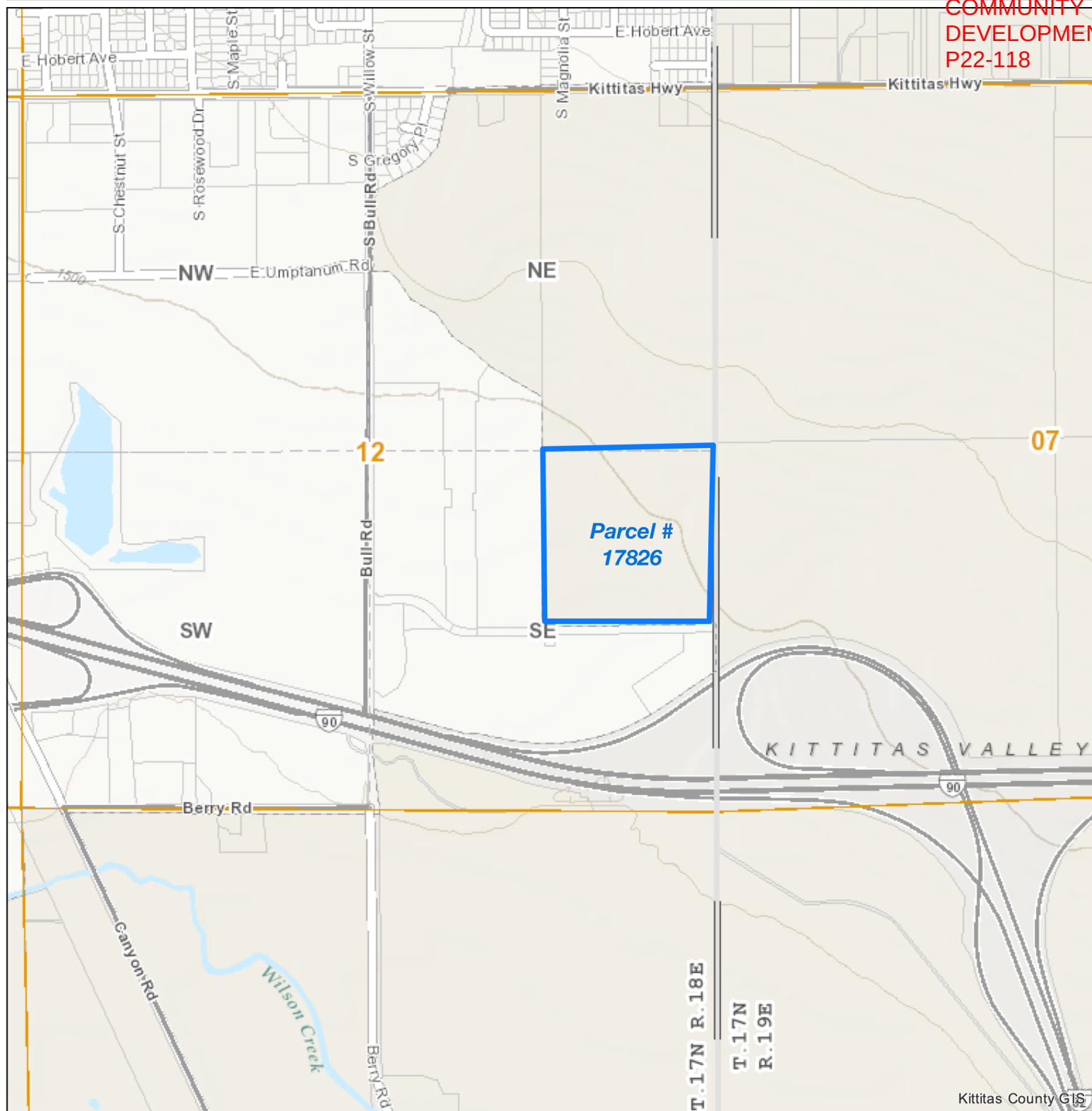
Kittitas County COMPAS Map

RECEIVED

11/3/22

COMMUNITY
DEVELOPMENT

P22-118



Date: 9/14/2022

1 inch = 1,505 feet
Relative Scale 1:18,056**Disclaimer:**

Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.

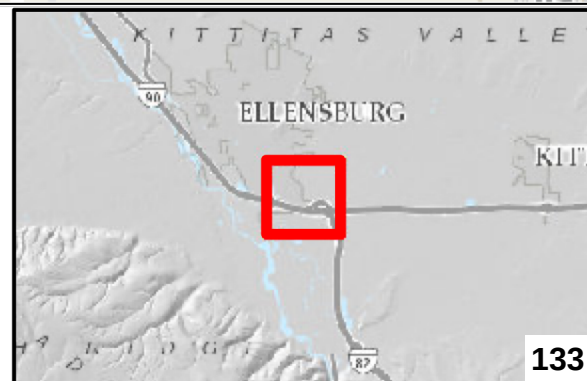


Exhibit 2

eburg map



2/1/2023, 2:35:10 PM

County Parcels City Limits
Zoning Urban Growth Area
RS
IL

1:9,028
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km
Google Maps

W.LONGMIRE
Hexagon, WaTech, Kittitas County GIS | Kittitas County Public Works | Kittitas County Auditor | Kittitas County Assessor | Esri Community Maps Contributors, City Of Ellensburg GIS, City of Yakima,

Exhibit 3

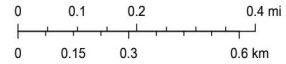
eburg map



2/1/2023, 2:57:57 PM

1:18,056

- | | |
|----------------|----------------------------------|
| County Parcels | MHP |
| Zoning | IL |
| RS | PR |
| RL | Major Arterial |
| RM | Land Use Designations |
| RH | Residential neighborhood |
| CH | Blended residential neighborhood |



Google Maps

W.LONGMIRE

Hexagon, WaTech, Kittitas County GIS | Kittitas County Public Works | Kittitas County Auditor | Kittitas County Assessor | Esri Community Maps Contributors, City Of Ellensburg GIS, City of Yakima,



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 _____.

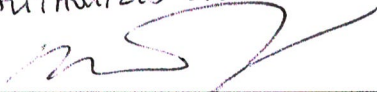
This petition is accompanied and has attached hereto as Exhibit "B" a diagram, which outlines the boundaries of the property sought to be annexed.

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.

TEA Authority, Inc. LLC
AUTHORIZED SIGNATURE



OWNER'S SIGNATURE

ADDRESS

Michael T Jones

11-4-22

PRINTED NAME

DATE SIGNED

➤

OWNER'S SIGNATURE

ADDRESS

PRINTED NAME

DATE SIGNED

➤

OWNER'S SIGNATURE

ADDRESS

PRINTED NAME

DATE SIGNED

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OWNER'S SIGNATURE

ADDRESS

PRINTED NAME

DATE SIGNED

➤

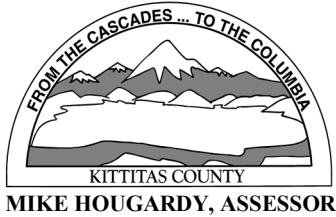
OWNER'S SIGNATURE

ADDRESS

PRINTED NAME

DATE SIGNED

Exhibit 5



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

January 23, 2023

City of Ellensburg
Community Development Department
Attn: Jayme Ayling
501 N Anderson St
Ellensburg WA 989256

RE: Proposed Annexation Petition, P22-118
Parcel 17826, Teanaway Ridge LLC

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, P22-118 received by this office January 18th, 2023 has 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 cursive script that reads "Mike Hougardy".

Mike Hougardy
Kittitas County Assessor

Exhibit 6

AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: The undersigned being first duly sworn on oath, deposes and says: That he/she is the representative of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the County in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

CITY OF ELLENSBURG-CITY CLERK
N/PUBLIC HEARING P22-118 TEANAWAY

is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

04/27/23

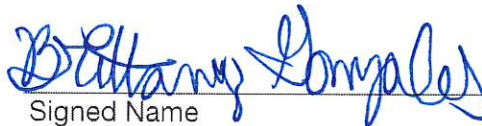
All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$89.24 the rate of \$9.00 per column inch for each insertion.



Subscribed to me this date: 04/27/23



Printed Name
Notary Public in and for
The State of Washington
(SEAL)


Signed Name

Legals

Legals

NOTICE OF AN OPEN PUBLIC HEARING
ANNEXATION REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council held an open record public hearing on Monday, April 17th, 2023 at 7:00 pm to consider an annexation request (P22-085) submitted by I O F Lodge 20, property owner. The public hearing was continued to Monday, May 15, 2023 at 7:00pm. The applicant seeks to annex parcel numbers 741124, 475154, 513634, & 503834 into the City of Ellensburg, and upon annexation requests the parcels be zoned residential medium. The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623-Public-Notices/Current-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) 962-7231.

Project Location: The parcel is located at 1900 Brick Road, Ellensburg, Washington 98926. Kittitas County Assessor's Parcel Numbers 741124, 475154, 513634, & 503834.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff no later than 5:00 pm on Monday, May 15, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the City Clerk, 501 North Anderson Street, or via email at CityClerk@ci.ellensburg.wa.us. To be considered during the public hearing, written comments must be submitted by 5:00 pm on Monday, May 15, 2023.

PUBLISH: Daily Record: April 27, 2023 / LEGAL #: 364795

Legals

Legals

NOTICE OF A PUBLIC HEARING
ANNEXATION REQUEST

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold an open record public hearing on Monday, May 15, 2023 at 7:00pm to consider an annexation request (P22-118) submitted by Teanaway Ridge LLC, property owner. The applicant seeks to annex parcel number 17825 into the City of Ellensburg, and upon annexation requests the parcel be zoned residential suburban. The submitted application and related documents are available for review online at <https://ci.ellensburg.wa.us/623-Public-Notices/Current-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) 962-7231.

Project Location: The parcel is East of Bull Road and North of Interstate 90, Kittitas County Assessor's Parcel Numbers 17825.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff no later than 5:00 pm on Monday, May 15, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the City Clerk, 501 North Anderson Street, or via email at CityClerk@ci.ellensburg.wa.us. To be considered during the public hearing, written comments must be submitted by 5:00 pm on Monday, May 15, 2023.

PUBLISH: Daily Record: April 27, 2023 / LEGAL #: 364801

NOTICE TO SUBCONTRACTORS
AND MATERIALMEN

The State of Washington, Central Washington University, acting by and through Facilities Management Department, hereby advises all interested parties that Contract No. 15145-01 for the CWU Wahle Apartments, Central Washington University, Ellensburg, Washington with Beller USA Group, Birmingham, MI has been accepted as of April 26, 2023 by the Vice President for Business and Financial Affairs of Central Washington University.

The statutory lien period became effective for the filing of all liens and claims against the retained percentage of payment to the Contractor on the above date.

Any liens filed subsequent to June 10, 2023, will not be recognized.

STATE OF WASHINGTON
CENTRAL WASHINGTON UNIVERSITY
FACILITIES MANAGEMENT DEPARTMENT

PUBLISH: Daily Record: April 27 & 29, 2023 and May 2, 2023 / LEGAL #: 365037



Legals

Legals

Legals

Legals

Public Notice
Kittitas County, Ellensburg WA

REQUEST FOR STATEMENT OF QUALIFICATIONS

FOR DESIGN AND BUILD OF BROADBAND NETWORKS IN THE THORP AND EDMONT UNINCORPORATED AREAS OF KITTITAS COUNTY

All submittals received after 5:00 PM, local time, May 12th, 2023, will be discarded.

PURPOSE:

Through this Statement of Qualifications (SOQ) Kittitas County seeks a qualified contractor to conduct a broadband network build to connect unserved and underserved addresses of residents and businesses in the Thorp and Edgemont project areas. Kittitas County has received \$3.8 million in a grant from the Public Works Trust Fund Board to bring connectivity to a minimum of 459 households. Washington State has allocated Community Project Funding (CPF) to continue its work to expand broadband infrastructure across Kittitas County and bring broadband access to households and businesses that are currently unserved by an existing broadband network through competitive grant funding cycles.

Kittitas County is seeking qualified applicants to provide high-speed broadband connectivity (1Gbps symmetrical upload and download speeds).

- To the maximum number of unserved properties, residences, and businesses in the project areas of Thorp and Edgemont.
- At the least cost to the County.
- In compliance with all issued Capital Projects Fund guidance and requirements.
- Kittitas County anticipates awarding this contract to a single responder.

As American Rescue Plan Act (ARPA) federal funds are utilized as grant match, the Grant Agreement issued will be a sub-award and Bureau of Economic Analysis (BEA) will be ensuring compliance with all federal guidance and requirements, including the applicable requirements of the Code of Federal Regulations Part 200 (Uniform Guidance) or 2 CFR 200.

The selected bidder will be awarded funding not to exceed \$3.8 million to complete the high-speed broadband builds and supply service to the Thorp and Edgemont project areas.

The ongoing operation and maintenance of the project will be the sole responsibility of the selected bidder.

SCOPE OF PROJECT:

Kittitas County seeks to provide broadband connectivity to as many properties in the project areas at the least cost per premise. The scope of this project includes planning, construction, and installation of all necessary broadband infrastructure and equipment for providing access to broadband for unserved properties. Per Kittitas County's Public Works Board grant application, the following conditions must be met:

- Project is designed to deliver upon completion, service that reliably meets or exceeds symmetrical download and upload speeds of 1 Gbps. To accomplish these speeds, the project will prefer fiber-optic technology.
- Project must provide broadband access to Unserved Properties in the project areas. Any costs incurred for properties that do not meet the definition of Unserved Property, as defined by Kittitas County (refer to footnote 1, page 31) are not eligible to be covered by Kittitas County under this SOQ.
- Projects must be completed as soon as possible but no later than December 31, 2026, including the submission and approval of all project closeout documentation to BEA. Any costs incurred by the Applicant after December 31, 2026, will not be eligible for invoicing to Kittitas County.
- Applicant must be a Washington State municipality or qualified Washington State broadband provider, or both, and must be able to support the internet service once it is built.
- The proposed technology must have demonstrable efficacy and broad consumer acceptance in the market.
- Applicants must participate in, or intend to before execution of the project contract, the Affordable Connectivity Program and are committed to participating in any future federal subsidy program, as applicable.
- Applicant must include at least one low-cost option offered at speeds that are sufficient for a household with multiple users to simultaneously telework and engage in remote learning. Any future, low-cost option mandated by the federal government would negate this requirement.

Ongoing operations and maintenance of the system for a term of twenty (20) years will be the sole responsibility of the selected responder. Upon term expiration, all network assets owned by Kittitas County may be transferred to the selected responder.

The selected responder is responsible for compliance with all applicable local, state, and federal laws, codes, and regulations relative to the project and shall acquire

all necessary permits, approvals, and agreements.

PROCEDURES FOR SUBMITTAL:

If you wish to be considered for work under this Statement of Qualifications (SOQ), you must be a registered consultant on the Municipal Research and Service Center of Washington - Shared Small Works and Consultant Roster (www.msccrater.org).

A mandatory pre-submittal meeting is required to submit a response to this solicitation. The meeting location and time may be obtained by contacting: Ms. Candie Leader, Administrative Supervisor, 509-962-7523 or at candle.lead@ci.kittitas.wa.us. Specific performance criteria will be provided to prospective bidders at this meeting. Failure to attend results in disqualification from submitting a bid.

If interested in responding to this solicitation providing broadband service to Kittitas County residents, submit a sealed envelope to Mark R. Cook, Kittitas County Public Works Director, at 411 N. Ruby St. Suite 1, Ellensburg WA 98926. Submittals shall include five (5) copies of your SOQ response.

For your records, the County will provide a confirmation email to the contacts provided in the submittal confirming receipt of your interest in the proposal. Submittals received after 5:00 PM local time May 12th, 2023, will be disregarded. The County reserves the right to reject one or more submittals.

SELECTION PROCESS AND PROPOSED SCHEDULE:

Kittitas County selection will be based on the following criteria and completeness of response:

1. Pricing structure based on specifications provided at the mandatory pre-bid meeting (60 points)
2. Ability meeting supply chain project timelines (50 points).
3. Number of years providing telecommunication services (50 points).
4. Discuss Kittitas County customer service response policies (60 points).

An internal selection committee will review all submittals and select the provider for contracting. The committee may elect to conduct interviews with responders prior to selection. If interviews are desired, selected interviewees will be notified in advance. Following selection the selected provider is required to enter into a Kittitas County professional services agreement.

The selection process shall be in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Anticipated Dates and Tasks

5 PM local time May 12th, 2023 - Deadline for SOQ submittals

May 26, 2023 - Selection of Firms to Interview

June 16, 2023 - Interviews and Reference Checks

June 23, 2023 - Provider selection

July 5, 2023 - BOCC Contract Award

The above noted schedule is tentative and may be changed based on the number of proposals submitted. Proposals will be evaluated immediately with final selection targeted for late June 2023.

AGREEMENT OF SERVICES:

The selected consultant(s) will be expected to enter into a standard Kittitas County Professional Services Agreement. Insurance requirements appear in that agreement. The contract period shall be July 5, 2023, to December 31, 2026.

Persons with disabilities may request this information be prepared and supplied in alternate forms by calling collect (509-962-7523).

Kittitas County reserves the right to accept or reject one or more proposal(s) or any items or part thereof or to waive any information or irregularities in the proposals. Kittitas County shall have the sole discretion to determine the most responsible proposal.

INQUIRIES:

Direct all inquiries regarding this request for services to Candie Leader, Administrative Supervisor at (509) 962-7523, or via e-mail to candle.lead@ci.kittitas.wa.us

More information is online at <http://www.ci.kittitas.wa.us/policies/>.

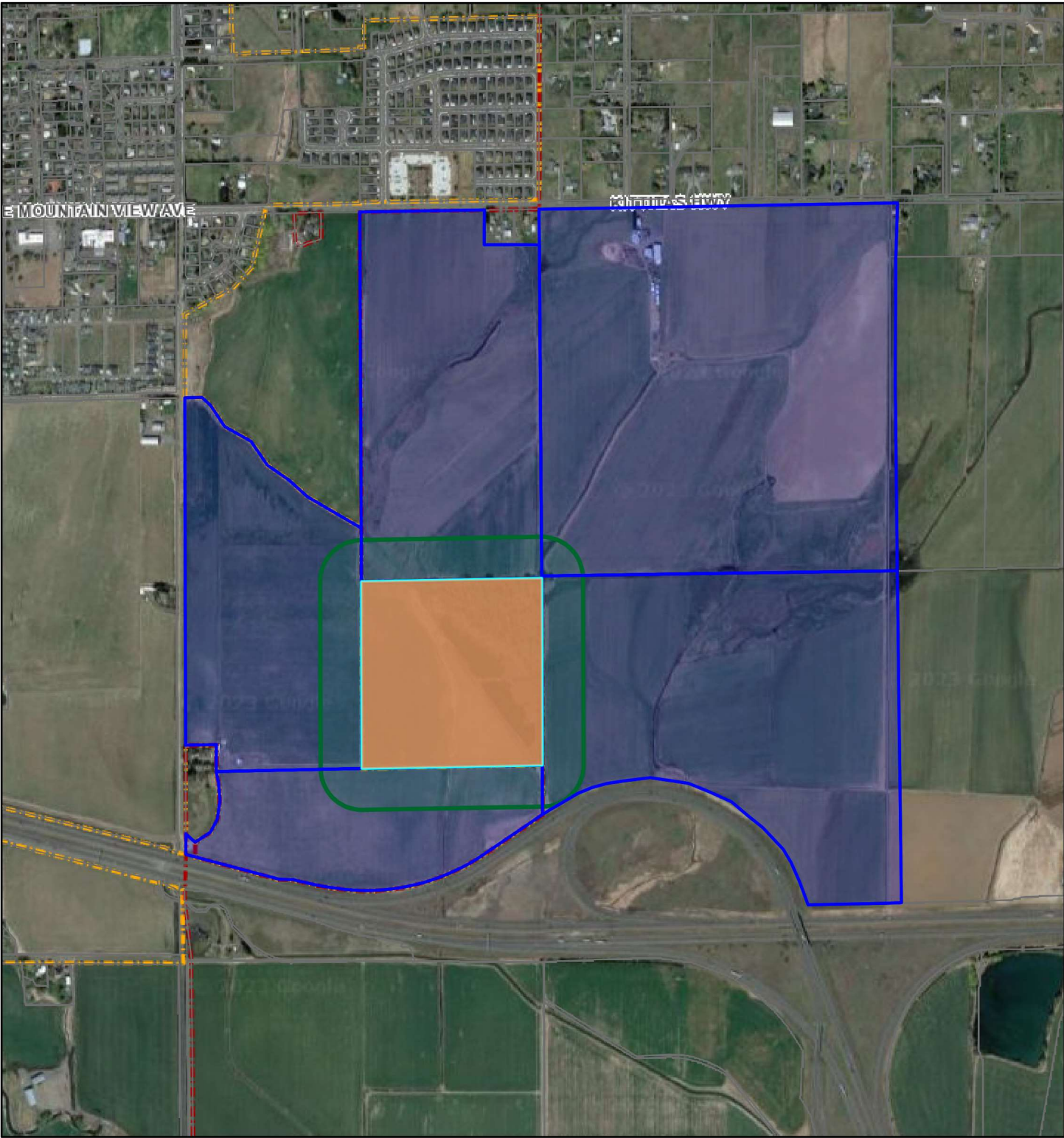
Julie Kjosvick
Clerk of the Board

PUBLISH: Daily Journal of Commerce: April 20 & 27, 2023 and May 4 & 11, 2023

PUBLISH: Daily Record: April 20 & 27, 2023 and May 4 & 11, 2023 / LEGAL #: 361611

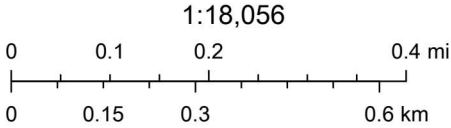


Exhibit 7
Ellensburg map



1/19/2023, 8:28:05 AM

- County Parcels
- Urban Growth Area
- Major Arterial
- Parcels
- City Limits



Google Maps

Exhibit 8



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St, Ellensburg WA 98926

Land Use Permitting (509) 962-7231

Construction Permitting (509) 962-7239

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 **one** publicly accessible place 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: April 26, 2023	PLANNER: Jeremy Johnston
PROJECT NAME: Annexation of parcels into the City of Ellensburg	FILE NUMBER: P22-118

PLEASE COMPLETE THE FOLLOWING:

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

Signature

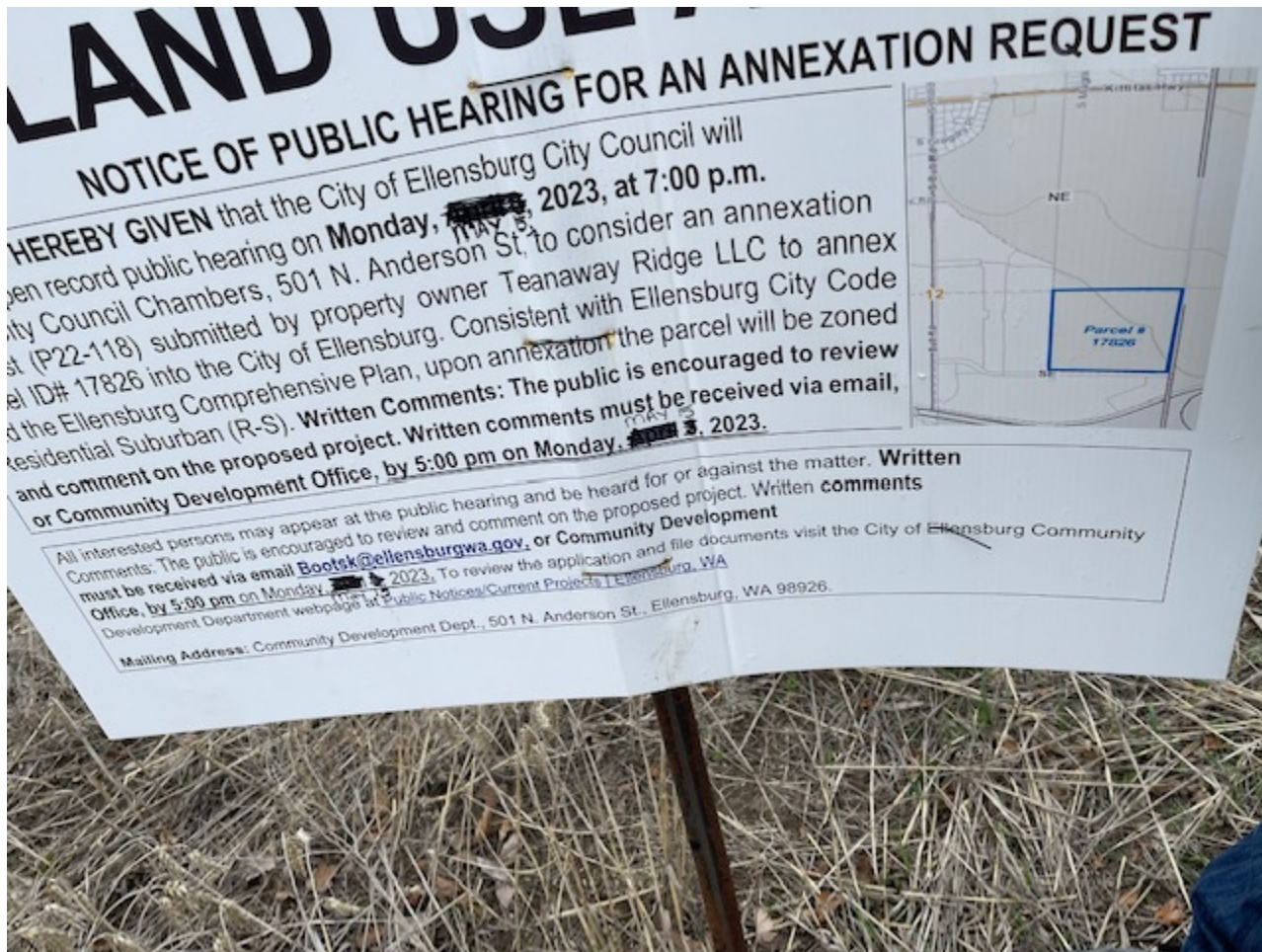
4-27 20 23
Date

Please return the above affidavit and a photograph of the posted sign(s) to Kathy Boots boots; or deliver to: Community Development Dept., City Hall, 501 N. Anderson St., Ellensburg, WA 98926.

Kathy Boots

From: Chad Bala <bala.ce@gmail.com>
Sent: Tuesday, May 2, 2023 9:17 AM
To: Kathy Boots
Subject: Re: [Ext] P22-118 Affid of Post CC 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.



RDMB LIMITED PARTNERSHIP
41 BARNES RD
ELLENSBURG WA 98926

SCHULER DENEEN FAMILY RANCH LLC
PO BOX 808
CLE ELUM WA 98922-0808

PATLINFARMS LLC
890 KITTITAS HWY
ELLENSBURG WA 98926-8910

QUARTER CIRCLE FC LLC
3051 NUMBER 6 RD
ELLENSBURG WA 98926-9656

P22-118 17826
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 4/27/23 Signed

Kathy Boots



COMMUNITY DEVELOPMENT DEPARTMENT

501 N. Anderson St., Ellensburg WA 98926

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

Charles Doan, Interim Director

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

April 27, 2023

RE: Notice of Open Record Public Hearing for Annexation request, case # P22-118, submitted by Teanaway Ridge LLC

NOTICE IS HEREBY GIVEN that the City of Ellensburg City Council will hold an open record public hearing on Monday, May 15, 2023 at 7:00 pm to consider an annexation request (P22-118) submitted by Teanaway Ridge LLC, property owner. The applicant seeks to annex parcel number 17826 into the City of Ellensburg, and upon annexation requests the parcels be zoned residential suburban. 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) 962-7231.

Project Location: The parcel is located East of Bull Road and North of Interstate 90. Kittitas County Assessor's parcel number 17826.

NOTICE IS FURTHER GIVEN that all persons interested in this matter may participate in this hybrid meeting by contacting staff no later than 5:00 pm on Monday, May 15, 2023. An email link, or phone number will be provided which will allow for electronic participation in the public hearing. Written comments may be filed with the City Clerk, 501 North Anderson Street, or via email at CityClerk@ci.ellensburg.wa.us. **To be considered during the public hearing, written comments must be submitted by 5:00 pm on Monday, May 15, 2023.**



The City of Ellensburg strives to make our services, programs, and activities readily accessible and usable by individuals with disabilities. An Accommodation may be obtained from the 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 509-962-7231 or via the e-mail listed above.

Sincerely,

Kathy Boots
Planning Technician



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Ordinance 4916 (Second Reading) - Increasing Membership of the Diversity, Equity & Inclusion Commission

Submitted by: Nicole Klauss City Manager Department

Recommended Action or Motion: Approve second reading and adoption of Ordinance 4916 amending ECC 1.88.010 to increase the membership of the Diversity, Equity and Inclusion Commission from seven members to nine.

Background/Summary: The Diversity, Equity & Inclusion Commission (DEI) is proposing to increase the number of commission members from seven members to nine. The DEI Commission is focused on enhancing inclusion and belonging of all community members. The DEI Commission has developed a work plan that could benefit from additional voices and members to help complete tasks on the plan.

Previous Council Action: In March 2021, the City Council approved Ordinance 4871, allowing the establishment of the Diversity, Equity & Inclusion Commission, to assist the Council in promoting diversity, equity and inclusion in the City of Ellensburg through action, education, and guidance. At the April 3, 2023 meeting, the Council directed staff to prepare an ordinance reflecting the membership increase from seven members to nine. At the May 1, 2023 meeting, Council approved first reading of the ordinance.

Analysis: Accepting the DEI Commission's recommendation to expand membership will give additional opportunities for marginalized voices to be heard and will allow the Commission more resources to expand DEI efforts.

Financial Impact: None

Attachments:
[4916 - DEI Membership Increase \(2nd reading\)](#)

ORDINANCE NO. 4916

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 1.88 “DIVERSITY, EQUITY, AND INCLUSION COMMISSION” AND AMENDING SECTION 1.88.010 OF THE ELLENSBURG CITY CODE.

WHEREAS, on March 4, 2021, the City Council adopted ordinance No. 4871 relating to Chapter 1.88 “Diversity, Equity and Inclusion Commission”; and

WHEREAS, the Diversity, Equity and Inclusion Commission is the only commission that is focused directly on the diversity of residents in our city; and

WHEREAS, the Diversity, Equity and Inclusion Commission has adopted a work plan with 1-year, 3-year, and 10-year goals; and

WHEREAS, at the April 3, 2023 Ellensburg City Council meeting, the Diversity, Equity and Inclusion Commission requested two additional members be added to the commission to help with the commission purpose and work plan.

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

Section 1. Section 1.88.010 of the Ellensburg City Code, as last amended by Section 37 of Ordinance 4883, is hereby amended to read as follows:

1.88.010 Creation and purpose.

There is created a diversity, equity and inclusion (DEI) commission consisting of ~~seven~~ nine members, one of whom shall be a city council member serving as chairperson and a nonvoting member except in the case of a tie.

The purpose of the DEI commission is to assist the city council in promoting diversity, equity and inclusion in the city of Ellensburg through action, education, and guidance. The commission will seek to support Ellensburg in celebrating a diverse, equitable, and inclusive community that welcomes and is supportive to all residents and visitors because doing so enriches each individual’s life and the community’s well-being and vitality. [Ord. 4883 § 37, 2022; Ord. 4871 § 1, 2021.]

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 15th day of May, 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. 4916 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4916 was published as required by law.

BETH LEADER



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Resolution 2023-12, Amending the Current Pay Plan for Fiscal Year 2023

Submitted by: Lisa Young Human Resources

Recommended Action or Motion: Approval of the Resolution as presented and approve the necessary budget adjustments.

Background/Summary: A pay resolution is submitted to Council for consideration each year. Resolution 2022-42, for fiscal year 2023, was subsequently amended by Resolution 2023-09 to include wages for Reserve Police Officers and to formally recognize a stipend for use of a personal cell phone for City business. Additional amendments are now needed to address position changes and to make corrections to typographical errors in Resolution 2023-09.

Previous Council Action: Approval of Pay Resolution 2022-42, 2023-09, and ongoing support of improvements necessary to meet the City's goals and plan for the future.

Analysis: When Resolution 2023-09 was prepared for Council, it contained several typographical errors that were not caught by staff prior to approval. These corrections are marked in this Resolution by italic font.

HR has worked with leadership to update the titles of two financial positions to better fit the operation, and to improve recruitment efforts. These positions include the Senior Operations Analyst in Public Works & Utilities, which will now be titled PW Finance Officer, and the Financial Analyst position in the Finance Department, which will now be titled Accountant III – Budget Officer.

Management has also identified a need to make some staffing adjustments to enhance operational efficiency, provide growth opportunities for staff, and improve working conditions, including the reintroduction of the Light Operations Supervisor position, the subsequent elimination of the Light Operations Coordinator position (effective 6/30/23), and the reclassification

of Power and Gas Manager to Energy Resources Manager.

Financial Impact:

The only change that will create a financial impact at this time is the reclassification of Power and Gas Manager to Energy Resources Manager. The position will move from pay grade 32 to pay grade 36, which will result in an additional \$1,035 per month in base wages, equaling \$7,762.50 for the remainder of 2023. The necessary budget adjustments will decrease 2023 ending fund balance by \$7,501 for the Natural Gas Utility Fund and \$6,138 for the Electric Utility Fund, and cumulative decrease to the 2023 ending fund balance by \$17,864 for the Natural Gas Utility Fund and \$14,618 for the Electric Utility Fund.

Attachments:

[Resolution 2023-12 - 2023 Pay Plan](#)

RESOLUTION NO. 2023-12

A RESOLUTION amending the current pay plan for Fiscal Year 2023 to address several staff adjustments within the Public Works & Utilities Department, Finance Department, and to make necessary corrections to amended pay plan Resolution 2023-09.

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; and

WHEREAS, Resolution 2023-09 amended the original Pay Resolution (2022-42) to address Police Reserve Officer pay and adopt a \$75 maximum stipend for use of a personal cell phone for City business; however, it included typographical errors that are corrected below; and

WHEREAS, the Public Works and Utilities Sr. Operations Analyst title will be changed to PW Finance Officer to improve recruitment efforts; and

WHEREAS, the Financial Analyst position in the Finance Department will be amended to Accountant III – Budget Officer to better align with the department’s goals; and

WHEREAS, management has determined that some staffing adjustments are necessary to increase operational efficiency, provide growth opportunities for staff, and improve working conditions, including the reintroduction of the Light Operations Supervisor position, elimination of the Light Operations Coordinator position (June 30, 2023), and reclassification of the Power and Gas Manager to Energy Resources Manager; 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 and 2023-09 be hereby amended as set forth herein, and that the said amendments be effective May 15, 2023 (unless otherwise noted).

Section 2. Effective May 15, 2023, the pay range assignment for each non-union class title shall be as follows (amendments noted in bold; corrections noted in *italics*):

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

TITLE	MIN	MAX	Pay Grade
HR Specialist	6,387	7,227	19
Executive Assistant – City Attorney/Deputy City Clerk	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

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
<i>Building Inspector I</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- Financial Analyst	7,977	9,025	28
Application Specialist	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	7,407	8,381	25
IT Systems Administrator - SQL	7,407	8,381	25
Network/Desktop Analyst	6,547	7,408	20

LIBRARY

TITLE	MIN	MAX	Pay Grade
Library Director	9,719	10,997	36
Librarian	5,787	6,547	15

TITLE	MIN	MAX	Pay Grade
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
Aquatic & Recreation Supervisor	6,387	7,227	19

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
Light Operations Supervisor	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 Coordinator (effective 6/30/23)	9,482	10,728	35

TITLE	MIN	MAX	Pay Grade
Gas Engineer	9,251	10,467	34
Power and Gas Manager (now Energy Resources Manager)	8,805	9,962	32
Stormwater Utility Manager	8,590	9,719	31
Transit Manager	8,590	9,719	31
Shop/Warehouse Manager	8,590	9,719	31
Civil Engineer	7,977	9,025	28
Sr. Operations Analyst 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

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 Nos. 2022-42 and 2023-09 remain in full force and effect.

PASSED AND ADOPTED by the City Council of the City of Ellensburg at a regular meeting on the 15th day of May, 2023.

Mayor

Attest: _____
City Clerk



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: P23-017: Appeal of P22-115. Adoption of Findings, Conclusions and Decision of City Council in the Matter of the Appeal of the COA (P22-115) issued to Brad Case- City of Ellensburg by the Landmarks and Design Commission

Submitted by: Stacey Henderson Community Development

Recommended Action or Motion: Approve adoption of the Decision of Ellensburg City Council on Closed Record Hearing in the appeal of the COA (P22-115), issued to Brad Case-City of Ellensburg by the Landmarks and Design Commission, for the demolition of the Wells Fargo bank building at Unity Park.

Background/Summary: The City's Landmarks and Design Commission (LDC), following an open record hearing on January 25, 2023, issued a Certificate of Appropriateness (COA) on January 27, 2023, to applicant Brad Case-City of Ellensburg, granting authority to proceed with the proposed demolition of the Wells Fargo bank building at Unity Park, located at 4th and Pearl, on Parcel ID #146933. A timely appeal of the COA was filed by Pat Kelleher on February 13, 2023.

Previous Council Action: On March 20 and April 17, 2023, City Council considered Mr. Kelleher's appeal in a closed record hearing.

Analysis: Per ECC 15.280.090(C)(2)(e), the LDC's decision on a COA was appealed to the City Council in a closed record appeal hearing. Following the closed record hearing for the appeal held at the April 17, 2023, City Council meeting, Council approved a motion to deny the appeal. ECC 15.230.090(C) requires City Council issue a written decision on the appeal within 21 days after conclusion of the hearing. On May 1, 2023, Applicant Brad Case approved extension of the time for issuance of the decision to May 15.

The attached Decision of Ellensburg City Council on Closed Record Appeal reflects the findings of fact, conclusions of law and decision consistent with Council's action at the April 17

meeting.

Financial Impact: None

Attachments:

[Decision on Appeal of COA for P22-115](#)

[Request for extension to present Decision - Unity Park Appeals](#)

BEFORE THE ELLENSBURG CITY COUNCIL

IN THE MATTER OF THE APPEAL OF THE)
CERTIFICATE OF APPROPRIATENESS)
ISSUED TO BRAD CASE ON BEHALF OF) DECISION OF ELLENSBURG CITY
THE CITY OF ELLENSBURG BY THE) COUNCIL ON CLOSED RECORD
ELLENSBURG LANDMARKS AND DESIGN) APPEAL
COMMISSION REGARDING APPLICATION)
P22-115, FOR THE PROPOSED DEMOLITION)
OF THE WELLS FARGO BANK BUILDING)

This matter came before the Ellensburg City Council (“City Council”) on April 17, 2023, as a closed record appeal of a Certificate of Appropriateness (“COA”) issued to Brad Case on behalf of the City of Ellensburg by the Ellensburg Landmarks and Design Commission on January 27, 2023, for application P22-115, regarding the proposed demolition of the Wells Fargo Bank Building, located at 4th and Pearl, Ellensburg, WA, on Parcel ID #146933.

I. FINDINGS OF FACT

1. Application P22-115 (“application”) was filed by Brad Case on behalf of the City of Ellensburg (“applicant”).
2. The appellant is Pat Kelleher (“appellant”).
3. The application was heard by the Landmarks and Design Commission (“LDC”) in an open record public hearing held on January 25, 2023. At the conclusion of the hearing, the LDC approved the application with one condition. A COA was issued by the LDC on January 27, 2023.
4. On February 10, 2023, the appellant filed an appeal of only that portion of the COA which approved demolition of the Wells Fargo Mini-Bank Building (“bank building”), and paid the required appeal fee. The appellant included a written narrative of the appeal .
5. The appeal (including the narrative) was included with the staff report submitted as part of the March 20, 2023, City Council meeting agenda packet.
6. On March 20, 2023, the City Council held a closed record public hearing on the appeal. The Mayor and all City Councilmembers were present. The appellant and interested parties received notice of the hearing.
7. An agenda report regarding the appeal was included in the Agenda Packet for the March 20, 2023, City Council meeting. The agenda report included Exhibits 1 through 6. Exhibit 1 consisted of appellant’s submittal of the appeal with supporting documentation. Exhibit 4 consisted of the written public comments appellant submitted to the LDC for its January 25, 2023, open record hearing.

8. Prior to the taking of testimony, Councilmember Monica Miller disclosed she had participated in stakeholder meetings held by the Parks & Recreation Department (“Department”) in 2022, prior to the submission of the Department’s application in this matter. Councilmember David Miller disclosed he attended an Ellensburg Arts Commission meeting where he was asked about the application, but stated he did not substantively respond to the inquiry. Appellant challenged the participation of both Councilmembers who stated they felt they could hear the matter in a fair and unbiased manner and would not recuse themselves from participation.

9. At the March 20, 2023, hearing, the appellant requested that the hearing be delayed to a later date, so additional information could be added to the closed record documents. He also requested the audio recording of the LDC’s January 25, 2023, hearing be added to the record, and the presiding officer instructed staff to add the exhibit to the appeal record. As a result, City Council agreed to continue the hearing to its April 17, 2023, Council meeting.

10. On April 17, 2023, the City Council reconvened the closed record public hearing on the appeal of the COA. The Mayor and all City Councilmembers were present. The appellant and interested parties received notice of the hearing.

11. Comments were received during the April 17, 2023, closed record public hearing from the appellant, the applicant, and Stacey Henderson, the City of Ellensburg Community Development Senior Planner-Historic Preservation.

12. Planner Henderson offered Exhibits 1 through 6 into evidence, as well as the newly added LDC meeting audio recording, Exhibit 7. There were no objections and the exhibits were received into evidence. Planner Henderson’s comments included presentation of the staff report, analyzing the concerns raised by the appellant, the standards for the appeal set forth in the Ellensburg City Code, and information from the record supporting the LDC approval of the COA.

13. The appellant then argued against the LDC’s approval of the demolition of the bank building for eight reasons.

a. First, appellant claimed that the LDC violated the appearance of fairness doctrine because Commissioner Redmon failed to disclose the fact that he attended a May 6, 2022, Unity Park stakeholder meeting. Staff explained at the hearing and in the staff report that the doctrine does not apply prior to the pendency of a quasi-judicial proceeding. The current demolition application was not filed until October 31, 2022. Therefore nothing improper occurred either by the Commissioner attending the stakeholder meeting or failing to disclose his attendance.

b. Next, appellant claimed that the site and bank building were operational when purchased by the applicant and it was the applicant that let the building deteriorate beyond repair. Staff explained that the ECC does not require an applicant to provide documentation of the current or previous condition of the building when proposing a demolition. ECC 15.280.100 addresses the applicant’s ability to generate income from a property but is only applied when the applicant requests the information to be evaluated. Staff explained that the section is not applicable to a park, as that is not an income-producing property.

c. Third, appellant objected to demolition as he claims that allowing the demolition will “lower the bar” for future demolition approvals in the historic district. Staff responded that the applicant’s narrative showed that the location of the bank building was not in a suitable location for conversion to a comfort station as it blocks the urban flow of the park and does not have the necessary plumbing infrastructure. Staff also noted that the bank building is not a historic contributing building to the Landmarks District, and would not qualify to be listed individually. Therefore, approving the demolition of the bank building is appropriate based on the information provided and that it does not contribute historically to the Landmarks District.

d. Fourth, appellant claimed that there was no evidence to support demolition under the criteria “found in ECC 15.530.020(B)(1)a-h.” Staff noted that, per ECC 15.280.090, the section cited by the appellant does not apply to evaluating a demolition.

e. Fifth, appellant objected on the grounds that the bank building has been in the historic district for 41 years. Staff explained that the period of significance for nomination to the National Register is 1890-1930 and that this building was built in 1981, falling outside of the current period of significance. Therefore, per ECC 15.280.080, this building does not qualify for listing individually as historic or historic contributing because of its age.

f. Sixth, appellant stated that repurposing the bank building would be less expensive. Staff directed City Council to the applicant’s narrative and presentation, which explained that repurposing of the bank building would be equally or more expensive than building a purpose-built comfort station.

g. Seventh, appellant claims that the COA will constitute a “green light” for any demolition in the historic district. Staff explained that it is the local landmarks register that triggers the requirement for design and demo review per Ch. 15.570 ECC. Staff explained that any proposed demolition within the historic district must go through the same process as this COA and that any proposed demolition must provide adequate information demonstrating the reasons for demolition and alternatives the applicant has explored.

h. Lastly, appellant claimed that the size and massing of the planned comfort building is too small in scale to fit in with the historic district. Staff explained that Ellensburg Design Guidelines state that new infill construction should be compatible with the massing, scale, materials, and architectural features of adjacent historic structures. Staff further explained that the proposed design responds to the surrounding buildings by correlating the height to existing datum lines on surrounding buildings and orienting the building along the alley.

14. City Council finds that there is substantial evidence in the record to support the LDC’s decision granting the COA, including as follows:

a. Commissioner Redmon did not violate the appearance of fairness doctrine by failing to disclose his attendance at the May 6, 2022, stakeholder meeting. The appearance of fairness doctrine does not apply to *ex parte* communications that occur prior to the submission and pendency of an application. RCW 42.36.060.

b. The applicant's ability to generate income from a property, found in ECC 15.280.100, does not apply as the applicant did not request that such information be evaluated and the park is not an income-producing property.

c. The bank building is not a registered landmark, nor would it qualify as such under the requirements in Ch. 15.280 ECC. The National Register District has the current period of significance listed as from 1890-1930. The bank building was built in 1981—falling outside of the current period of significance by roughly 50 years. Per ECC 15.280.080, this building does not qualify for listing individually as a Landmark or as historic contributing to the Landmarks District.

d. Repurposing the bank building would be equally or more expensive than building a purpose-built comfort station after demolition. The location of the bank building is in the park's most prominent corner. The applicant provided un rebutted evidence that this location should be open to increase visibility in and out of the park. Additionally, the bank building blocks the urban flow and access that is necessary for a park in this location. The bank building creates poor sightlines into the future park, affect security and use, and creates a functional challenge for the long-term adoption and contribution of the park. When it comes to the actual comfort station, the interior of the existing bank building is in poor condition with water line breaks that have caused damaging from flooding. Comfort stations are plumbing-heavy, which would require substantial slab cutting and underground work in the confines of the existing bank building. The existing bank building would be difficult to move without substantial demolition or removal of exterior finishes.

e. The proposed design for the new structures at Unity Park (proposed under application P23-002) responds to the surrounding buildings by correlating the height to existing datum lines on surrounding buildings and orienting the structures along the alley.

f. The condition that the applicant provide photo documentation of the bank building prior to demolition to the City of Ellensburg and Kittitas County Historic Museum is a clear obtainable request that is in keeping with common preservation practices of documenting structures before demolition or alteration occurs.

15. Any conclusion of law set forth below that is more properly deemed to be a finding of fact is hereby adopted as such. None of the findings of fact represent original fact-finding of or by the City Council but rather the City Council's assessment on this closed record appellate hearing of the LDC's findings of fact in light of the arguments of appellant and the record of materials under review.

II. CONCLUSIONS OF LAW

1. The City Council has jurisdiction over this appeal pursuant to ECC 15.280.090(C)(2)(e). The appeal was timely filed and appellant has standing to file the appeal.

2. In rendering its decision, the City Council "shall determine whether there is substantial evidence in the administrative record to support an affirmative finding that one of the grounds for

administrative appeal raised by the appellant has been met.” ECC 15.230.070(G). The City Council hereby determines that there is no substantial evidence in the record to support an affirmative finding that any of the grounds for administrative appeal raised by the appellant has been met. Several of the grounds of appeal raised by the appellant are focused on alleged legal error, and are denied as set forth herein. Any of appellant’s grounds for appeal that challenge the existence of substantial evidence in the record to support the decision of the LDC are denied also as set forth herein.

3. The appellant bears the burden of proof. ECC 15.230.070(F). In order to meet this burden, the appellant must demonstrate that one of the following grounds for relief set forth in ECC 15.230.050 has occurred:

- a. The designated decision-maker exceeded his or her jurisdiction or authority;
- b. The designated decision-maker failed to follow applicable procedures in reaching the decision;
- c. The designated decision-maker committed an error of law; or
- d. The findings, conclusions, or decision prepared by the designated decision-maker are not supported by substantial evidence.

4. The LDC did not exceed its jurisdiction or authority in approving the COA.

5. The LDC did not fail to follow applicable procedures in reaching the decision.

6. The LDC did not commit an error of law.

7. The decision was supported by substantial evidence in the record. Appellant’s arguments were expressions of opinion and did not demonstrate or establish any violation of applicable codes. The reasons set forth by the LDC for approval of the COA were supported by Ch. 15.280 ECC, including that this building is not considered a historic contributing structure to the district, is not old enough to be listed on the Ellensburg Landmarks Register, and the proposed design for the new buildings at Unity Park responds to the surrounding buildings by correlating the height to existing datum lines on surrounding buildings and orienting the building along the alley. Additionally, repurposing the existing bank building would be cost-prohibitive for the following reasons:

The location of the bank building is in the park’s most prominent corner, which the applicant provided un rebutted evidence should be open to increase visibility in and out of the park. Additionally, the bank building blocks the urban flow and access that is necessary for a park in this location. The bank building creates poor sightlines into the future park, affect security and use, and create a functional challenge for the long-term adoption and contribution of the park. When it comes to the actual comfort station, the interior of the

existing bank is in poor condition with water line breaks that have caused damaging flooding. Comfort stations are plumbing-heavy, which would require substantial slab cutting and underground work in the confines of the existing bank building. The existing building would be difficult to move without substantial demolition or removal of exterior finishes.

8. The condition that the applicant provide photo documentation of the bank building prior to demolition to the City of Ellensburg and Kittitas County Historic Museum is a clear obtainable request that is in keeping with common preservation practices of documenting structures before demolition or alteration occurs.

9. The appellant did not carry his burden of proof to show that any of the grounds for appeal in ECC 15.230.050 have been met.

10. Any finding of fact that is more properly deemed a conclusion of law set forth above is hereby adopted as such.

III. DECISION

For all the reasons set forth above, the appeal of Pat Kelleher regarding the COA issued by the Landmarks and Design Commission on January 27, 2023, to Brad Case on behalf of the City of Ellensburg, for application P22-115 is DENIED.

Adopted by the City Council of Ellensburg this 15th day of May, 2023.

Mayor

City Clerk

Approved as to form:

City Attorney

NOTICE: any appeal of this decision must be properly filed and served within twenty-one (21) days of the decision as required by applicable law, including as provided by Ch. 36.70C RCW and RCW 36.70C.040.

From: [Brad Case](#)
To: [Terry Weiner](#)
Cc: [Stacey Henderson](#)
Subject: RE: Request for extension to present Decision - Unity Park Appeals
Date: Monday, May 1, 2023 11:50:06 AM
Attachments: [image001.png](#)
[image002.png](#)

Terry,

I am happy to agree to the extension on the below referenced projects. Please let me know if you need anything else from me.

Sincerely,

Brad Case
City of Ellensburg
Parks & Recreation Director
501 N Anderson
Ellensburg, WA 98926
509-925-8639
www.ci.ellensburg.wa.us

From: Terry Weiner <weinert@ci.ellensburg.wa.us>
Sent: Tuesday, April 25, 2023 4:23 PM
To: Brad Case <caseb@ci.ellensburg.wa.us>
Cc: Stacey Henderson <hendersons@ci.ellensburg.wa.us>
Subject: Request for extension to present Decision - Unity Park Appeals

Brad, per ECC 15.230.090(C), Stacey and I are requesting that you, as the applicant for the projects which are the subject of appeals P23-017 and P23-019 regarding Unity Park agree to an extension until May 15, 2023 for City Council to issue its Decision in each appeal.

I know you are out of work this week, so please email your agreement to the extensions upon your return to the office.

Please let me know if you have any questions. Thanks, Terry.

Terry Weiner
Assistant City Manager/City Attorney | City of Ellensburg
501 North Anderson Street | Ellensburg, WA 98926
P. (509) 962-7259 | F. (509) 962-7143
[Ellensburg.WA | Official Website \(ellensburgwa.gov\)](http://Ellensburg.WA | Official Website (ellensburgwa.gov))



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Decision of Ellensburg City Council on Closed Record Hearing in the Appeal of the COA (P23-002) for the Design of New Construction at Unity Park, Issued to Brad Case-City of Ellensburg by the Landmarks and Design Commission

Submitted by: Stacey Henderson Community Development

Recommended Action or Motion: Approve adoption of the Decision of Ellensburg City Council on Closed Record Hearing in the appeal of the COA (P23-002), issued to Brad Case-City of Ellensburg by the Landmarks and Design Commission, for the design of new construction at Unity Park.

Background/Summary: The City's Landmarks and Design Commission (LDC), following an open record hearing on January 25, 2023, issued a Certificate of Appropriateness (COA) on January 27, 2023, to applicant Brad Case-City of Ellensburg, granting authority to proceed with the proposed new construction of structures to be built in the Unity Park, located at 4th and Pearl, on Parcel ID #146933. A timely appeal of the COA was filed by Pat Kelleher on February 13, 2023.

Previous Council Action: On March 20 and April 17, 2023, City Council considered Mr. Kelleher's appeal in a closed record hearing.

Analysis: Per ECC 15.280.090(C)(2)(e), the LDC's decision on a COA was appealed to the City Council in a closed record appeal hearing. Following the closed record hearing for the appeal held at the April 17, 2023, City Council meeting, Council approved a motion to deny the appeal. ECC 15.230.090(C) requires City Council issue a written decision on the appeal within 21 days after conclusion of the hearing. On May 1, 2023, Applicant Brad Case approved extension of the time for issuance of the decision to May 15.

The attached Decision of Ellensburg City Council on Closed Record Appeal reflects the findings of fact, conclusions of law and decision consistent with Council's action at the April 17

meeting.

Financial Impact: N/A

Attachments:

Decision on Appeal of COA for P23-002 (Unity Park Design)
Request for extension to present Decision - Unity Park Appeal

BEFORE THE ELLENSBURG CITY COUNCIL

IN THE MATTER OF THE APPEAL OF THE	)	
CERTIFICATE OF APPROPRIATENESS	)	
ISSUED TO BRAD CASE ON BEHALF OF	)	DECISION OF ELLENSBURG CITY
THE CITY OF ELLENSBURG BY THE	)	COUNCIL ON CLOSED RECORD
ELLENSBURG LANDMARKS AND DESIGN	)	APPEAL
COMMISSION REGARDING APPLICATION	)	
P23-002, FOR THE PROPOSED NEW	)	
CONSTRUCTION OF UNITY PARK	)	
STRUCTURES	)	

This matter came before the Ellensburg City Council (“City Council”) on April 17, 2023, as a closed record appeal of a Certificate of Appropriateness (“COA”) issued to Brad Case on behalf of the City of Ellensburg by the Ellensburg Landmarks and Design Commission on January 27, 2023, for application P23-002, regarding the proposed new construction of a comfort station, light poles, and a brick wall backdrop at the stage to be built in the new Unity Park, located at 4th and Pearl, Ellensburg, WA, on Parcel ID #146933.

I. FINDINGS OF FACT

1. Application P23-002 (“application”) was filed by Brad Case on behalf of the City of Ellensburg (“applicant”).
2. The appellant is Pat Kelleher (“appellant”).
3. The application was heard by the Landmarks and Design Commission (“LDC”) in an open record public hearing held on January 25, 2023. At the conclusion of the hearing, the LDC approved the application with two conditions. A COA was issued by the LDC on January 27, 2023.
4. On February 13, 2023, the appellant filed an appeal of the COA and paid the required appeal fee. The appellant included a written narrative of the appeal. While challenging the COA as a whole, the appellant specifically challenged Findings of Fact 2 and 4:

Fact 2. The project has been found to be in keeping with one of the required building design standards of ECC 15.530.020, specifically that:

- h. The new infill construction is compatible with the massing, scale, materials, and architectural features of adjacent historic structures.

Fact 4. It is in the interest of the City of Ellensburg to have the historic character of the district maintained and preserved. If approved, this proposal would not

negatively alter the character-defining features of the downtown historic district.

5. The appeal (including the narrative) was included with the staff report submitted as part of the March 20, 2023, City Council meeting agenda packet.

6. On March 20, 2023, the City Council held a closed record public hearing on the appeal. The Mayor and all City Councilmembers were present. The appellant and interested parties received notice of the hearing.

7. An agenda report regarding the appeal was included in the agenda packet for the March 20, 2023, City Council meeting. The agenda report included Exhibits 1 through 6. Exhibit 1 consisted of appellant's submittal of the appeal with supporting documentation. Exhibit 4 consisted of the written public comments appellant submitted to the LDC for its January 25, 2023, open record hearing.

8. At the March 20, 2023, hearing, the appellant requested that the hearing be delayed to a later date, so additional information could be added to the closed record documents. He also requested the audio recording of the LDC's January 25, 2023, hearing be added to the record, and the presiding officer instructed staff to add the exhibit to the appeal record. As a result, City Council agreed to continue the hearing to its April 17, 2023, Council meeting.

9. On April 17, 2023, the City Council reconvened the closed record public hearing on the appeal of the COA. The Mayor and all City Councilmembers were present. The appellant and interested parties received notice of the hearing.

10. Prior to the taking of testimony, Councilmember Monica Miller disclosed she had participated in stakeholder meetings held by the Parks & Recreation Department ("Department") in 2022, prior to the submission of the Department's application in this matter. Councilmember David Miller disclosed he attended an Ellensburg Arts Commission meeting where he was asked about the application, but stated he did not substantively respond to the inquiry. Appellant challenged the participation of both Councilmembers who stated they felt they could hear the matter in a fair and unbiased manner and would not recuse themselves from participation.

11. Comments were received during the April 17, 2023, closed record public hearing from the appellant, the applicant, and Stacey Henderson, the City of Ellensburg Community Development Senior Planner-Historic Preservation.

12. Planner Henderson offered Exhibits 1 through 6 into evidence, as well as the newly added LDC meeting audio recording, Exhibit 7. There were no objections and the exhibits were received into evidence. Planner Henderson's comments included presentation of the staff report, analyzing the concerns raised by the appellant, the standards for the appeal set forth in the Ellensburg City Code, and information from the record supporting the LDC approval of the COA.

13. Prior to the appellant's main argument, he submitted additional comments, including objections to two exhibits already received into evidence, and three questions. The questions and staff responses were:

a. Where are the closed record documents available to the public? What date were the documents available to the public for review? And what documents were included in the closed public record? Staff responded that the appellant was provided this information prior to the closed record hearing in an email from staff sent on March 27, 2023.

b. The appellant objected to Exhibit 2 pages 204-232 (PowerPoint slide presentation by the City's consultant) because it was not filed with the LDC by 5:00 p.m. on January 25, 2023 (the day of the hearing). It was explained to City Council and the appellant that there is no requirement to "file" comments, exhibits, etc., before an open record hearing. Exhibits can be received before, during, or even after, with LDC permission, the hearing. The second objection was to Exhibit 6 pages 329-331 (approved minutes of the January 25, 2023, LDC meeting) because it was created after the COA was issued. It was explained to the appellant that the minutes are a procedural exhibit and reflect in a summary fashion what is in the hearing recording (Exhibit 7), which was requested to be added to the hearing record by the appellant.

14. The appellant then argued against the LDC's approval of the proposed new structures.

a. Appellant claimed that finding of fact nos. 2 and 4 were not supported by substantial evidence in the record based upon the fact that the replacement building is one-third the mass and half the height of existing buildings in the historic district. According to the appellant, the size and massing of the proposed comfort building is too small in scale to fit the historic district. Staff explained at the hearing and in the staff report that those findings of fact are supported through the applicant's drawings that visually demonstrate the connection of the proposed new building heights to the surrounding buildings, their documentation of existing brick work in the district that inspired their own brick patterns, and the narrative in the application for the COA that thoroughly explained the design process and how the context influenced design decisions.

b. Appellant also claimed the proposed architectural features cannot be found in the existing historic district and the City's design is "out of Sunset Magazine." Staff explained that not only was there no code or design requirement to support appellant's allegations, but that the record shows the applicant provided example photographs of existing brick designs and patterns in the historic district and renderings showing that existing brick designs inspired their proposed brick designs.

c. Appellant's final argument was that no findings of facts were included addressing ECC 15.530.020(b)(1) a, b, c, d, e, f, g. Staff explained that subsections (a) through (g) of the ordinance do not apply to new infill construction within the historic district, and the only applicable item, (h), was in fact listed in the findings of fact.

15. It was agreed by the appellant and City Council during the hearing that the appellant's other arguments regarding parking availability and the water feature were outside of the jurisdiction of the LDC to address and were therefore not applicable.

16. City Council finds that there is substantial evidence in the record to support the LDC's decision granting the COA, including as follows:

a. There is substantial evidence in the record to support finding of fact nos. 2 and 4. The appellant provided only conclusory allegations regarding the replacement buildings' and structures' conformity with the historic district. On the other hand, the record is replete with evidence from the applicant as to the connection of the proposed new buildings to the surrounding buildings. The exterior of the comfort station is proposed as red brick, with various screened brick walls to allow for privacy, and blank brick walls to allow for the installation of rotating art. The height of this building is low, with a flat roof to mirror those of the commercial buildings surrounding the park. The brick masonry, artwork, and wood details draw from details found in buildings around the district as seen on page 11 of Exhibit 3. As shown on pages 16-21 of Exhibit 3, the shade structures demonstrate that the proposed designs, which include a darker warm tone wood slat roof, and dark warm gray steel posts, are similar to the Iron Ore color found on the nearby Geddis building. There is also a proposed brick backdrop wall behind the stage that will include the perforated brick pattern similar to the one on the comfort station, while also complementing the red brick found in the nearby historic district. Lastly, the applicant's narrative explanation thoroughly explained the design process and how the context of the historic district influenced the design decision. Exhibit 2, p. 9-11.

b. The appellant did not cite any specific code or design requirement to support his allegation that the proposed architectural features cannot be found in the historic district and/or are otherwise not appropriate. The record, specifically Exhibit 2, provides example photographs of existing brick designs and patterns in the historic district and renderings showing that the proposed structures will be similar to the existing brick designs. The red perforated brick pattern of the comfort station and brick backdrop can be found on multiple buildings in the historic district, as seen on pages 24-25 of Exhibit 2. Additionally, the City Council finds that many different architectural styles and materials can be found in the historic district, including stucco Art Deco and Streamline Moderne buildings, and mid-century elongated brick patterns.

c. The reasons set forth for approval of the COA were supported by Chapter 15.280 ECC and the City design guidelines ECC 15.530.020, particularly that the proposed structures are compatible with existing structures in the historic district, do not replicate or create a false historic appearance, and that the selected materials are compatible with materials and textures found within the district for the following reasons:

The Chapter 15.530 ECC Historic Structure Design Guidelines, specifically item E-8, outline the ways in which infill construction should be compatible with the Character of the Historic District. The proposed heights of the comfort station and shade structures directly reflect first floor datum lines found within the surrounding buildings, and the massing of these structures are intentionally small and set back from the public right of way to reduce the visual impact of the new infill structures in relation to the surrounding district. The proposed shade structures and comfort station have flat roofs, which reflect the same building shape and massing of the surrounding buildings. As shown in the applicant narrative, the proposed material

of brick, and brick screening patterns reflects character found in the surrounding buildings by using similar materials such as red brick, while introducing new patterns to create visual distinction between new and old.

d. ECC 15.530.020(b)(1) subsections (a) through (g) are not applicable as the application does not propose to rehabilitate any existing buildings. City Council further finds that appellant presented no argument regarding subsection (h) and therefore the uncontroverted evidence in the record supports the LDC's approval.

17. Any conclusion of law set forth below that is more properly deemed to be a finding of fact is hereby adopted as such. None of the findings of fact represent original fact-finding of or by the City Council but rather the City Council's assessment on this closed record appellate hearing of the LDC's findings of fact in light of the arguments of appellant and the record of materials under review.

II. CONCLUSIONS OF LAW

1. The City Council has jurisdiction over this appeal pursuant to ECC 15.280.090(C)(2)(e). The appeal was timely filed and appellant has standing to file the appeal.

2. In rendering its decision, the City Council "shall determine whether there is substantial evidence in the administrative record to support an affirmative finding that one of the grounds for administrative appeal raised by the appellant has been met." ECC 15.230.070(G). The City Council hereby determines that there is no substantial evidence in the record to support an affirmative finding that any of the grounds for administrative appeal raised by the appellant has been met. Several of the grounds of appeal raised by the appellant are focused on alleged legal error, and are denied as set forth herein. Any of appellant's grounds for appeal that challenge the existence of substantial evidence in the record to support the decision of the LDC are also denied as set forth herein.

3. The appellant bears the burden of proof. ECC 15.230.070(F). In order to meet this burden, the appellant must demonstrate that one of the following grounds for relief set forth in ECC 15.230.050 has occurred:

- a. The designated decision-maker exceeded his or her jurisdiction or authority;
- b. The designated decision-maker failed to follow applicable procedures in reaching the decision;
- c. The designated decision-maker committed an error of law; or
- d. The findings, conclusions, or decision prepared by the designated decision-maker are not supported by substantial evidence.

4. The LDC did not exceed its jurisdiction or authority in approving the COA.

5. The LDC did not fail to follow applicable procedures in reaching the decision.
6. The LDC did not commit an error of law.
7. The decision was supported by substantial evidence in the record. The decision is supported by Chapter 15.280 ECC and the City design guidelines ECC 15.530.020, particularly that the proposed structures are compatible with existing structures in the historic district, do not replicate or create a false historic appearance, and that the selected materials are compatible with materials and textures found within the district for the following reasons:

The Chapter 15.530 ECC Historic Structure Design Guidelines, specifically item E-8, outline the ways in which infill construction should be compatible with the Character of the Historic District. The proposed heights of the comfort station and shade structures directly reflect first floor datum lines found within the surrounding buildings, and the massing of these structures are intentionally small and set back from the public right of way to reduce the visual impact of the new infill structures in relation to the surrounding district. The proposed shade structures and comfort station have flat roofs, which reflect the same building shape and massing of the surrounding buildings. As shown in the applicant narrative, the proposed material of brick, and brick screening patterns reflects character found in the surrounding buildings by using similar materials such as red brick, while introducing new patterns to create visual distinction between new and old.

8. ECC 15.530.020(b)(1) subsections (a) through (g) are not applicable because the application was solely for new infill development and did not propose any rehabilitation to an existing building. Appellant has presented no argument regarding subsection (h) and therefore uncontroverted and substantial evidence in the record supported the LDC's approval.
9. The appellant's arguments regarding parking availability and the application's proposed water feature were outside of the jurisdiction of the LDC to address and were therefore not applicable.
10. The appellant did not carry his burden of proof to show that any of the grounds for appeal in ECC 15.230.050 have been met.
11. Any finding of fact that is more properly deemed a conclusion of law set forth above is hereby adopted as such.

III. DECISION

For all the reasons set forth above, the appeal of Pat Kelleher regarding the COA issued by the Landmarks and Design Commission on January 27, 2023, to Brad Case on behalf of the City of Ellensburg, for application P23-002 is DENIED.

Adopted by the City Council of Ellensburg this 15th day of May, 2023.

Mayor

City Clerk

Approved as to form:

City Attorney

NOTICE: any appeal of this decision must be properly filed and served within twenty-one (21) days of the decision as required by applicable law, including as provided by Ch. 36.70C RCW and RCW 36.70C.040.

From: [Brad Case](#)
To: [Terry Weiner](#)
Cc: [Stacey Henderson](#)
Subject: RE: Request for extension to present Decision - Unity Park Appeals
Date: Monday, May 1, 2023 11:50:06 AM
Attachments: [image001.png](#)
[image002.png](#)

Terry,

I am happy to agree to the extension on the below referenced projects. Please let me know if you need anything else from me.

Sincerely,

Brad Case
City of Ellensburg
Parks & Recreation Director
501 N Anderson
Ellensburg, WA 98926
509-925-8639
www.ci.ellensburg.wa.us

From: Terry Weiner <weinert@ci.ellensburg.wa.us>
Sent: Tuesday, April 25, 2023 4:23 PM
To: Brad Case <caseb@ci.ellensburg.wa.us>
Cc: Stacey Henderson <hendersons@ci.ellensburg.wa.us>
Subject: Request for extension to present Decision - Unity Park Appeals

Brad, per ECC 15.230.090(C), Stacey and I are requesting that you, as the applicant for the projects which are the subject of appeals P23-017 and P23-019 regarding Unity Park agree to an extension until May 15, 2023 for City Council to issue its Decision in each appeal.

I know you are out of work this week, so please email your agreement to the extensions upon your return to the office.

Please let me know if you have any questions. Thanks, Terry.

Terry Weiner
Assistant City Manager/City Attorney | City of Ellensburg
501 North Anderson Street | Ellensburg, WA 98926
P. (509) 962-7259 | F. (509) 962-7143
[Ellensburg.WA | Official Website \(ellensburgwa.gov\)](http://Ellensburg.WA | Official Website (ellensburgwa.gov))



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: 2023 First Quarter Financial Status and Investment Reports

Submitted by: Jerica Pascoe Finance Department

Recommended Action or Motion: Accept 2023 First Quarter Financial Status and Investment Reports as presented.

Background/Summary: Attached are the 2023 First Quarter Financial Status and Investment Reports for the period ending March 31, 2023. The 2023 First Quarter Financial Status report represents General Fund status, Governmental fund type tax revenues, and citywide revenues and expenditures. The City's Financial Management Policy provides that Council will receive updated information relating to the City's Financial Reports on a quarterly basis.

Previous Council Action: The 2023 First Quarter Financial Status and Investment Reports were presented to the Finance Committee at the May 5, 2023 meeting.

Analysis: Key items – 2023 First Quarter:

- General Fund revenues expected to exceed budget while expenditures are expected to come in below budget. (Table 1, Page 1)
- Revenue remitted from State of Washington Sales Tax Activity is up 5% over 1st quarter 2022 (Table 2 Page 2)
 - City Assistance was down 53%
 - Hotel/Motel Lodging was down 2%
 - Liquor Excise Tax was up 6%
 - Local Criminal Justice was up 14%
 - Marijuana Excise Tax was up 10%
 - Motor Vehicle Fuel Tax (MVFT) was up 1%
 - Public Safety was up 16%
 - Public Transportation Tax was up 4%
 - Sales & Use Tax was up 4%
- Year-End tax revenue - 4.54% above budget. (Table 3, Page 3)
 - Sales tax revenue 5.73% above budget. (Table 3,

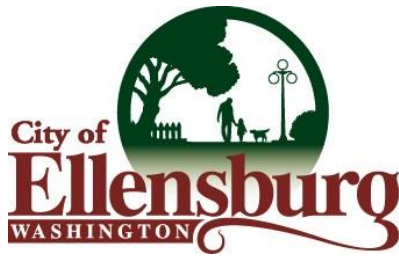
Page 3)

- Local Criminal Justice .1% – \$84,243 or 13% above budget (Table 4, Page 4)
- Retail Sales for Public Transit .2% - \$98,081 or 6.9% above budget
- Retail Sales for Public Safety .3% - \$211,793 14% above budget
- Regular Retail Sales .85% – \$163,495 or 2.61% above budget
- Retail Sales for Housing .1% – \$50,180 or 7.1% above budget
- Retail Sales for Housing (State Credit) - \$0 or 0% above budget
- B&O Tax revenue - 8.03% above budget. (Table 3, Page 3)
- Other Tax revenue - 1.49% below budget. (Table 3, Page 3)
- Property Tax revenue - 0% above budget. (Table 3, Page 3)
- January through March 2023 sales tax receipts were 4% higher than January through March 2022 receipts. (Table 5, Page 5)
 - The majority of this increase was in Accommodation and Food Services and Construction.
- Utility tax revenues were 16.95% higher than 1st quarter 2022. (Table 6, Page 6)
- General Fund *not including managerial funds* (Table 7, Page 7)
 - Revenues - \$530,590 above budget
 - Expenditures - \$2,640,529 below budget
- The total excess revenues over expenditures for all funds through 1st quarter was \$6.69 million. \$5.7 million of the excess of revenue over expenditures is from the enterprise and internal service funds in which rates are set to provide for replacement and capital projects. (Table 9, Page 9)
- The City had \$82,906,703 in excess cash invested. (Investment report, page 1)

Financial Impact: None

Attachments:

City of Ellensburg Washington



Quarterly Financial Status Report

For the Quarter Ending March 31, 2023

AS OF 04/11/23

General Fund

The Governmental Funds' major funding sources include Property Tax, Sales Tax, Utility Taxes, Licenses & Permit Fees, Intergovernmental Revenue, and Charges for Services. Sales Tax is the largest tax revenue source for the City at approximately 55%, followed by Utility Tax at 19%, Property Tax at 18%, and Other Taxes at 8% of the budgeted City tax revenue. Tax revenue is approximately 19% of the total City revenues budgeted in 2023.

Table 1



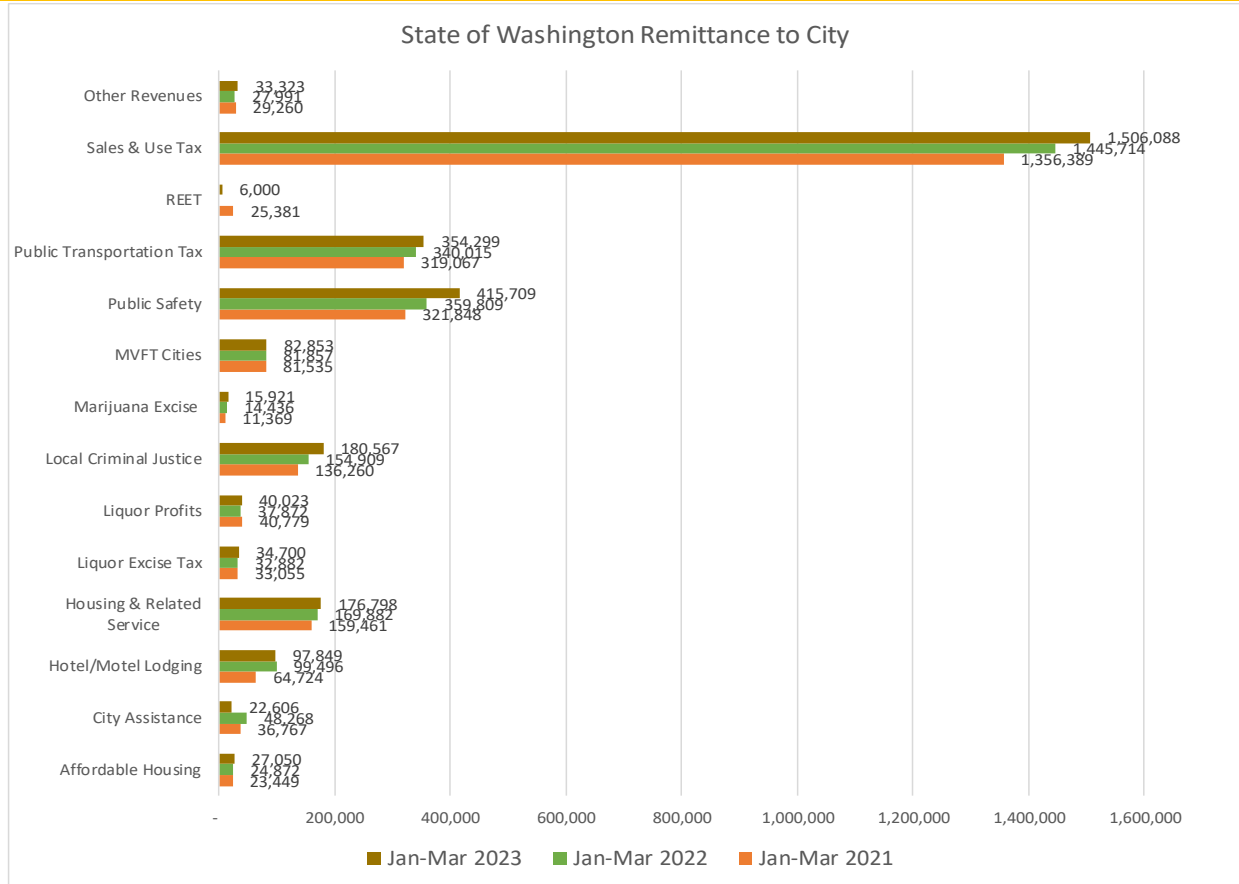
NOTE: The above graph illustrates the difference between year-to-date actuals through March, year-to-date projections as of 03/31/23, and revised budget through December 2022.

First quarter projections were made as of the current situation on 4/11/2023. Projections were made with cooling of inflationary increases in mind. Please keep in mind, these projections are made based on the limited information known by local governments as of the end of March. General Fund expenditures are expected to end below budget as required by Chapter 35A.33 RCW. Budgeted expenditures reflect all adjustments that were taken to Council for approval through December of 2022. Revenue projections were made on an individual revenue account basis and will be discussed further in this report. General Fund (minus the managerial funds) expenditures consist mostly of wages and benefits. The current underspending in the General Fund is mostly due to current unfilled positions. A breakdown of General Fund departments is included in Table 7 of this report.

Governmental Funds Tax Revenue

Table 2

CITY OF ELLENSBURG
Year-to-Date Revenue Remitted from State of Washington Sales Tax Activity - Cash
Jan-Mar Comparison for 2021 - 2022 - 2023
Table 2



	Receipts Dates Jan-Mar 2021	Receipts Dates Jan-Mar 2022	Receipt Dates Jan-Mar 2023	Increase/ (Decrease)	% Inc (Dec)
Affordable Housing	23,449	24,872	27,050	2,178	9%
City Assistance	36,767	48,268	22,606	(25,662)	-53%
Hotel/Motel Lodging	64,724	99,496	97,849	(1,647)	-2%
Housing & Related Service	159,461	169,882	176,798	6,916	4%
Liquor Excise Tax	33,055	32,882	34,700	1,818	6%
Liquor Profits	40,779	37,872	40,023	2,151	6%
Local Criminal Justice	136,260	154,909	180,567	25,658	17%
Marijuana Excise	11,369	14,436	15,921	1,485	10%
MVFT Cities	81,535	81,857	82,853	996	1%
Public Safety	321,848	359,809	415,709	55,900	16%
Public Transportation Tax	319,067	340,015	354,299	14,284	4%
REET	25,381		6,000	6,000	
Sales & Use Tax	1,356,389	1,445,714	1,506,088	60,374	4%
Other Revenues	29,260	27,991	33,323	5,332	19%
Totals	2,639,344	2,838,003	2,993,786	155,783	5%

Table 3



	Actuals as of 03/31/23	Year-End Projection	Budget	% Projected Over/(Under) Budget
Sales Tax *	\$2,660,512	\$11,220,952	\$10,613,160	5.73%
B&O Tax **	1,090,012	3,946,589	3,653,069	8.03%
Other Tax ***	240,046	1,547,658	1,571,000	-1.49%
Property Tax	84,366	3,510,200	3,510,200	0.00%
	<u>\$4,074,936</u>	<u>\$20,225,399</u>	<u>\$19,347,429</u>	<u>4.54%</u>

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

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

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

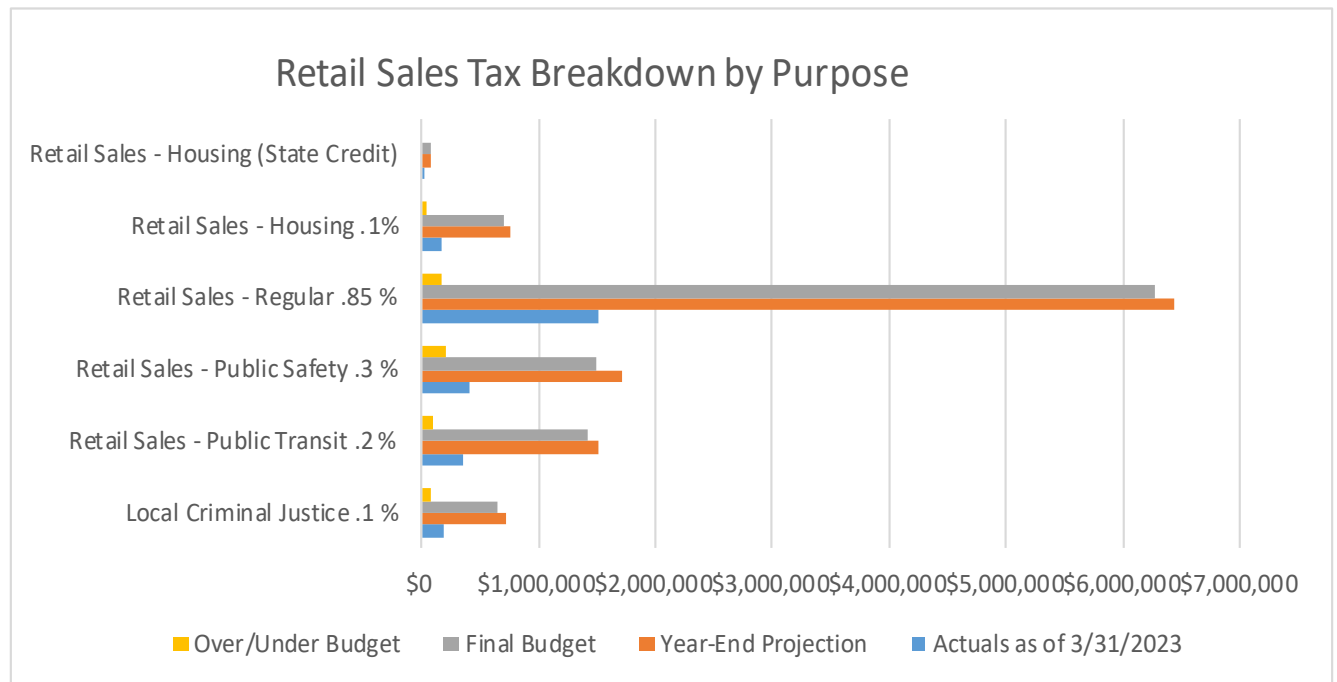
Overall governmental fund tax revenue is projected to exceed budget by approximately \$880K or 4.54%. Current sales tax projections use a 3% increase over 2022, consistent with the projected cooling of inflation and spending adjustments. B&O tax projections use a 0-15% increase depending on the utility. Utility tax increases are based on individual utility rate increases, outstanding receivables, seasonal trends, and other forecasted utility revenue changes. “Other

Tax” grouping has seen a decrease in hotel/motel tax and leasehold excise tax collection compared to 1st quarter 2022. This is creating a slight downward trend projection.

Sales Tax

Table 4 breaks down the difference of budgeted less projected by tax purpose. It is important to note that this includes retail sales and use tax that is restricted for public transit, public safety, and affordable housing purposes. Sales tax revenue received in January is for November 2022 activity.

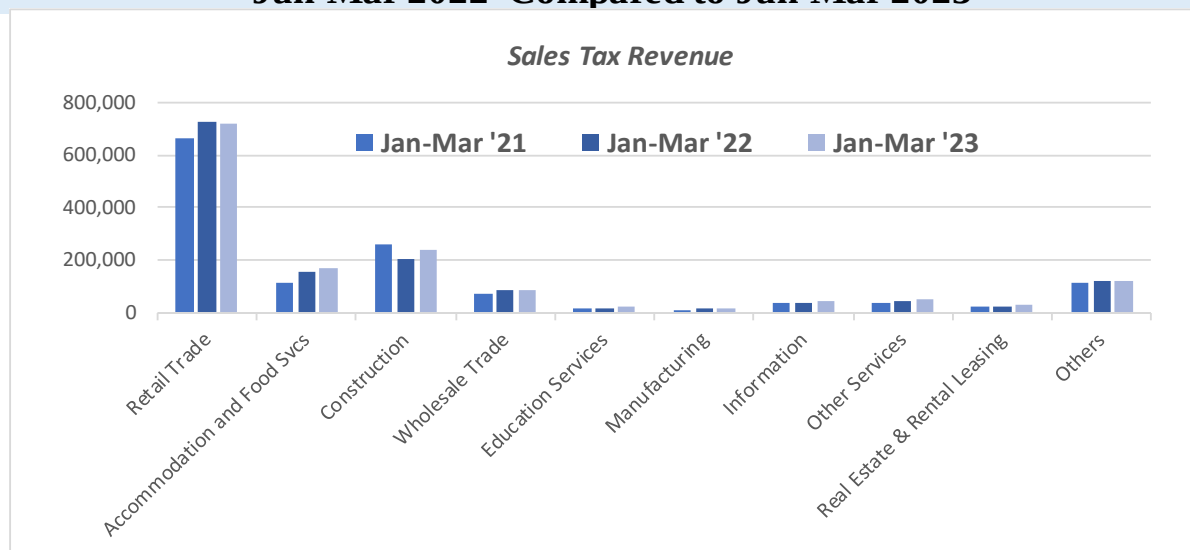
Table 4



	Actuals as of 3/31/2023	Year-End Projection	Final Budget	Actuals Over/Under Budget
Local Criminal Justice .1 %	\$180,567	\$728,003	\$643,760	\$84,243
Retail Sales - Public Transit .2 %	354,299	1,512,481	1,414,400	\$98,081
Retail Sales - Public Safety .3 %	415,709	1,708,353	1,496,560	\$211,793
Retail Sales - Regular .85 %	1,506,088	6,429,775	6,266,280	\$163,495
Retail Sales - Housing .1%	176,798	756,340	706,160	\$50,180
Retail Sales - Housing (State Credit)	27,050	86,000	86,000	\$0
	\$2,660,512	\$11,220,952	\$10,613,160	\$607,792

Table 5

Year-to-Date Sales Tax Activity - Cash Basis Jan-Mar 2022 Compared to Jan-Mar 2023



	Receipts Dates Jan-Mar '21	Receipts Dates Jan-Mar '22	Receipt Dates Jan-Mar '23	Increase/ (Decrease)	% Inc (Dec)
Retail Trade	663,994	728,743	722,683	-6,060	-1%
Accommodation and Food Svcs	116,130	158,295	168,992	10,697	7%
Construction	259,422	205,435	241,864	36,429	18%
Wholesale Trade	74,213	89,048	87,281	-1,767	-2%
Education Services	15,694	18,808	20,021	1,213	6%
Manufacturing	9,459	14,639	19,095	4,456	30%
Information	40,392	40,428	41,859	1,431	4%
Other Services	37,817	42,011	48,619	6,608	16%
Real Estate & Rental Leasing	22,944	24,497	32,172	7,675	31%
Others	116,323	123,810	123,541	-269	0%
Total	\$ 1,356,388	\$ 1,445,714	\$ 1,506,127	\$ 60,413	4%

Source: Dept of Revenue Sales Tax Reports - 2023 information: reporting revenue **received** January thru March

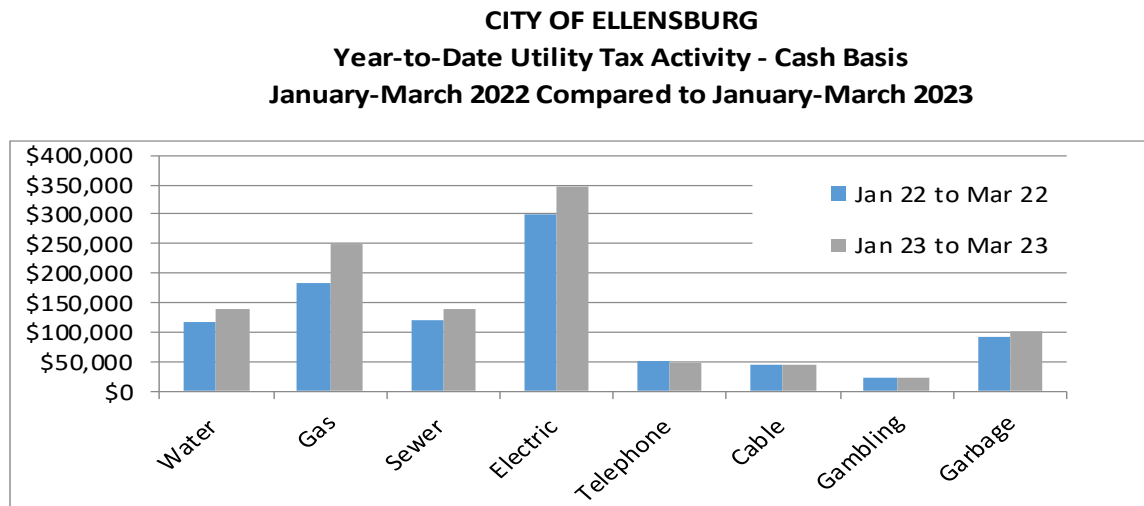
Revenue was recorded on a cash basis for this report. January will be the first month of reporting for 2023

Retail sales tax is distributed monthly reflecting 20 different categories. The above graph reflects the top nine categories with 11 categories being identified within the “Others” category. “Real Estate & Rental Leasing showed the highest percentage increase over 1st quarter 2022 with “Construction” showing the highest dollar increase. Regular retail sales tax revenue had a **4% overall increase** over the same period last year. **Removing “Construction” sales tax increase, which can be very volatile, would bring the overall increase down to 1.9% over 1st quarter 2022. Regular Retail Trade saw a 1% decrease over the 1st quarter 2022, showing**

a quick cooling of retail spending over the holidays. These numbers do not include the .03% for criminal justice, the .02% for public transit, or the .01% for housing and related services. **These revenues are for sales from November through January.**

Utility Tax

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



	Receipt Dates Jan 22 to Mar 22	Receipt Dates Jan 23 to Mar 23	Increase/ (Decrease)	% Inc (Dec)
Water (10.5%)	\$118,267	\$139,984	\$21,717	18.36%
Gas (6%)	183,534	248,806	65,272	35.56%
Sewer (10.5%)	121,183	138,484	17,301	14.28%
Electric (6%)	300,158	346,182	46,024	15.33%
Telephone (6%)	50,548	48,357	(2,191)	-4.34%
Cable (1.075%)	44,971	43,591	(1,381)	-3.07%
Gambling (varies 2%-8%)	22,825	24,151	1,327	5.81%
Garbage (8.1%)	90,556	100,457	9,901	10.93%
Total	<u>\$932,042</u>	<u>\$1,090,012</u>	<u>\$157,969</u>	<u>16.95%</u>

Revenue was recorded as cash basis for this report.

Telephone and cable taxes will continue to decrease as landlines and cable television have become less common. Residents using cell phone numbers from out of the area are not paying this local telephone tax. A significant amount of the increase for city owned utility taxes can be attributed to the collection of past due utility accounts. Many accounts were past due and were previously uncollectable during the 1st quarter of 2022. Gas price increases contribute to the large increase in utility tax collections on the sale of natural gas.

Table 7

General Fund				
Revenues and Expenditures - Budget and Projected				
31-Mar-23				
	2023 Budget	2023 Projected	2023 Actual YTD	Budget less Projected
Revenues				
Taxes	\$7,831,831	\$8,211,911	\$1,363,279	-\$380,080
Licenses & Permits	502,623	\$521,664	107,182	-\$19,041
Intergovernmental	599,431	\$476,732	124,603	\$122,699
Charges For Fees	4,478,568	\$4,420,493	1,143,819	\$58,075
Fines & Forfeits	235,000	\$204,650	92,463	\$30,350
Misc.	306,760	\$662,353	154,716	-\$355,593
Transfers	3,373,677	\$3,360,677	831,419	\$13,000
Other Receipts	0		0	\$0
Total	\$17,327,890	\$17,858,480	\$3,817,482	-\$530,590
Expenditures by Dept				
NonDept	\$1,063,769	\$913,482.00	\$615,245	\$150,287
Finance	2,595,631	\$2,518,837.00	544,507	76,794
City Manager	1,832,173	\$1,500,888.00	312,685	331,285
Police	6,051,273	\$5,528,592.00	1,151,790	522,681
Community Develop.	1,759,838	\$1,242,528.00	258,860	517,310
Engineering	1,264,001	\$1,139,616.00	237,420	124,385
Parks & Recreation	3,369,882	\$2,997,864.00	624,555	372,018
Library	1,318,187	\$1,303,008.00	288,681	15,179
Economic Development	0	\$0.00	0	\$0
Total	\$19,254,754	\$17,144,815	\$4,033,743	\$2,109,939
Excess of Revenues over	-\$1,926,864	\$713,665	-\$216,261	-\$2,640,529
Beginning Balance	4,557,003	4,951,979	4,951,979	-\$394,976
Other Receipts	0			\$0
Ending Fund Balance	\$2,630,139	\$5,665,644	\$4,735,718	\$3,035,505

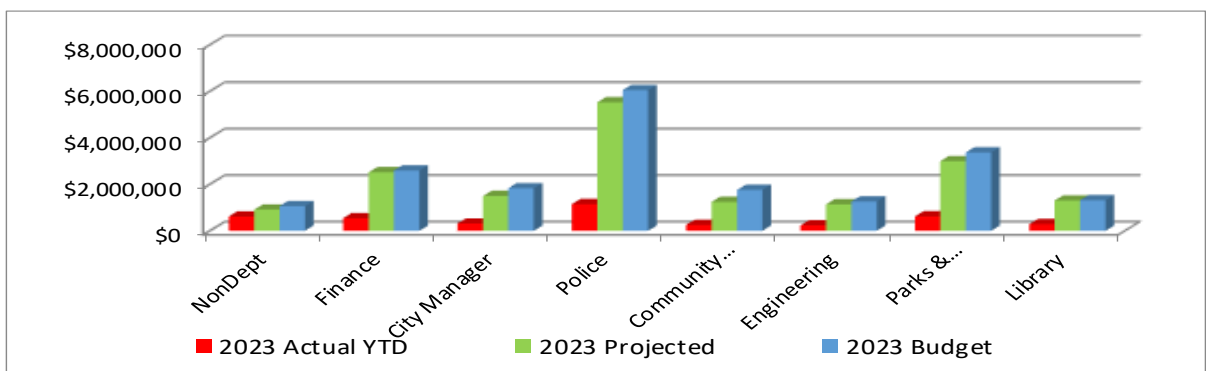


Table 8

DEBT ACTIVITIES	Issued Date	Maturity Date	Original Amount	Balance as of 03/31/23	2023 Debt Payment
General Obligation					
Maintenance Bond - Pool	2010	2030	2,935,000	1,369,012	186,403
2017 GOI Bond - Public Safety Bldg.	2017	2037	7,200,000	6,838,325	562,326
Telecom Utility - LTGO Taxable **	2016	2036	290,243	219,702	19,263
			10,425,243	8,427,039	767,991
Revenue Bonds					
Stormwater Bond *****	2020	2039	3,000,000	4,784,658	360,988
Water Sewer ****	2016	2029	6,990,000	4,855,000	762,151
Gas	2016	2036	859,015	636,056	52,459
Electric- Refunding***	2005/2014	2025	3,650,000	1,110,000	395,850
Electric	2014	2033	4,540,000	4,435,000	205,475
Water	2013	2022	2,416,431	0	0
Water/Sewer *****	2021	2040	51,000	10,000,000	666,890
			21,506,446	25,820,714	1,776,922

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

** LTGO Taxable 20 year bonds in 2016

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

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

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

Citywide Report

The table on the next page- Revenues and Expenditures-Actual shows that the city brought in approximately \$6.69 million more than it spent in 2023 YTD. \$5.7 million of the excess revenue over expense is from the utility and internal service funds. The General Fund (including managerial funds) saw a net **loss** of \$1.07 million. Most of the General Fund loss is due to transfers from sales tax to the debt service funds for annual debt payments. Table 9 reduces utility revenues by the outstanding utility receivable amounts to convert revenue amounts to cash basis.

Investment Report

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

Table 9

All City Funds
Revenues and Expenditures- Actual
For the Quarter Ending March 31, 2023

	Revenue	Expenditures	Excess of Revenue Over Expenditures
General Fund	\$3,817,482	\$4,033,743	(\$216,261)
Special Revenue Funds			
Street	645,049	442,969	202,080
Arterial	1,034,648	357,951	676,697
Traffic Impact	41,008	13,239	27,769
Ellensburg Public Transit	419,780	474,531	(54,751)
Criminal Justice	443,497	513,130	(69,633)
Drug Fund	390	1,110	(720)
Sales Tax	1,520,381	2,337,749	(817,368)
CATV - Operations	25,295	26,201	(906)
CATV - Capital	64,812	0	64,812
Parks Acquisition	63,297	0	63,297
Arts Acquisition	50,850	1,068	49,782
Lodging Tax	99,401	44,424	54,977
Housing & Related Service	228,156	0	228,156
COVID-19 Funds	0	222,303	(222,303)
Debt Funds			
Public Safety Bond	562,327	0	562,327
Maintenance Bond	187,003	0	187,003
Library Bond	1,640	0	1,640
LID Guarantee Fund	1,483	0	1,483
Capital Funds			
Capital Const. Bond Projects	0	0	0
Sidewalk	120,047	181	119,866
Recreational Facilities Fund	0	0	0
Enterprise Funds			
Stormwater	438,388	762,368	(323,980)
Telecommunications	168,342	83,673	84,669
Gas	4,528,049	2,710,670	1,817,379
Electric	6,101,871	3,649,395	2,452,476
Water	1,282,801	1,077,979	204,822
Sewer	1,360,136	1,116,413	243,723
Internal Service Funds			
Shop	719,438	478,026	241,412
General Facilities Fund	157,514	0	157,514
Health Insurance	654,819	612,298	42,521
Risk Management	1,659,093	892,207	766,886
IT	446,276	452,812	(6,536)
GIS	74,785	54,183	20,602
Library Trust	3,261	0	3,261
Hal Holmes	1,704	0	1,704
Fire Relief	149,473	23,706	125,767
Total	\$27,072,496	\$20,382,329	\$6,690,167
Managerial Funds of the General Fund			
* Utility Revenue amounts have been converted to cash basis			

CITY OF ELLENSBURG - Investment Report As of 3/31/2023

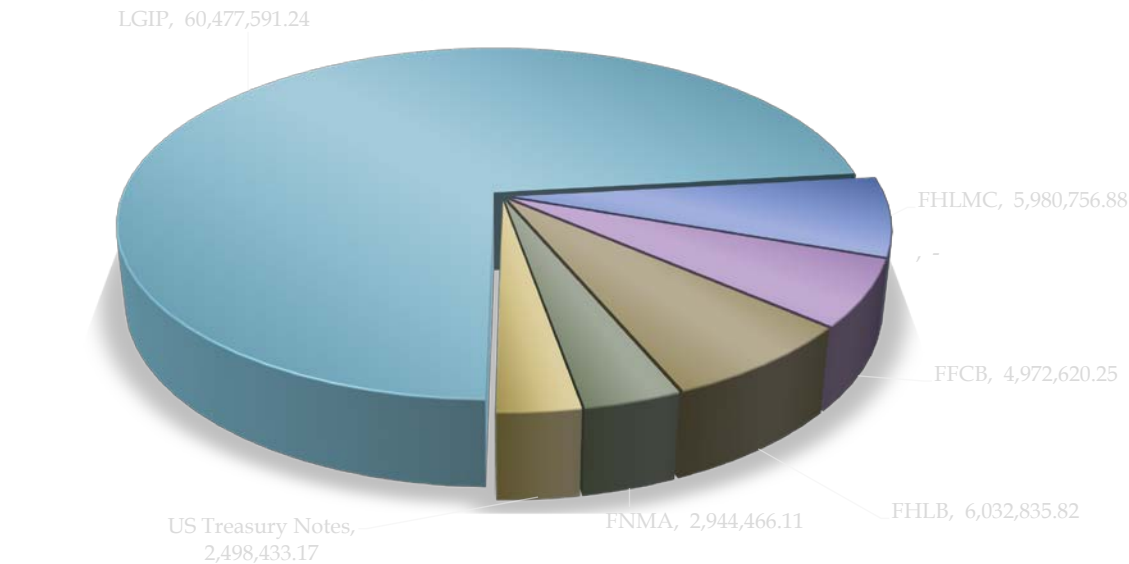
The City will diversify its investments by security type and institution. The following schedule provides the maximum holdings in any one type of investment with any one type of issuer.

Funds invested \$ 82,906,703.47

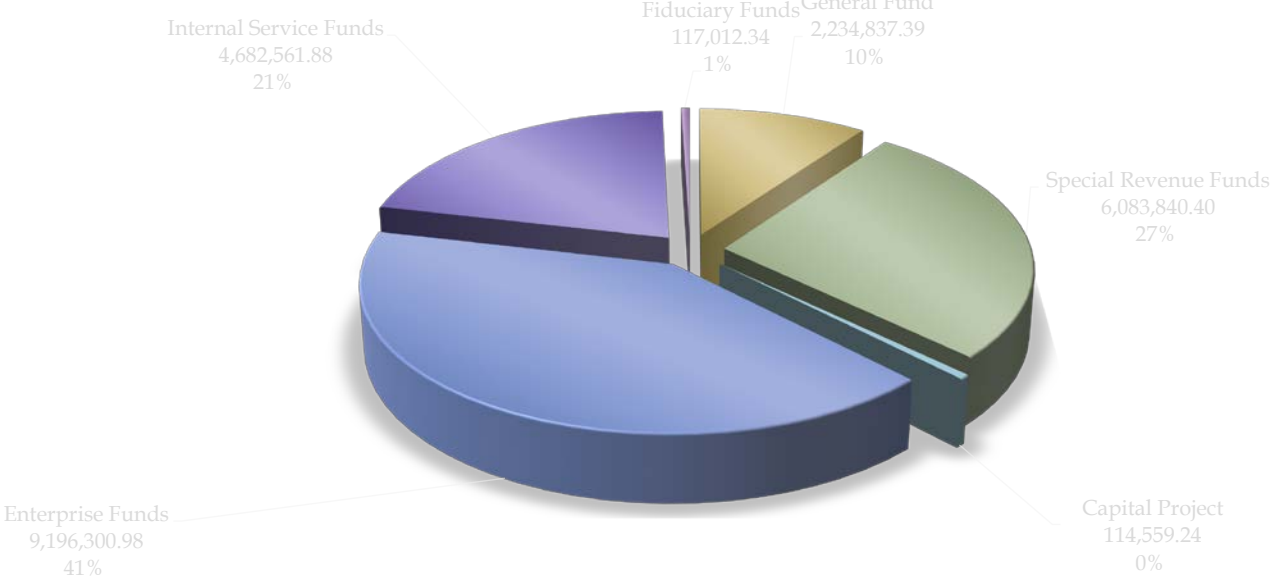
Bench Marks

- 1-year Treasury Constant Maturity - 3.466%
- 2-year Treasury Note - 5.0%
- External Investments - 1.43%
- Local Govt. Investment Pool (LGIP)-Gross Earnings Rate - 4.7643%
- Interest earned in March - \$310,389.92

Total Funds Invested
Listed by Instrument - \$82,906,703



Investments with other Institutions
Listed by fund category - \$22,429,112



CITY OF ELLENSBURG - Investment Report As of 3/31/2023

Investments with other Institutions

Type of Authorized Security	Maximum Holdings and Issuer Limitations	maximum \$ amount that can be invested	% limitation per issuer	% of portfolio invested	Current Investment Holding Amount	Name	Amount Invested w/Issuer	% of Issuer Holding	Yield to Maturity	Expected Annual Earnings
U.S. Treasury Bills, Notes, Bonds or Certificates	100% of Portfolio	\$82,906,703	no limitation	27%	\$22,429,112	#49 FHLB 3130AFW94 Settled 3/11/19 purchase: \$1,003,640.56 Matures 2/13/24	1,000,728	1%	2.46%	25,000
						#53 Matured 02/23	-	0%		
						#54 FFCB 1.6 8/14/23 Corp Settled 10/10/19 purchase: \$505,345.94. Matures 08/14/23	500,668	1%	1.38%	8,000
						#56 US Treas Strip 1.55 Settled 01/08/2020 purchase: \$999,741.04 Matures 11/15/23	999,741	1%	1.55%	15,500
						#57 FNMA corp Settled 01/08/2020 purchase: \$1,003,603.11 Matures 10/15/24	1,001,441	1%	1.63%	16,250
						#59 FHLMC Settled 06/15/20 purchase: \$998,312.89 Matures 05/27/25	998,313	1%	0.54%	5,000
						#63 FHLMC Settled 07/15/2020 purchase: \$ 1,000,131.94 Matures 6/26/23	1,000,022	1%	0.25%	2,500
						#65 Treasury Strip.45 Settled 02/11/21 purchase: \$ 499,619.01 Matures 2/15/26	499,619	1%	0.45%	2,250
						#66 FNMA Settled 06/14/21 purchase: \$995,948.42 Matures 8/25/25	995,948	1%	0.50%	3,750
						#67 FFCB Settled 06/14/21 purchase: \$2,000,000 Matures 6/14/24	2,000,000	2%	0.32%	6,400
						#68 FHLB Settled 8/9/21 purchase: \$1,006,671.67 Matures 6/12/26	1,004,670	1%	0.65%	7,500
						#69 FHLMC Settled 08/9/21 purchase: \$3,985,346 Matures 3/30/26	3,982,422	5%	0.63%	20,400
						#70 FHLB Settled 11/4/21 purchase: \$1,500,192.5 Matures 1/2/25	1,500,138	2%	0.77%	11,550
						#71 FNMA Settled 3/17/22 purchase: \$947,076.44 Matures 11/07/25	947,076	1%	2.07%	20,700
						#72 US Treas Settled 3/18/22 purchase: \$999,073.12 Matures 8/31/24	999,073	1%	1.95%	19,500
						#73 FFCB Settled 9/22/22 purchase: \$1,476,304.88 Matures 9/15/27	1,476,305	2%	3.74%	50,625
						#74 FFCB Settled 9/22/22 purchase: \$995,647.11 Matures 3/6/24	995,647	1%	4.05%	36,250
						#75 FHLB Settled 3/1/23 purchase: \$1,030,566 Matures 6/13/28	1,027,787	1%	4.50%	39,375

CITY OF ELLENSBURG - Investment Report As of 3/31/2023

#76 FFLB Settled 3/1/23 purchase: \$1,499,512 Matures 10/14/26	1,499,513	2%	4.55%	30,600
Subtotal Funds	22,429,112.23			\$ 321,150.00

External Investments 1.43% AAY

Investment in State of Washington Investment Pool

State of WA	100% of Portfolio	\$82,906,703	no limitation	73%	60,477,591.24	State of WA Local Government	60,477,591.24	73%	4.7643%	\$ 2,881,333.88
State Investment Pool							4.76% AAY			

AAY = Average Annual Yie FHLMC - Federal Home Loan Mtg Corp
FHLB - Federal Home Loan Bank

FFCB - Federal Farm Credit Bank
FNMA- Federal National Mortgage Assn

Sorted by Maturity

Security	Description	Rate	Par	Maturity	Months Left to Maturity	Investment #
3137EAES4	FHLMC NONCALLABLE	0.25	1,000,000	6/26/2023	1483	63
3133EKZK5	FFCB	1.6	500,000	8/14/2023	1484	54
912833LP3	US TREASURY NONCALLABLE	1.55	1,061,000	11/15/2023	1488	56
3130AFW94	FHLB NONCALLABLE	2.5	1,000,000	2/13/2024	1490	49
3133ENK33	FFCB NONCALLABLE	4.05	1,000,000	3/6/2024	1491	74
3133EMH62	FFCB Callable anytime starting 12/14/2023	0.32	2,000,000	6/14/2024	1494	67
912828U3	US TREASURY NONCALLABLE	1.9522	1,000,000	8/31/2024	1497	72
3135GOW66	FNMA NONCALLABLE	1.62	1,000,000	10/15/2024	1499	57
3130APKD6	FHLB Callable after 4/28/2025	0.77	1,500,000	1/28/2025	1502	70
3134GVYP7	FHLMC	0.54	1,000,000	5/27/2025	1506	59
3135GO5X7	FNMA NONCALLABLE	0.375	1,000,000	8/25/2025	1509	66
3135GO6G3	FNMA NONCALLABLE	2.07	1,000,000	11/7/2025	1511	71
912833LY4	US TREASURY NONCALLABLE	0.45	511,000	2/15/2026	1515	65
3134GWWP7	FHLMC Callable after 3/30/26	0.63	4,000,000	3/30/2026	1516	69
3130AMFS6	FHLB NONCALLABLE	0.65	1,000,000	6/12/2026	1518	68
3130APAC9	FHLB CALLABLE after 1/14/27	1.02	1,500,000	10/14/2026	1522	76
3133ENL99	FFCB NONCALLABLE	3.74	1,500,000	9/15/2027	1534	73
3130ATS57	FHLB NONCALLABLE	4.17	1,000,000	3/10/2028	1539	75
Total Par			22,572,000			

Investment by Fund/Category	
General Fund	2,234,837.39
Special Revenue Funds	6,083,840.40
Capital Project	114,559.24
Enterprise Funds	9,196,300.98
Internal Service Funds	4,682,561.88
Fiduciary Funds	117,012.34
Total	22,429,112.23
LGIP	60,477,591.24
	-
Total	82,906,703.47

Investment by Instrument	
US Treasury Notes	2,498,433.17
State of WA Bonds	-
LGIP	60,477,591.24
FHLMC	5,980,756.88
	-
FFCB	4,972,620.25
FHLB	6,032,835.82
FNMA	2,944,466.11
Total	82,906,703.47

- difference



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: May 15, 2023

Item Title/Agenda Subject: Ellensburg 100-Year Rodeo Anniversary Mural

Submitted by: Heidi Behrends Cerniwey City Manager Department

Recommended Action or Motion: Approve the mural design and agreement with Heather Dappen, Dappen Designs (The Rural Mural Plural group) in substantially similar form.

Background/Summary: The Ellensburg Rodeo will celebrate its 100-Year Anniversary on Labor Day Weekend 2023. The Rodeo played an important role in Ellensburg's history, identity, and culture over the past century. Ellensburg City Council authorized a mural to honor the anniversary.

Previous Council Action: At the October 17, 2022 meeting, the City Council appointed Mayor Lillquist, and Councilmembers Nancy Goodloe and Rich Elliott to a subcommittee to explore options for the City to commemorate the 100-Year anniversary celebration of the Ellensburg Rodeo. The Council Subcommittee developed a recommendation for a mural project. At the January 17, 2023 meeting, Council approved a project to install a Rodeo-themed mural on the west-facing side of Craig's Hill Reservoir with approximate dimensions of 40' x 40' to be completed by July 31, 2023; established a selection committee to oversee the project; and approved the City's Lodging Tax Advisory Committee (LTAC) recommendation to authorize \$25,000 from the Lodging Tax Fund. Due to future planned maintenance needs on the water tower, it was agreed that the mural may be removed after five years.

Analysis: Members of the Mural Selection Committee included: 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. Staff support was provided by the City Manager and Executive

Assistant. The Selection Committee established a timeline and call for artists, conducted all application reviews, selected semi-finalists and finalists, and the artwork for the mural.

A call for Mural Artists was released on March 8, 2023. Twenty applications were received by the deadline of March 31. One application came in late. The Committee selected three finalists to complete a design by May 5. Finalists were invited to present their mural designs to the Selection Committee on May 10. The Rural Mural Plural's proposed design was chosen unanimously by the Selection Committee.

The Arts Commission reviewed the mural design and maintenance and endorsed the mural unanimously at their May 11, 2023 meeting.

Minor refinements to the design will be approved by the Selection Committee. An agreement to complete the work by July 31, 2023, will be executed between the artists and the City. The final design will be revealed at the City Council meeting.

Financial Impact:

At the January 17 meeting, Council authorized expenditure of \$25,000 for the total project, requiring a future budget amendment. Stipends of \$500 were provided to each of the three finalist groups to develop a design. The total cost of the mural agreement is \$22,000 to complete the full project.



MANAGER'S REPORT

DATE: May 15, 2023

To: Ellensburg City Council

FROM: Heidi Behrends Cerniwey, City Manager

1. Natural Gas Public Awareness Program

Each year, starting in 2007, the City Natural Gas Division has conducted a safety survey to measure the effectiveness of the Public Awareness Program. The 2023 survey began on May 1st and will run through August 11th (National 8/11 Day). A flyer is attached for the survey event.

2. Bike Month Events on Saturday, May 20

See Bike Month flyers attached for information on activities taking place in and near Ellensburg. Or visit [Bike Month | City of Ellensburg \(beheardeburg.com\)](https://www.beheardeburg.com) for more information.

3. Annual Comprehensive Plan Docket

The City of Ellensburg is currently accepting proposed Comprehensive Plan amendments for the 2023 annual docket cycle. The City's Comprehensive Plan was adopted in 1995, with major updates in 2007 and 2017. The Comprehensive Plan is the City's 20-year plan for guiding future growth and development by articulating the community's vision and reflecting the community's values. 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=>. Ellensburg City Council will consider all proposed amendments at its regular meeting on July 17, 2023.

4. Downtown Pet Relief Station

City staff have been working with the Ellensburg Downtown Association to develop a pet relief station located 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 our trees and beautification program. This project will repurpose an unadopted 300 square foot garden node into a pet friendly area of anti-microbial turf, drainage, a mutt mitt dispenser and signage. Looking toward the future, the Unity Park plan includes an additional pet relief station, 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 and will be paid for and installed by the EDA within the next 60 days. The Parks & Recreation Commission supported this project at their April 12th meeting.

5. Request for June 20 Study Session

Staff request Council cancel the July 3 Study Session and add a Study Session at 6:00 p.m. on Tuesday, June 20, 2023. The topic of the meeting will be a review of the 2021 International Building Code (IBC) standards which must be implemented by July 1, 2023.

Natural Gas Safety Survey



Each year the City of Ellensburg Gas Utility evaluates its Public Awareness and Gas Safety Program with a quick survey.

Complete the survey using the QR Code or by visiting the City's Natural Gas webpage and enter to win some great prizes!

****GRAND PRIZE** - Pit Boss 820SP Pellet Grill**

TWO Secondary Prizes!! - \$100 Kittitas County Chamber Gift Cards

The Gas Division staff would like to thank you in advance for participating in the survey. Safety is our #1 priority and making sure we reach our community with gas safety information is important to us.





BIKE MONTH



- **Bike To Work Day**
Friday, May 19, 2023
Ride your bike to work!
- **Bike To Campus Day**
May XX, 2023
Ride your bike to CWU.
- **Unity Park Activities**
May 20, 2023
Giveaways for bikes, helmets, bike bells, and trail maps.

- **Ride To Renslow Community Trail Ride - 26 Miles Roundtrip**
Saturday, May 20, 2023 | Ride leaves at 9:00 a.m.
Get a basic bike check and hit the Palouse To Cascades Trail. Join a low-stress, leisurely off-road ride from downtown Ellensburg to the Kittitas Depot or Renslow Trestle. Skinny bike tires not recommended.
Location: Departs from Unity Park, Fourth Ave. & Pearl St., in Downtown Ellensburg

- **Reconnection Ride - 5.38 Miles Roundtrip**
Saturday, May 20, 2023 | Ride leaves at 9:15 a.m.
Want a shorter ride around town? Join a leisurely ride around the PTC reconnection trail in town.
Location: Departs from Unity Park, Fourth Ave. & Pearl St., in Downtown Ellensburg. Goes to North Alder Street Park and back to Unity Park.

- **Your Canyon for a Day Bike Ride**
May 21, 2023 | 9:00 a.m. to 3:00 p.m.
The Yakima County Crime Stoppers Program hosts an annual fundraiser ride through the Yakima Canyon. Learn more and register at yakima.crimestoppersweb.com

- **Bike Rodeo & Touch A Truck**
June 21, 2023 | 11:00 a.m. to 2:30 p.m.
Location: Rotary Park, 1200 W. 5th Ave., Ellensburg
Kids can bring their own bikes and test their riding skills on the mountain bike course.

Brought to you by:



Join us for a bike ride! Saturday, May 20th

BIKE MONTH

Celebrate Bike Month! Grab your bike and helmet and join a free community ride.

Basic bike checks ahead of the ride, helmet and bike bell giveaways, plus information about local trails. Oddfellows will be giving away free used refurbished bikes, sizes vary.

Ride To Renslow

When: Leaving at 9 a.m. on Saturday, May 20th

Where: Join an off-road ride starting at Unity Park in downtown Ellensburg. Ride 13 miles to the Renslow Trestle. Bike back, or catch a ride back.

If you only want to ride half the ride, join the group around 9:30 a.m. at the Kittitas Depot.

Cost: Free, open to all ages, parent supervision required for children.

Notes: Skinny tires are not recommended for this ride. Helmets are encouraged.

Turnaround locations: Kittitas Depot, 6.5 miles, or Renslow Trestle, 13 miles.

Length of Ride: 26 Miles Roundtrip

Return Transportation: Optional

Reconnection Ride

When: Leaving at 9:15 a.m. on Saturday, May 20th

Where: Join a leisurely ride around the PTC reconnection trail in town. Starting point is Unity Park in downtown Ellensburg. Goes to North Alder Street Park and back to Unity Park.

Cost: Free, open to all ages, parent supervision required for children.

Length of Ride: 5.38 Miles Roundtrip

Return Transportation: Optional



Brought to you by:



Central Washington Disability Resources



evergreen
MOUNTAIN BIKE ALLIANCE



MAYO ES EL MES DE LA BICICLETA



Día de ir al trabajo en bicicleta

19 de mayo

Actividades en Unity Park

20 de mayo, de 9 a. m. a 1 p. m.

Bicicletas, cascos y timbres para bicicletas de regalo

Día de ir al campus en bicicleta

25 de mayo

Paseo por el sendero comunitario de Renslow: 26 millas ida y vuelta

20 de mayo | El paseo inicia a las 9:00 a. m.

Obtenga una inspección básica de su bicicleta y recorra el sendero de Palouse to Cascades. Únase a un paseo todoterreno desde el centro de Ellensburg hasta Kittitas Depot o Renslow Trestle. No se recomienda el uso de neumáticos delgados.

Lugar: Sale de Unity Park, Fourth Ave. y Pearl St.

Paseo de reconexión: 5.38 millas ida y vuelta

20 de mayo | El paseo inicia a las 9:15 a. m.

¿Prefiere un paseo más corto? Únase a un paseo tranquilo por el sendero pavimentado de reconexión de Palouse to Cascades (Pacific Crest Trail, PTC) en Ellensburg.

Lugar: Sale de Unity Park, Fourth Ave. y Pearl St., se dirige a North Alder Street Park y vuelve a Unity Park.

Paseo en bicicleta en tu Canyon por un día

21 de mayo | 9:00 a. m. a 3:00 p. m.

El Programa Crime Stoppers del condado de Yakima organiza un paseo anual por el cañón de Yakima para recaudar fondos. Obtenga más información e inscribse en yakima.crimestoppersweb.com

Rodeo de bicicletas y Touch A Truck

21 de junio | 11:00 a. m. a 2:30 p. m.

Lugar: Rotary Park, 1200 W. 5th Ave., Ellensburg

Los niños pueden traer sus bicicletas y poner a prueba sus habilidades para manejarlas en la pista de bicicleta de montaña.



¡Acompañenos a un paseo en bicicleta! Sábado, 20 de mayo

MAYO ES EL MES DE LA BICICLETA

Actividades en Unity Park de 9 a. m. a 1 p. m.

- Inspecciones básicas de las bicicletas antes del paseo
- Cascos para jóvenes y ajuste GRATUITOS
- Timbres para bicicletas de regalo
- Información sobre senderos locales
- Oddfellows regalará bicicletas usadas reacondicionadas. Los tamaños varían.
- Demostraciones de bicicletas adaptables de Outdoors for All

Paseo a Renslow

Fecha: Sale el 20 de mayo a las 9 a. m.

Lugar: Únase a un paseo todoterreno desde Unity Park, Fourth Ave. y Pearl St. en el centro de Ellensburg. Recorra 13 millas hasta Renslow Trestle. Vuelva en bicicleta o utilice el transporte. Si solo quiere hacer la mitad del recorrido, únase al grupo alrededor de las 9:30 a. m. en Kittitas Depot.

Precio: Gratuito, para todas las edades, es obligatorio que los niños estén bajo supervisión de los padres.

Observaciones: No se recomienda el uso de neumáticos delgados para este paseo. Se recomienda el uso de cascos.

Lugares de cambio de rumbo: Kittitas Depot, 6.5 millas; o Renslow Trestle, 13 millas.

Longitud del recorrido: 26 millas ida y vuelta.

Transporte de vuelta: Opcional.

Paseo de reconexión

Fecha: Sale el 20 de mayo a las 9:15 a. m.

Lugar: Únase a un paseo tranquilo por el sendero pavimentado de reconexión de Palouse to Cascades (Pacific Crest Trail, PTC) en Ellensburg. El paseo empieza en Unity Park en el centro de Ellensburg. Se dirige a North Alder Street Park y vuelve a Unity Park.

Precio: Gratuito, para todas las edades, es obligatorio que los niños estén bajo supervisión de los padres.

Observaciones: Se recomienda el uso de cascos.

Longitud del recorrido: 5.38 millas ida y vuelta.

Transporte de vuelta: Opcional.

