

CITY ADMINISTRATOR
ROBERT OMANS

CITY CLERK
DEBBIE LEE

FINANCE DIRECTOR
ROBIN NEWCOMB

PUBLIC WORKS

POLICE CHIEF
RICH ALBO

FIRE CHIEF
ED MILLS

PLANNER

City Council
Agenda
September 24, 2024
6:00 PM



119 W FIRST STREET
CLE ELUM, WA 98922

MAYOR
MATTHEW LUNDH

MAYOR PRO TEM
STEVEN HARPER

CITY COUNCIL
JOHN GLONDO
BETH WILLIAMS
JERRED WEIS
KEN RATLIFF
STEVEN COOK
AUDREY MALEK

CITY ATTORNEY
ALEXANDRA KENYON

Join Virtually with Zoom: <https://zoom.us/j/7573184018?pwd=dERndjBJVC9GdVQ1d2ISRExwZFhXZz09>
Meeting ID: 757 318 4018 Passcode: 98922

Join by Phone: 1-(253)215-8782, Meeting ID: 757 318 4018, Passcode:98922

TextMyGov Receive city text alert notifications: text CLEELUM to 91896

DISCLAIMER: The City does not guarantee that virtual or telephonic access to the City Council meeting will be available and the City does not warrant audio quality. Attendees are encouraged to attend in-person.

1. **Call to Order, Pledge of Allegiance, and Roll Call**
 - a. September 24, 2024, Sign In Sheet
2. **Public Comment – Limited to 5 Minutes**
3. **Announcements, Appointments, Awards & Recognition**
 - a. Historic Preservation Commission - Mayor Lundh
Micheal Richard
Cassidy Buechle-Curtis
Rob Iverson
Jordan Peterson
Pamela Hawk

4. **Approval of Meeting Agenda**
5. **Consent Agenda**

Items listed have been distributed to Council Members in advance for study and will be enacted by one motion. If a separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on a regular Agenda at the request of a Council Member or at the request of a member of the public with concurrence of a Council Member:

- a. Approve the City Council Executive Session Meeting Minutes Dated September 10, 2024
- b. Approve the City Council Meeting Minutes Dated September 10, 2024

City Council Agenda

September 24, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

6. **Staff Reports**

City Administrator, Public Works, Police Chief

- a. City Administrator - Rob Omans
- b. Planning - Colleda Monick HLA
- c. Police Department - Chief Albo
- d. Library - Jane Agar/Amy Pridemore

7. **Public Appearances – 15-Minute Limit**

- a. Cle Elum Downtown Association - Jordan Peterson
- b. Washington State Department of Transportation - Brian White
- c. Climate Element Project - Joseph Calhoun HLA
- d. Flag Pole Park Trees - Gary Berndt

8. **Business Requiring Public Hearings**

- a. Closed Record Public Hearing - Planned Mixed Use Development Resolution 2024-024 - Colleda Monick HLA
Resolution 2024-024 Approving the Planned Mixed Use Development of a Regional Search and Rescue Facility - Colleda Monick HLA

9. **Unfinished Business**

- a. Support Your Local Chamber of Commerce Day - Katie Schepker

10. **New Business**

- a. Second Street Pathway - Safety Stabilization Project - Ben Annen HLA
- b. Progress Estimate No. 6 Downtown Revitalization Phase 3 - Active Construction \$417,023.83 - Ben Annen HLA
- c. Second Street Water Main Project - Ascent Construction - Accept Project As Complete - Ben Annen HLA
- d. Ordinance 1682 Updates to CEMC 12.01 - Colleda Monick HLA
- e. Police Policy #425 Automated License Plate Readers - Chief Albo
- f. Ordinance 1683 Camping - Chief Albo
- g. Resolution 2024-026 Downtown Parking - Mayor Lundh
- h. HopeSource Commitment Letter 2025-2027 \$48,000.00 - Mayor Lundh
- i. Resolution 2024-025 Repealing Resolution 2023-027 - Mayor Lundh
- j. Public Library Service Agreement with South Cle Elum - Mayor Lundh
- k. Approve the Payables Dated September 24, 2024, \$1,150,310.64

11. **Report of Committees**

12. **Councilmember Comments - Limited to 5 Minutes**

13. **Mayor's Report**

City Council Agenda September 24, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

14. Adjournment by Motion

Upcoming Meetings:

Regular Council Meeting: October 8, 2024 @ 6:00 p.m.

Planning Commission Meeting: October 1, 2024 @ 6:00 p.m.

General Government Committee Meeting: October 25, 2024 @ 8:30 a.m.

Lodging Tax & Events Committee Meeting: October 14, 2024 @ 8:30 a.m.

Public Safety & Health Committee Meeting: October 15, 2024 @ 1:00 p.m.

Public Works & Community Development Committee Meeting: October 3, 2024 @ 12:00 p.m.

Coal Mines Trail Commission Meeting: October 7, 2024 @ 6:00 p.m.

City of Cle Elum Council Meeting

September 24, 2024, 6:00 p.m.

If you wish to address the Mayor and Council, please sign in below.

Please sign in:

Name	Address	PLEASE PROVIDE EMAIL ADDRESS IF YOU WANT COUNCIL'S RECOMMENDATION MAILED TO YOU
Jon Cornelius	1013 Dewey Ave	
Christie Heubach	509 E 3rd ST Cle Elum	
Whitney Prosek	215 N Montgomery Ave Cle Elum	
Bryan White	505 Vayler Rd Yacount WA	



Board/Commission Application

Your Personal Information

NAME

Michael Richard

EMAIL ADDRESS

1michaelrichard@gmail.com

ADDRESS

2881 Teanaway Middlefork
Cle Elum, Washington 98922
United States

PHONE NUMBER

(206) 795-7007

NUMBER OF YEARS RESIDING IN CLE ELUM

25

Board or Commission You're Applying For

BOARD OR COMMISSION YOU'RE APPLYING FOR

Historic Preservation Commission

IF YOUR FIRST CHOICE ISN'T AVAILABLE, ARE YOU INTERESTED IN SERVING ON ANOTHER BOARD OR COMMISSION?

No

Character References

LOCAL REFERENCES

Name	Phone	Email
Gary Berndt		

More About You

WHY ARE YOU INTERESTED IN SERVING ON A CITY OF CLE ELUM BOARD OR COMMISSION?

To raise awareness of local history.

PERSONAL QUALIFICATIONS AND/OR WORK EXPERIENCE

Promotion, marketing and public relations

COMMUNITY INVOLVEMENT (INCLUDING PREVIOUS CITY BOARD/COMMISSION SERVICE)

ROARY

Pioneer Queen
Historic Society
Downtown Association

ARE YOU ABLE TO REGULARLY ATTEND MEETINGS?

Yes

WOULD YOUR APPOINTMENT CREATE A CONFLICT OF INTEREST OR AN APPEARANCE OF A CONFLICT OF INTEREST?

No

TERMS AND CONDITIONS

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Applicants are considered for appointment without regard to race, color, religion, gender, national origin, sexual orientation, age, genetic information, marital or veteran status, or the presence of any disability.

☒ **I agree to these terms and conditions**



Board/Commission Application

Your Personal Information

NAME

Cassidy Buechle-Curtis

EMAIL ADDRESS

cassidyjeanneb@gmail.com

ADDRESS

320 Madison Street
Cle Elum, Washington 98922
United States

PHONE NUMBER

(253) 486-7124

NUMBER OF YEARS RESIDING IN CLE ELUM

5

Board or Commission You're Applying For

BOARD OR COMMISSION YOU'RE APPLYING FOR

Planning Commission

IF YOUR FIRST CHOICE ISN'T AVAILABLE, ARE YOU INTERESTED IN SERVING ON ANOTHER BOARD OR COMMISSION?

Yes

SECOND CHOICE BOARD OR COMMISSION

Historic Preservation Commission

THIRD CHOICE BOARD OR COMMISSION

Character References

LOCAL REFERENCES

Name	Phone	Email
Amy Pridemore	408-209-3808	
Lori Clemente	509-304-4805	

More About You

WHY ARE YOU INTERESTED IN SERVING ON A CITY OF CLE ELUM BOARD OR COMMISSION?

I'm interested in engaging in new ways to support the development of our community.

PERSONAL QUALIFICATIONS AND/OR WORK EXPERIENCE

I currently am employed as an HR Supervisor, overseeing a team of 6 responsible for employee experience, onboarding and compliance at a 3000 person construction, engineering and energy firm. My prior career experience includes property management as well. Overall, my career has been focussed throughout on strategic improvement initiatives primarily focussed in operational areas. I have a strong leadership philosophy with over 5 years experience leading teams in various environments.

COMMUNITY INVOLVEMENT (INCLUDING PREVIOUS CITY BOARD/COMMISSION SERVICE)

I have a myriad of volunteer experiences in and outside of our direct community but the bulk of my involvement has been around mentorship opportunities in STEM and HR through various professional organizations outside of the Cle Elum area.

ARE YOU ABLE TO REGULARLY ATTEND MEETINGS?

Yes

WOULD YOUR APPOINTMENT CREATE A CONFLICT OF INTEREST OR AN APPEARANCE OF A CONFLICT OF INTEREST?

No

TERMS AND CONDITIONS

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Board/Commission Application

Your Personal Information

NAME

Rob Iverson

EMAIL ADDRESS

rob@robiverson.com

ADDRESS

901 mariian drive
Cle Elum, Washington 98922
United States

PHONE NUMBER

(206) 940-7985

NUMBER OF YEARS RESIDING IN CLE ELUM

25

Board or Commission You're Applying For

BOARD OR COMMISSION YOU'RE APPLYING FOR

Historic Preservation Commission

IF YOUR FIRST CHOICE ISN'T AVAILABLE, ARE YOU INTERESTED IN SERVING ON ANOTHER BOARD OR COMMISSION?

No

Character References

LOCAL REFERENCES

Name	Phone	Email
Dave allenbaugh		

More About You

WHY ARE YOU INTERESTED IN SERVING ON A CITY OF CLE ELUM BOARD OR COMMISSION?

4th generation resident

PERSONAL QUALIFICATIONS AND/OR WORK EXPERIENCE

Real estate broker

COMMUNITY INVOLVEMENT (INCLUDING PREVIOUS CITY BOARD/COMMISSION SERVICE)

Previously in this position

ARE YOU ABLE TO REGULARLY ATTEND MEETINGS?

Yes

WOULD YOUR APPOINTMENT CREATE A CONFLICT OF INTEREST OR AN APPEARANCE OF A CONFLICT OF INTEREST?

No

TERMS AND CONDITIONS

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☒ **I agree to these terms and conditions**



Board/Commission Application

Your Personal Information

NAME

Jordan Peterson

EMAIL ADDRESS

jordan@cleelumdowntown.org

ADDRESS

218 E First Street
PO Box 106
Cle Elum, Washington 98922
United States

PHONE NUMBER

(509) 433-7330

NUMBER OF YEARS RESIDING IN CLE ELUM

4

Board or Commission You're Applying For

BOARD OR COMMISSION YOU'RE APPLYING FOR

Historic Preservation Commission

IF YOUR FIRST CHOICE ISN'T AVAILABLE, ARE YOU INTERESTED IN SERVING ON ANOTHER BOARD OR COMMISSION?

Yes

SECOND CHOICE BOARD OR COMMISSION

Planning Commission

THIRD CHOICE BOARD OR COMMISSION

Character References

LOCAL REFERENCES

Name	Phone	Email
Eliza Stephenson	206-979-8216	elizasells@yahoo.com
Katy Webb	206-225-6999	k.hartelius@aol.com
Tessa Henrichsen	509-260-1314	tessahenrichsen@gmail.com

More About You

WHY ARE YOU INTERESTED IN SERVING ON A CITY OF CLE ELUM BOARD OR COMMISSION?

The organization that I work for, the Cle Elum Downtown Association, has been an advocate and leading voice for the reinstatement of Cle Elum's Certified Local Government (CLG) status. I have done a lot of research and opened up conversation with Michelle at the Department of Archeology and Historic Preservation (DAHP) to access funding for downtown Cle Elum, through this program. I think it is a great resource, with a multitude of uses, from economic enhancement through facade improvement, to historical restoration and multi-use space.

PERSONAL QUALIFICATIONS AND/OR WORK EXPERIENCE

I am the Executive Director of the Cle Elum Downtown Association, a non-profit organization housed under the Department of Historical Preservation and Archeology. Protection, promotion and enhancement through economic development balanced with historic preservation the mission of the Cle Elum Downtown Association. I have been to multiple DAHP presentations over the last 2-years, specifically addressing the different ways that a Main Street organization, like CEDA, can be of use to a Historic Preservation group/committee.

COMMUNITY INVOLVEMENT (INCLUDING PREVIOUS CITY BOARD/COMMISSION SERVICE)

I am currently the Executive Director of the Cle Elum Downtown Association (as stated previously), am a Girl Scout Troop Leader and a volunteer Fire Fighter/EMT (training) with the Cle Elum Fire Department.

ARE YOU ABLE TO REGULARLY ATTEND MEETINGS?

Yes

WOULD YOUR APPOINTMENT CREATE A CONFLICT OF INTEREST OR AN APPEARANCE OF A CONFLICT OF INTEREST?

No

TERMS AND CONDITIONS

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✓ I agree to these terms and conditions



Board/Commission Application

Your Personal Information

NAME

Pamela Hawk

EMAIL ADDRESS

pam@hawkamerican.com

ADDRESS

112A E 1st St
Cle Elum, Washington 98922
United States

PHONE NUMBER

(510) 882-9607

NUMBER OF YEARS RESIDING IN CLE ELUM

7

Board or Commission You're Applying For

BOARD OR COMMISSION YOU'RE APPLYING FOR

Historic Preservation Commission

IF YOUR FIRST CHOICE ISN'T AVAILABLE, ARE YOU INTERESTED IN SERVING ON ANOTHER BOARD OR COMMISSION?

No

Character References

LOCAL REFERENCES

Name	Phone	Email
Matthew Lunde		matthew@matthewlundh.net

More About You

WHY ARE YOU INTERESTED IN SERVING ON A CITY OF CLE ELUM BOARD OR COMMISSION?

To personally serve our city in any manner I am available to help

PERSONAL QUALIFICATIONS AND/OR WORK EXPERIENCE

I have served on the City of Cle Elum Historic Preservation Commission and the City of Cle Elum Planning commission in the past. I also have served on our local CEDA and Rotary. Plus I have served on the Board of Archway School in Berkeley California.

COMMUNITY INVOLVEMENT (INCLUDING PREVIOUS CITY BOARD/COMMISSION SERVICE)

Cle Elum Historic Preservation Commission
Cle Elum Planning Commission
Upper Kittitas County Rotary
North Berkeley California Archway School Board

ARE YOU ABLE TO REGULARLY ATTEND MEETINGS?

Yes

WOULD YOUR APPOINTMENT CREATE A CONFLICT OF INTEREST OR AN APPEARANCE OF A CONFLICT OF INTEREST?

No

TERMS AND CONDITIONS

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☒ **I agree to these terms and conditions**

CLE ELUM CITY COUNCIL

MINUTES

SEPTEMBER 10, 2024

5:00 PM

**119 W FIRST STREET
CLE ELUM, WA 98922**

1. Call to Order, Pledge of Allegiance, and Roll Call

John Glondon - Councilmember present
Ken Ratliff - Councilmember present
Beth Williams - Councilmember present via zoom
Steven Harper - Councilmember present
Jerred Weis - Councilmember present
Steven Cook - Councilmember present
Audrey Malek - Councilmember present

Matthew Lundh - Mayor
Rob Omans - City Administrator

2. Executive Session RCW 42.30.110(1)(i)

The Executive Session started at 5:07 p.m. to discuss ongoing litigation RCW 4230110(1)(i) until 5:30 p.m. at 5:30 p.m. it was announced that they would extend the Executive Session another 15 minutes. The Executive Session ended at 5:45 p.m. with no decisions being made.

- a. Pursuant to RCW 42.30.110(i): To discuss with legal counsel representing the agency litigation to which the agency 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.

3. Adjournment by Motion

Matthew Lundh, Mayor

Debbie Lee, Clerk

CLE ELUM CITY COUNCIL

MINUTES

SEPTEMBER 10, 2024

6:00 PM

119 W FIRST STREET
CLE ELUM, WA 98922

1. Call to Order, Pledge of Allegiance, and Roll Call

Present:

Councilmember John Glondo - present
Councilmember Kenneth Ratliff - present
Councilmember Beth Williams - present via zoom at 7:11 p.m.
Councilmember Steven Harper - present
Councilmember Jerred Weis - present
Councilmember Steven Cook - present
Councilmember Audrey Malek - present

Matthew Lundh - Mayor
Rob Omans - City Administrator
Debbie Lee - Clerk
Ben Annen - HLA
Colleda Monick - HLA
William LaRue - Veolia
Ed Mills - Fire Chief
Rich Albo - Police Chief
Aaron Barr - Public Works

Absent:

MOTION: Councilmember Glondo made a motion to approve the absence of Councilmember Williams; seconded by Councilmember Cook.

MOTION CARRIED: 6 yes 0 no.

a. [September 10, 2024 Sign In Sheet](#)

2. Public Comment – Limited to 5 Minutes

Dave Bridgeman has concerns about the increase in the sewer rates for businesses and the failing sewer system.

3. Announcements, Appointments, Awards & Recognition

Mayor Lundh stated he has heard concerns from the Council that all voices are not being heard. He would like the Council to leave their microphones turned on the entire meeting and, when a Councilmember wants to speak during discussion, raise your hand so you can be called on, so everyone can be heard.

City Council Agenda September 10, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

4. Approval of Meeting Agenda

MOTION: Councilmember Harper made a motion to approve the agenda allowing Kieko Walsh to speak during the HopeSource presentation; seconded by Councilmember Weis.

MOTION CARRIED: 6 yes 0 no.

5. Consent Agenda

MOTION: Councilmember Glondo made a motion to approve the consent agenda; seconded by Councilmember Harper.

MOTION CARRIED: 6 yes 0 no.

Discussion was had about the amount that was paid to the attorneys. These were retainers paid for the upcoming litigation and if all the funds are not used the money will be returned to the City.

- a. [Approve the City Council Meeting Minutes Dated August 27, 2024](#)
- b. [Approve the Payables Dated September 10, 2024 \\$832,871.89](#)
- c. [Approve the Payroll Vouchers Dated September 5, 2024 \\$317,204.59](#)

6. Staff Reports

- a. [City Administrator - Rob Omans](#)

See attached report.

Councilmember Harper was suprised to hear about the City purchasing a Public Records Program and has concerns about creating another vector for public records.

- b. [Planning - Colleda Monick HLA](#)

See attached report.

Discussion was had regarding a pharmacy that wants to establish a business with a drive-thru. Currently, there are not alot of locations available that would suit this use. City alley doesn't currently allow this type of use. This would be a benefit to the community and there are potential variance options the owners could apply for.

- c. [Public Works - Aaron Barr](#)

City Council Agenda September 10, 2024

119 W FIRST STREET
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See attached report.

d. [Fire Department - Chief Mills](#)

See attached report.

e. [Police Department - Chief Albo](#)

See attached report.

Councilmember Harper asked if a handheld scope would be useful. Chief Albo stated not if there is a canopy cover.

f. [Veolia - William LaRue](#)

See attached report.

7. **Public Appearances – 15-Minute Limit**

a. [Local Chamber of Commerce Day - Katie Schepker](#)

Katie spoke regarding the Local Chamber of Commerce Day and the benefits of the Chamber of Commerce.

Mayor Lundh stated that the proclamation will be on the agenda for September 24, 2024 and considered for signature at that meeting.

b. [HopeSource 2025-2027 Funding Request - Kieko Walsh](#)

Kieko Walsh spoke at the Lodging Tax & Event Committee Meeting, and they recommended to the Council that they think this is a good cause. It promotes tourism and helps with economic development. It is also a connector to Yakima as well. Customers can catch the commuter bus from Yakima to Ellensburg and then take the Community Connector to Upper County. HopeSource is requesting \$24,000 per year for a total of \$48,000 for the 2025–2027 budgets.

The Council asked for a letter of support presented at the September 24, 2024, Council Meeting, and they will vote on signing it.

8. **Business Requiring Public Hearings**

9. **Unfinished Business**

City Council Agenda

September 10, 2024

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CLE ELUM, WA 98922

- a. [Ordinance 1677 Repealing and Replacing Cle Elum Municipal Code Sections 13.08.370 and 13.10.050 and Establishing CEMC 13.08.430 and 13.05.500 - Ben Annen HLA](#)

Ben Annen of HLA said that the Utility Billing Clerk, Audrey Cassasa, did a good job in gathering all the commercial users and grouping them into the 4 categories. An Excel formula is on the City website where a customer can put in their monthly consumption and see what their bills will be for the years 2024, 2025, and 2026. Some small changes were made to the Ordinance regarding a customer or the city requesting a sample and clarifying that the rate could increase or decrease due to the results of the testing. Ben Annen of HLA commended citizen Craig Sill on his work regarding the equity check on total flows. Ben Annen produced an equity flow check also.

Discussion was had regarding postponing the adoption of this Ordinance tonight and having another public hearing and also allowing the public a chance to use the calculator that is on the city website. Councilmember Harper stated that there have been public meetings regarding the sewer rate classification and ample time for the public to be aware of these changes since they have been discussed since 2021. This would also delay the need for the much-needed revenue to help with replacing the failing infrastructure within the City of Cle Elum. The regional partners pay their share to this fund also.

The Council discussed how the categories were selected. They are from the City of Yakima, and they have a bigger pool of restaurants and small businesses to get more of an average. Discussion was also had about irrigation water and that it does not all go to the treatment plant, the Council talked about getting separate meters for irrigation only. Water conservation was discussed and this would help reduce some of the extra charges.

A poll vote was taken:

Councilmember Glondo - yes
Councilmember Ratliff - no
Councilmember Williams - yes
Councilmember Harper - yes
Councilmember Weis - yes
Councilmember Cook - yes
Councilmember Malek - yes

MOTION: Councilmember Harper made a motion to approve Ordinance 1677; seconded by Councilmember Cook.

MOTION CARRIED: 6 yes 1 no. (Ratliff)

10. New Business

City Council Agenda

September 10, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

a. [Ordinance 1680 Amending CEMC 8.05.050 Related to Noise - Mayor Lundh](#)

The Lodging Tax & Events Committee will look at the Noise Variance Application at their next meeting in October.

MOTION: Councilmember Cook made a motion to approve Ordinance 1680 CEMC Related to 8.05.050 Related to Noise; seconded by Councilmember Malek.

MOTION CARRIED: 7 yes 0 no.

b. [Pangrazi Award Committee - Mayor Lundh](#)

Mayor Lundh would like to form a Committee for the 2024 Pangrazi Award. This committee would decide on the advertising and the selection process. Councilmembers Glondo, Harper and Cook all volunteered. The clerk will be emailing them for the details to get this advertised and opened for applications.

11. Report of Committees

a. [General Government Committee-Committee Chair Harper](#)

b. [Noise Waiver Application - Committee Chair Harper](#)

Committee Chair Harper stated that the General Government Committee will be going through the code chapter by chapter to find changes that need to be made.

Councilmember Malek reported that the Coal Mines Trail is discussing art installation at the park. There is also an interest in hosting events, so the Commission is working on how the permitting process works.

Councilmember Cook reported that the Lodging Tax & Events Committee met and discussed HopeSource funding, updating the Event Application so it is clearer, a yearly commitment from the Lodging Tax Funds to the Upper Kittitas County Recreation Center of 35% of the previous years annual revenue paid in the first quarter of each year. The Council was on board with these ideas.

12. Councilmember Comments - Limited to 5 Minutes

Councilmember Ratliff stated that Cle Elum is a unique place and, as Councilmembers, they represent the community and the Council needs to speak up.

13. Mayor's Report

Mayor Lundh reported:

- The city has advertised for the Public Works Director position on several different

City Council Agenda

September 10, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

platforms, and the Northern Kittitas County Tribune.

- There is also a Heavy Equipment Operator Maintenance position that is being advertised.
- The US Coast Guard will be having the annual Douglas Munro Event on September 27, 2024, at 11:00 a.m. at Laurel Hill Cemetery. There could be a possible fly over with a Coast Guard helicopter.
- The Historic Preservation Commission is going to be starting again. Some local citizens have expressed interest.
- There is a joint Coal Mines Trail meeting at the Senior Center on October 2, 2024, at 5:30 p.m.
- Salon 2120 has vacated the space they were renting from the city. The Downtown Association's current lease is going to expire, so Mayor Lundh has been talking about them possibly using the front of the office space and having a joint Visitor Center.

14. Adjournment by Motion

Matthew Lundh, Mayor

Debbie Lee, Clerk

City Administrator
Staff Report
(September 24, 2024)

- Finance department
 - Audit season - several audits are coming up.
 - Just completed one with Northwest Administrations in accordance with the Teamsters Welfare Trust. Auditing 7 ½ years of payroll. The audit showed the payroll agreed with the requirements of the labor agreement.
 - Last Friday we had an Entrance Conference with the state auditor's office. They will be doing an abbreviated audit of last year because we spend more than \$750,000 of federal funds.
 - Budget season – we have been busy bundling up the 2025 budget getting ready for the first budget meeting which is scheduled for October 14th or 16th at 5:00pm. Debbie will be sending out a questionnaire.
- Utility Department
 - Reminder that the Fall clean-up is continuing, and the last day is this Saturday.
 - After the passing of the sewer rate ordinance at the last meeting we have been working with Springbrook (our billing software) to setup new formulas needed to bill the new rate. I do want to clarify though, since we can't start billing the new rate structure halfway through the month, the new rates will start October 1st and billed in November.
- Public Works Department
 - Full crew out at the Cemetery this Thursday getting ready for Friday's Douglas Munro ceremony starting at 11am.
 - City crews are starting brush cutting on the Coal Mine Trail. They started today and should finish this week. Keep in mind that this is only the Trail within City limits so up to Alliance Road.
- City Hall Construction
 - New sidewalks are going in.
 - Re-piping city hall Thursday – Monday. Will have alley closed Monday for a half-day.
 - Next month we will be starting to demo where the salon 2120 was and then we will have a better idea of how to reconfigure that space.
- Second Street Pathway – Safety Stabilization Project
 - A lot more detail discription of the project will be later in the agenda.
 - I wanted to state that the south side of second street between Pennsylvanian and Wright will remain closed, and no parking is permitted until this stabilization project is completed.

City Administrator
Staff Report
(September 24, 2024)

- Fire Department
 - o Would like the council support of a future budget amendment for this year in the amount of \$100,000.
 - Current vehicle is a 1997 Explorer that was purchased from Bellview Police department in 2009.
 - It has served its purpose for 15 years but now has multiple repairs which will cost more than what the vehicle is worth.
 - The Fire Chief has done extensive research and found that the Ford F-250 Crew Cab is the ideal choice for the command rig.
 - This type of vehicle will cost around \$55,000 to \$60,000.
 - Last year, a developer made a one-time payment of \$100,000 as part of a development agreement, which was designated for the operations and equipment of the fire department.
 - So, they have the funds and the department is wondering

Command 511

In 2009, our fire department purchased a 1997 Ford Explorer previously used by the Bellevue police, which had around 38,000 miles at the time. Fast forward 15 years, and the vehicle now has 88,000 miles and has seen countless hours idling. Its age is showing, with current issues including a broken heater core, wiring problems and a potential computer issue. Currently the value of the vehicle is between \$2,000 and \$5,000 and repair costs that could match or double that.

A command vehicle plays a crucial role as a first-out unit, providing vital communication and equipment for a variety of emergencies. Unlike fire engines, which focus on firefighting tools, or aid vehicles that carry medical supplies, a command vehicle must be versatile enough to handle countless situations. It often arrives on scene first, needing quick access to tools that can prevent small issues from escalating. Additionally, it should be capable of navigating city streets, rough terrain, and challenging weather conditions.

After extensive research, I believe that a pickup truck with a canopy and pull-out unit would best meet our needs. A smaller pickup would struggle with load demands, while a larger vehicle could be too cumbersome for city traffic and tight spaces, such as the coal mine trail or horse park.

I propose that a Ford F250 gas crew cab would be the optimal choice. Gas engines are more reliable in cold weather, and a three-quarter-ton vehicle can tow or carry substantial loads without being too unwieldy for urban driving. The four-door design offers ample space for transporting additional crew members or providing shelter in extreme temperatures. A pull-out unit would allow us to transport contaminated gear without risking cross-contamination, while also offering room for a small water storage area to tackle minor fires.

To support our firefighting operations, last year, a developer made a one-time payment of \$100,000 as part of a development agreement, which was designated for the operations and equipment of the fire department, these are the funds I would be using. I strongly believe that investing in a new vehicle is in the city's best interest, as it would serve us well for at least the next 20 years and adapt to evolving needs. The ability to customize slide units and utilize bed space for equipment will enhance our response capabilities.

Tonight, I've asked Rob to represent the fire service in seeking council support of a budget amendment for the purchase of a new 2024 Ford F250. This situation has become urgent due to the unreliability of our current command vehicle as we head into fall and winter.

I have identified a couple of available base units that could be outfitted to meet our needs and could print them out for you at your request. Thank you for your continued support of the Fire Department.

CITY OF CLE ELUM
Planning Department

AGENDA
STAFF REPORT

AGENDA DATE: September 24, 2024

ACTION REQUESTED: None, Current Planning Update: September 5, 2024 – September 24, 2024

BACKGROUND:

Current Planning Permits:

1. **BLA (boundary line adjustment):**
 - a. BLA-2024-001: Mid Cascade Investment [on hold]
2. **SEPA/PMU:**
 - a. Upper Kittitas County Rec Center, in process
 - b. Kittitas County Search and Rescue, closed record public hearing 9/24
3. **Conditional Use Permit:**
 - a. Dallman, Garage in General Commercial, waiting for HE Decision rendered
4. **Franchise Agreement:** for lighting in City Heights, in progress, waiting for payment
5. **PLP (preliminary long plat) Wildwood Ranch Subdivision:** Preliminary Plat and Development Agreement submitted for review.
6. **Washington State Horse Park:** Site Design Review for improvements to MOS
7. **Permits**
 - a. Site Design Review, TeeLak Thai (SDR-2024-004)
8. **Bullfrog Flats:** Notice of Complete was issued on September 19th, with the Notice of Application being scheduled for October 3rd.
9. 47 North: applications paused

RECOMMENDATION:

None

HANDLING:

City Clerk, Council

ATTACHMENTS:

None

LEAD STAFF:

Colleda Monick, HLA

Council Meetings

Honorable Mayor and council,

- Early yesterday morning, Officers were called to a suspicious person at Storey's Service Station
 - Detained suspect and investigated
 - Recovered 2 stolen trailers from Stories and returned them to the owners
 - Recovered another trailer from Teanaway area stolen from Motortoys in November 2023 w/ KCSO assistance
 - Investigation is ongoing and the suspect was booked
 - Great reminder that if you see something say something
- Drug take back and shred day will be on Oct 19th at the Senior Center from 10AM-2PM
- Public bathrooms are locked using a timer
 - We will continue periodic checks
 - Last time we performed a check we had to remove someone from there
 - Camping ordinance addresses this issue, I also suggested signage at the bathrooms
- I have been working with a boy scout whose Eagle Scout project was replacing our front sign (Zack Arnaud)
 - A lot of hard work by a lot of people
 - Exceeded my expectations
 - Interest from other scouts for more volunteer projects
- We have all of the vehicles we ordered for the year
 - It was a lot of work and patience
 - Thank you for dedicating the funding towards vital and reliable equipment for our Officers

Cle Elum 3rd Qtr Summary

		JUL	AUG	SEPT	3rd Qtr Totals
BOOKINGS					
DUI		2			2
Assault DV					0
Assault					0
Felony Arrests					0
Other Arrests					0
Juvenile Arrest					0
Warrant Arrests					0
					0
TOTAL MONTHLY BOOKINGS					2
TOTAL 2ND HALF BOOKINGS					2
Citations/Infractions					
Traffic Infractions		8			8
Non-Traffic Infractions		0			0
Criminal Traffic Citations		0			0
Criminal Non- Traffic Citations		1			1
DUI Traffic Criminal Citations		2			2
Parking Citations		4			4
MONTHLY CITATION/INFRACTIONS		15	0	0	15

Monthly Report to Cle Elum City Council **3rd Qtr**

	July '24	Aug '24	Sept '24	3rd Qtr TOTAL
Traffic Stops	75			75
DUI	3			3
Domestic Violence	1			1
Assault				0
assault - Child				0
Suicidal				0
Burglary	1			1
Vio of Order	3			3
Mal Misch	2			2
Theft	7			7
Alarm Calls	5			5
Public Assist				
Civil Matter				
Check Welfare	47			47
Overdose				0
Kidnapping				0
Homicide				0
Robbery				0
Stab/Gunshot Wound				0
Animal at Large	7			7
Animal Problems	12			12
Motor Veh Collision	13			
TOTAL CALLS	393			393

Roslyn 3rd Qtr Summary

BOOKINGS			JUL	AUG	SEPT	3rd Qtr Totals
DUI			1			1
Assault DV						0
Assault						0
Felony Arrests						0
Other Arrests			1			1
Juvenile Arrest						0
Warrant Arrests						0
TOTAL MONTHLY BOOKINGS			2	0	0	2
TOTAL 3RD QTR HALF BOOKINGS						
Citations/Infractions			JUL	AUG	SEPT	3rd Qtr Totals
Traffic Infractions						0
Non-Traffic Infractions						0
Criminal Traffic Citations						0
Criminal Non-Traffic Citations			2			2
DUI Traffic Criminal Citations						0
Parking Citations						0
MONTHLY CITATION/INFRACTIONS			2	0	0	2

Monthly Report to Roslyn City Council 3rd Qtr

	July '24	Aug '24	Sept '24	3rd Qtr TOTAL
Traffic Stops	10			10
DUI	1			1
Domestic Violence				
Assault				
assault - Child				
Suicidal				
Burglary				
Vio of Order	2			2
Mal Misch				
Theft	1			1
Alarm Calls	3			3
Public Assist	5			5
Overdose				
Kidnapping				
Homicide				
Robbery				
Stab/Gunshot Wound				
Animal at Large	1			1
Animal Problems	4			4
TOTAL CALLS	105			105
2023 Total Calls	128			128

Cle Elum 3rd Qtr Summary

		JUL	AUG	SEPT	3rd Qtr Totals
BOOKINGS					
DUI		2			2
Assault DV					0
Assault					0
Felony Arrests			2		2
Other Arrests			1		1
Juvenile Arrest					0
Warrant Arrests					0
					0
TOTAL MONTHLY BOOKINGS		2	3	0	5
TOTAL 2ND HALF BOOKINGS					5
Citations/Infractions		JUL	AUG	SEPT	3rd Qtr Totals
Traffic Infractions		8	3		11
Non-Traffic Infractions		0			0
Criminal Traffic Citations		0			0
Criminal Non- Traffic Citations		1			1
DUI Traffic Criminal Citations		2			2
Parking Citations		4			4
MONTHLY CITATION/INFRACTIONS		15	3	0	18

Monthly Report to Cle Elum City Council

3rd Qtr

	July '24	Aug '24	Sept '24	3rd Qtr TOTAL
Traffic Stops	75	39		114
DUI	3			3
Domestic Violence	1	2		3
Assault				0
assault - Child				0
Suicidal				0
Burglary	1			1
Vio of Order	3	1		4
Mal Misch	2			2
Theft	7	4		11
Alarm Calls	5	11		16
Public Assist				
Civil Matter				
Check Welfare	47	37		84
Overdose				0
Kidnapping				0
Homicide				0
Robbery				0
Stab/Gunshot Wound				0
Animal at Large	7	4		11
Animal Problems	12	15		27
Motor Veh Collision	13	7		
TOTAL CALLS	393	328		721

Roslyn 3rd Qtr Summary

	JUL	AUG	SEPT	3rd Qtr Totals
BOOKINGS				
DUI	1	0		1
Assault DV		0		0
Assault		0		0
Felony Arrests		0		0
Other Arrests	1	0		1
Juvenile Arrest		0		0
Warrant Arrests		0		0
				0
TOTAL MONTHLY BOOKINGS	2	0	0	
TOTAL 1Qtr HALF BOOKINGS				2
Citations/Infractions	JUL	AUG	SEPT	3rd Qtr Totals
Traffic Infractions		4		4
Non-Traffic Infractions				0
Criminal Traffic Citations				0
Criminal Non- Traffic Citations	2			2
DUI Traffic Criminal Citations		3		3
Parking Citations				0
MONTHLY CITATION/INFRACTIONS	2	7	0	9

Monthly Report to Roslyn City Council 3rd Qtr

	July '24	Aug '24	Sept '24	3rd Qtr TOTAL
Traffic Stops	10	8		18
DUI	1	3		4
Domestic Violence				
Assault				
assault - Child				
Suicidal				
Burglary				
Vio of Order	2	2		4
Mal Misch				
Theft	1	2		3
Alarm Calls	3	3		6
Public Assist	5	12		17
Overdose				
Kidnapping				
Homicide				
Robbery				
Stab/Gunshot Wound				
Animal at Large	1	3		4
Animal Problems	4	4		8
TOTAL CALLS	105	110		215
2023 Total Calls	128	92		220































Good evening Honorable Mayor and Council Members,

We have had a busy summer at the Carpenter Memorial Library. Tonight, I am here to share a recap of our summer reading program and our current circulation statistics.

Our theme this year was “Adventure Begins at Your Library.” We kicked off our reading program with our Mayor and Adventure Pack give aways. This year we partnered with FISH Community Food Bank to provide children’s sack lunches after the programs. Given our growing population and our rising circulation, we estimated 30 kids might attend. 48 children participated, with a total of 76 attendees.

From our first event to our last, we exceeded expectations with attendance and participation. Our total program attendance was 616. Of that number, 342 were children. Many who came attended multiple programs, and a record number of 111 children signed up and received reading logs. All our programs were well attended; however, nothing can compare to when the Reptile Lady came to the Upper Kittitas County Centennial Center. We offered this event in collaboration with the Roslyn Public Library and both of our Friends of the Library groups who provided the funds. At final count, 253 people were in attendance. The Reptile program was LOUD, wild, and the kids had a blast. Over 150 kids showed up with their families and quite a few adults came to enjoy the show on their own. This event inspired both of your Upper County libraries to continue to collaborate to host larger scale special events as part of our summer reading program.

Apart from the Reptile event, our other programing was presented by volunteers. It was rewarding to partner with many members of our community to bring their experiences and knowledge to children at the library. We appreciate everyone who participated, including:

- Mayor Lundh who helped kick off things with a special storytime
- Shaine Gorham and Windy Bend Farm
- Mikki Douglas and members of the Northwest Sled Dog Association and their dogs
- The caretakers of the chimpanzees at the Chimpanzee Sanctuary Northwest.
- Erin Wampole from the Washington Department of Fish and Wildlife
- Cecile Lancaster from FISH who reached out to us to provide free lunches to the children. And Jen the site coordinator in upper county who adapted to the unexpectedly large turnouts. According to FISH, the library was the busiest of their daily meal sites in Upper County.
- A special thank you to Chief Ed Mills and the Cle Elum Volunteer Fire department. Chief Mills organized and implemented a fun “Adventure at the Fire Station” program, that was attended by over 50 children. He also assisted me throughout the program and made the station and the bay accessible to our everchanging needs. Without his cooperation and the availability of the fire station, we could not offer these types of programs. Our library simply does not have the space.

Our total year to date circulation (# of physical items checked out) is up 7% and new borrowers are up 10%. However, our busiest month, July, saw an increase in circulation of 33% from last year and an increase of 93% for new borrowers. Our total circulation for the months of June - August was up 18% and new borrowers increased 25%. We register a lot of families on a single card, so these numbers are deceptively low.

Our library also circulates digital materials through a contract with the Washington Anytime Library, more commonly known as the Libby app. We only receive statistics annually from the Washington State Library, so these numbers are not current for 2024. But in 2023, we saw a rise in the circulation of digital materials of 32% from 2022. Access to these materials is funded out of our library budget, as are physical library materials.

I also want to recognize and thank the Board of County Commissioners. Every year the county library directors solicit funding from the county commissioners to support library services for unincorporated residents. The past several years, **the directors of the 3 smaller libraries** have also asked for additional funding to hire a Summer Reading Coordinator. This position has been an invaluable addition during the busiest time of year. This year I was fortunate to manage the summer reading program.

Lastly, I want to show our appreciation for our volunteers and the Friends of the Cle Elum Library for their time and for donating funds towards programing, prizes and extra materials. The Friends of the Library are a 501c3 non-profit dedicated to enhancing library services for the better of the community. Donations to the Friends of the Library are used to fund supplemental library materials and programs. This year we had 2 members of the community raise funds for the Friends of the Library and summer reading. We gratefully recognize Finn Medalen, who's lemonade stand raised \$266 and Polly Wolf who raised \$100 with her bake sale proceeds from the Roads of Wonder. Contributions large and small from the community, really do support your local library and help us provide more engaging programing, and materials for our growing community.

Thank you for your support.





























City of Cle Elum – City Council Report

September 2024



BOO-ELUM

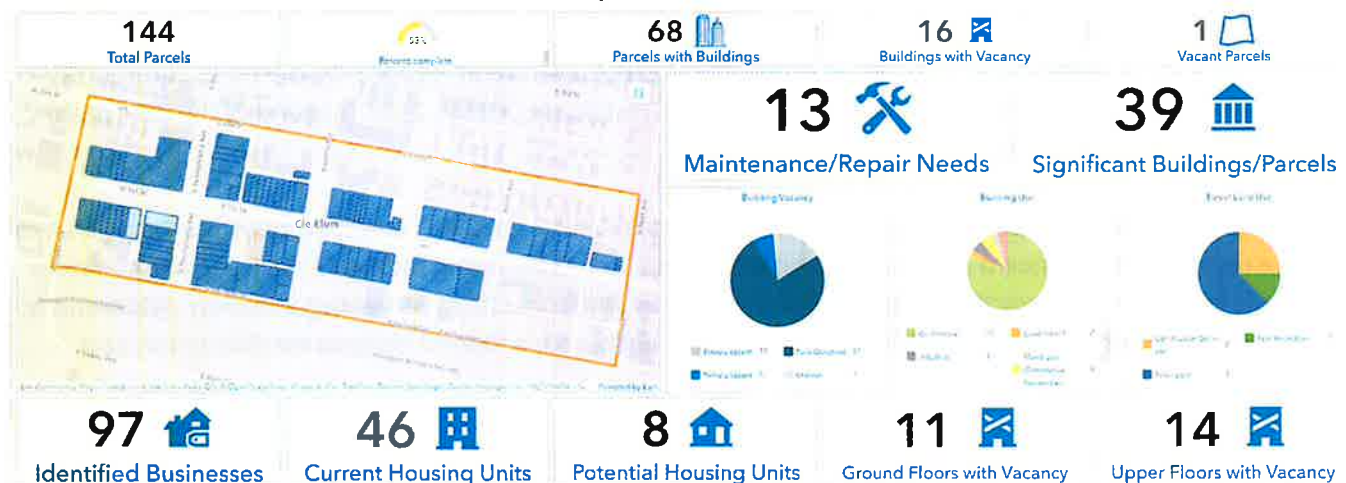
WSDOT has approved our application for Boo-Elum. Sponsorship opportunities opened on August 30. Trunk-or-Treat registration will open October 1 and will close October 28, 2024.

CHRISTMAS IN CLE ELUM

WSDOT has approved our application for the Lighted Christmas in Cle Elum Parade. Sponsorship opportunities opened on August 30. Parade registration will open November 1 and will close November 30, 2024.

BOOMS TRACKER

Approximately 54% of our downtown core has been inventoried, which has led to some interesting findings, including 144 parcels, 97 identified businesses, 8 potential housing units, 46 current housing units and a number in need of maintenance/repair.



Entering and obtaining this information has proven to be a labor-intensive process, however, Kaylee and I are hoping to have this completed and in a maintenance status, by the end of October.

We are hopeful that the information provided through the BOOMS Tracker will help with the reinstatement of Cle Elum's Certified Local Government (CLG) status and the associated grant process.

I-90 SIGNAGE

The Cle Elum Downtown Association was approached by Mayor Lundh and Brian White (WSDOT), about a concern regarding traffic diverting off I-90 during high traffic times, detouring through residential neighborhoods. There is discussion about putting signage on I-90 to discourage travelers from exiting – however there is concern about what impact this would have on our business community. The Cle Elum Downtown Association has suggested that Brian White (WSDOT) join us at a City Council meeting to discuss this and follow-up with a survey/poll to the business community in Cle Elum to get some feedback.

OPEN DURING CONSTRUCTION

Reminder: The Cle Elum Downtown Association has "Open During Construction" signs in our office for the businesses and they were provided courtesy of Public Works, please be respectful of these signs. If you

would like to borrow a sign, please coordinate with Public Works and/or CEDA. We ask that you place the sign INSIDE of a window and please coordinate returning the sign post-work and construction.

KITTITAS COUNTY LODGING TAX

2025 Applications were due to the county on Friday, September 20, 2024 at 4:00PM.

2025 Oral Presentations Friday, November 22, 2024

2024 Reimbursement requests are due by Friday, January 10, 2025.

2024 PLACES CONFERENCE – WALLA WALLA

Main Street Washington hosts an annual conference for Main Street communities, this year it is in Walla Walla! “At this unique conference focused on the continued care of place through historic preservation, placemaking, and economic vitality, we’ll deep dive into creative ideas, connect with likeminded place professionals from around the state, and inspire each other with thoughtful questions and innovative solutions.” [Preservewa.org/conference](https://preservewa.org/conference)

PLACES will take place: Oct 16-18, 2024 (CEDA office will be closed during this time).

MAIN STREET TAX CREDIT INCENTIVE PROGRAM

Due to a change in legislation for the Main Street Tax Credit Incentive Program (MSTCIP), the community cap is going up from \$213,333.33 to \$333,333.33 for Q3, beginning Oct 1, 2024 (assuming the \$5M state cap has not been reached by then).

MSTCIP provides a Business & Occupation (B&O) or Public Utility Tax (PUT) credit for contributions given to eligible organizations. Once a request for credit is approved by the Department of Revenue, that business is eligible for a tax credit worth 75% of the contribution to your local Main Street organization. Additionally, if your downtown organization is a 501(c)3 you may be eligible for a federal income tax deduction as a charitable contribution.

Direct your taxes straight back into your community by participating in the Washington State Main Street Tax Credit Incentive Program. Good for you, and good for Cle Elum!



Example:

If you give \$1,000.00 to a local Main Street community in 2024 you will receive a \$750.00 tax credit in 2025.

For more information, please reach out or visit: [Washington Trust for Historic Preservation — Main Street Tax Credit Incentive Program](https://www.washingtontrustforhistoricpreservation.org/main-street-tax-credit-incentive-program) (preservewa.org)

SIDEWALK IMPROVEMENT PROJECT

The final phase of the sidewalk project is projected to be completed by the end of this season! We appreciate everyone’s continued support and patience with this project and look forward to the end result. Reminder everyone to respect traffic cones and revisions – we know it can be frustrating, but please do not throw the cones or run them over (we have watched this from our office, and in DT restaurants multiple times) - these are there for safety and as a requirement of the job. Public PSA: Please reach out to the City of Cle Elum directly for more information on striping, angled parking (projected for Spring 2025) or any other project related questions.

ROOFTOP LIGHTS – DT CLE ELUM

Brothers Holiday Lighting was in Downtown Cle Elum on Thursday, 9/12/2024 to service our rooftop lights. Please ensure that your lights are plugged in and (if applicable) any switches that control the outlet that they are plugged into are in the ON position for the duration of the Fall and Winter months.

The Cle Elum DTA Design Committee is working with Trimlight (featured on Gemini Fish Market) for a new rooftop lighting experience. These are controlled by an app and can be synced to music or other light bars (TrimLight) on adjacent buildings.

MAIN STREET TAX CREDIT INCENTIVE PROGRAM



The Main Street Tax Credit Incentive Program provides a Business & Occupation (B&O) or Public Utility Tax (PUT) credit for contributions given to eligible organizations. Once a request for credit is approved by the Department of Revenue, that business is eligible for a tax credit worth 75% of the contribution to your local Main Street organization. Additionally, if your downtown organization is a 501(c)(3) you may be eligible for a federal income tax deduction as a charitable contribution.

Businesses can also contribute to the Main Street Trust Fund, which supports downtown revitalization across the state. Building capacity for the statewide program provides services to existing and future downtown organizations. Like contributions to local Main Street organizations, the tax credit is worth 75% of your contribution. Businesses can contribute to both a local Main Street organization and the Main Street Trust Fund. In fact, a business can donate to multiple organizations (including the Trust Fund) up to \$250,000. Each eligible organization also has a cap on how much they can receive.

There is a state cap on the Main Street Tax Credit of \$5 million per year, so don't delay in making your application! The first day to apply is the second Monday in January.

Direct your taxes straight back into your community by participating in the Washington State Main Street Tax Credit Incentive Program. Good for you, and good for your community!



HOW DO YOU ACTUALLY GET THE TAX CREDIT?

- The business must be registered to file their state excise tax electronically.
- A request for credit must be filled out and submitted online at: www.dor.wa.gov
- Make your contribution directly to the Main Street organization. The contribution can be spread out throughout the calendar year, but the full contribution must be made by November 15.
- The business must take the tax credit the year after the contribution is made. Also, the tax credit can't be carried forward and there won't be a refund for any credit above and beyond the tax liability of the business.

**THANK YOU FOR SUPPORTING
WASHINGTON'S MAIN STREETS!**

preservewa.org/taxcredit

Check out our website for the Main Street Tax Credit
FAQ and feel free to call or send an email:

taxcredit@preservewa.org

206-624-9449



Since 1984, the Washington State Main Street Program (WSMSP) has been helping communities revitalize the economy, appearance, and image of their downtown commercial districts using the National Trust for Historic Preservation's successful Main Street Approach. Main Street is a comprehensive, incremental approach to revitalization built around a community's unique heritage and attributes. Using local resources and initiative, the state program helps communities develop their own strategies to stimulate long-term economic growth and pride in the heart of the community downtown.

In 2010, Washington's Main Street Program was moved from the Department of Commerce to the Department of Archaeology & Historic Preservation. The program is managed, under contract, by the Washington Trust for Historic Preservation.

FINANCIAL INCENTIVES FOR YOUR HISTORIC PROPERTY



Among the many ways to finance rehabilitation, there are two major tax incentive programs available to historic buildings in Washington state: the Federal Historic Rehabilitation Tax Credit and Special Valuation.

The **Federal Historic Rehabilitation Tax Credit Program (HTC)** supports the rehabilitation of historic structures of every period, size, style, and type. This program can provide a tax credit for 20% of the amount spent on a substantial rehabilitation project that results in an income-producing property. These credits provide a dollar-for-dollar reduction on an owner's tax liability, and can help to cover the extra costs of doing faithful historic rehabilitation work.

- **Eligible projects:** Income-producing buildings listed or eligible for listing* in the National Register of Historic Places, as well as contributing buildings in a National Register-listed historic district. (Note: *Building or district must ultimately be listed in the National Register before the tax credit can be realized.)
- **How to apply:** The best first step is to contact the Department of Archaeology and Historic Preservation (DAHP) and discuss certified historic status and planned rehabilitation of the building.

Be sure to connect with your community's local Main Street organization to see if there are local resources, networks, funders, or initiatives that can help to elevate your project and take it across the finish line!



Often working hand-in-hand with Federal Historic Rehabilitation Tax credits, **Special Valuation** is a statewide tax incentive program typically managed at the local level. It provides a 10-year tax break that reduces property tax liability by effectively lowering the assessed value by the total qualifying rehabilitation costs of the project. In order to take advantage of this program, rehabilitation costs (or "qualified expenditures") need to be at least 25% of the assessed value of the structure prior to rehabilitation. This might sound daunting, but the value of the structure does not include the value of the land. In addition, the "qualified expenditures" can be soft or hard development costs of the whole project, beyond work completed on historic character-defining features.

- **Eligible buildings:** Income-producing and private residential historic buildings listed in a local register (e.g., those that meet the definition of a "Historic Property" defined in local ordinance)
- **How to apply:** Applying for Special Valuation is done at the municipal level with approval from a Historic Preservation Commission or local review board. Filing an application with the assessor's office should be done no later than two years after beginning the rehabilitation work.

WANT TO LEARN MORE?

preservewa.org/historic-property-resource-guide

To learn more about eligibility, application processes, and other financing tools and funding sources, access our full Historic Property Resource Guide online at the URL above, and visit the Washington State Department of Archaeology and Historic Preservation's grant directory at dahp.wa.gov/grants



Since 1984, the Washington State Main Street Program (WSMSP) has been helping communities revitalize the economy, appearance, and image of their downtown commercial districts using the National Trust for Historic Preservation's successful Main Street Approach. Main Street is a comprehensive, incremental approach to revitalization built around a community's unique heritage and attributes. Using local resources and initiative, the state program helps communities develop their own strategies to stimulate long-term economic growth and pride in the heart of the community downtown. The Washington State Main Street Program is a program of the Department of Archaeology & Historic Preservation and is managed, under contract, by the Washington Trust for Historic Preservation.

I-90 City of Cle Elum

Cle Elum City Council Meeting

W. Brian White PE
South Central Region Administrator

Sept. 24, 2024

South Central Region



South Central Region

Overview



- 3,127 Lane Miles
- Maintain 38% of Concrete Lanes in the State
- 493 State-Owned Bridges
- 3 Major Mountain Passes
- 6 WSDOT-Operated Airports
- 9 Transit Systems
- 7 Miles Dedicated Bike Lanes



Kittitas County

Visitor Economic Impact

- Tourism generates **\$23.9 billion** in visitor spending in Washington State.
- Kittitas County generates just over **\$200 million**.
- Tourist revenue is primarily generated from lodging, dining, and recreational activities along with job creation in sectors like hospitality and retail.
- Kittitas County welcomes just over **830,000 visitors** annually.
- Most visitors stop in Kittitas County for outdoor recreation, nature, agriculture, museums, historical districts, arts, crafts and events.



Kittitas County

Traveler Destinations

- Drivers traveling through Kittitas County often pass through the area as part of longer journeys due to its location along I-90.
- Common final destinations of these drivers include:
 - Puget Sound Region (Seattle/Tacoma)
 - Spokane and Eastern Washington
 - Central Washington (Yakima, Wenatchee)
 - Recreational Destinations (Snoqualmie Pass, Lake Chelan)
 - Cross-Country (Idaho, Montana, Midwest, Northeast)
- Kittitas County's location along I-90 makes it a crossroads for a variety of regional and national destinations.



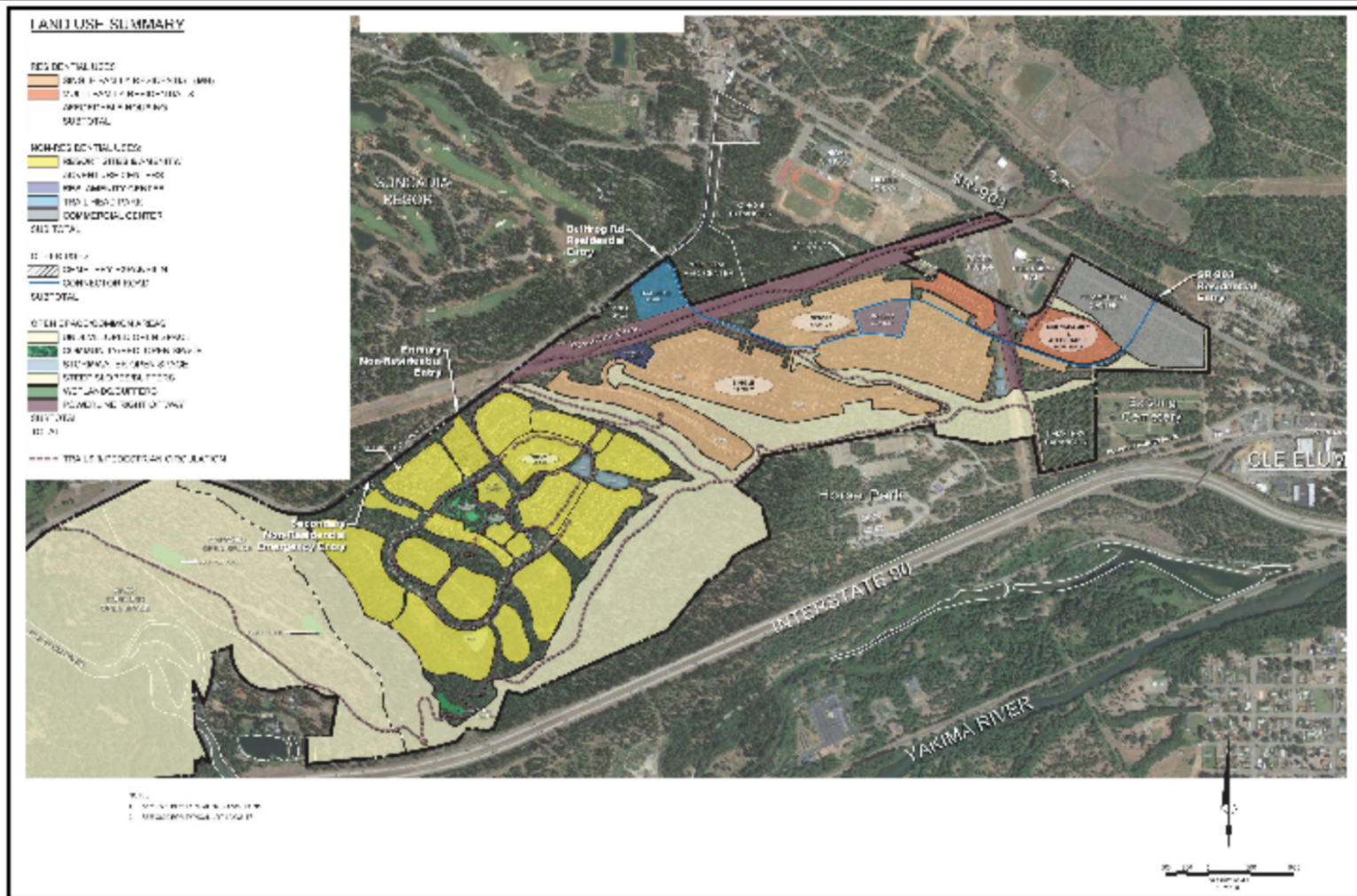
Kittitas County

Central Washington University Impact

- CWU has a significant economic, social and cultural impact on Kittitas County.
- CWU is the largest employer in the county providing jobs for faculty, staff and students, which stimulates the local economy by increasing demand for housing, goods and services.
- Student spending contributes to millions in direct spending, benefiting local businesses such as restaurants retail stores and rental housing.
- CWU has driven demand for housing, both on campus and in surrounding neighborhoods, leading to rental market growth.

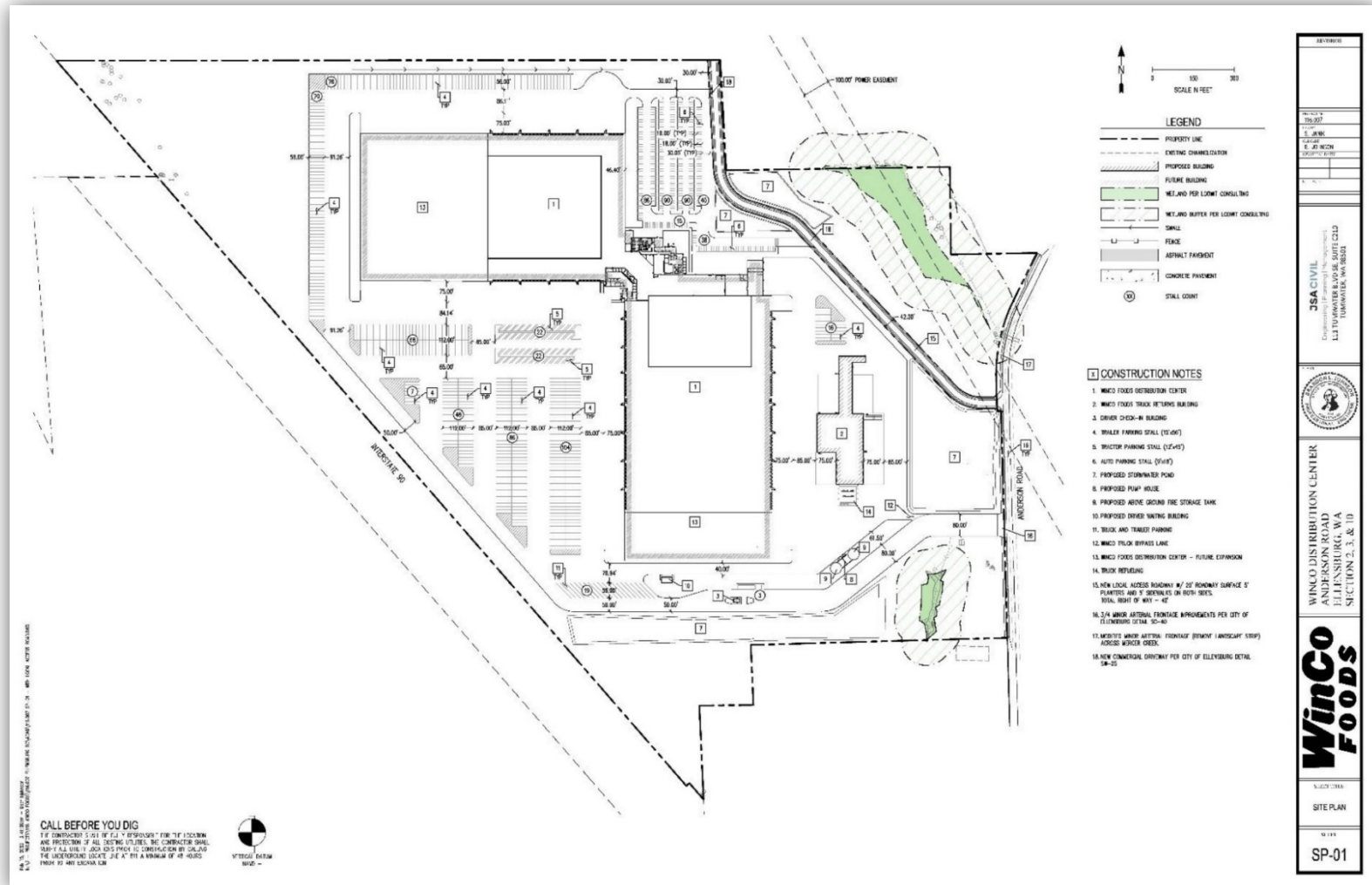


Development 47 North Proposal



Development

Ellensburg WinCo Foods



Kittitas County

Traffic Study



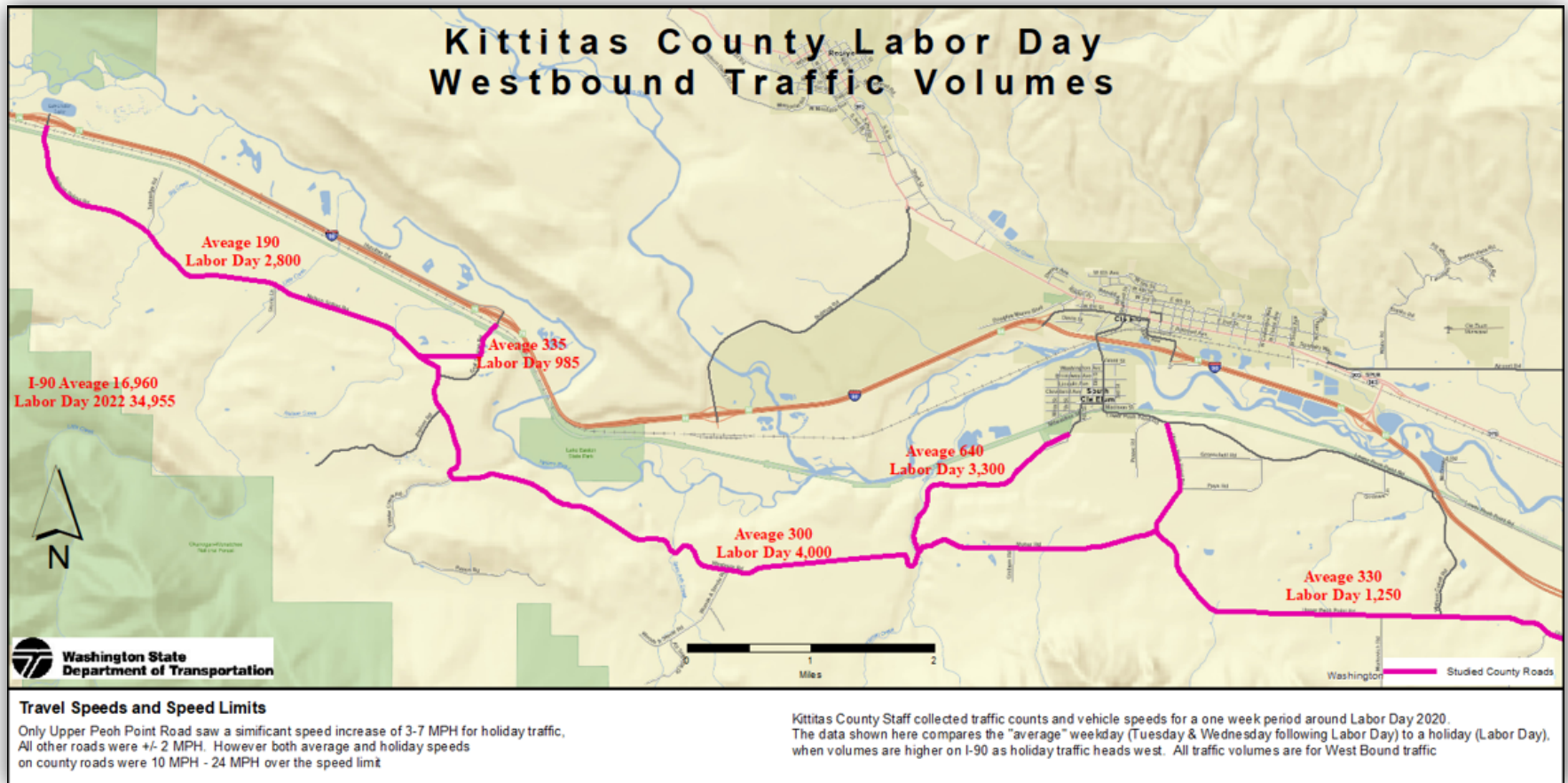
UPPER COUNTY TRAFFIC COMMITTEE: TRAFFIC CALMING

August 19, 2020

FEHR & PEERS

Kittitas County

Labor Day Traffic Volumes - Westbound



Kittitas County

Traffic Study – Device Recommendations

Device Type	Location	Quantity
School Zone Pavement Markings	Railroad Street, Easton	2 markings
Lane Narrowing (<i>outside line brought towards center</i>)	- Nelson Siding Rd – 2 location - Westside Rd – 1 Location	2.2 centerline miles 4.4 centerline miles
Widened Centerlines (<i>18" solid yellow</i>)	Westside Rd – 2 locations	1.56 miles
Blind Curve Signs	Westside Rd – 2 locations	4 signs
Speed Limit Pavement Markings	Westside Rd – 2 locations	2 markings
Advisory Speed Signs	Westside Rd – 4 locations	8 signs
Speed Feedback (Radar) Signs	- Nelson Siding Rd – 1 Location - Westside Rd – 1 Location - Upper Peoh Point Rd – 1 Location	6 signs
“Drive Like You Live Here” Signs	Individual Property Owners	Approximately 175 signs

Kittitas County

Signs to keep traffic on I-90



**DON'T TRUST GPS
STAY ON I-90**

Sign posted at Old Vantage Highway.



**LOCAL ACCESS
ONLY
STAY ON I-90**

Sign posted on I-90 Kittitas at the eastbound off-ramp.

Business Survey

Potential Questions

- On which days of the week do you notice the greatest impact from I-90 detour traffic?
- During what time of day is your business most affected by detour traffic?
- Is your business impacted more by detour traffic during specific seasons?
- Do you experience specific holidays or events where detour traffic from I-90 significantly impacts your business?
- How long does the peak impact period of detouring traffic typically last?
- Would you support signs on I-90 to help reduce detour traffic during summer holiday weekends?

South Central Region

Contact Information

Brian White, P.E.

Region Administrator

South Central Region

Washington State Department of Transportation

509-577-1700

Cle Elum Climate Element

Progress Report

and

Summary of Identified Hazards

Process

- Kickoff Meeting – April 9, 2024
- Climate Policy Advisory Team (CPAT)
- Public Engagement Strategy
- Draft Climate Resiliency Element
- Adoption

Figure 2: Climate Element Guidance

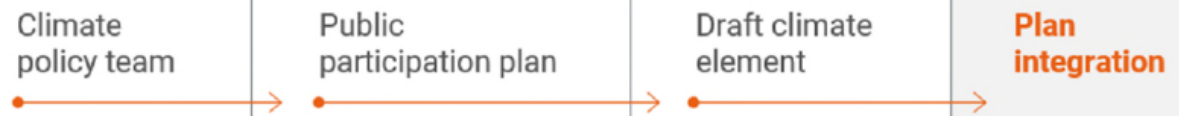


Figure: Dept. of Commerce Climate Element Planning Guidance – Dec. 2023

Climate Policy Advisory Team

- 4 Members: Jon Cornelius, Sharon Stuart, Ingrid Vimont, Phil Hess (Advisory)
- Meetings:
 - June 17, 2024
 - Introductions and Review Process
 - July 22, 2024
 - Review and Rank Identified Climate Hazards
 - Review and Recommend Public Engagement Plan
 - August 21, 2024
 - Brainstorm Materials and FAQ for 09/24/24 Meeting at Sr. Center

Public Engagement

- Public Engagement Plan Adopted 08/13/24
- Public Meeting at Senior Center 09/24/24
- Webpage is live and includes new documents when ready for public review
- FAQ and Posterboards

City of Cle Elum Climate Element FAQ

The City of Cle Elum is developing a Climate Element for its Comprehensive Plan. The Climate Policy Advisory Team (CPAT) is working with the consultant team at HLA Engineering and Land Surveying, Inc to develop the plan in conformance with state requirements.



1. Why is Cle Elum creating a Climate Element?

The Washington State legislature passed House Bill 1181 in 2023 which requires municipalities to add a climate chapter, addressing climate resilience, to their comprehensive plan.

2. What is a Comprehensive Plan?

The Comprehensive Plan is a requirement of the Washington State Growth Management Act. It is a 20-year plan to outline the future growth of the city, based on future population, housing, land use, capital facilities, and other projections.

3. What is Climate Resilience?

Climate Resilience is the process of anticipating, preparing for, and adapting to changes in the climate and minimizing negative impacts to natural systems, infrastructure, and communities.

4. What is the Planning Area and Timeline?

The planning area is the Cle Elum City limits. The timeline to create the Climate Element of the Comprehensive Plan is June 2025, based on grant requirements.

5. What Climate impacts are projected for Cle Elum?

The CPAT is reviewing potential impacts related to Wildfires, Drought, Heat, Flooding, and Precipitation.

6. Can I keep my Gas Stove?

Yes! The recent conversations and edits to the building code regarding gas stoves and appliances is not a component of this project. Those changes were made by the Washington State Building Code Council – <https://sbcc.wa.gov>. Nothing in the Climate Element will reference a prohibition on gas appliances or a requirement to retrofit existing structures to remove gas appliances.

7. Why is this important?

Developing a Climate Element is a state mandate, and the CPAT acknowledges that may not sit well with some Cle Elum residents. However, since we do need to complete this work, we want to draft something that is relevant to the needs of Cle Elum.

The creation of the Climate Element will maintain the city's compliance with the Growth Management Act which in turn will allow for the city to pursue grant funding for future implementation projects.

8. What projects?

This is where we need your help. We want to include goals and policies to support future projects that will help Cle Elum grow and prosper. One such project the CPAT has discussed is the creation of a Community Wildfire Protection Plan (CWPP).

9. How will this impact me?

This project will create a Climate Element of the Comprehensive Plan that will include goals and policies for the City to potentially implement in the future, if funding is available. Some items that the Advisory Team has discussed are policies to create/develop Evacuation Routes, Identify funding for Backup Communications and Medical Plans, and developing a city-focused Community Wildfire Protection Plan. The Climate Element will not require the citizens of Cle Elum to endure any financial hardships such as installing EV chargers or Solar Panels in their home.

10. What do you need from me and when do you need it?

The development of the Climate Element is an open process and we want your comments and suggestions. Public engagement is an important component of this project, and at the end of the process, we want to develop a Climate Element that suits the needs of Cle Elum.

Public comment can be submitted anytime at the contact information below. There will also be opportunities to attend public meetings and hearings which will be scheduled in the future.

11. What impact does my feedback have?

All comments and feedback will be compiled into an appendix of the Climate Element. The comments will be reviewed by staff, the CPAT, and the City Council, and will help to shape the final document.

12. How can I stay informed?

Updates will be provided on the project website, when available - <https://cleelum.gov/climate-commitment/>

If you have any questions, please contact planning@cleelum.gov

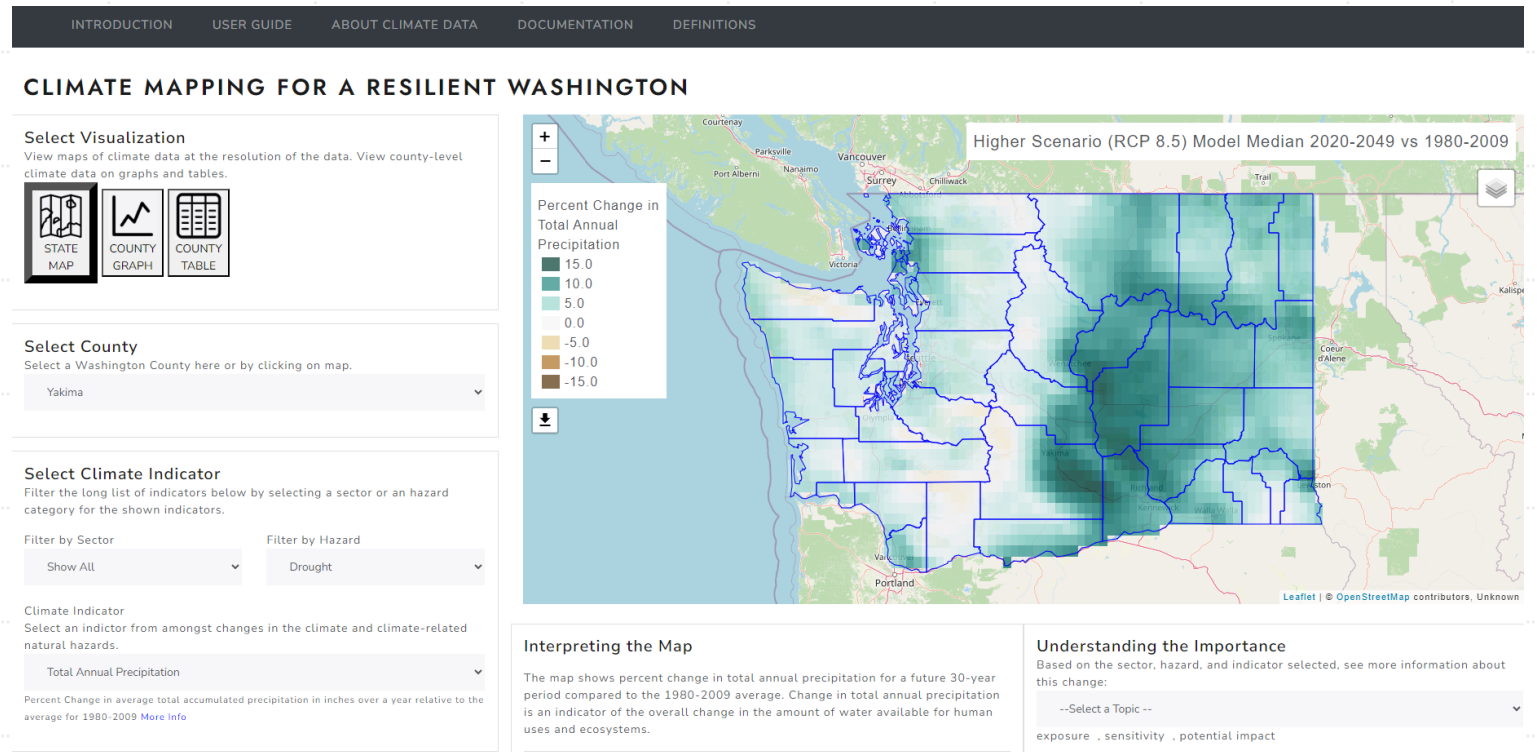


The WA Department of Commerce climate planning grant is supported with funding from Washington's Climate Commitment Act. The CCA supports Washington's climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov.

UW Climate Mapping Tool

The University of Washington College of the Environment has created an online “Climate Mapping for a Resilient Washington” webtool that includes data and information on the expected changes in the climate and related natural hazards that can be customized for hazard- and sector-specific climate impacts. The selected data is then presented by explaining the exposure, sensitivity, and potential impact of any particular hazard as it relates to the following ranked sectors:

- Emergency Management
- Agriculture/Forestry
- Water Resources
- Transportation
- Human Health
- Economic Development
- Buildings and Energy
- Waste Management
- Zoning and Development
- Ecosystems
- Cultural Resources and Practices



[Washington County Climate Projections \(uw.edu\)](https://uw.edu/washington-county-climate-projections)

Using the Tool

The webtool is very user-friendly and available for the public to identify and learn more about climate hazards. The different hazards can be selected through a drop-down filter, and each hazard has its own set of climate indicators. These can also be filtered by sector. For mapping future projections, we used the higher scenario and a time horizon of 2020-2049. The generate map can be downloaded for future use and analysis, and additional narrative information is also available.

Select Climate Indicator

Filter the long list of indicators below by selecting a sector or an hazard category for the shown indicators.

Filter by Sector ⓘ

Show All

Filter by Hazard

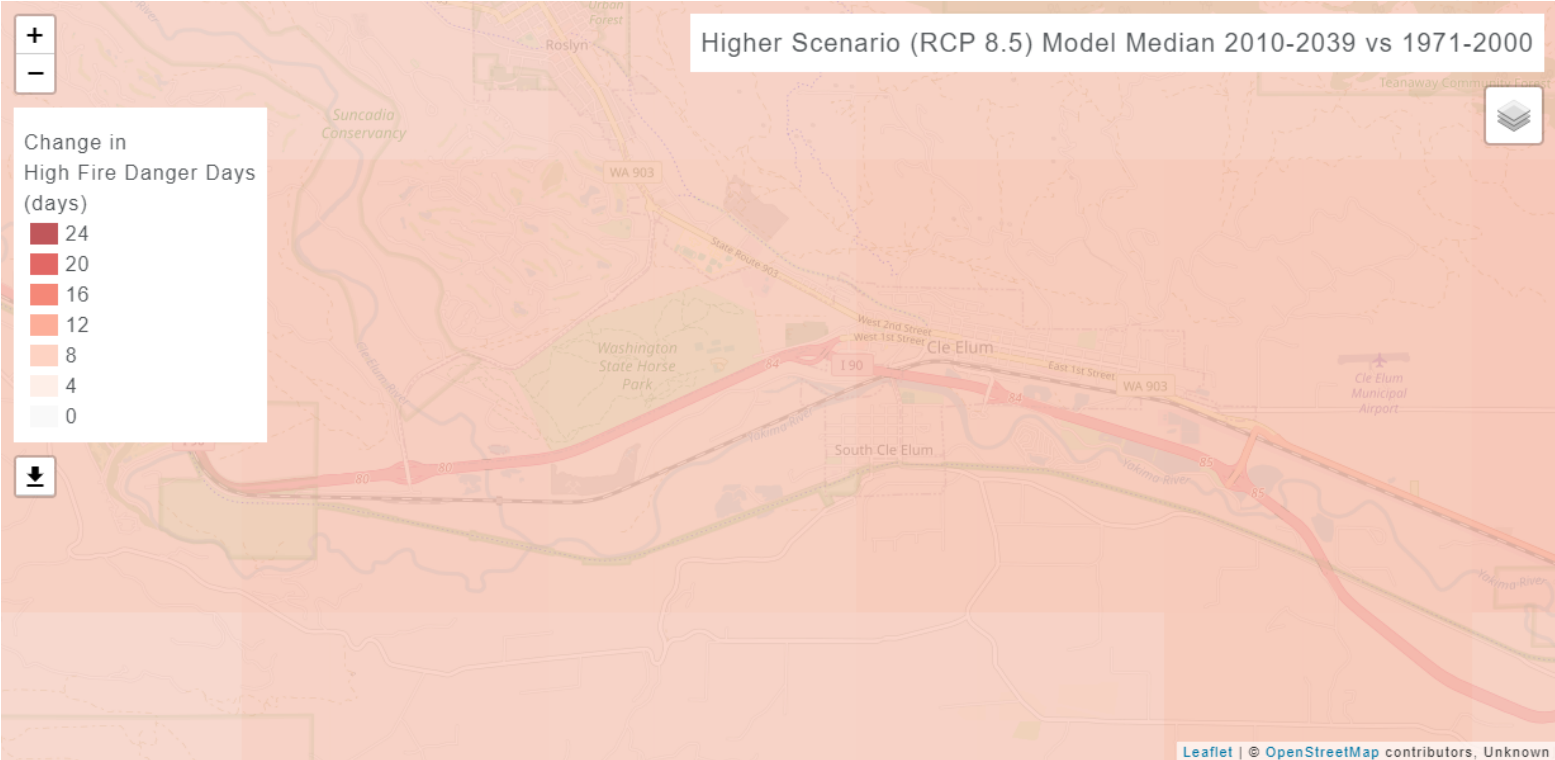
Wildfire

Climate Indicator

Select an indicator from amongst changes in the climate and climate-related natural hazards.

Wildfire Danger

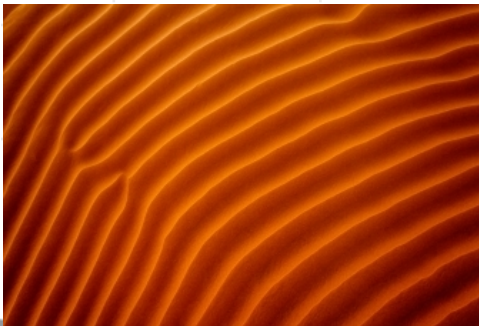
Change in the number of days per year, relative to 1971 - 2000, with high fire potential based on dry fuels, fuel moisture below the 20th percentile. [More Info](#)



[Washington County Climate Projections \(uw.edu\)](#)

Ranked Hazards in Cle Elum

- Wildfire
- Drought
- Extreme Heat
- Flooding
- Extreme Precipitation



City of Cle Elum Climate Element Identified Hazards



Source: Seattle PI, Cle Elum Wildfire burns 70 homes, buildings—2012

Wildfire—Wildfire activity has a direct effect on Cle Elum due to its proximity to forest lands in the Cle Elum Ranger District. Nearby wildfires can cause a direct impact to city operation and daily life.

Impacts:

- Business Interruption
- Limited Outdoor Activities
- Health Hazards: Smoke and Heat
- Loss of buildings and Infrastructure

Ideas:

- Community Wildfire Protection Plan
- Identify Evacuation Routes
- Increase Emergency Notifications
- Develop Backup Medical Plans

Drought—Drought looks at changes in precipitation patterns throughout the year and the subsequent effect on available water supplies. Reduced snowpack in the winter can translate to decreased streamflows in the summer, and less available water for municipal use.

Impacts:

- Increased Demand for Water Usage
- Lower Streamflows
- Increased Need for Emergency Services

Ideas:

- Encourage Low-Impact Development
- Include Drought-Resistant Vegetation in City Projects, Where Feasible



Source: Apple Valley News Now: \$5 million federal grant to mitigate drought in Cle Elum Reservoir—2020



For more information, visit <https://cleelum.gov/climate-commitment/>

Send comments to planning@cleelum.gov



"The WA Department of Commerce climate planning grant is supported with funding from Washington's Climate Commitment Act. The CCA supports Washington's climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov."

City of Cle Elum Climate Element Identified Hazards



Source: Cle Elum Downtown Association: Pioneer Days—2024

Extreme Heat—Extreme Heat is an indicator on heat stress for people, ecosystems and Infrastructure.

Impacts:

- Damaged Vegetation and Infrastructure
- Increased Demand on Emergency Services—Heat Stroke, Exhaustion
- Greater Demand for Air Conditioning and Cooling

Ideas:

- Grant Opportunities to Increase Air Conditioning Efficiency
- Shade Structures/Trees in Parks and Along Pedestrian Routes

Flooding/Extreme Precipitation—

Flooding looks at increases in annual peak streamflows and the return interval of the 25-year storm.

Extreme Precipitation looks at changes in the intensity of precipitation on the built environment.

Impacts:

- Increased Infrastructure and Property Damage
- Increased Demand for Emergency Services
- Service Delays and Alteration of Normal Travel Routes

Ideas:

- Enhanced Emergency Management Notifications
- Development Controls in Flood-Prone Areas
- Increased Stormwater Capacity Requirements



Source: Ellensburg Daily Record/Cameron Porter—Twenney River on Red Bridge Road—2018



For more information, visit <https://cleelum.gov/climate-commitment/>

Send comments to planning@cleelum.gov



"The WA Department of Commerce climate planning grant is supported with funding from Washington's Climate Commitment Act. The CCA supports Washington's climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov."

Next Steps

- Develop Goals and Policies to address Identified Hazards

- Ideas:

- Develop a Community Wildfire Protection Plan
- Identify Evacuation Routes
- Encourage Low-Impact Development
- Provide shade structures/trees in parks and along pedestrian routes
- Enhance Emergency Management Notifications

- Finalize Vision Statement:

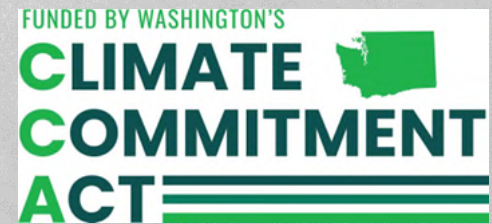
“Proactively support goals and policies that contribute to a more sustainable and resilient city. Cle Elum recognizes its history as an Era Town and is taking steps in the present to ensure that future generations can celebrate this important cultural and historic heritage.”

- Future Public Engagement Opportunities

- Meeting to further examine identified hazards
- Meeting to discuss and review potential goals and policies
- SEPA Review
- Meeting and Hearing to review draft Climate Element

Cle Elum Climate Element

September 24, 2024



"The WA Department of Commerce climate planning grant is supported with funding from Washington's Climate Commitment Act. The CCA supports Washington's climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov." Page 98 of 310

To: Mayor Lundh, City Council, City Treasurer, Public Works

From: Gary Berndt

CC: Upper Kittitas Co. Rotary, Cle Elum Downtown Association

Subject: Tree trimming and maintenance at Flagpole Park

I have held a long term interest in the development of Flagpole Park and recently the Rotary Club has supported “adopting” the park. It was brought to my attention that many of the 32 trees in the Flagpole Park are in need of significant maintenance and some potentially to be removed or re-located.

I spoke with the CEDA Director with regard to the holiday lighting after Mayor Lundh suggested to me that it has been increasingly difficult and costly as the trees keep getting larger. I contacted a local person who has advised our Rotary Club on previous tree issues and who was not interested in the actual work. We prepared a list of the top 10 trees as identified as a priority for lighting and developed the attached list. This work can be accomplished fairly quickly and I will provide the quote as needed to the City. The project should be within current limits for City authority.

I spoke with both Aaron Barr and Robin Newcomb regarding how to approach the needed work and complying with City protocols. I then contacted a licensed tree maintenance company to seek both input and a quote for the work. This is the outcome of all those prerequisites:

- The work needs to happen between when the trees stop producing sap and the timing of light installation... basically the last weeks of October or early November
- The contractor provides all work including cleanup under the supervision of the City.
- The contractor and the City will agree on each of the trees at the time of the work.
- Equipment will be generally restricted from damaging the grass, irrigation system and the wiring that has been installed.
- There is no requirement for multiple bids on maintenance and the City has some set aside funds for urban tree work.
- There is one large, but unappealing Ponderosa Pine tree that needs to be removed. It interferes with the trees adjacent to it. The Contractor is capable and comfortable with removing this tree.
- There is also one additional small spruce tree near Stella’s that should be removed. The tree is not healthy and competes with healthier trees.
- City requires “hold harmless”
- The Public Works representative will have the responsibility of approving or disapproving payment at the completion of the project.
- There will be 2 logs created by the Pine removal that Public Works will remove from the site

This project should treat roughly half the trees in Flagpole Park and the City could choose to complete the remaining trees next spring (2025) or next fall as it sees fit.

Holiday Tree Top 10 for treatment 2024

These trees at Flagpole Park were prioritized for most important for pruning/limbing by the Downtown Business Group.

The trees were examined by Debbie Cernick, Master Gardener and arborist, and Gary Berndt. Debbie was reluctant to place a “cost” but we did attempt to agree on a rough cost for each tree based on its comparable needs.

General contract concerns are:

- All activity related debris is to be cleaned and the site left as original
- Limbing needs to leave approximately 1” of the branch to avoid cutting or damaging the bark on the bole of the tree
- Contractor must be certified and bonded
- City should require 10% holdback if partial payments are allowed. To insure cleanup and post treatment inspection
- The accompanying map will show the trees according to lettering provided by the Downtown association and should be provided to the contractor
- All activities should have city oversight on the site during all activities.
- Timing of the contract must fit with decoration schedule in 2024
- Safety zones need to be established unless the park is closed. For public safety
- Contractor is self employed and insured city held harmless for all claims arising
- Wheel or track equipment must use extreme caution to avoid damage to the sod

TREES:

- Tree “E” a Maple Tree adjacent to the parking area and large sign. Work needed; prune from the bottom limbs up to the first “split or crotch” some pruning to shape the tree approximately 1-2 hours including cleanup
- Tree “D” closest tree to the large sign prune to a 13 foot height only. This will open the sign. Estimate 1 hour
- Trees F-J are a cluster of 6 trees Maple and Spruce. These are too tight and one Spruce should be removed the remaining trees need to be pruned to 13 feet above ground level. Some limb pruning is possible depending on which tree may be removed Estimate 6-8 hours including cleanup
- Tree “C” Small and excessively thick Hawthorne tree. This will require either a small hand saw or small chainsaw to thin out stems above the bole Time estimate is 2-3 hours ... Hawthornes have Thorns !
- Tree “A” Large Ponderosa Pine . remove limbs up 2-3 whorls of very large limbs and prune long limbs to 15-20 feet. Estimate 3 hours work very large limbs require handling

- Tree **“V”** Small Maple requires some bottom limb removal and removing the top at approximately 25 feet to allow the tree to “shape” this requires a long ladder or lift estimate 1 hour
- Trees **“B”** 2 small spruce trees on either side of the military sign. Prune both trees up 2 feet from the sod and shape the larger tree to work at balancing the pair. Estimate 1 hour Not: the sign needs to be moved from its current place
- Tree **“U”** is the large and very “gnarly” Ponderosa Pine. Its future should be removal , however removing several large limbs and pruning limbs up 20 feet or more can release the valuable Maple tree for the time being. Time required for pruning 4-6 hours . If removal is chosen ? \$thousands to avoid damaging wiring and irrigation lines.
- Tree **“T”** Engelman Spruce next to Gnarly Pine. Remove limbs up to 14 feet shaping may be needed estimated time 1-2 hours.

There approximately the same number of trees remaining to be treated... perhaps in 2025.

This work should allow some grass to fill in closer to the tree boles, make the deciduous trees better shaped and all of the trees easier and quicker to add and remove holiday lights.

**CITY OF CLE ELUM
Planning Department
AGENDA STATEMENT**

A closed record public hearing and resolution to consider the Hearing Examiner's recommendation regarding the application for a Planned Mixed Use Development

AGENDA DATE: **September 24, 2024**

ACTION REQUESTED: **RESOLUTION 2024-024**

BACKGROUND: **Kittitas County Public Works** is requesting to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

The request is considered a Type 4 Review which requires a decision from the City Council.

RECOMMENDATION: Adoption of Resolution 2024-024

ATTACHMENTS: Resolution; Complete Record

LEAD STAFF: Colleda Monick, City Planner

POSSIBLE MOTIONS:

1. **Approve** - Adopt the resolution affirming the recommendation of the Hearing Examiner.
2. **Approve with Changes** - Approve the project, and direct staff to modify the resolution with the Findings identified during the Hearing.
3. **Denial** - Deny the project, and direct staff to modify the resolution with Findings identified during the Hearing.

CITY OF CLE ELUM WASHINGTON

RESOLUTION NO. 2024-024

A RESOLUTION OF THE CITY OF CLE ELUM, WASHINGTON APPROVING THE PLANNED MIXED USE DEVELOPMENT PERMIT FOR A REGIONAL SEARCH AND RESCUE FACILITY AND EMERGENCY OPERATIONS CENTER (EOC) ON A VACANT 5-ACRE SITE ZONED PLANNED MIXED USE NEAR THE MUNICIPAL AIRPORT IN THE CITY OF CLE ELUM.

WHEREAS, on August 7, 2024, the City of Cle Elum Hearing Examiner “Hearing Examiner” held an open-record public hearing to consider the application for a Planned Mixed Use Development, submitted by Kittitas County Public Works, SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002; and

WHEREAS, on August 29, 2024, the Hearing Examiner issued his Written Recommendation for approval of the proposed development, subject to conditions; and

WHEREAS, the proposed application conforms to the City of Cle Elum Zoning Ordinance, Cle Elum Comprehensive Plan, and other applicable land use regulations; and

WHEREAS, at a Closed Record Public Hearing on September 24, 2024, after notice was duly given according to the requirements of the Cle Elum Municipal Code, the Cle Elum City Council adopted the Hearing Examiner’s Recommendation; and

WHEREAS, the City of Cle Elum has complied with the substantive, procedural, and notice requirements associated with SEPA, the Growth Management Act, and the Cle Elum Municipal Code for the purpose of reviewing the application; and

WHEREAS, the Cle Elum City Council finds that it is in the best interest of the City of Cle Elum to pass the following; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLE ELUM:

Section 1. Incorporation of Recitals. The above recitals are hereby incorporated into this resolution.

Section 2. Incorporation of the Hearing Examiner’s Recommendation and Conditions of Approval. The Hearing Examiner’s Recommendation is

hereby adopted and ratified by the Cle Elum City Council as its conditional decision and approval of the Application herein. A copy of the Recommendation is attached hereto as Exhibit "A" and fully incorporated herein by this reference.

Section 3. Findings. The Cle Elum City Council adopts the findings of the Hearing Examiner as its own findings herein.

Section 4. Severability. If any section subsection, paragraph, sentence, clause, or phrase of this resolution is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

**PASSED BY THE CLE ELUM CITY COUNCIL AT A REGULAR MEETING
THEREOF ON THE ____ DAY OF _____, 2024.**

CITY OF CLE ELUM

Matthew Lundh, Mayor

ATTEST/AUTHENTICATED:

Debbie Lee, City Clerk

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:
Date Posted:

EXHIBIT A
HEARING EXAMINER'S RECOMMENDATION:
SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF CLE ELUM**

Regarding the **Application for Planned**)
Mixed Use Development approval, Site and)
Design Review, and a Critical Areas permit,)
for a regional Search & Rescue Facility and)
Emergency Operations Center (EOC) on a)
vacant 5-acre site zoned Planned Mixed Use)
near the municipal airport in the City of Cle)
Elum, submitted by)
)
KITTITAS COUNTY PUBLIC WORKS,)
)
Applicant)
_____)

**File Nos. SEPA-2024-003
PMU-2024-002
CA-2024-001
SDR-2024-002**

**FINDINGS OF FACT,
CONCLUSIONS AND
RECOMMENDATION**

I. SUMMARY OF RECOMMENDATION.

The applicant's Project satisfies all applicable approval criteria and merits approval.

II. RECORD.

Exhibits entered into evidence as part of the record, and an audio recording of the public hearing held for this matter are maintained by the City of Cle Elum, and may be examined or reviewed by contacting the City Clerk's Office.

Hearing Testimony: Only City Planning Consultant, Colleda Monick, and the applicant's designated representative, Cameron Curtis, County Engineer, asked to present testimony under oath during the public hearing. During the open record public hearing conducted by the Hearing Examiner in the City Council chambers on August 7, 2024, no one submitted written comments or provided personal testimony opposing or questioning the consolidated applications addressed in this Recommendation.

**FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: APPLICATION FOR
PLANNED MIXED USE DEVELOPMENT
APPROVAL FOR PROPOSED REGIONAL SEARCH
& RESCUE FACILITY AND EOC – FILE NO. PMU-
2024-002**

Page 1 of 10

GARY N. MCLEAN
HEARING EXAMINER FOR THE CITY OF CLE ELUM
CITY HALL – 119 WEST FIRST STREET
CLE ELUM, WASHINGTON 98922

Exhibits: The City’s Planning Consultant, Ms. Monick, generated proposed findings, conclusions, and a recommendation of approval, shared with the Hearing Examiner in the week before the public hearing, referenced in this Recommendation as the Staff Report. The Staff Report and the following Exhibits were all accepted into the Record in their entirety without modification:

Exhibit I: Applicant Submittals

- Application, SDR
- Narrative
- SEPA Checklist
- Critical Areas
- Aquatic Resources Summary and Maps
- Site Plans
- Site Plan _Wetland Exhibit

Exhibit II: Notices

- Notice of Application and Environmental Review
- MDNS
- Notice of Public Hearing
- Newspaper Post
- Posting of site
- Mailing Notices

Exhibit III: Comments

- Department of Ecology, 6-24-24
- Colville Tribes, 6-25-24
- Washington State Department of Fish and Wildlife, 6-25-24
- Washington State Department of Health, 7-09-24

The Examiner visited the road network and vicinity of the proposed search and rescue facility and emergency operations center, and the adjacent airport facility, on the day of the hearing, and is fully advised on matters at issue herein, including without limitation adjacent developments and land uses, applicable law, application materials, and relevant comprehensive plan provisions.

III. FINDINGS OF FACT.

Based upon the record, the undersigned Examiner issues the following Findings of Fact.

Application, Site Location, Description of Project.

1. Beginning in April of this year, the Kittitas County Public Works Department submitted a set of application materials for land use and environmental reviews required by the City for a proposed regional “Search and Rescue” (SAR) facility and “Emergency Operations Center” (EOC) to be located near the municipal airport in the east part of the City of Cle Elum. (*Staff Report, page 1; Ex. 1, application materials*). On or about June 7, 2024, the application materials were deemed complete

**FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: APPLICATION FOR
PLANNED MIXED USE DEVELOPMENT
APPROVAL FOR PROPOSED REGIONAL SEARCH
& RESCUE FACILITY AND EOC – FILE NO. PMU-
2024-002**

Page 2 of 10

GARY N. MCLEAN
HEARING EXAMINER FOR THE CITY OF CLE ELUM
CITY HALL – 119 WEST FIRST STREET
CLE ELUM, WASHINGTON 98922

for purposes of vesting and proceeding with review and an open record public hearing required by City codes. *(Staff Report, page 2).*

2. The project site is about 5-acres of vacant property, all within the City's Planned Mixed Use zoning district, in the northwest corner of Airport Road and the access road leading north to the municipal airport facility. *(Staff Report, page 2; Site visit; Aerial maps).*

3. The proposed Search and Rescue facility and EOC will typically have daily operations with just 1-2 employees on-site, with up to 40 people on-site for short periods of time during active search and rescue activities and/or training events. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots. *(Staff Report, page 2).*

Jurisdiction, consolidated applications, applicable law.

4. In this matter, the Hearing Examiner has jurisdiction to conduct an open record public hearing on the Planned Mixed Use Development application at issue and is directed to issue a written recommendation for consideration and final action by the Cle Elum City Council. *(See Cle Elum Municipal Code (CEMC) 14.30.040, Permit Classification Table, listing Planned Mixed Use Development approval as a Type 4 matter that is subject to a public hearing before the City's Hearing Examiner with a final decision by the City Council; and CEMC 14.30.080, Procedures for Type 4 reviews).*

5. The pending matter includes concurrent applications for Site and Design Review under CEMC 14.30.130, Critical Areas review under CEMC Chapter 18.01, and SEPA review under CEMC 14.40. *(Staff Report, page 1, re: summary of processing).* Standing alone, some of these applications would otherwise be subject to review and approval by Staff or the Hearing Examiner as Type 2 or Type 3 matters; but the City's code requires consolidation of related development permit applications into a single matter, with the highest level of review – in this case, Type 4 review – applied to the consolidated applications and a final decision made by the highest-level decision maker, the City Council. *(See CEMC 14.30.020.B).*

SEPA review; MDNS mitigation measures.

6. There is no dispute that the applicant's proposed development requires environmental review under City and State SEPA codes and regulations. None of the requested approvals can be granted until the SEPA review is complete.

7. Following review of the SEPA Checklist, application materials and other relevant environmental information, the City issued its SEPA threshold determination for this proposal on July 8, 2024 – a Mitigated Determination of Non-Significance (MDNS) included in the record as part of Exhibit II. The MDNS is a Type 2 decision that could have been appealed to the City's Hearing Examiner. *(Ex. I, application materials, including SEPA Checklist; Ex. II, notice materials, including SEPA MDNS; Staff Report, page 2; Table at CEMC 14.30.040, listing "SEPA Determination (public*

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notice required)” as a Type 2 matter with the Hearing Examiner as the “Appellate Body”).

8. No individual, agency, entity, or other party submitted an appeal of the City’s SEPA threshold determination, so the SEPA MDNS stands unrebutted for purposes of issuing this Recommendation. SEPA review is deemed complete, so decisions on the development approvals requested by the applicant can now move forward. Any subsequent attempt to appeal, collaterally attack or modify the MDNS should be rejected by the City Council and any reviewing court with jurisdiction over the matter, because parties failed to exhaust available appeal remedies provided in the City’s municipal code. See *Wenatchee Sportsmen Ass’n v. Chelan County*, 141 Wn.2d 169, 182, 4 P.3d 123 (2000), and *Habitat Watch v. Skagit County*, 155 Wn.2d 397, 410–11, 120 P.3d 56 (2005).

Burden of proof.

9. The applicant bears the burden of proof to establish by a preponderance of the evidence that the requested project permit is consistent with state law, city codes and standards. (*Cle Elum Hearing Examiner Rules of Procedure, Sec. 3.9*).

Public notices.

10. The Staff Report confirms that public notices were posted, published, and mailed to property owners in the surrounding area, but no one submitted written comments opposing this project or offering any evidence that would serve as a basis to deny the applicant’s request. (*Staff Report, page 2; Ex. II, notice and confirmation materials*).

Public Hearing.

11. As noted above, only City Planning Consultant, Colleda Monick, and the applicant’s designated representative, Cameron Curtis, County Engineer, asked to present testimony under oath during the public hearing. During the open record public hearing conducted by the Hearing Examiner in the City Council chambers on August 7, 2024, no one submitted written comments or provided personal testimony opposing or questioning the consolidated applications addressed in this Recommendation.

The project, as conditioned, satisfies approval criteria and merits approval.

12. The Staff Report’s analysis of the consolidated applications stands unrebutted. The County’s proposed Planned Mixed Use Development, as conditioned, is fully consistent with City codes and applicable goals and policies provided in the City’s Comprehensive Plan. (*Staff Report, pages 8-12*).

13. Consistent with CEMC 17.45.090 – and based on the Staff Report, credible testimony provided by Staff and applicant witnesses, and materials included in the record – the Examiner finds and concludes that the County’s proposed Regional Search and Rescue Facility and EOC project substantially complies with relevant provisions of the City’s Comprehensive Plan (*see Staff Report, Sec. III.F, on pages 8-9*) and the purposes and objectives of applicable City codes, including without limitation CEMC 17.45.010 and .020 [provisions specifically applicable to projects in the Planned

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Mixed Use (PMU) zoning district, and requiring Planned Mixed Use approval for all proposed developments in the PMU zone]. (See Staff Report, pages 9-12).

14. Consistent with CEMC 17.45.090.B – and based upon un rebutted evidence in the record, including the Staff Report, the SEPA MDNS, and the application materials – the Examiner finds and concludes that the proposed project will advance the achievement of the purposes of the PMU district as well as the following objectives (code language appears as regular text, findings in italics below):

a. To preserve or create open space for the enjoyment of the residents of the city, employees of businesses located within the city and the general public; *The search and rescue facility will be strategically positioned to preserve significant open space for public enjoyment and maintain the aesthetic quality of the area around the airport.*

b. To create attractive, pedestrian-oriented neighborhoods with a range of housing types, densities, costs and ownership patterns; *The facility's integration into the community plan supports connectivity, ensuring that emergency services are readily accessible to nearby neighborhoods and Upper County Residents.*

c. To provide access to employment opportunities and goods and services in close proximity to residential uses; *The facility will create jobs and contribute to the local economy, providing employment opportunities close to residential areas and enhancing the community's economic diversity.*

d. To provide a balanced mix and range of land uses within and adjacent to the development that minimize the necessity for the use of automobiles on a daily basis; *The new facility's proximity to the airport and other mixed-use developments reduces the need for long-distance travel and allows for alternative modes of transportation including aircraft.*

e. To use the highest quality architectural design and a harmonious use of building materials; *The architectural design will be of high quality, using materials and styles that are consistent with the rural, small-town, mountain character of Cle Elum, ensuring visual harmony and community acceptance.*

f. To provide a variety of street sizes and designs, including narrow streets designed principally for the convenience of pedestrians as well as streets of greater width designed primarily for vehicular traffic; *The development will include appropriate access routes designed for vehicles, enhancing connectivity while maintaining safety standards.*

g. To provide commons, greens, parks or civic buildings or spaces as places for social activity and assembly for the neighborhood and community; *The facility provides services in closer proximity to residents that was previously located farther away providing shorter response times.*

h. To provide clustered development to preserve open space within the corporate limits of the city while still achieving an appropriate overall density for the city; *The placement of*

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the facility supports clustered development principles, preserving surrounding open spaces while achieving necessary density and functionality.

i. To maintain Old Town as the principal retail center for the City of Cle Elum. The facility's operations will not compete with retail functions but will support the overall economic health of Cle Elum by enhancing safety and services, indirectly benefiting all local businesses.

15. The Staff Report confirms that utilities, water supply, and septic disposal issues are adequately addressed in the project design and application materials. Water supply and septic system elements of the project must comply with all applicable City, County, and state codes, including without limitation health regulations and those managing water rights in the region. (Staff Report, page 13; Conditions of Approval).

16. The stormwater management elements of the project have been designed and conditioned to satisfy requirements and recommendations included in the Eastern Washington Stormwater Manual. Sheet flow of stormwater runoff for dispersal and infiltration into roadside areas is included in the design, so there will be no discharge of untreated stormwater to surface waters in the area. The applicant is required to implement best management practices (BMPs) to control runoff, prevent erosion, and protect water quality. (Staff Report, pages 11 and 13).

17. Subject to compliance with mitigation measures imposed under the SEPA MDNS issued for this project and other conditions of approval included in this Recommendation to the City Council, the applicant's Project should not result in any adverse environmental impacts.

18. To satisfy review requirements mandated by City codes for projects with potential impacts on Critical Areas, the applicant commissioned a wetland delineation report, prepared by Jacobs on August 20 and 27, 2023. Wetlands were delineated using methods described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*. The wetland delineation report identified a Category III wetland on-site, requiring a 60-foot buffer. As noted in the MDNS and the Staff Report, the initial site plans submitted on April 26, 2024 showed encroachment into the required wetland buffer and did not meet the standards of CEMC 18.01.070. So, on May 29, 2024, the applicant submitted an updated mitigation plan showing a proposed new planting area around the retention pond. The updated proposal includes 6,618 square-feet of new planting area which is a net increase of 1,871 square-feet over the area proposed to encroach into the wetland buffer. The applicant must submit an update to the wetland delineation demonstrating how the proposed new planting area meets the applicable standards for buffer averaging and/or compensatory mitigation. (Staff Report, page 12; and MDNS Mitigation Measure No. 3; Conditions of Approval).

19. The Staff Report credibly summarizes how the applicant's Project has been designed or can be conditioned to satisfy all applicable approval criteria for Site and Design Review approval, including without limitation CEMC 14.30.140.C. (Staff Report, pages 12-14). As noted above: the County's Project complies with the goals and objectives of the Cle Elum Comprehensive Plan, applicable provisions of the Cle Elum Municipal Code, and the intent and purpose of the Planned

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1 Mixed Use zoning district; subject to compliance with recommended Conditions and Mitigation
2 measures, the applicant's proposal will have no adverse environmental impacts; and the physical
3 location, size, and placement of the development on the site, along with the proposed uses within the
4 project, have been carefully designed to avoid or minimize impacts to the wetland to the greatest
5 extent possible. Additionally, the project is compatible with the character and intended development
6 pattern of the surrounding properties. The project makes adequate provisions for water supply, storm
7 drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that
8 the proposed project would not be detrimental to public health, welfare, and safety. *(Staff Report,*
9 *analysis on pages 12-13).*

6 20. The Staff Report, prepared by Ms. Monick, includes a number of specific findings and
7 explanations that establish how the underlying applications, subject to conditions, satisfy provisions
8 of applicable law and are consistent with the city's Comprehensive Plan, zoning, and development
9 regulations. Except as modified in this Recommendation, all Findings contained in the Staff Report
10 are incorporated herein by reference as Findings of the undersigned-hearing examiner.

9 21. Based evidence included in the record and all findings above, the Examiner finds and
10 concludes that the County's Project, subject to compliance with all MDNS Mitigation Measures and
11 Conditions of Approval included as part of this Recommendation, will not be detrimental to the public
12 interest, health, safety, or general welfare, and merits approval.

12 22. The Project will improve emergency response, search and rescue response capabilities, and
13 general public safety for the Upper Kittitas County area.

13 23. Any factual matters set forth in the foregoing or following sections of this Recommendation
14 are hereby adopted by the Hearing Examiner as findings of fact and incorporated into this section as
15 such.

15 IV. CONCLUSIONS.

16 Based upon the record, and all Findings set forth above, the Examiner issues the following
17 Conclusions:

18 1. The Hearing Examiner has jurisdiction to conduct an open record public hearing on the
19 Planned Mixed Use Development application at issue and is directed to issue a written
20 recommendation for consideration and final action by the Cle Elum City Council. *(See Cle Elum*
21 *Municipal Code (CEMC) 14.30.040, Permit Classification Table, listing Planned Mixed Use*
22 *Development approval as a Type 4 matter that is subject to a public hearing before the City's Hearing*
23 *Examiner with a final decision by the City Council; and CEMC 14.30.080, Procedures for Type 4*
24 *reviews).*

22 2. The applicant met its burden to demonstrate that the requested Project approval conforms to,
23 and in fact implements objectives of, the City's Comprehensive Plan. *Findings; Staff Report.*

24 3. The Project is consistent with the purpose and intent of the PMU zoning district where it is

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located, and the proposed Site Design, as conditioned, meets applicable city code requirements, including without limitation CEMC 17.45, 18.01, 14.40, and 14.30.140.

4. The SEPA MDNS issued for this project was not appealed, so it stands as issued for purposes of issuing this Recommendation. Consistent with relevant Washington caselaw requiring exhaustion of available remedies, the City Council and any reviewing court with jurisdiction over this matter should reject any attempt to challenge, collaterally attack, or modify the MDNS.

5. Based on the record, the applicant demonstrated that its consolidated applications for PMU development review, Critical Areas review, and Site Design review, all merit approval, subject to compliance with the SEPA MDNS mitigation measures and Conditions included in this Recommendation.

6. Approval of this PMU development will not and does not constitute, nor does it imply any expectation of, approval of any permit or subsequent reviews that may be required for building, grading, or other regulated activities on the Project site.

7. Any finding or other statement contained in this Recommendation that is deemed to be a Conclusion is hereby adopted as such and incorporated by reference.

VI. RECOMMENDATION.

Based upon the preceding Findings and Conclusions, the Hearing Examiner recommends that the County's consolidated applications – specifically a Planned Mixed Use Development application assigned File No. PMU-2024-002; a Critical Areas review application assigned File No. CA-2024-001; and a Site and Design Review application assigned File No. SDR-2024-002 – should be **APPROVED**, subject to compliance with all SEPA Mitigation Measures imposed by the unchallenged MDNS and Conditions of Approval that are attached to this Recommendation and incorporated herein by this reference.

ISSUED this 29th Day of August, 2024



Gary N. McLean
Hearing Examiner

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CONDITIONS OF APPROVAL
for
**REGIONAL SEARCH & RESCUE FACILITY AND
EMERGENCY OPERATIONS CENTER PROJECT**

LOCATION: The northwest corner of Airport Road and the access road leading north to the municipal airport, in the City of Cle Elum's Planned Mixed Use zoning district.

APPLICANT/PERMITTEE: Kittitas County Public Works

APPLICATIONS: FILE NOS. SEPA-2024-003; PMU-2024-002; CA-2024-001; and SDR-2024-002

1. The City Council's approval of the above-referenced applications, collectively referenced as a "Permit", authorizes the Permittee's development of its Regional Search & Rescue Facility and Emergency Operations Center ("Project") in the City of Cle Elum, as described in the application materials and Staff Report for this matter, subject to modifications needed to comply with these Conditions of Approval.

2. The Permittee shall obtain any associated permit, license, or approval required by the city and any state, federal, or other regulatory body with jurisdiction over aspects of the Project authorized by this Permit; any conditions of other regulatory agency permits, licenses, or approvals shall be considered conditions of approval for this Permit. Approval of this Permit will not and does not constitute, nor does it imply any expectation of, approval of any permit or subsequent reviews that may be required for building, grading, or other regulated activities on the project site.

3. The Permittee shall comply with all professional report conclusions and recommendations (expressly including, without limitation, BMPs) submitted in connection with this Project review and any associated approvals issued by the City for this Project, as approved, referenced, relied upon, and/or modified by the City.

4. The Mitigation Measures imposed by the unchallenged SEPA MDNS issued for this Project on or about July 8, 2024, as modified below, are included as Conditions of Approval for this consolidated PMU Development, Critical Areas review, and Site and Design Review approval:

A. Before withdrawing or using any water, the Permittee must submit a *Request of Determination of Water Budget Neutrality* or an *Application for a new Water Right Permit*, depending on the size of the final project, to the Washington State Department of Ecology, for its review and approval.

B. Before commencement of any ground disturbing work on the Project site, the Permittee shall prepare an Inadvertent Discovery Plan (IDP) in accord with Washington Department of Archaeology and Historic Preservation (DAHP) regulations and guidance, subject to review and

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1 approval by the City. The approved IDP shall be placed in the City's project file for this matter,
2 and the Permittee must maintain a copy of the approved IDP on site during all ground disturbance
3 work at the Project site. In the event historic or cultural resources are discovered during
4 construction work of any kind, all protocols, mandatory contacts with state and tribal entities, and
5 protective measures (if any) included in the IDP shall be implemented and satisfied by the
6 Permittee and its contractors.

7 C. Where buffer reductions are requested, the wetland delineation shall be updated to show how
8 the proposed minimization measures meet the requirements of CEMC 18.01.070.

9 5. All stormwater must be retained onsite consistent with the City's Construction Standards and
10 2019 Stormwater Management Manual for Eastern Washington. A stormwater drainage plan and
11 report, prepared by a licensed engineer and registered in the state of Washington, shall be submitted
12 for City review and approval.

13 6. The type, capacities, location and layout of a private sewage disposal system shall comply
14 with applicable regulations, including without limitation those issued by the Washington State
15 Department of Health and the Kittitas County sanitarian.

16 7. Improvements to the Airport access road shall meet minimum fire code standards, subject to
17 review and approval by the City.

18 8. Site and Design Review approval is valid for 5 (five) years after the effective date and shall
19 lapse at that time unless a building permit or other associated permits, as determined by the city, has
20 been issued. The city, at its sole discretion, may extend the site and design approval if it finds that the
21 conditions and facts on which the approval is based have not significantly changed. (See CEMC
22 14.30.140.D).

23 * End of Conditions.

24
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City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cityofcleelum.com

CITY OF CLE ELUM
FINDINGS of FACT, CONCLUSIONS, & RECOMMENDATION
for
REQUEST FOR PLANNED MIXED USE DEVELOPMENT

File Numbers: SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002

APPLICANT:	Kittitas County Public Works
APPLICANT ADDRESS:	411 N. Ruby St., Suite 1, Ellensburg, WA 98926
PROJECT LOCATION:	Airport Road, Cle Elum, WA
PARCEL NUMBER(S):	962113
DATE OF REQUEST:	April 26, 2024
DATE OF RECOMMENDATION:	August 7, 2024
STAFF CONTACT:	Colleda Monick, Planning Consultant

I. DESCRIPTION OF REQUEST:

Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

II. SUMMARY OF RECCOMENDATION:

The Administrative Official recommends approval, subject to conditions.

III. FACTS:

A. Processing

1. The applications for a Site Design and Review, a Planned Mixed-Use review, and a SEPA checklist was received on April 26, 2024. On June 5, 2024, a Critical Areas application was submitted.
2. The applications were deemed complete for processing on June 7, 2024.
3. The applications are being processed under CEMC Ch. 17.45 for Planned Mixed Use, CEMC Ch.18.01 for Critical Areas, CEMC Ch. 14.40 for SEPA, and CEMC 14.30.140 for Site Design Review.
4. Pursuant to CEMC 2.60.060, the Hearing Examiner has the authority to make a decision on matters prescribed in the CEMC.

5. **Public Notice:** In accordance with CEMC 14.30.110, notice was provided for these applications as follows:
 - a. The subject property was posted with a land use action sign on June 11, 2024.
 - b. A Notice of Application and Environmental Review as sent to the applicant, SEPA agencies, and adjoining property owners within 300 feet of the subject property on June 11, 2024.
 - c. A Mitigated Determination of Nonsignificance (MDNS) was sent to the applicant, SEPA agencies, and adjoining property owners within 300 feet of the subject property on July 8, 2024,
6. **Environmental Review:** This application was required to undergo State Environmental Policy Act (SEPA) review. Notice was mailed on June 11, 2024. The public comment period ended on July 3, 2024. Four comments were received from SEPA Agencies which are outlined in Section III.C.2. An MDNS was issued on July 8, 2024, which was not appealed.

B. Current Zoning and Land Use:

1. The subject property is approximately 5 acres, is zoned Planned Mixed Use, and is currently vacant.
2. CEMC 17.45.010(A), states, The PMU district is established to apply to larger parcels of land with significant development potential and to achieve the following purposes:
 1. To assure that large new development creates a complete and interdependent Cle Elum community that contains a mix of land uses that provides for most of the daily needs of its residents and visitors including recreation, employment, housing affordable to all residents and education;
 2. To obtain development within the city with imaginative site planning in a compatible mixture of land uses that will encourage pedestrian rather than automotive access to employment opportunities and goods and services;
 3. To encourage building design that is in keeping with the climate and the traditional rural, small town, mountain character of the Cle Elum area;
 4. To ensure sensitivity in land use and design to adjacent land uses within the PMU district, and to avoid creating incompatible land uses;
 5. To ensure that all development gives adequate consideration to and provides mitigation for the impacts it creates with respect to transportation, public utilities, open space, recreation and public facilities, and that circulation, solid waste disposal and recycling, water, sewer and stormwater systems are designed to the extent

feasible to be adequate to serve future adjacent development that can reasonably be expected; and

6. To ensure that development protects and preserves the natural environment to the maximum extent possible, including but not limited to protecting the water quality of the Cle Elum and Yakima Rivers, contributing to the long-term solution of flooding problems, protecting wetlands and sensitive areas, protecting views and providing a wooded background and ridge adjacent to the community.

(B) Each proposal for development within the PMU district shall conform to the Cle Elum comprehensive plan, any applicable subarea plan and applicable annexation and/or development agreements, and will advance the achievement of the foregoing purposes of the PMU district as well as the following objectives:

1. To preserve or create open space for the enjoyment of the residents of the city, employees of businesses located within the city and the general public;
2. To create attractive, pedestrian-oriented neighborhoods with a range of housing types, densities, costs and ownership patterns;
3. To provide access to employment opportunities and goods and services in close proximity to residential uses;
4. To provide a balanced mix and range of land uses within and adjacent to the development that minimize the necessity for the use of automobiles on a daily basis;
5. To use the highest quality architectural design and a harmonious use of building materials;
6. To provide a variety of street sizes and designs, including narrow streets designed principally for the convenience of pedestrians as well as streets of greater width designed primarily for vehicular traffic;
7. To provide commons, greens, parks or civic buildings or spaces as places for social activity and assembly for the neighborhood and community;
8. To provide clustered development to preserve open space within the corporate limits of the city while still achieving an appropriate overall density for the city; and
9. To maintain Old Town as the principal retail center for the City of Cle Elum.

3. The surrounding properties contain uses and zoning as follows:

Direction	Zoning	Land Use
North	Planned Mixed Use	Municipal Airport
South	Rural 5 (county)	Residential Dwellings
East	Planned Mixed Use	Municipal Airport (vacant)
West	Rural 5 (county)	Residential Dwellings

C. Development Review:

1. Engineering:

a. Stormwater: All stormwater must be retained onsite consistent with the City's Construction Standards and 2019 Stormwater Management Manual for Eastern Washington. A stormwater drainage plan and report, prepared by a licensed engineer and registered in the state of Washington, shall be submitted for City review and approval consideration. Design calculations for peak flow and peak volume storage requirements shall be based on a design storm frequency of ten-year, twenty-four-hour storm runoff event. Design calculations for treatment shall be based on sixty-four percent of the two-year recurrence interval, twenty-four-hour storm runoff event.

b. Utilities: Per CEMC 13.08.090: The type, capacities, location and layout of a private sewage disposal system shall comply with all regulations of the Washington State Health Department and the Kittitas County sanitarian. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than five thousand square feet. No septic tank or cesspool is permitted to discharge to any public sewer or natural outlet.

Per CEMC 15.24.140, 1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems; 2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; 3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and 4. Water wells shall be located on high ground that is not in the floodway.

c. Access: Proposed access is through the existing Airport Access Road. The applicant is also proposing secondary access directly from Airport Road. Improvements to airport access road to meet minimum fire code standards shall be required.

2. Agency Comments:

During the public comment period, the following comments were submitted which have been summarized below. (Full comments can found within the record.)

- i. On June 24, 2024, the **Washington State Department of Ecology** provided written comments, summarized below:
 - a. Your project is located within the boundaries of WAC 175-539A so it may be subject to the rule. If you are planning on withdrawing groundwater for a new use within the boundaries of WAC 173-539A, your project must be water budget neutral. Before withdrawing or using any water please submit a *Request of Determination of Water Budget Neutrality* or an *Application for a new Water Right Permit*, depending on the size of your project either form may be required.

- ii. On June 25, 2024, the **Certified Tribes of the Colville Reservation** provided written comments, summarized below:
 - a. Recommendation for the project to continue under an Inadvertent Discovery Plan and should new cultural resources be uncovered a data recovery and mitigation plan should be implemented. (*Staff Note: SEPA Mitigation Measure #2*).
- iii. On June 25, 2024, the **Washington State Department of Fish and Wildlife** provided written comments, summarized below:
 - a. Recommend the additional mitigation measures, 1) Donating large conifers with rootwads to stream/wetland/river restoration projects within Upper Yakima Watershed; 2) Minimizing the impervious surfaces associated with the project to reduce likelihood of changes to hydrology for the wetland, and/or; 3) Additional native plantings in the riparian management zone for the watercourse at the eastern parcel boundary.
- iv. On July 9, 2024, **Washington State Department of Health** provided written comments, summarized below:
 - a. A water system application to the respective regulatory agency shall be submitted.
 - b. For any well water use, DOH ODW requires confirmation that the groundwater extractions meet Kittitas County requirements and proposed additional extractions show mitigation.

D. Applicable Law – Planned Mixed Use Review

Per CEMC 17.45.090, Approval of the PMU district shall require the following findings:

A. The development proposal substantially complies with the Cle Elum Comprehensive Plan, the policies of any applicable subarea plan, the requirements of any applicable annexation implementation agreement and the purposes and objectives of this chapter, and including but not limited to the following:

- 1. The purposes and objectives of CEMC 17.45.010 and 17.45.020 specifically advanced by the proposal;
- 2. Adequacy of the provisions for each of the following, where applicable:
 - a. Water supply;
 - b. Wastewater treatment facilities;
 - c. Stormwater management;
 - d. Power supply;
 - e. Schools;
 - f. Affordable housing;
 - g. Open space, natural areas, parks, recreation areas, or greens, commons or public assembly areas;
 - h. Municipal services and facilities;

- i. Fiscal impact guarantees; and
- j. Transportation systems management.
3. Environmental impacts and mitigation, including but not limited to the following, where applicable:
 - a. Wetlands protection;
 - b. Sensitive areas protection;
 - c. Habitat protection;
 - d. Quiet and dark night sky;
 - e. Water quality protection; and
 - f. Air quality protection.

Per CEMC 17.45.060 (B) The development standards in this section shall apply to all development proposals within the PMU district unless an adopted subarea plan or annexation implementation agreement specifies different standards, in which case the standards specified in the subarea plan or development agreement shall apply.

1. All property in one ownership shall be included in a PMU application;
2. The minimum acreage for a mixed use final plan shall be of such size that the applicant can demonstrate the ability to incorporate the intent of this chapter;
3. At least thirty-five percent of the total acreage within the proposed final plan must be dedicated to open space, natural areas, parks, recreation areas, or village greens, commons or public assembly areas, excluding streets and parking areas;
4. The tract or tracts of land included in a proposed mixed use final plan in a PMU district must be in one ownership or control, or be the subject of a joint application by the owners of all the property included;
5. Proposed circulation, solid waste disposal and recycling, water, sewer and stormwater management systems shall be designed in such a manner to allow adequate and efficient future expansion to accommodate development which can reasonably be anticipated on adjacent or nearby lands within the City of Cle Elum or the UGA;
6. The siting of compatible land uses shall be encouraged to the greatest extent possible through the use of sensitive site planning, use of landscaping, buffering and open space;
7. A lighting plan that provides sufficient illumination without significantly diminishing the ambient darkness of the rural setting. Outdoor lighting shall be designed so as not to direct light and/or glare on public roadways and/or neighboring properties. All outdoor lighting shall be fully cut off with the light fully shielded to reduce unnecessary light and glare. No lighting shall exceed a level of thirty footcandles;
8. Average density for single family to be four dwelling units per acre; minimum density for multi-family to be eight units per acre; maximum density for multiple family to be twelve to fifteen dwelling units per acre. Submittal of the final plan shall include sufficient information to determine that all proposed lots have adequate buildable area for the proposed use;
9. Maximum building height: three stories or thirty-five feet, whichever is lower;

10. Include provisions for a floor area ratio for business park; maximum amounts of impervious surface and building coverage for the various uses; refer to the city's zoning code; and
11. All other requirements of the Cle Elum Municipal Code such as parking, landscaping street standards, etc., unless specifically modified by a subarea plan or development agreement.

E. Applicable Law – Critical Areas

1. Per CEMC 18.01.020, "Wetland or wetlands" means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and other similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate the conversion of wetlands.
2. Per CEMC 18.01.030(C) C. *Wetlands Designation*. Wetlands are those areas, designated in accordance with the procedures outlined in WAC [173-22-035](#). All areas within the city meeting the wetland designation criteria as outlined in WAC [173-22-035](#) are hereby designated critical areas and are subject to the provisions of this chapter. Wetlands shall be rated according to the Ecology wetland rating system found in the Washington State Wetland Rating System documents (Eastern Washington, Ecology Publication No. 04-06-030) or as revised by Ecology. Wetland delineations are valid for five years; after such date the city shall determine whether a revision or additional assessment is necessary.
3. Per CEMC 18.01.050, All applications for permits to conduct activities having a possible significant impact on critical areas that are located on or near a project site must identify the areas affected and make an estimate of the probable impact. The city of Cle Elum shall deny all requests for permits which would result in activities degrading a wetland or fish and/or wildlife habitat conservation area, which would put people or property in a position of unacceptable risk with respect to floods or geologic hazards, which would tend to aggravate geologic hazards, or which would harm critical recharging areas for aquifers not otherwise in accordance with this chapter. The city of Cle Elum may, however, grant permits which include mitigation measures if the mitigation measures adequately protect the critical area and people involved. In granting a permit that includes mitigation measures, best available science, which shall be determined utilizing the criteria set

out in WAC [365-195-900](#) through [365-195-925](#), shall be used to develop and approve the mitigation measures. Applicable permit fees, as set forth by resolution of the city council, are due at the time of application. The applicant shall be responsible for the initiation, preparation, submission, and expense of all required reports, assessment(s), studies, plans, reconnaissance(s), peer review(s) by qualified consultants, and other work prepared in support of or necessary to review the application.

4. Per CEMC Table 18.01-1, Developments that produce the listed disturbances and are requesting a buffer reduction are required to address the disturbance through the use of applicable minimization measures.

F. Cle Elum Comprehensive Plan 2037

The following goals and policies apply to this proposal:

- Goal LU-1: Management and Implementation
- Policy LU-1.3 Ensure that new development does not outpace the City's ability to provide and maintain adequate public facilities and services by allowing new development to occur only when and where adequate facilities exist or can be provided.
- Goal LU-3: Preserve Cle Elum's natural environment while allowing for growth and development.
- Policy LU-3.4 All planning area waterways and wetlands shall be preserved to the maximum extent practical through the use of the Cle Elum Critical Areas Ordinance, SEPA, Shorelines Regulations, the Kittitas County Shorelines Master Program and applicable local, state and federal, and tribal laws.
- Policy LU 3.5 All new development shall comply with the provisions of the most recent edition of the Stormwater Management Manual for Eastern Washington as adopted by the City and the Washington State Department of Ecology Best Management Practices.
- Policy LU3.11 Protect and preserve water quality, natural drainage, fish and wildlife habitats and the functions of streams and wetlands.
- Goal LU-5: Create Order and Energy in Commercial Areas
- Policy LU 5.1 Assure that a broad and diverse range of products and services are available to the residents of the City of Cle Elum.
- Policy LU 5.8 Continue the mandatory use of "Site and Design Review" to maintain a consistent range of aesthetic and practical development standards such as pedestrian connectivity, landscape buffers and, landscaping, for all new development and redevelopment in commercial areas.
- Goal LU-12: Water Quality and Quantity
- Policy LU 12.1 Maintain healthy, functioning ecosystems through the protection of unique, fragile, and valuable elements of the environment, including ground and surface waters, wetlands, and fish and wildlife and their habitats, to conserve the biodiversity of plant and animal species.

- LU 12.2 Prevent cumulative adverse environmental impacts to water quality, wetlands, and fish and wildlife habitat, and the overall net loss of wetlands, frequently flooded areas, and habitat conservation areas.
- Policy LU 12.3 The City shall consider the impacts of new development on water quality as part of its review process and will require any appropriate mitigating measures.
- Policy LU 12.5 Direct activities not dependent on critical areas resources to less ecologically sensitive sites and mitigate unavoidable impacts to critical areas by regulating alterations in and adjacent to critical areas
- Policy 12.6 Adequate on-site disposal of surface water runoff shall be provided by all types of development.
- Goal LU-13: Drainage, flooding, and stormwater runoff
- Policy LU 13.2 Development shall take adequate measures to minimize significant erosion and flash flooding conditions by: Limiting the total amount of impervious surface to be created; Planting sufficient vegetation to offset the effects of the impervious surfaces created; and/or providing sufficient drainage facilities to control storm runoff.
- Policy 16.8 Require Best Management Practices (BMPs) contained in the Department of Ecology's Stormwater Manual for Eastern Washington be implemented for all new development and redevelopment.
- Goal LU-21: Maintain Local Control of Planning and Land Use Decisions.
- Policy LU 21.1 In partnership with the County and WSDOT, review and update the regulations and zoning controls to protect the Cle Elum Municipal Airport and to promote compatible land uses.

IV. Findings:

A. Planned Mixed Use Approval Criteria

Per CEMC 17.45.090(A), the development proposal substantially complies with the Cle Elum comprehensive plan (see section III.F.); and the purposes and objectives of this chapter and including but not limited to the following:

1. The purposes and objectives of CEMC 17.45.010 and 17.45.020 are specifically advanced by the proposal;

CEMC 17.45.010(B) Each proposal for development within the PMU district shall conform to the Cle Elum comprehensive plan, any applicable subarea plan and applicable annexation and/or development agreements, and will advance the achievement of the foregoing purposes of the PMU district as well as the following objectives:

- a. To preserve or create open space for the enjoyment of the residents of the city, employees of businesses located within the city and the general public;

Staff Response: The search and rescue facility will be strategically positioned to preserve significant open space for public enjoyment and maintain the aesthetic quality of the area around the airport.

- b. To create attractive, pedestrian-oriented neighborhoods with a range of housing types, densities, costs and ownership patterns;

Staff Response: The facility's integration into the community plan supports connectivity, ensuring that emergency services are readily accessible to nearby neighborhoods and Upper County Residents.

- c. To provide access to employment opportunities and goods and services in close proximity to residential uses;

Staff Response: The facility will create jobs and contribute to the local economy, providing employment opportunities close to residential areas and enhancing the community's economic diversity.

- d. To provide a balanced mix and range of land uses within and adjacent to the development that minimize the necessity for the use of automobiles on a daily basis;

Staff Response: Its proximity to the airport and other mixed-use developments reduces the need for long-distance travel and allows for alternative modes of transportation including aircraft.

- e. To use the highest quality architectural design and a harmonious use of building materials;

Staff Response: The architectural design will be of high quality, using materials and styles that are consistent with the rural, small-town, mountain character of Cle Elum, ensuring visual harmony and community acceptance.

- f. To provide a variety of street sizes and designs, including narrow streets designed principally for the convenience of pedestrians as well as streets of greater width designed primarily for vehicular traffic;

Staff Response: The development will include appropriate access routes designed for vehicles, enhancing connectivity while maintaining safety standards.

- g. To provide commons, greens, parks or civic buildings or spaces as places for social activity and assembly for the neighborhood and community;

Staff Response: The facility provides services in closer proximity to residents that was previously located farther away providing shorter response times.

- h. To provide clustered development to preserve open space within the corporate limits of the city while still achieving an appropriate overall density for the city; and

Staff Response: The placement of the facility supports clustered development principles, preserving surrounding open spaces while achieving necessary density and functionality.

- i. To maintain Old Town as the principal retail center for the City of Cle Elum.

Staff Response: The facility's operations will not compete with retail functions but will support the overall economic health of Cle Elum by enhancing safety and services, indirectly benefiting all local businesses.

- 2. Adequacy of the provisions for each of the following, where applicable;

- a. Water supply;

Staff Response: Domestic well is proposed

- b. Wastewater treatment facilities;

Staff Response: Septic is proposed

- c. Stormwater management;

Staff Response: Eastern Washington Stormwater Manual is being used to sheet flow stormwater runoff for dispersal and infiltration into roadside areas. There will be no discharge of untreated stormwater to surface waters.

- d. Power supply;

Staff Response: Puget Sound Energy

- e. Schools;

Staff Response: N/A

- f. Affordable housing;

Staff Response: N/A

- g. Open space, natural areas, parks, recreation areas, or greens, commons, or public assembly areas;

Staff Response: N/A

h. Municipal services and facilities;
Staff Response: Search and Rescue Facility

i. Fiscal impact guarantees;
Staff Response: N/A

j. Transportation systems management.
Staff Response: N/A

3. Environmental impacts and mitigation, including but not limited to the following, where applicable;
- a. Wetlands protection;
 - b. Sensitive areas protection;
 - c. Habitat protection;
 - d. Quiet and dark night sky;
 - e. Water quality protection;
 - f. Air quality protection;

Staff Response: As mitigated, this proposal will have no adverse environmental impacts.

B. Critical Areas

1. A wetland delineation was conducted by Jacobs on August 20 and 27, 2023. Wetlands were delineated using methods described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*. The wetland delineation identifies a Category III wetland on-site, requiring a 60-foot buffer. The initial site plans submitted on April 26, 2024 show encroachment into the required wetland buffer and do not meet the standards of CEMC 18.01.070. On May 29, 2024 an updated mitigation plan was submitted showing a proposed new planting area around the retention pond. The proposal includes 6,618 square-feet of new planting area which is a net increase of 1,871 square-feet over the area proposed to encroach into the wetland buffer. The applicant shall submit an update to the wetland delineation demonstrating how the proposed new planting area meets the applicable standards for buffer averaging and/or compensatory mitigation (MDNS Mitigation Measure #3).

C. Site Design Findings

Per CEMC 14.30.140 (C) The city may approve a proposed site plan or building design in whole or in part, with or without conditions, based on a finding that:

1. The project is consistent with the Cle Elum comprehensive plan and meets the requirements and intent of the Cle Elum Municipal Code, including the type of land use and the intensity/density of the proposed development.

Staff Response: This proposal complies with the goals and objectives of the Cle Elum Comprehensive Plan, the provisions of the Cle Elum Municipal Code, and the intent and purpose of the Planned Mixed Use zoning district.

2. The physical location, size, and placement of the development on the site and the location of the proposed uses within the project avoid or minimize impacts to any critical resource or floodplain area to the greatest extent possible or are compatible with the character and intended development pattern of the surrounding properties.

Staff Response: As mitigated, this proposal will have no adverse environmental impacts. The physical location, size, and placement of the development on the site, along with the proposed uses within the project, have been carefully designed to avoid or minimize impacts to the wetland to the greatest extent possible. Additionally, the project is compatible with the character and intended development pattern of the surrounding properties.

3. The project makes adequate provisions for water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health, welfare, and safety.

Staff Response: The project makes adequate provisions for water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health, welfare, and safety.

The applicant is proposing the following measures to address these essential services:

- a. Water Supply and Sanitary Sewage Disposal: The applicant is proposing the use of domestic wells and septic systems, as there is no existing water or sewer infrastructure in the vicinity of the project. These systems will be designed and installed in compliance with all relevant health and safety regulations.*
- b. Storm Drainage: The applicant will comply with all Stormwater requirements, ensuring that stormwater is effectively managed on-site. This includes the implementation of best management practices (BMPs) to control runoff, prevent erosion, and protect water quality.*
- c. Environmental Protection: The applicant is proposing mitigation measures to offset any impacts to the wetland, ensuring that environmental resources are preserved and protected. This includes creating buffer zones, implementing erosion control measures, and conducting ongoing monitoring to ensure compliance with environmental standards.*
- d. Emergency Services: Provisions have been made to ensure that emergency services can adequately serve the project. Including updates to road grade and width at the access point.*

4. Public access and circulation including nonmotorized access and emergency vehicle access, as appropriate, are adequate to and on the site.

Staff Response: The facility will not be open to the public and is meant to be used by 1-2 employees daily. Adequate access will be provided for emergency vehicles.

5. Adequate setbacks and buffering have been provided. Any reduction to setbacks or buffer widths is the minimum necessary to allow for reasonable economic use of the lot and does not adversely impact the functional value of the critical resource area or adjoining land uses.

Staff Response: Adequate setbacks and buffering have been provided. The project design includes the following measures to ensure that setbacks and buffer widths are sufficient and effective:

- a. Setbacks and Buffering: The project incorporates appropriate setbacks and buffers to protect critical resource areas and maintain compatibility with adjoining land uses. These setbacks and buffers are designed to minimize visual and noise impacts, preserve natural habitats, and protect water quality.*
- b. Minimal Reductions: Any reduction to the standard setbacks or buffer widths has been carefully evaluated and implemented only when necessary to allow for reasonable economic use of the lot. These reductions are the minimum necessary and have been designed to ensure that they do not adversely impact the functional value of the critical resource area or adjoining land uses.*
- c. Protection of Critical Resources: The project includes specific measures to protect critical resource areas, such as wetlands, by maintaining sufficient buffer zones and implementing additional mitigation measures where necessary. These efforts ensure that the functional value of these areas is preserved.*
- d. Compatibility with Adjoining Land Uses: The design of the project ensures that any adjustments to setbacks or buffers do not negatively impact neighboring properties.*

6. The physical location, size, and placement of proposed structures on the site and the location of proposed uses within the project are compatible with and relate harmoniously to the surrounding area.

Staff Response: The physical location, size, and placement of proposed structures on the site and the location of proposed uses within the project are compatible with and relate harmoniously to the surrounding area.

7. The project adequately mitigates impacts identified through the SEPA review process, if required.

Staff Response: The project adequately mitigates impacts identified through the SEPA review process, ensuring that any potential environmental concerns are addressed and resolved effectively.

8. The project would not be detrimental to the public interest, health, safety, or general welfare.

Staff Response: The project would not be detrimental to the public interest, health, safety, or general welfare, as it incorporates necessary measures to safeguard these aspects and provides for increased safety to serve the Upper Kittitas County.

V. CONCLUSIONS:

- A. The Hearing Examiner has jurisdiction to issue a recommendation to City Council on this matter.
- B. The project is consistent with the purpose and intent of the PMU zoning district and the Cle Elum Comprehensive Plan 2037.
- C. During project review it has been found that the site plan, as conditioned, meets applicable code requirements of CEMC 17.45, 18.01, 14.40, and 14.30.140.
- D. The Mitigated Determination of Nonsignificance (MDNS) issued on July 8, 2024 was not appealed.

VI. RECOMMENDATION

The Planning Consultant, on behalf of the City of Cle Elum, recommends that approval of the Search and Rescue Facility (PMU-2024-002, CA-2024-001, and SDR-2024-002) be approved based upon the above findings and conclusions and subject to the conditions of approval as follows;

- 1. The Mitigation Measures of the July 8, 2024 MDNS shall be complied with.
- 2. All stormwater must be retained onsite consistent with the City's Construction Standards and 2019 Stormwater Management Manual for Eastern Washington. A stormwater drainage plan and report, prepared by a licensed engineer and registered in the state of Washington, shall be submitted for City review and approval consideration.
- 3. The type, capacities, location and layout of a private sewage disposal system shall comply with all regulations of the Washington State Health Department and the Kittitas County sanitarian.
- 4. Improvements to the airport access road to meet minimum fire code standards shall be required.

EXHIBITS:

Exhibit I: Applicant Submittals

- Application, SDR
- Narrative
- SEPA Checklist
- Critical Areas
- Aquatic Resources Summary and Maps
- Site Plans
- Site Plan _Wetland Exhibit

Exhibit II: Notices

- Notice of Application and Environmental Review
- MDNS
- Notice of Public Hearing
- Newspaper Post
- Posting of site
- Mailing Notices

Exhibit III: Comments

- Department of Ecology, 6-24-24
- Colville Tribes, 6-25-24
- Washington State Department of Fish and Wildlife, 6-25-24
- Washington State Department of Health, 7-09-24

Exhibit I: Applicant Submittals

- Application, SDR
- Narrative
- SEPA Checklist
- Critical Areas
- Aquatic Resources Summary and Maps
- Site Plans
- Site Plan _Wetland Exhibit

119 West First Street
Cle Elum, WA 98922
Telephone · (509) 674-2262
Fax · (509) 674-4097
www.cityofcleelum.com



SITE AND DESIGN REVIEW APPLICATION

Site and design review is required for all proposed development activities unless determined to be exempt by the city, Per CEMC 14.30.140(A). For exemptions, see 14.30.140(A)(5)(a-f).

The purpose of a site and design review is to determine whether new development activities will or will not have an adverse effect on the public health, safety, and welfare of residents of Cle Elum, and that new development activities are compatible with existing patterns of development and the provisions of the Cle Elum comprehensive plan, per CEMC 14.30.140.

OFFICIAL USE ONLY

Permit #:	SDR-2024-002
Staff Person:	V. Boud
Fee Total:	\$350.00
Related Permits:	Pre AP-2024-001

Applicant	
Name: Kittitas County Public Works	
Mailing Address: 411 N. Ruby St., Suite 1 Ellensburg, WA 98926	
Phone Number: 509-962-7523	Email: kelee.hodges.pw@co.kittitas.wa.us
Property Owner Same as Applicant ☒	
Name:	
Address:	
Phone Number:	Email:
Project Information	
Project Name: Kittitas County Search and Rescue/ EOC	
Project Location Address: XXXX Airport Rd, Cle Elum WA 98922	
Assessor's Parcel No. 962113	Zoning: Planned Mixed Use
Narrative	
Description of proposed action: Construct a regional facility housing search and rescue (SAR) along with an emergency operations center (EOC). The project is located on parcel # 962113 near MP 1.23 Airport Rd in Cle Elum, WA. The parcel is zoned Planned Mixed Use (PMU). Typical daily operations will have one or two employees on-site. Current access is from the airport access driveway. There will be two phases for the project. The first phase will be the clearing and grubbing, grading and well installation, along with the design for future build out. The second phase will include construction of septic systems, buildings, and parking lots. The third phase is for a future build out of the Emergency Operations Center (EOC).	

General Site Plan Checklist CEMC 14.30.140(B)(1)

All general site plans shall be drawn to scale, shall be submitted in a format prescribed by the city by a qualified professional, and should include, but is not limited to the following:

- The location and dimension of the lot(s).
- Existing topography and natural features.
- The nature, location, dimensions of critical areas, shorelines, and their associated buffers, if any, on or adjacent to the site.
- The footprint of existing and proposed structures, proposed building heights, proposed building setbacks, and the proposed uses.
- The location of existing and proposed utilities including but not limited to water, hydrants, irrigation, sanitary sewer, electrical, light poles, and cable.
- Existing and proposed easements.
- The location of existing and proposed roads, driveways, parking facilities, loading areas, curbs, sidewalks, pedestrian facilities, bike lanes and facilities, and signage.
- Existing and proposed walls, fences, and landscaping.
- Existing and proposed open space, parks, plazas, public spaces, and public art.
- Proposed grading and drainage facilities.
- Other items as may be required by the city in writing.

Supplemental Materials

Additional information that may be required could include technical reports prepared by a qualified professional. This may include, but is not limited to:

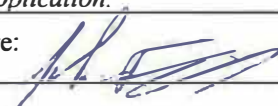
- Critical area reports;
- Landscaping, screening and buffering plans that meet the standards of CEMC 17.64.;
- Geotechnical reports;
- Preliminary storm water reports;
- Traffic impact analysis; and/or
- Parking studies.

Decision Criteria can be found in CEMC 14.30.150

Authorization

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient for denial of the request. This application gives consent to the City to enter the properties listed above for the purposes of inspecting and verifying information presented in this application. The applicant further agrees to pay all fees specified in the City's fee schedule for the permit and expenses associated with the review of the application, including City's consultant costs. The applicant gives consent to the City to enter the property(s) listed above for the purpose of inspecting and verifying information presented in this application.

Applicant Signature:



Date:

23/April/2024

The application will not be processed and deemed complete unless all required criteria is attached to application on the day of submission. The Planner may choose to waive some of the required criteria. If any of the required criteria is provided in another permit, please cite that permit.



City of Cle Elum
119 West First Street
Cle Elum, WA. 98922
509-674-2262

Kittitas County Public Works
411 North Ruby St., Suite #1
Ellensburg, WA 98926

Account Information

Cust #: 1117
Date: 04/26/2024 Due: 05/26/2024
Invoice #: 7334
For: Planning And Development

Item	Taxed	Quantity	Amount	Total
Grading Permit GP-2024-003	N	1.0000	600.00	600.00
Site and Design Review SDR-2024-002	N	1.0000	350.00	350.00
SEPA Checklist SEP-2024-002	N	1.0000	975.00	975.00
Base fees for Grading, Site and Design Review & SEPA Applications. Permit # GP-2024-003, SDR-2024-002 & SEP-2024-002.				1,925.00
Additional Review Fees May Be Invoiced At A Later Date.				0.00
Non Taxed:				0.00
Taxed:				0.00
Tax @ 6.00%:				0.00
Payments:				0.00
Total:				1,925.00

THANK YOU!



City of Cle Elum
119 W First St.
Cle Elum, WA 98922
(509) 674-2262
www.cityofcleelum.com

XBP Confirmation Number: 171398428

▶ Transaction detail for payment to City of Cle Elum.			Date: 04/26/2024 - 1:26:03 PM MT
Transaction Number: 217531748 Visa — XXXX-XXXX-XXXX-1421 Status: Successful			
Account #	Item	Quantity	Item Amount
	Planning and Development Fees	1	\$1925.00
Notes: Base Fees for Grading Permit GP-2024-003, Site and Design Review SDR-2024-002 and SEPA Checklist SEP-2024-002 Applications.			

TOTAL: **\$1925.00**

Billing Information

Public Works Department Kititas
County
411 N Ruby St. Suite 1
Ellensburg, WA 98926

Transaction taken by: Admin Virgil

Receipt: 1638904/26/2024
Acct #: 1117COPY
City Of Cle Elum
119 W First Street
Cle Elum, WA 98922
5096742262

Kittitas County Public Works
411 North Ruby St., Suite #1
Ellensburg, WA 98926

Invoice Payment
Inv#: 7334 Amt Paid: 1,925.00
Base fees for Grading, Site and Design
Review & SEPA Applications. Permit #
GP-2024-003, SDR-2024-002 &
SEP-2024-002.
Additional Review Fees May Be Invoiced
At A Later Date.

Non Taxed Amt:	1,925.00
Total:	1,925.00
CC: Xpress	1,925.00
Ttl Tendered:	1,925.00
Change:	0.00
Issued By:	Virgil
	04/26/2024 13:47:50



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

Mark Cook, Director



PROJECT NARRATIVE

KCSAR EOC
XXXX Airport Rd
Cle Elum, WA 98922

Kittitas County is constructing a regional facility housing search and rescue (SAR) along with an emergency operations center (EOC). The new facility creates the first county EOC and relocates the existing SAR facility from Ellensburg to Cle Elum, WA. Ninety percent of all rescues call to the upper county (Cle Elum area). The relocated facility reduces response time and saves money which increases first responders ability to saving lives. The Teanaway and Cle Elum Ridge areas represent two of the highest fire danger areas in the county as recognized by Washington Department of Natural Resources and United States Department of Agriculture (US Forest Service). Locating the EOC in Cle Elum affords increased operational efficiencies during fire fighting operations.

The project is located on parcel # 962113 near MP 1.23 Airport Rd, Cle Elum, WA 98922. The parcel is zoned for Planned Mixed Use (PMU). Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time period. Property to the north is owned by City of Cle Elum and is the location of Cle Elum Airport. The property to the east is owned by DNR and is the location for training and housing of wildfire specialists. The property to the west and south are zoned agriculture and rural residential. Current access is from the airport access road that runs through the property. The City of Cle Elum has an easement through the parcel owned by Kittitas County Public Works. Another access will be created off Airport Rd.

There will be two phases for the project. The first phase will be the clearing and grubbing, grading, storm drainage systems, septic system, and well installation, along with the design for future buildout. The second phase will include construction of buildings and parking lots.

City of Cle Elum, Washington
SEPA Checklist**Purpose of the Checklist**

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for Applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of the Checklist for Nonproject Proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in "Part B: Environmental Elements" that do not contribute meaningfully to the analysis of the proposal.

1) Background

1. Name of proposed project, if applicable:

Kittitas County Search and Rescue Facility

2. Name of applicant:

Kittitas County Public Works

3. Address, e-mail and phone number of applicant and contact person:

Josh Fredrickson
411 N. Ruby St, Suite 1
Ellensburg, WA 98926
509-962-7523
josh.fredrickson@co.kittitas.wa.us

4. Date checklist prepared:

April 22, 2024

5. Agency requesting checklist:

Kittitas County Public Works

6. Proposed timing or schedule (including phasing, if applicable):

Site development will begin in the fall of 2024 with land clearing operations followed by activities including grading, paving, well and onsite septic construction. Construction of the metal skin building will begin concurrent with site development activities concluding in the third quarter of 2025. Kittitas County Search and Rescue (KCSR) will occupy the facility upon building completion. Build out of the interior of the Emergency Operations Center (EOC) proceeds as funding allows.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None currently planned. The Project is finished upon completion.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Documentation that has been prepared directly related to this proposal includes:

- **Jacobs. 2023a. *Kittitas County Search and Rescue Facility - Aquatic Resources Summary*. Technical Memorandum prepared for Kittitas County. August 2023.**
- **Jacobs. 2023b. *Cultural Resources Assessment Search and Rescue Building Project Kittitas County, Washington*. Prepared for Kittitas County. September 2023.**
- **Jacobs. 2023c. *Kittitas County Search and Rescue Facility Project Hazardous Materials Memorandum*. Update in progress.**
- **Kittitas County. In Progress. *Stormwater Report*. Prepared by Kittitas County Public Works.**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Government approvals currently pending include:

- **Washington State Department of Natural Resources (DNR) Forest Practice Application**
- **National Environmental Policy Act Categorical Exclusion is being prepared by the Federal Emergency Management Agency (FEMA).**

10. List any government approvals or permits that will be needed for your proposal, if known.

- **Letter of Concurrence with Area of Potential Effects for Section 106 from the Washington State Department of Archaeology and Historic Preservation.**

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

Kittitas County is proposing construction of a regional facility housing KCSR along with an EOC. Proposed Project activities consist of construction of a communications tower, a County road accesses, an access to the existing driveway, an office building, a storage building, a drive-through vehicle bay building, and a paved parking lot with parking spaces. The objective of the Project is to create the first County EOC and relocate the existing KCSR facility from Ellensburg to Cle Elum to increase response times and service.

The new roadway and accesses will occur on Airport Road and on the existing airport access. The new accesses will be constructed with fill and paved. The parking area will be paved and provide approximately 16 designated parking spaces. A 1,600 square foot parking garage will be constructed as alternate parking for EOC equipment. One recreational vehicle pad will be constructed for a FEMA trailer. The new accesses and parking area will be designed using the WSDOT Eastern Washington Stormwater Manual to sheet flow stormwater runoff for dispersal and infiltration into roadside areas. There will be no discharge of untreated stormwater to surface waters. The Project will add approximately 48,400 square feet (11,900 square feet for buildings and 36,500 of paved lot) of impervious surface.

Approximately 83,040 square feet of grading will occur for facility buildings and parking areas. Following site preparation and construction of the accesses, facility construction activities including grading, paving, well, and onsite septic construction will occur. Construction of retaining walls and the metal skin building will occur concurrent with site development activities.

An approximately 10,300 square foot building serving as both the KCSR and EOC building on the southern half of the parcel will be constructed. The one story building will house several offices, storage, restrooms, and a kitchen at one end with an enclosed vehicle garage at the other end of the building. Build out of the proposed buildings and interior of the KCSR will occur during the first phase. The EOC facility interior build out will occur after the exterior is in place and will proceed in a phased approach as funding allows.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Project is located at the Cle Elum Municipal Airport in Kittitas County, Washington in Section 30, Township 20 North, Range 16 East, Willamette Meridian at 46.952243° N latitude, 120.530794° W longitude. See Vicinity map and site plan (Attachment 1 and Attachment 2).

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

The site is flat with slopes at the perimeter, one on the north boundary of the parcel and one at the south boundary of the parcel.

(circle one): **Flat**, rolling, hilly, **steep slopes**, mountainous, other

b. What is the steepest slope on the site (approximate percent slope)?

44%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The Project will not remove soils from the site.

The Natural Resources Conservation Service Web Soil Survey maps soils as Teanaway ashy loam and Patnish-Mippon-Myzel complex. Both soils are classified as agricultural or prime farmland.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

A total of approximately 5,400 cubic yards of excavation will be required. Approximately 1,060 cubic yards of excavation is needed for the building footings and foundations during construction and approximately 4,400 square feet of excavation is anticipated for the stormwater pond, ditching and access construction.

Approximately 83,040 square feet of grading is needed for buildings and parking lot construction.

Approximately 6,000 cubic yards of fill is anticipated.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Minimal erosion is possible during construction. Best management practices (BMPs) for erosion/sediment control will be in place to mitigate any possible erosion during clearing, construction, and post construction. There will be no increase in erosion from the long-term use of the facility.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 23% of the site will be covered in impervious surface; approximately 36,500 square feet of asphalt and approximately 14,300 square feet of building footprint for a total of 50,800 square feet of impervious surface.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

A Project-specific Temporary Erosion and Sediment Control (TESC) Plan is required for the Project. Disturbed areas not planned for direct facility use will be replanted with native vegetation or approved species. Project-specific BMPs will be implemented to avoid and prevent any erosion associated with construction.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Typical construction activities are expected to cause minor and temporary increases in fugitive dust and exhaust.

The completed Project is not anticipated to result in a significant increase in traffic volumes. Estimated volumes of traffic are 0.88 peak hour trips during a typical day and 17.6 peak hour trips during events or trainings.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Standard BMPs for dust control measures during construction, such as watering exposed soil or road surfaces, placing clean rock on road surfaces, or other commercial dust abatement applications to road surfaces will be implemented as needed. Machinery, equipment, and support vehicles used for the Project will be maintained in proper working order and shut off when not in use.

3. Water

- a. Surface Water:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Streams and Waterbodies

The U.S. Geologic Survey National Hydrography Dataset indicates there is an unnamed ephemeral drainage on the adjacent parcel to the east, which flows north to south. The DNR types this drainage as a Type 'F' stream. Field reconnaissance conducted by Jacobs' biologists indicates this "stream" to be an ephemeral drainage that is dry for many months of the year and has reported findings as stream type "Ns" (Jacobs 2023a). Type Ns streams are defined by DNR as "Streams that do not have surface flow during at least some portion of the year, and do not meet the physical criteria of a Type "F" stream."

Wetlands

Field investigations were conducted in 2023 by a certified biologist, which determined there is one approximately 0.42 acre wetland within the Project area (Jacobs 2023a).

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No work will occur in or adjacent to surface waters.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

No fill or dredge material will be placed or removed from surface water or wetlands.

- (4) No fill or dredge material will be placed within any wetlands or aquatic resources. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

(6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground Water:

(1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Domestic well and septic systems are proposed for the office building, which will contain a kitchen and two restrooms. The well will be used for drinking water and other domestic functions.

(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Waste material that will be discharged into the ground from septic tanks includes domestic sewage. The facility is anticipated to serve two people but is designed to accommodate up to 10 people on a regular basis. A surge tank will be provided to help mitigate and influxes the facility may see during emergency operations. A septic dump has also been included for the FEMA emergency trailer in front of the septic field (Attachment 2).

c. Water runoff (including stormwater):

(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

A stormwater pond will be created on the east edge of the site adjacent to the access road. The footprint of the pond will be approximately 14,000 square feet. The pond will be positioned to convey runoff from the adjacent area in a series of catch basins positioned throughout the site routed to the stormwater infiltration pond. The water will be contained for infiltration and treated through the site soils and not flow into other waters. Vegetation will be added to the pond if necessary (see Attachment 2).

(2) Could waste materials enter ground or surface waters? If so, generally describe.

No, any waste materials will be contained within the proposed stormwater pond.

(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

The proposal only alters drainage patterns within the Project footprint. The adjacent areas will not be altered. The Project will not alter or affect drainage patterns in the vicinity of the site.

(4) Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

BMPs for stormwater will be in place during construction. In the event a precipitation event occurs and results in short-duration runoff of surface water, BMPs will contain all sediment and prevent discharge to any adjacent aquatic resources.

4. Plants

a. Check the types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other

☒ evergreen tree: fir, cedar, pine, other

☒ shrubs

☒ grass

☐ pasture

☐ crop or grain

☐ orchards, vineyards, or other permanent crops.

☒ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

☐ water plants: water lily, eelgrass, milfoil, other

☐ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

Pine, hemlock, and cottonwood trees, shrubs, and grasses will be removed or cleared for the buildings. No vegetation will be removed from the delineated wetland or east of the Cle Elum Municipal Airport access.

- c. List threatened and endangered species known to be on or near the site.

There are no known threatened or endangered plant species on or near the site. There is no suitable habitat present for threatened or endangered species within the Project area.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Vegetation will be left in place to the greatest extent possible. Disturbed areas not intended for Project use will be reseeded and potentially landscaped.

- e. List all noxious weeds and invasive species known to be on or near the site.

No noxious weeds were observed onsite.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other

- b. List any threatened and endangered species known to be on or near the site.

There are no known threatened or endangered species on or near the site.

- c. Is the site part of a migration route? If so, explain.

The Project is not part of a mapped or documented migration route.

- d. Proposed measures to preserve or enhance wildlife, if any:

The site will be fenced to keep wildlife out.

- e. List any invasive animal species known to be on or near the site.

None known.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The completed Project will use electrical power for heating, cooling, lighting, and general facility operations.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The Project will utilize local materials where possible during construction and use energy star appliances, auto shut off lights, and other energy efficient utilities.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

There are no known health hazards at the Project site.

1. Describe any known or possible contamination at the site from present or past uses.

No spills or cleanup sites are documented in the Washington State Department of Ecology's Facility/Site or Toxics Cleanup Program databases within the Project site. There is no known contamination at the Project site.

2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Construction may require the use of hazardous materials (e.g., fuel, oil). BMPs will be in place when storing or using hazardous materials. A Spill Prevention, Containment and Countermeasures (SPCC) Plan will be implemented during construction.

Toxic or hazardous chemicals that may be stored on or used during the operating life of the facility may include but is not limited to gas or oil for equipment and vehicles.

4. Describe special emergency services that might be required.

It is not anticipated that special emergency services will be required.

5. Proposed measures to reduce or control environmental health hazards, if any:

A SPCC Plan will be developed for the Project which will provide site-specific information regarding the prevention and containment of spills. Appropriate BMPs for spill prevention will be in place and clean up measures will be taken if necessary.

Spill containment plans would be implemented in the event of a vehicle or equipment leak. Refueling would be done over 100 feet from any surface water and with appropriate care to avoid spills. A Health and Safety

Plan would be required to define the appropriate engineering control methods and personal protection equipment for health and safety. Work areas would be identified with flagging or temporary construction fencing to prevent potential impacts outside of the work limits.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The Project is near the Cle Elum Municipal Airport, which creates noise from airplane traffic. The Project is also near Airport Road and the Airport access, which generates noise from traffic. Existing noise in the area will not affect the Project.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

During construction, noise associated with equipment to be used may include but is not limited to dozers, chain saws (for clearing and grubbing), pickups, compressors (to power pneumatic tools), graders, rollers, excavators, dump trucks, front loaders, and generators.

Construction will take place during work hours, from approximately 7:30 am to 5:30 pm on weekdays.

Noise associated with the completed Project may include noise from up to two vehicles during normal operating hours and several vehicles, tools, and sirens during an emergency operation.

3. Proposed measures to reduce or control noise impacts, if any:

During construction, equipment will be operational during daylight hours and shut off when not in use.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently vacant. Adjacent properties include the Cle Elum Municipal Airport, which is a public airport, the DNR Training Facility, which is used for personnel fire training, and residential properties.

The proposed Project will not affect current land uses on nearby or adjacent properties.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No, the site has not been used as farmland or forest lands and no agricultural or farmland will be converted to another use as a result of the Project.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site.

One decommissioned well house is the only structure on the site.

- d. Will any structures be demolished? If so, what?

Yes, the well house structure will be demolished.

- e. What is the current zoning classification of the site?

The property is zoned Planned Mixed Use.

- f. What is the current comprehensive plan designation of the site?

The current land use designation is Planned Mixed Use.

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. No shoreline master program designation exists on the site.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Wetlands

Field surveys determined one wetland occurs on the south portion of the parcel.

Critical Aquifer Recharge Areas

The parcel is mapped as Unconsolidated Deposit within Kittitas and Roslyn Basins.

Fish and Wildlife Habitat Conservation Areas

The Project site does not include any mapped fish or wildlife conservation areas.

Frequently Flooded Areas

The Project site is not within a floodway, 100-year floodplain, or any other frequently flooded areas or flood zones.

Geologically Hazardous Areas

The Project site does not include any geologically hazardous sites.

- i. Approximately how many people would reside or work in the completed project?

No residential units are associated with the Project. One to two people would work at the facility on a daily basis. An average of approximately 40 people, depending on the season and call frequency would work intermittently at the completed site on a call by call basis.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The existing land use supports the KCSR and EOC current operations and compliments the adjacent Cle Elum Airport and DNR Wildland Firefighter Camp land uses. The Project is consistent with Kittitas County's Multi-Jurisdictional Hazard Mitigation Plan Volume 1 and Volume 2 (Kittitas County 2019).

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term

commercial significance, if any:

Not applicable.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

c. Proposed measures to reduce or control housing impacts, if any:

None.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The tallest structure will be the communication tower at approximately 180 feet tall. The tallest building will be the drive through vehicle bay at approximately 26 feet high. The building will be used for parking vehicles and will likely have a steel exterior.

b. What views in the immediate vicinity would be altered or obstructed?

Views in the immediate vicinity of the Project site would be altered as the site will be converted from a vacant forested site to a business facility site. The constructed site will be consistent with surrounding views such as the Cle Elum Municipal Airport to the north and the DNR Training Facility, which is used for training wildland fire staff, to the east of the Project site.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Where possible, existing trees and shrubs will be left in place. The perimeter of the site will remain vegetated, and landscaping may occur if needed.

The building colors will be neutral or earth tones to complement the surrounding landscape.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The Project includes indoor lighting, fixed outdoor lighting, and lighting from vehicles. Lighting would mainly occur from dusk until dawn and would be directed downward into the site to minimize light pollution.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

It is not anticipated that light or glare could be a safety hazard although the addition of lighting in an area where none previously existed may interfere with views.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. Proposed measures to reduce or control light and glare impacts, if any:

Outdoor lighting will be angled downward to reduce light or glare impacts.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Although upper Kittitas County provides many recreational opportunities, there are no recreational opportunities accessible in the immediate vicinity of the Project site.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No, there are no recreational uses in the immediate vicinity of the Project.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. No impacts to recreation will occur.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

A well house occurs on the site which first appears on aerial imagery in 1954. A cultural resource evaluation recommends the structure not eligible for listing in the National Register of Historic Places (NRHP) due to deterioration of the materials of the pump house as well as lack of significance and integrity (Jacobs 2023b).

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

The discovery of human remains, or cemeteries did not occur during the cultural resources inventory conducted by Jacobs archaeologists.

Two historic debris scatters were noted on the surface within the Area of Potential Effect (APE). Two subsurface probes were positive for cultural material. These two shovel test probes include three precontact lithic flakes and one hand blown amethyst glass. A grid of shovel test probes identified a heavily disturbed context surrounding both positive shovel test probes. The two historic debris scatters and one multicomponent site was recommended as not eligible and the 2023 report recommended a finding of no historic properties affected (Jacobs 2023b).

Jacobs archaeologists conducted a cultural resources study and drafted a report: *Cultural Resources Assessment Search and Rescue Building Project, Kittitas County, Washington* (Jacobs 2023b). Previous professional studies conducted within 1.0 mile of the APEs are shown in the table below.

Report No.	Year	Author	Title	Distance from APE (miles)	Resources
1341999	1997	Fennelle, Miller	1997 Cultural Resource Surveys of Plum Creek Timber Company, L.P.'s Proposed Timber Harvests	0.40	45KT01359
1681189	2011	Amara, Mark	John Hein Cultural Resources Site Identification Survey	0.61	None
1341891	2001	Wilt, Julie	Results of a Cultural Resources Survey of the Bonneville Power Administration's Yakima River Side Channel Project Area	0.62	None

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Methods used to assess the potential impacts to cultural and historic resources included a records and literature review as well as field investigations. The literature review included:

- **Washington Information System for Architectural and Archaeological Records Data database**
- **Bureau of Land Management General Land Office historical maps**
- **U.S. Geological Survey topographic maps**
- **Metsker maps**
- **Aerial maps**
- **Natural Resources Conservation Service maps**

Field investigations included surface pedestrian and subsurface surveys across the entire proposed APE. Specific field methods are described in the Cultural Resources Assessment Report (Jacobs 2023b).

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Per the management recommendations described in the Cultural Resources Assessment Report, the institution of an inadvertent discovery plan is recommended (Jacobs 2023b).

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The Project site will have access from Airport Road. An additional access point will be located on the Cle Elum Municipal Airport access. See Attachment 2.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The site is not directly served by public transit. The nearest transit service is provided by Kittitas County Connector (HopeSource) and is in Cle Elum approximately 4 miles to the west.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

The Project will provide up to 16 parking spaces within the facility lot. No parking spaces will be eliminated.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

The Project will improve the airport access, a private driveway, bringing it up to private road standards (KCC 12.04.070).

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Transportation to the Project site would primarily utilize Kittitas County roads.

The Project occurs in the vicinity of the Cle Elum Municipal Airport which is a public airport.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No. The Project would increase public services available in the area by providing emergency search and rescue and emergency operation services.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other __

Kittitas County Public Utility District serves the area; poles are existing adjacent to site. No utility connections are currently available at the site.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electricity, telephone, fiber optic, water, septic, satellite and/or radio communication utilities will be needed for the Project.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:



Name of signee Josh Fredrickson

Position and Agency/Organization Public Works Director, Kittitas County Public Works

Date Submitted: 24/Apr/2024



City of Cle Elum

Critical Areas

Application Packet

City of Cle Elum, Planning Division
119 West First Street, Cle Elum, WA 98922
Phone#: (509) 674-2262 Email: planning@cleelum.gov



LAND USE APPLICATION
CITY OF CLE ELUM, PLANNING DEVELOPMENT

119 WEST FIRST STREET, CLE ELUM, WA 98922
PHONE: (509) 674-2262 EMAIL: planning@cleelum.gov

INSTRUCTIONS – PLEASE READ FIRST Please type or print your answers clearly.

Answer all questions completely. If you have any questions about this form or the application process, please ask a Planner. Remember to bring all necessary attachments and the required filing fee when the application is submitted. The Planning Division cannot accept an application unless it is complete and the filing fee paid. Filing fees are not refundable. *Consulting fees may apply.*
This application consists of four parts. PART I - GENERAL INFORMATION AND PART IV – CERTIFICATION are on this page. PART II and III contain additional information specific to your proposal and MUST be attached to this page to complete the

PART I – GENERAL INFORMATION

1. Applicant's Information:	Name:	Kittitas County Public Works				
	Mailing Address:	411 N. Ruby St., Suite 1				
	City:	Ellensburg	St	WA	Zip	98926 Phone: ()
	E-Mail:	kelee.hodges.pw@co.kittitas.wa.us				
2. Applicant's Interest in Property:	Check One:	☒ Owner	☐ Agent	☐ Purchaser	☐ Other _____	
3. Property Owner's Information (If other than Applicant):	Name:					
	Mailing Address:					
	City:		St		Zip	
	E-Mail:					
4. Subject Property's Assessor's Parcel Number(s): 962113						
5. Legal Description of Property. (if lengthy, please attach it on a separate document) Parcel 2 of Cle Elum Municipal Airport Short Plat						
6. Property Address: xxxx Airport Rd, Cle Elum, WA 98922						
7. Property's Existing Zoning:						
8. Type Of Application: (Check All That Apply)						
☒ Critical Areas Review ☒ Environmental Checklist (SEPA Review)						
☐ Shorelines ☐ Other _____						

PART II – SUPPLEMENTAL APPLICATION, PART III – REQUIRED ATTACHMENTS, & PART IV – NARRATIVE

SEE ATTACHED SHEETS

PART V – CERTIFICATION

I certify that the information on this application and the required attachments are true and correct to the best of my knowledge.

Property Owner's Signature

Date

Kelie Hodges
Applicant's Signature

6/4/24
Date

FILE/APPLICATION(S)#

DATE FEE PAID:

RECEIVED BY:

AMOUNT PAID:

RECEIPT NO:



Critical Areas Identification Form

CITY OF CLE ELUM, PLANNING DEPARTMENT

119 WEST FIRST STREET, CLE ELUM, WA 98922

PHONE: (509) 674-2262 EMAIL: planning@cleelum.gov

This form is intended to provide a sufficient level of information that, when combined with a site inspection, the Administrative Official can make an informed determination as to whether or not critical areas are present on the site, and whether or not the proposed activity will impact those critical areas. A “yes” response to any single question on the identification form does not necessarily indicate that further critical area review is required. **The Administrative Official will evaluate all the information provided on the form, in conjunction with the information provided with the initial permit application, to determine if further investigation is needed and whether completion of a critical area report is warranted.** In some instances, a preliminary report prepared by an environmental professional may be appropriate. If a buffer reduction is necessary for your project, a separate review will be required and a separate fee will be charged. Some of the questions listed here require locating the project area on reference maps. The City of Cle Elum has various maps on file, i.e. the FEMA Floodplain Map. Maps from other federal, state, and local agencies may also be used as indicators.

PART II - APPLICATION INFORMATION

A. Project Information

1. Name of project.

Kittitas County Search and Rescue/ EOC

2. Name and address of applicant. Kittitas County Public Works
411 N. Ruby St., Suite 1
Ellensburg, WA 98926

3. Name and address of individual completing the identification form and their environmental/technical expertise/special qualifications.
Kelee Hodges Environmental/Transportation Planner
411 N. Ruby St., Suite 1

4. Date the identification form was prepared.

May 14, 2024

5. Location of the proposed activity (street address and legal description).

XXXX Airport Rd
Cle Elum, WA 98922

6. Give a brief, complete description of the proposed activity, including extent of proposed activities, and impervious surface areas.

Construct regional facility for search and rescue operations along with an emergency operations center. Project is located on 5 acres south of Cle Elum Airport. Impervious surface is estimated to be 36,500 s.f. for parking lot and building of 11,900 s.f.

7. Describe the limits of the project area in relation to the site (for example, “the project area will extend to within 50 feet of the north property line”), including the limits of proposed clearing and construction activity.

Grading; clearing and grubbing, paving, domestic well, on-site septic construction, foundation, and building installation. An access will be installed on the southwest portion of the property.

B. General Questions That May Be Applicable To All Areas
1. What is the U.S. Department of Agriculture soil classification of the soil found on site? Teanaway ashy loam and Patnish Mippon-Myzel complex.
2. What types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? Loamy soils
3. What types of vegetation are found on site? Cattail, buttercup, bulrush, skunk cabbage, water lily, eelgrass, milfoil? Evergreen trees; fir, cedar, pine. Shrubs and grass. Wet soil plants such as cattail, buttercup, bullrush, skunk cabbage.
4. Describe any vegetation proposed to be planted as part of the project. Native plants will be planted according to landscape requirements.
5. Give a brief, complete description of existing site conditions, including current and past uses of the property as well as adjoining land uses. Existing site conditions are undeveloped land with trees.
6. Will the project include installation of an on-site septic system? Yes
7. What is the proposed timing and schedule for all multi-phased projects? Site development will begin in the fall of 2024 with land clearing, including grading, paving, well and onsite septic construction. Metal building the end of 2024 with completion by end of 2025.
8. Do you have any plans for future additions, expansion, or related activity? If yes, explain. Search and Rescue will occupy facility upon building completion. Future funding will allow the build out of the interior of the building for the Emergency Operations Center. (EOC)
9. Have any critical areas or protection easements been recorded on the title of the property or adjacent properties? No.
10. Will your project require review under the State Shoreline Management Act or the State Environmental Policy Act? Yes, SEPA will be reviewed.
11. Is the site within the 100-year flood plain on flood insurance maps published by the Federal Emergency Management Agency (FEMA), or on other local flood data maps? No.

12. Describe any surface water and watercourses, including intermittent streams, drainage channels, ditches, and springs, located on site or within one-half mile of the site. If appropriate, provide the names of the water bodies to which the streams flow.

A possible wetland was identified with an Aquatics Memo being prepared by Jacobs Engineering.

13. Indicate the topography of the site (shallow areas often retain water and may be wetlands, although wetlands may also occur on slopes).

A depressionnal palustrine scrub shrub and palustrine forested wetland appears on the southern and lowest portion of the parcel.

14. How will stormwater from the project be managed?

A 14,000 s.f. pond will be installed to convey runoff from adjacent area catch basins. Infiltration and treatment through site soils, preventing flow into other waters.

15. Is development proposed to be clustered to reduce disturbance of critical areas?

Development of site will be outside suspected wetland boundary.

16. Will this project require other government approvals for environmental impacts?

- ☐ Hydraulic Project Approval (HPA) (Washington Department of Fish and Wildlife)
- ☒ Water quality certification [(Washington State Department of Ecology (Ecology)).
- ☐ National Pollutant Discharge Elimination System (Ecology).
- ☒ Municipal or health district wastewater/septic approval (Ecology).
- ☒ Water Use Permit; Certificate of Water Right (Ecology).
- ☐ U.S. Army Corps Section 404 or Section 10 Permits.
- ☒ Forest Practices Permit (Washington State Department of Natural Resources (DNR)).
- ☐ Aquatic Lands Lease and/or Authorization (DNR).
- ☐ Shoreline development, conditional use, or variance permit (local jurisdiction).
- ☒ Other NEPA-CE (FEMA)

C. Available Information

1. Has a critical area review, or other environmental review, been conducted for another project located on or adjacent to the site? List any environmental information known to have been prepared, or expected to be prepared, relating to this proposal or project area.

No

D. Wetlands

1. Is there any evidence of ponding on or in the vicinity of the site?

No ponding has been observed on-site.

2. Does the proposed activity or construction involve any discharge of waste materials or the use of hazardous substances?

No.

E. Critical Aquifer Recharge Areas
1. What is the permeability (rate of infiltration) of the soils on the site? (Note: <i>General information for this question and the following question can be found in the Guidance Document for the Establishment of Critical Aquifer Recharge Area Ordinances, 2000, Ecology Publication #97-30</i>).
2. What is the annual average precipitation in the area?
3. Is there any evidence of groundwater contamination on or in the vicinity of the site? No .
4. Is there any groundwater information available from wells that have been dug in the vicinity? If so, describe, including depth of groundwater and groundwater quality. No .
5. Does the proposed activity or construction involve any discharge of waste materials or the use of hazardous substances? Construction may require the use of hazardous materials. BMP's will be in place when storing or using hazardous materials.
F. Frequently Flooded Areas
1. Is the site, or a portion of the site, at a lower elevation than surrounding properties? No .
G. Geological Hazard
1. Generally describe the site: Flat, rolling, hilly, steep slopes, mountainous, other. Flat and steep slopes.
2. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill material. A total of approximately 5,400 CY. of excavation will be required. 1,060 CY of excavation for building footing and foundations and 4,400 SF of excavation is anticipated for the stormwater pond, ditch and access construction
3. What is the steepest slope on the property? 44%
4. Is the area mapped by Ecology (Coastal Zone Atlas) or the Department of Natural Resource (slope stability mapping) as unstable ("U" or class 3), unstable old slides ("UOS" or class 4), or unstable recent slides ("URS" or class 5)? No .
5. Is the area designated as quaternary slumps, earthflows, mudflows, lahars, seismic hazard, or landslides on maps published by the U.S. Geological Survey or Dept. of Natural Resources? No

6. Is there any indication of past landslides, erosion, or unstable soils in the vicinity? No .																		
7. Is erosion likely to occur as a result of clearing, construction, or use? No .																		
8. Are soils proposed to be compacted? Yes .																		
9. Are roads, walkways, and parking areas designed to be parallel to natural contours? Yes .																		
H. Habitat																		
1. List any birds, mammals, fish, or other animal species found in the vicinity of the site, including those found during seasonal periods. Hawk, eagle, songbirds, deer, elk																		
2. Is the site or areas in the vicinity used for commercial or recreational fishing, including shellfish? No .																		
3. Is the area designated an Area of Special Concern under on-site sewage regulations to protect shellfish or the general aquatic habitat? No .																		
4. Are any natural area preserves or natural resource areas located within 500 feet of the site? No .																		
5. Is the site part of a migration route? No .																		
6. Are any priority habitat areas, as shown on maps published by the WA Dept. of Fish & Wildlife, within one-half mile of the site? If so, describe type of habitat and distance from project area. No .																		
7. Are any of the following located on or adjacent to the site? <table style="width: 100%; border: none;"> <tr> <td>☐ Aspen stands</td> <td>☐ Estuary and estuary like areas</td> <td>☐ Juniper savannah</td> </tr> <tr> <td>☐ Caves</td> <td>☐ Marine/estuarine shorelines</td> <td>☐ Prairies and steppe</td> </tr> <tr> <td>☐ Cliffs</td> <td>☐ Vegetative marine/estuarine areas</td> <td>☐ Riparian areas</td> </tr> <tr> <td>☐ Shrub-steppe</td> <td>☐ Old-growth/mature forests</td> <td>☐ Instream habitat areas</td> </tr> <tr> <td>☐ Snags or logs</td> <td>☐ Oregon white oak woodlands</td> <td>☐ Rural natural open spaces</td> </tr> <tr> <td>☐ Talus</td> <td>☐ Freshwater wetlands and fresh deepwater</td> <td>☐ Urban natural open spaces</td> </tr> </table>	☐ Aspen stands	☐ Estuary and estuary like areas	☐ Juniper savannah	☐ Caves	☐ Marine/estuarine shorelines	☐ Prairies and steppe	☐ Cliffs	☐ Vegetative marine/estuarine areas	☐ Riparian areas	☐ Shrub-steppe	☐ Old-growth/mature forests	☐ Instream habitat areas	☐ Snags or logs	☐ Oregon white oak woodlands	☐ Rural natural open spaces	☐ Talus	☐ Freshwater wetlands and fresh deepwater	☐ Urban natural open spaces
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8. Does the proposal involve any discharge of waste materials or the use of hazardous substances?

Construction may require the use of hazardous materials. BMP's will be in place when storing or using hazardous materials.

9. What levels of noise will be produced from the proposed activity or construction?

During construction; equipment may include dozers, chain saws, pickups, compressors, graders, rollers, excavators, dump trucks, front loaders and generators.

10. Will light or glare result from the proposed activity or construction?

Project includes indoor lighting, fixed outdoor lighting and lighting from vehicles. All exterior lights will be facing downward.

III. REQUIRED ATTACHMENTS

1. Are there any existing environmental documents for the subject property? Yes

2. Provide a detailed site plan which includes all the required items on the Site Plan Checklist, along with the extent and nature of on-site and off-site Critical Areas and the relationship of the project to those Critical Areas.



To: Mark Cook, Kittitas County Public Works
From: Jen Bader, Jacobs
Date: August 18, 2023
Subject: Kittitas County Search and Rescue Facility - Aquatic Resources Summary

PURPOSE

Kittitas County is constructing a regional facility housing search and rescue (S&R) along with an emergency operations center. The property where this is planned is approximately 5 acres and is located at the Cle Elum Municipal Airport in Kittitas County, Washington State in Section 30, Township 20 North, Range 16 East, Willamette Meridian, at 46.952243° N latitude, 120.530794° W longitude (Attachment A, Figure 1). Site access will occur off of Airport Road and the access road to the Cle Elum Municipal Airport.

The purpose of this memorandum is to provide a summary of aquatic resource inventory efforts within the study area (Attachment A, Figure 2). The study area consisted of parcel 2 of the Cle Elum Municipal Airport Short Plat (parcel number 962113).

METHODS

Jacobs biologists performed a background review of the following resources to gather information about environmental conditions.

- National Oceanic and Atmospheric Administration Regional Climate Centers AgACIS precipitation data
- Natural Resources Conservation Service (NRCS) Web Soil Survey
- U.S. Fish and Wildlife Service National Wetland Inventory (NWI) Wetlands Mapper
- U.S. Geological Survey National Hydrography Dataset (NHD)
- The Northwest Indian Fisheries Commission Statewide Integrated Fish Distribution Web Map
- Central Washington University 1954 aerial imagery

Jacobs biologists assessed the conditions of the study area and delineated the boundaries of wetlands and the ordinary high water mark (OHWM) of a stream on August 20 and 27, 2023. Wetlands were delineated using methods described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*. This methodology uses the triple-parameter approach by evaluating vegetation types, soils indicators, and hydrology indicators.

All wetlands within the study area were rated using the *Washington State Wetland Rating System for Eastern Washington – 2014 Update*. This system categorizes wetlands from I to IV based on a composite scoring of landscape opportunity, potential for water quality function, hydrologic function, and habitat function. Wetland ratings were approximated using this data. If it is determined the Project will have wetland impacts, this data can be used in the future to rate the wetlands.

An unnamed ephemeral drainage on the east side of the Cle Elum Airport access road was delineated within the parcel using methods described in the Corps of Engineers *A Guide to Ordinary High Water Mark (OHWM) delineation for non-perennial streams in the Western Mountains, Valleys, and Coast Region of the United States* and the Department of Ecology's *Determining the Ordinary High Water Mark for Shoreline Management Act Compliance in Washington State*. Drainages within the study area were examined for hydrology indicators including bed, bank, OHWM, flow regime in a typical year, and the presence of macroinvertebrates using the Environmental Protection Agency's *Streamflow Duration Assessment Method for the Pacific Northwest*.

EXISTING CONDITIONS

The study area consists primarily of upland forest with one wetland and an unnamed ephemeral drainage (Attachment A, Figure 2). The site is bisected by the access road for the Cle Elum Municipal Airport with the unnamed drainage occurring east of the road and the wetland occurring west of the road.

Precipitation data indicates the three months preceding the site visit were below average compared to historical "normal" conditions.

The NRCS web soil survey indicates one soil types occurs within the study area, Teanaway ashy loam, which is formed from loess with volcanic ash components, overlying glacial till.

NHD indicates there is an unnamed stream, which DNR identified as a type 'F' (fish-bearing) on the east side of Cle Elum Airport access road. NWI maps the drainage as Riverine Intermittent Streambed Seasonally Flooded (R4SBC). There are no mapped floodplains within the parcel.

DELINEATION RESULTS

Wetlands

Jacobs biologists delineated one wetland, Wetland 1, within the study area (Figure 2, Attachment B, Photographs 1 and 2). Wetland 1 is approximately 0.42 acres and adjacent to Airport Road. Wetland 1 is primarily a depressional palustrine scrub shrub and palustrine forested wetland that appears to have formed after the road was constructed which limited drainage from the site. Refer to Attachment C for Corps Wetland Determination Data Forms and Attachment D for the Study Area Plant List.

Table 1. Wetland Summary

Wetland	Size (Approx. Acreage)	Jurisdictional ⁽¹⁾	Cowardin Vegetation Classification ⁽²⁾	HGM Class	Likely Ecology 2014 Rating Category
1	0.42	Likely	PSS/PFO	Depressional	III

Notes:

HGM = Hydrogeomorphic

PSS = palustrine scrub shrub; PFO = palustrine forested

⁽¹⁾The findings presented regarding regulation under the CWA represents our best professional judgement. However, the Corps and Ecology make the official jurisdictional determinations, which may differ from the findings presented above based on their evaluation of surface water connectivity and significant nexus.

⁽²⁾U.S. Fish and Wildlife Service Classification of Wetlands and Deepwater Habitats of the United States (Cowardin et al. 1979).

Wetland Buffer

Kittitas County Code (KCC) Table 17A.07.030: Standard Buffer Widths states that Category III wetlands are required to have a standard buffer width of 75 feet for land use with low impact, 110 feet for land use with moderate impact, and 150 feet for land use with high impact. The current land use adjacent to and within the wetland buffer is public roadway to the south, residential to the south and east and forested on the west and north. Dominant vegetation within the buffer is ponderosa pine (*Pinus ponderosa*) and mountain balm (*Ceanothus velutinus*,) (Attachment B, Photographs 3 and 4; Attachment D).

Watercourses

While DNR indicates the unnamed drainage is fish bearing and NHD maps it as intermittent within the study area, the site assessment indicated this drainage is ephemeral (Attachment E) with no water or fish presence at the time of the survey. When water is present, this drainage flows from north to south. The drainage has a low gradient, meandering through the eastern side of the parcel with upland vegetation growing within the channel (Attachment B, Photographs 5 through 8). The streambed material consists of cobbles and fine sediment. This unnamed drainage was classified during the site visit as a "Type Ns Water" per Kittitas County Code 17A.02.750. Type Ns Waters are seasonal, non-fish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np, F or S Water. Water type determination was based on the stream size, presence/absence of water flow, and the physical criteria needed to be potentially used by fish. Type Ns streams have a 50-foot Riparian Management Zone and Buffer width within the Cascade Ecoregion (KCC Table 17A.04.030.4).

LIMITATIONS

This report was prepared for the exclusive use of the County and their representatives. Jacobs prepared the findings and conclusions documented in this report for specific application to this Project. The conclusions and recommendations presented in this report are the professional opinions based on interpretation of information currently available and made within the operational scope, budget, and schedule constraints of this Project. No warranty, expressed or implied, is made.

Abbreviations

WSDOT	=	Washington State Department of Transportation
KCC	=	Kittitas County Code
HMA	=	Hot Mix Asphalt
CSBC	=	Crushed Surfacing Base Course
CSTC	=	Crushed Surfacing Top Course
R	=	Right
L	=	Left
'	=	Foot/Feet
ft	=	Foot/Feet
"	=	Inch/Inches
LS	=	Lump Sum
CY	=	Cubic Yard
EST	=	Estimate
LF	=	Linear Feet
ADA	=	Americans with Disabilities Act
MUTCD	=	Manual on Uniform Traffic Control Devices
TESC	=	Temporary Erosion and Sediment Control
Std.	=	Standard Provision
Sp.	=	Special Provision
LWM	=	Large Woody Material
TYP	=	Typical
MPH	=	Miles per Hour
CL	=	Center Line
OHWM	=	Ordinary High Water Mark
ROW	=	Right of Way
ESC	=	Erosion Sediment Control
SPCC	=	Spill Preventions Control and Countermeasure
TCE	=	Temporary Construction Easement
CP	=	Control Point
SCR	=	Section Corner
MON	=	Monument

Existing Legend

	=	County Right of Way/Property Line
	=	Existing Contour
	=	Existing Edge of Asphalt
	=	Existing Edge of Gravel
	=	Existing Gravel
	=	Existing Road Centerline
	=	Existing Fence
	=	Existing Guardrail
	=	Existing Overhead Power
	=	Existing Underground Communications
	=	Existing Underground Fiber Optics
	=	Existing Waterline
	=	Existing Grouped Vegetation
	=	Existing Mailbox
	=	Existing Telephone/Cable Riser Box
	=	Existing Tree
	=	Existing Power Pole
	=	Existing Guyline Anchor
	=	Existing Sign
	=	Existing Water Valve
	=	Existing Section Corner
	=	Existing Building
	=	Existing Vegetation

Proposed Legend

	=	Proposed Contour
	=	Proposed Edge of Asphalt
	=	Proposed Asphalt
	=	Proposed Edge of CSBC
	=	Proposed CSBC
	=	Proposed Concrete
	=	Proposed Road Centerline
	=	Proposed Fence
	=	Proposed Guardrail
	=	Proposed Straw Wattle
	=	Proposed TCE Limits
	=	Graded Native Material



Airport Rd

Upper County

Search and Rescue

4/10/2024

Designed By: C. Curtis

Entered By: C. Curtis

County Engineer: C. Curtis

P.W. Director: J. Fredrickson

Revision	Date	By
----------	------	----



Federal Aid No.

C.R.P. No.

General Notes

GE-01

01 / 22

General Notes

The basis for control of work shall be as follows:

- A. It is the responsibility of the contractor to have an approved set of plans and any necessary permits on the job site wherever work is being accomplished.
- B. The County shall have the authority to enforce these plans and specifications, as well as all other referenced or pertinent specifications. The County Engineer will appoint designees, project engineers, assistants, and inspectors as necessary to inspect the work, and they will exercise such authority as the County Engineer may delegate.
- C. It is the responsibility of the contractor to notify the county in advance of beginning work on any project. A pre-construction meeting and/or field review shall be required before the commencement of work.
- D. Failure to comply with the provisions of these plans and specifications may result in stop work orders, removal of work accomplished, or other penalties as established by law.
- E. All stationing is based on centerline of roadways unless otherwise noted.
- F. All cross sections are oriented looking up station unless otherwise noted.
- G. It is the contractor's responsibility to contact all utility companies in order to assure that all lines, conduits, poles, vaults, and other appurtenances are properly located.

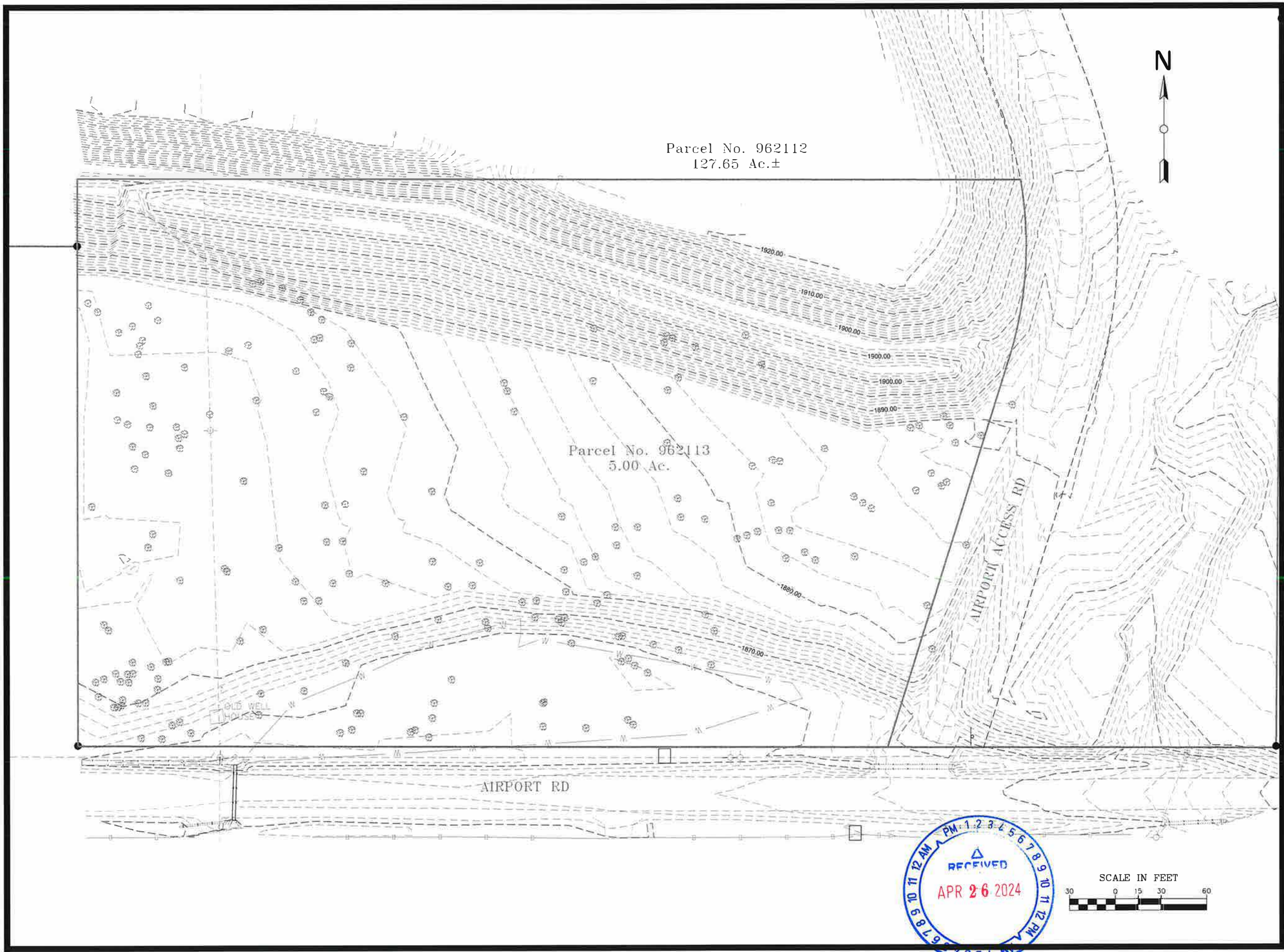
Construction Notes

Construction sites shall be maintained for access, accessibility, and safety at all times. Site maintenance activities shall include, but are not limited to the following:

- A. On existing roads, two-way traffic and all existing lanes of traffic shall be maintained at all times unless detour and/or traffic control plans have been approved in advance by the County Engineer. See KCC 12.09.05 for construction traffic control requirements.
- B. Roads shall be kept free of dirt and debris.
- C. Pedestrian and bicycle facilities shall be kept free of obstructions, and in compliance with ADA guidelines.
- D. Drainage facilities shall be maintained to ensure proper function, stormwater, erosion, and sedimentation control devices shall be maintained and fully functional at all times. See KCC 12.06.040 for stormwater requirements.
- E. Work for this site will be built in phases as described below. These plans describe the work to be completed for Phase 1 Construction.
 - E.1. Site Preparation (By Others)
 - E.1.1. Clearing and Grubbing
 - E.1.2. Rough Grading
 - E.1.3. Well Installation
 - E.2. Phase 1 Construction
 - E.2.1. Finished Surfacing
 - E.2.2. Utility Build Out
 - E.2.3. Building Shell for Search and Rescue
 - E.3. Phase 2 Construction (By Others)
 - E.3.1. Emergency Operations Center Build Out
 - E.3.2. Communications Tower Build Out
 - E.3.3. Future Shop Building



Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	J. Fredrickson	
P.W. Director:	M. Cook	
Revision	Date	By
Federal Aid No.		
C.R.P. No.		
General Notes		
GE-02	02 / 22	



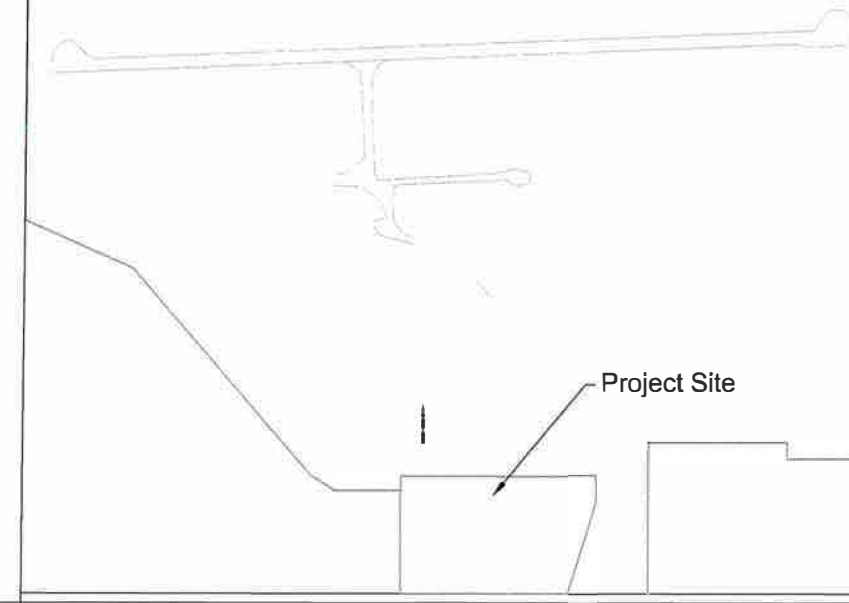
Airport Rd		
Upper County		
Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Existing Conditions		
EX-01	03 / 22	

FND 1 1/2" A.C. IN 3" CONCRETE
POST, 0.25' ABOVE SURFACE
LOCAL N: 7636.09
LOCAL E: 2322.97
SPC N: 679764.08
SPC E: 1541043.86
SPC Z: 2034.19

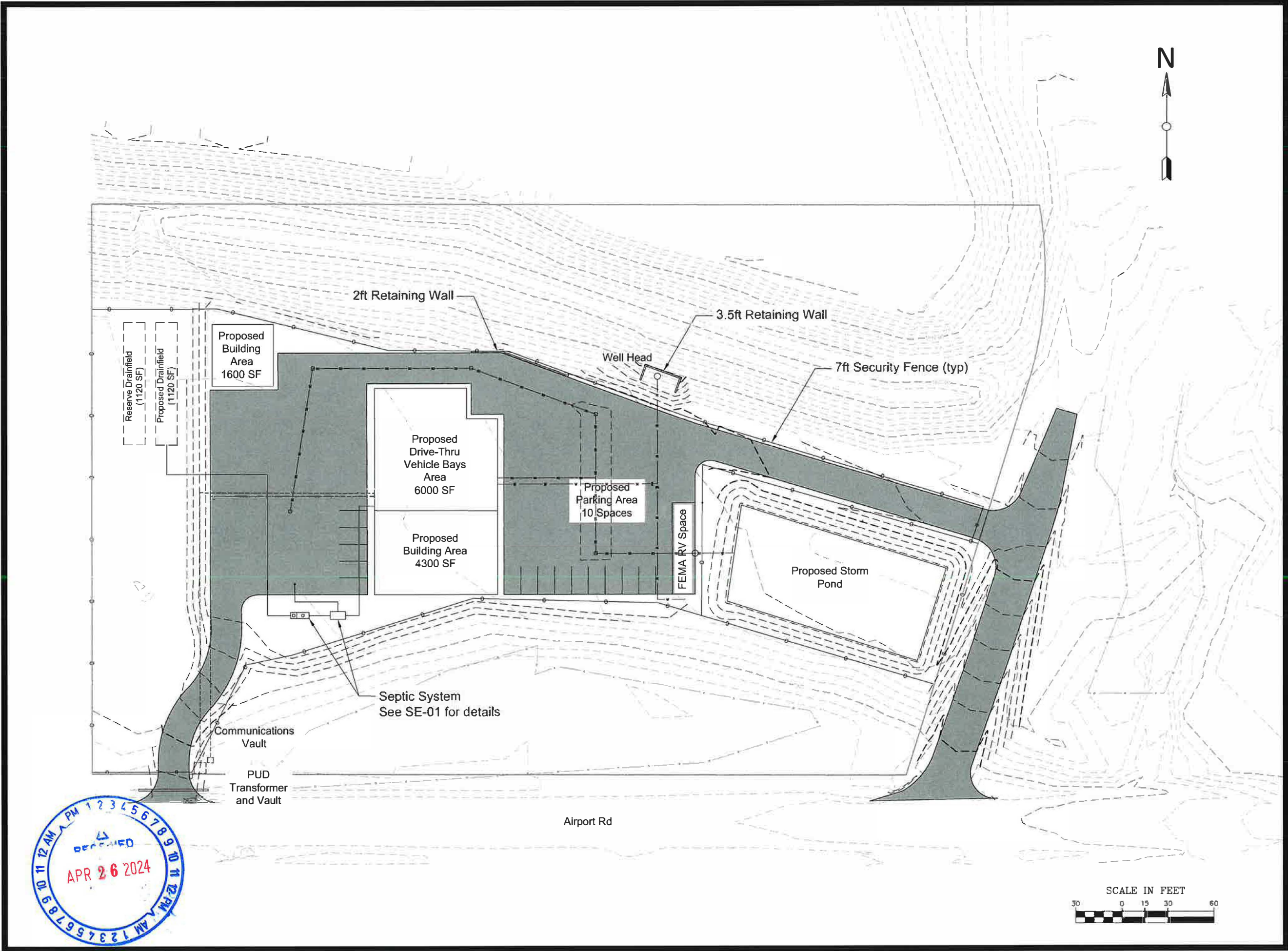
FND 1/2" A.C. IN CASE 12'
NORTHWEST OF INTX OF
AIRPORT RD AND WHITE RD
LOCAL N: 5006.97
LOCAL E: 2339.67
SPC N: 677135.31
SPC E: 1541060.59
SPC Z: 1879.10

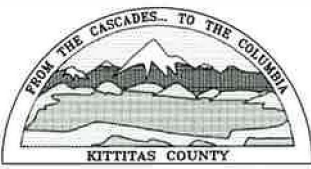
FND 2" A.C. WITH PUNCH IN
CASE-UNREADABLE, 4 IN NORTH OF
AIRPORT RD CENTERLINE
LOCAL N: 5000.00
LOCAL E: 5000.00
SPC N: 677128.32
SPC E: 1543720.58
SPC Z: 1869.86

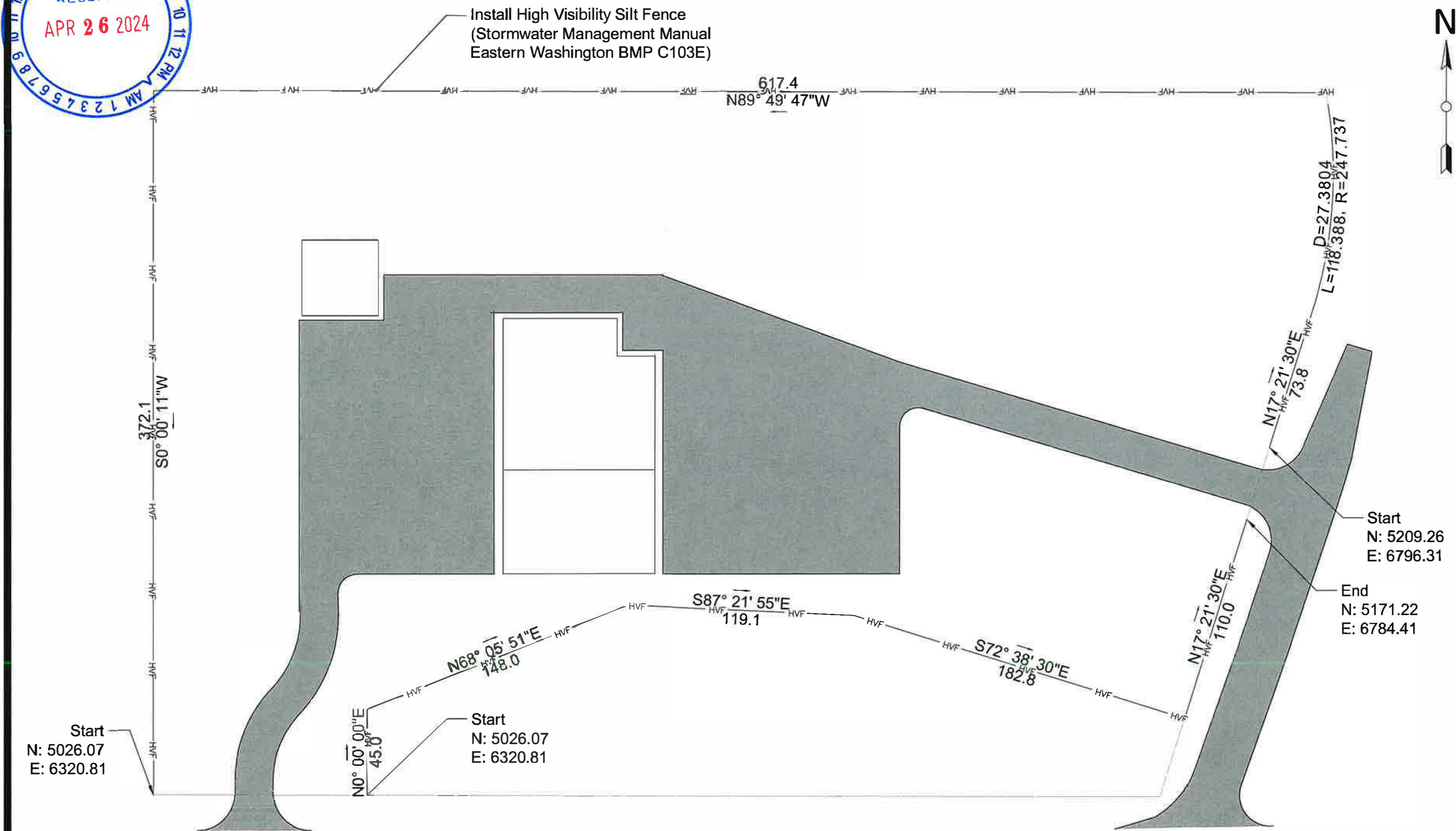
FND 3/8" REBAR IN HOLE IN AIRPORT RD, 2'
SOUTH OF CENTERLINE
LOCAL N: 4992.10
LOCAL E: 7659.97
SPC N: 677120.47
SPC E: 1546380.22
SPC Z: 1899.79



Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	J. Turnbull	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
		
		
		
Federal Aid No.		
C.R.P. No.		
Existing Conditions		
EX-02	04 / 22	

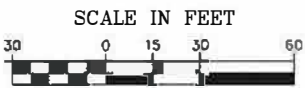


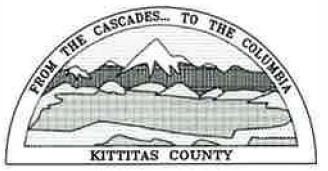
Airport Rd		
Upper County Search and Rescue		
4/11/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Site Plan		
SP-01	05 / 22	

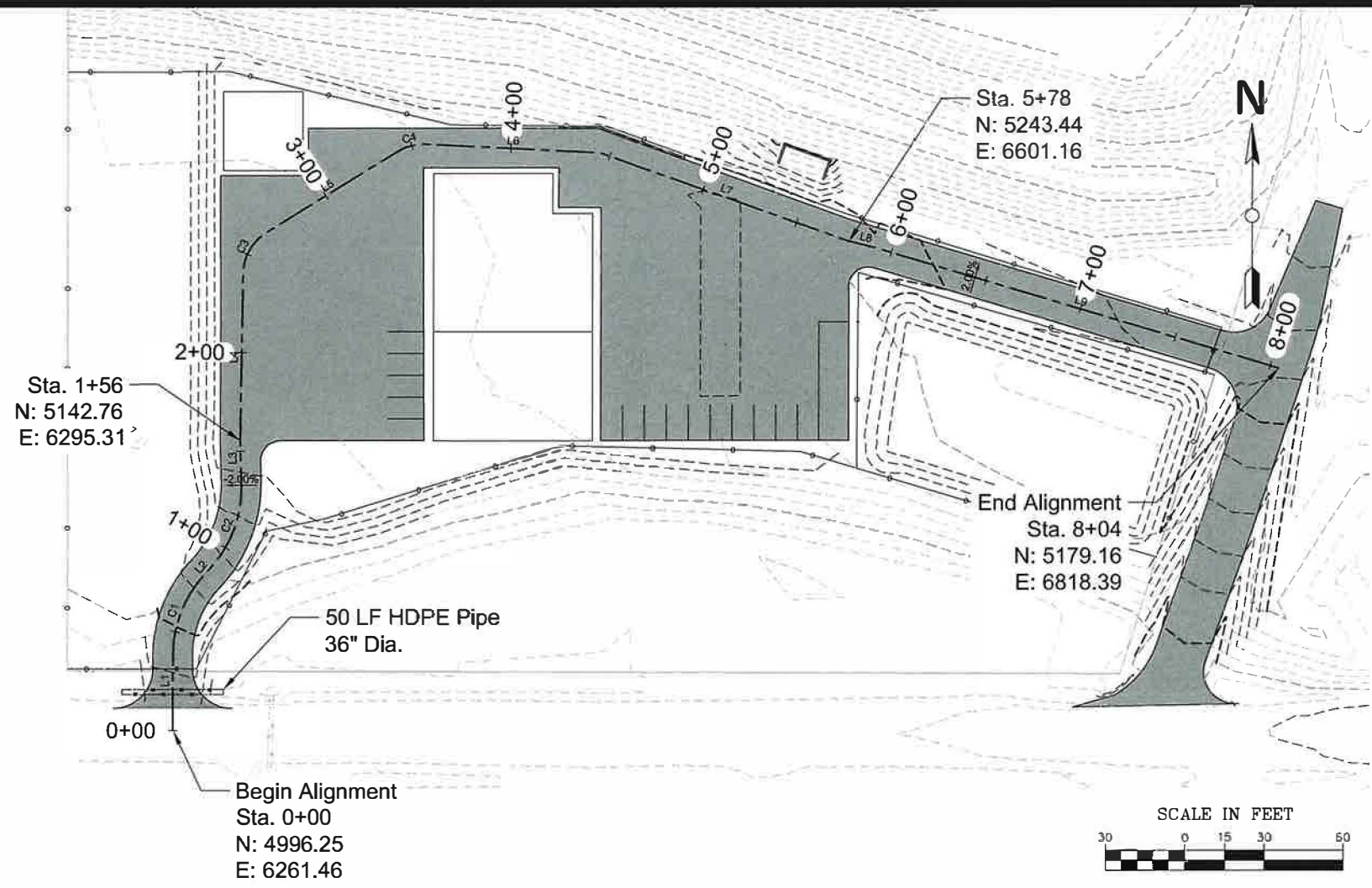


General Notes

1. Refer to the 2019 Department of Ecology Stormwater Management Manual for Eastern Washington.
2. All sedimentation and erosion control facilities must be in operation prior to any construction activities to ensure that sediment laden water does not enter the natural drainage system. The implementation, maintenance, replacement and additions to the erosion and sedimentation control systems shall be the responsibility of the contractor.
3. The erosion and sedimentation control system facilities depicted on these plans are intended to be minimum requirements to meet anticipated site conditions. As construction progresses, additional facilities may be needed to ensure complete siltation control. It is the Contractor's responsibility to address any conditions that may be created by construction activities or changing weather conditions, and to provide additional facilities as may be needed to protect sensitive areas or storm drainage systems.
4. Bearing and Distance values shown as approximate values. Exact location may vary based on site topography and vegetation.



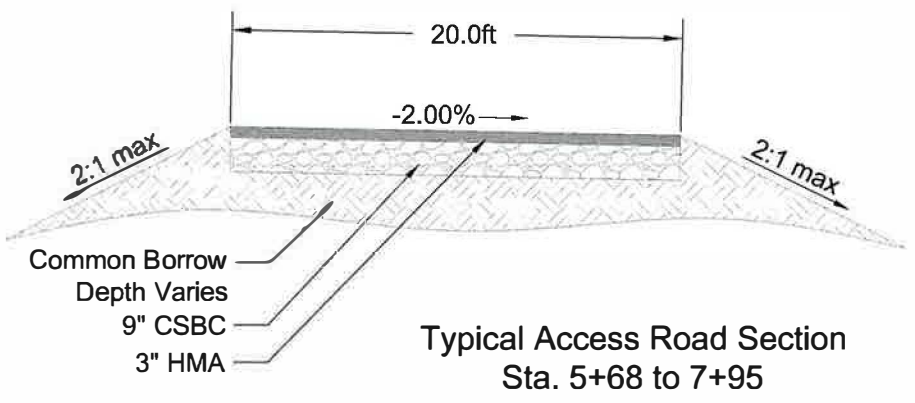
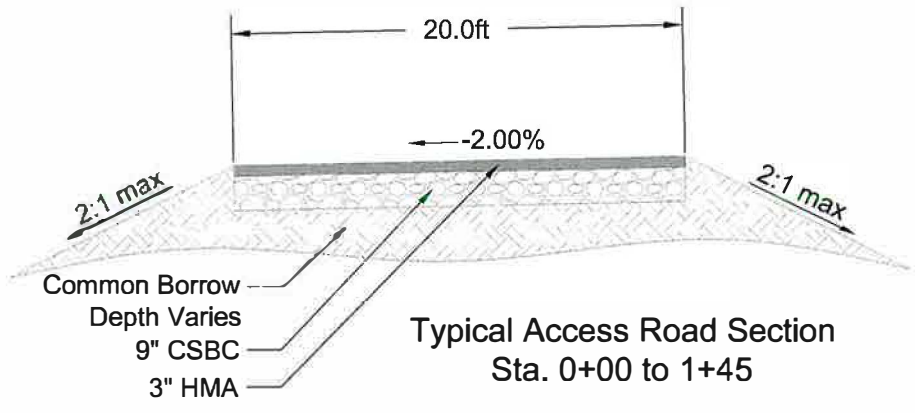
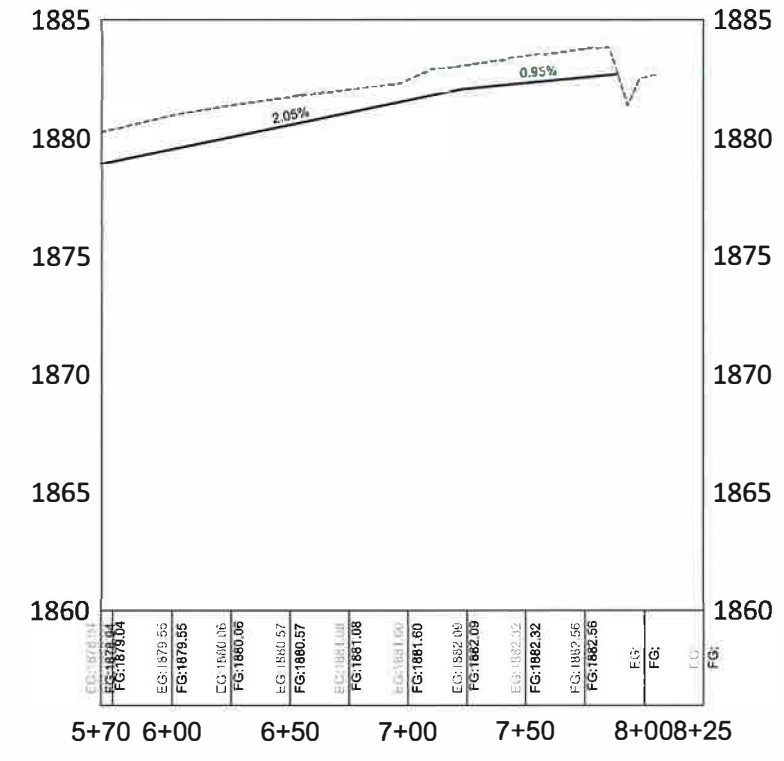
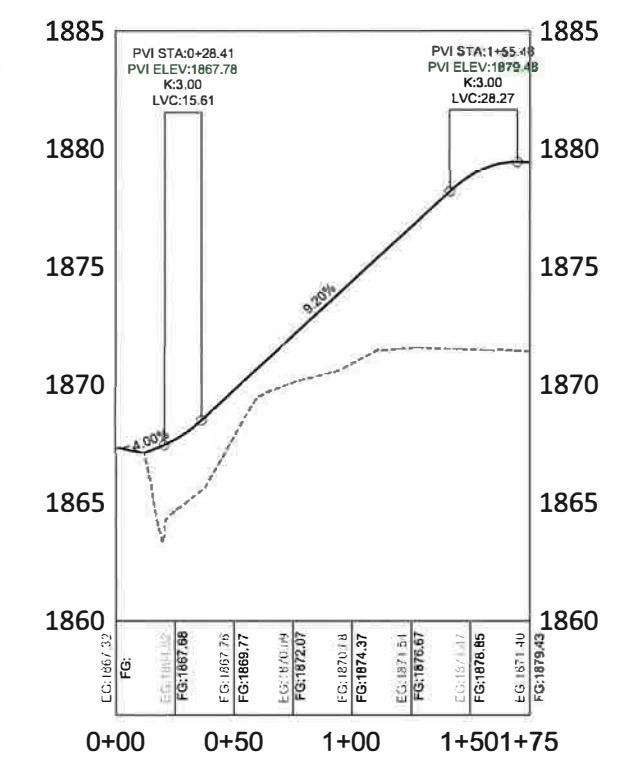
Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
TESC		
TE-01	06 / 22	



Search and Rescue Drive		
Line #	Length	Direction
L1	38.18	N0° 10' 13.00"E
L2	8.14	N40° 43' 02.23"E
L3	22.49	N1° 30' 11.96"W
L4	84.37	N0° 54' 05.35"E
L5	77.38	N58° 01' 22.06"E
L6	87.40	S87° 08' 06.25"E
L7	133.14	S70° 18' 26.72"E
L8	16.07	S76° 00' 10.16"E
L9	210.49	S73° 19' 34.42"E



Search and Rescue Drive			
Curve #	Radius	Length	Chord Direction
C1	60.00	42.46	N20° 26' 37.62"E
C2	60.00	44.21	N19° 36' 25.14"E
C3	25.00	24.92	N29° 27' 43.70"E
C4	25.00	15.20	N75° 26' 37.91"E



Airport Rd

Upper County
Search and Rescue

4/12/2024

Designed By: C. Curtis

Entered By: C. Curtis

County Engineer: C. Curtis

P.W. Director: J. Fredrickson

RevisionDateBy

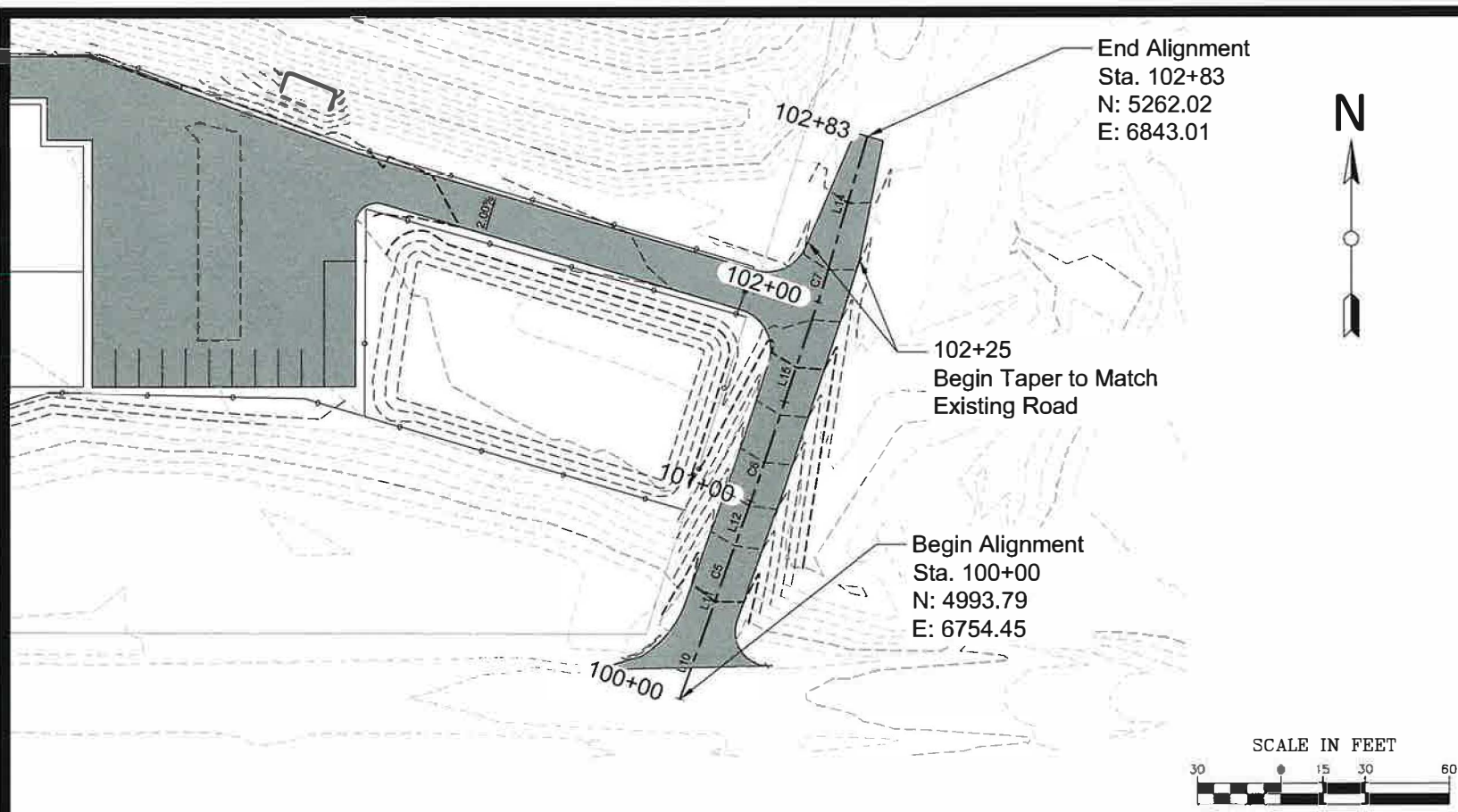
Know what's below.
Call before you dig.

Federal Aid No.

C.R.P. No.

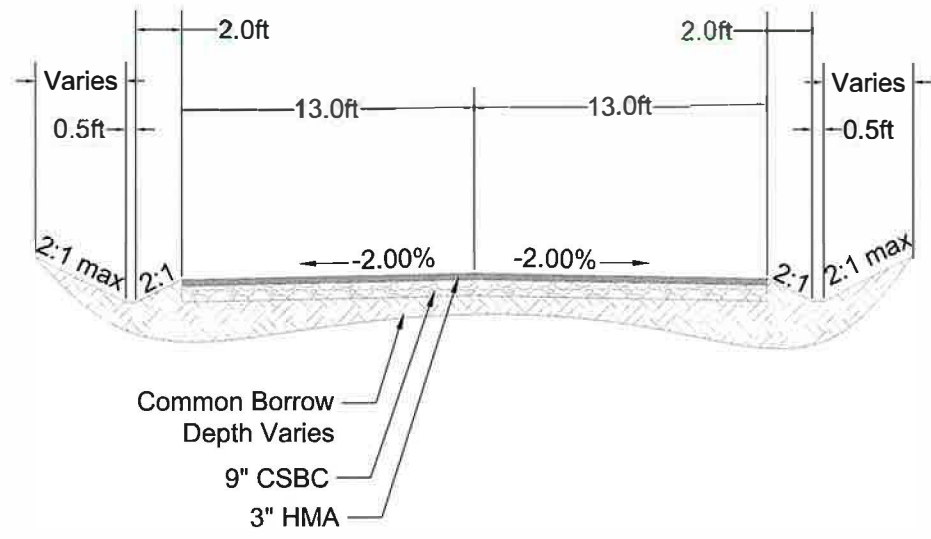
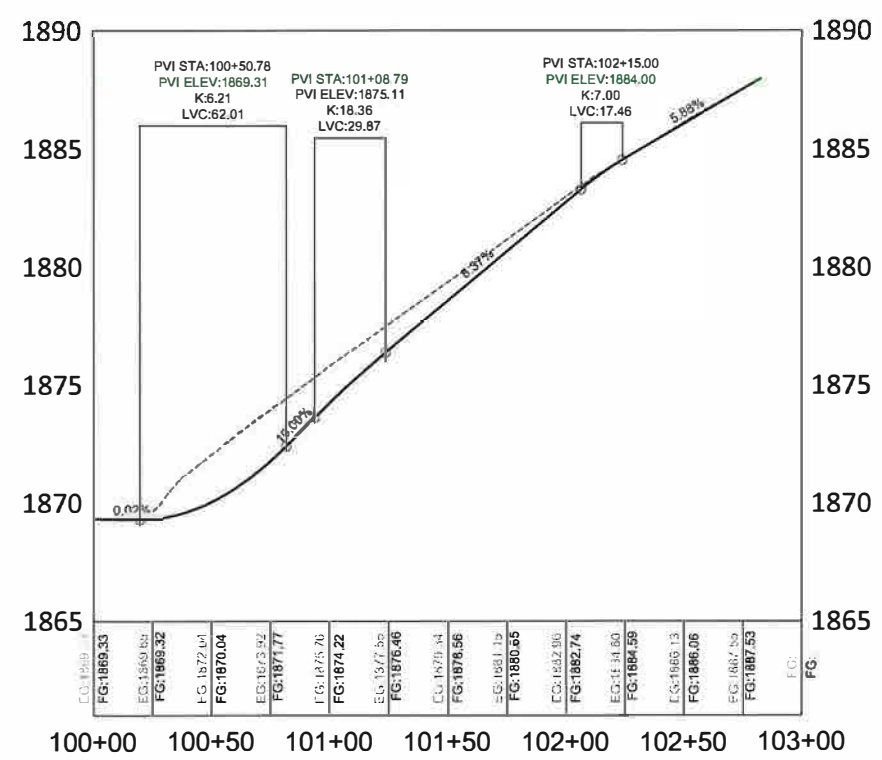
Access Details

AC-0107 / 22



Airport Drive		
Line #	Length	Direction
L10	33.96	N19° 36' 00.23"E
L11	28.83	N19° 38' 38.37"E
L12	49.30	N19° 28' 15.13"E
L15	89.28	N18° 17' 47.64"E
L14	69.22	N16° 13' 11.45"E

Airport Drive			
Curve #	Radius	Length	Chord Direction
C5	200.00	0.60	N19° 33' 26.75"E
C6	200.00	4.10	N18° 53' 01.39"E
C7	200.00	7.25	N17° 15' 29.55"E



Typical Airport Driveway Section
Sta. 100+00 to 102+83

Airport Rd

Upper County
Search and Rescue

4/12/2024

Designed By: C. Curtis

Entered By: C. Curtis

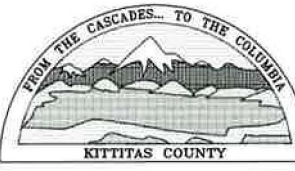
County Engineer: C. Curtis

P.W. Director: J. Fredrickson

Revision	Date	By

 Know what's below.
Call before you dig.





Federal Aid No.

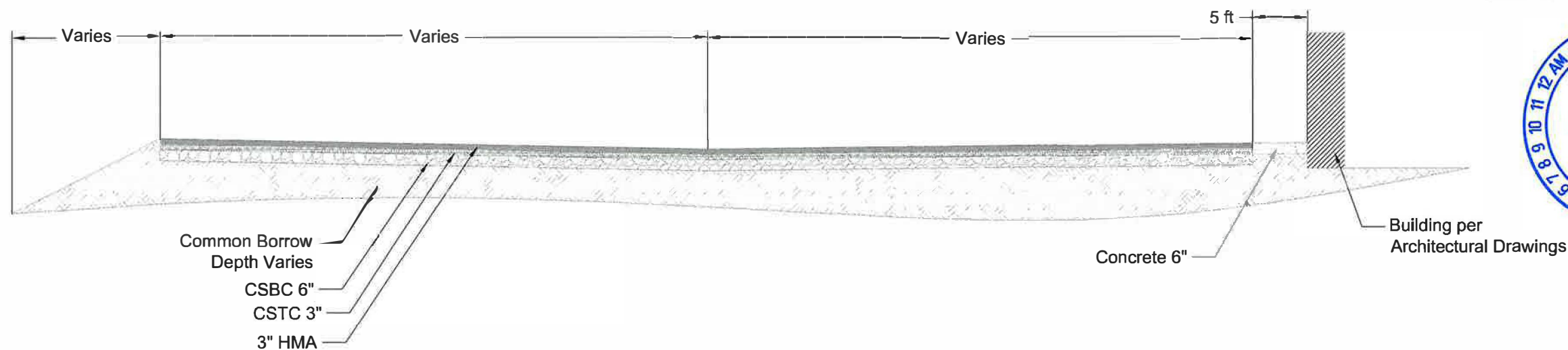
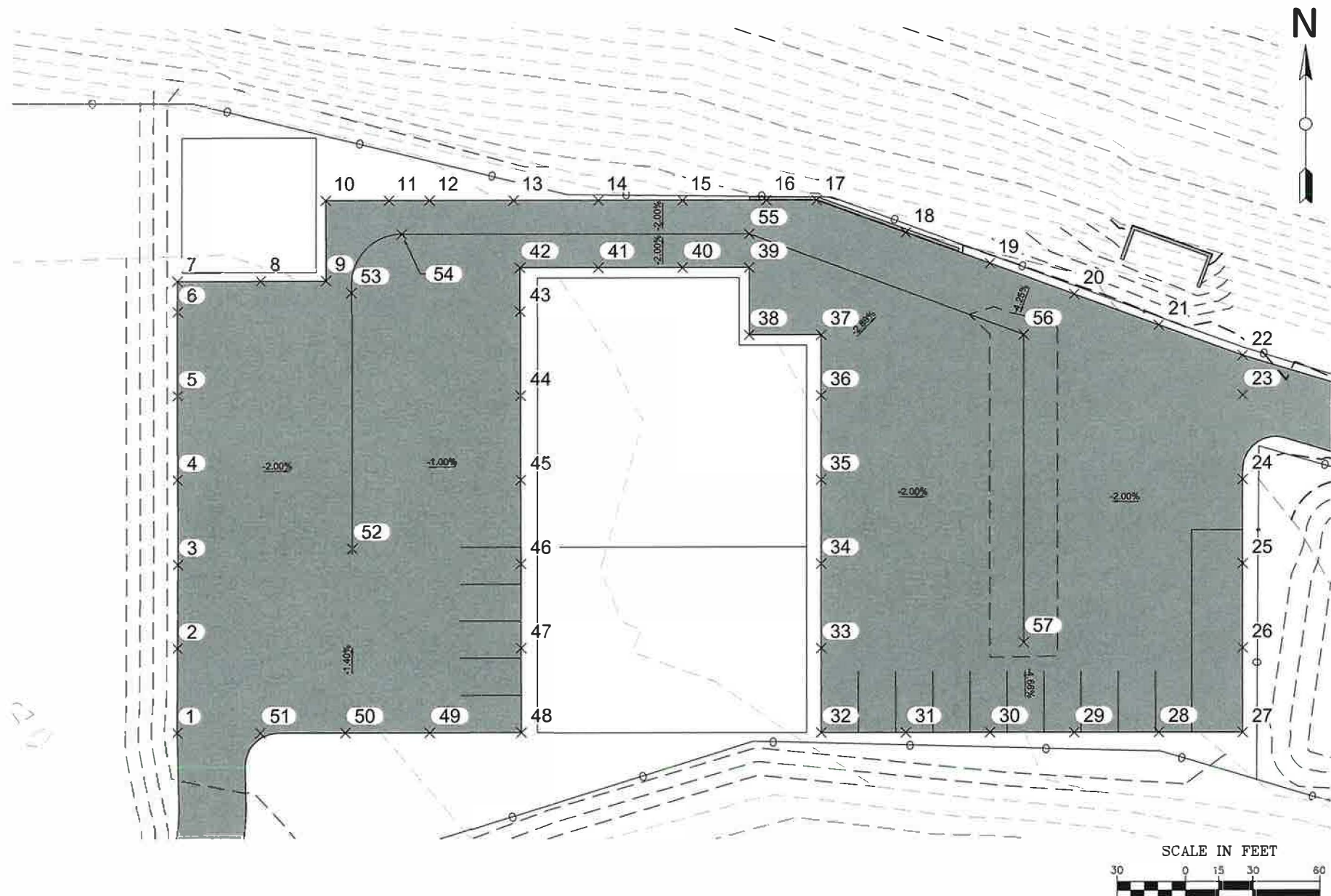
C.R.P. No.

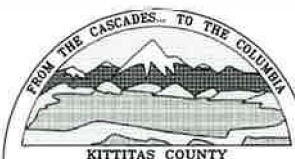
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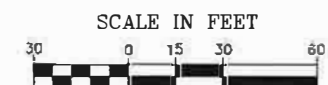
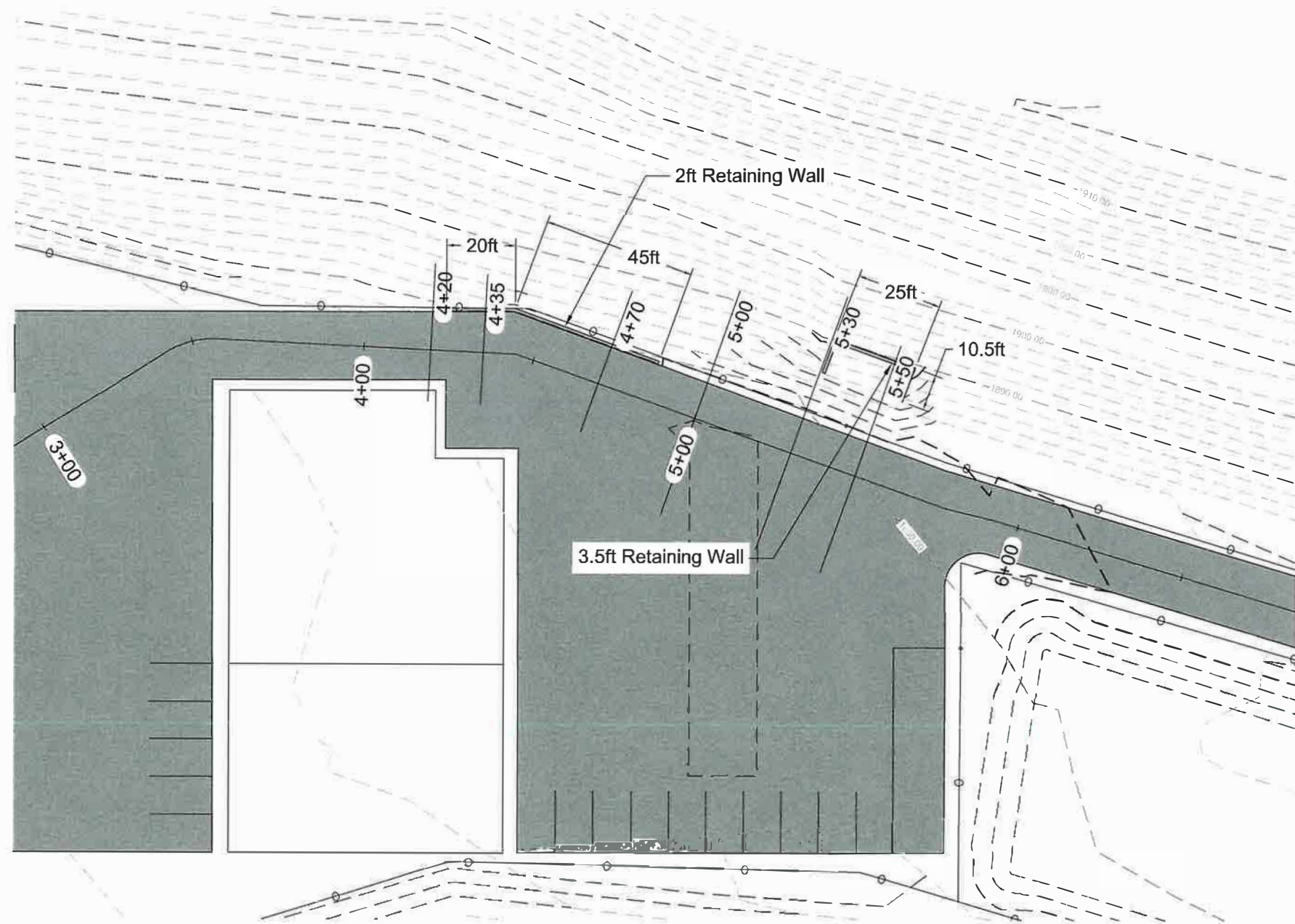
AC-0208 / 22

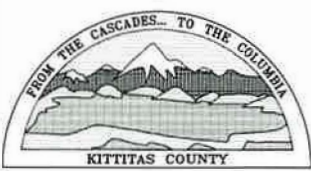
Point Table			
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2	1879.54	5167.76	6285.41
3	1879.54	5192.76	6285.50
4	1879.51	5217.76	6285.41
5	1879.53	5242.76	6285.46
6	1879.53	5267.76	6285.46
7	1879.54	5276.80	6285.31
8	1879.04	5276.88	6310.31
9	1878.65	5276.94	6329.62
10	1878.99	5300.76	6329.55
11	1878.94	5300.76	6348.23
12	1878.96	5300.76	6360.31
13	1879.00	5300.76	6385.31
14	1879.00	5300.76	6410.31
15	1879.00	5300.76	6435.31
16	1879.00	5300.76	6460.31
17	1879.00	5300.76	6475.21
18	1878.58	5291.12	6501.50
19	1878.48	5281.96	6526.50
20	1878.35	5272.79	6551.50
21	1878.60	5263.63	6576.50
22	1879.09	5254.59	6601.14
23	1879.09	5242.76	6601.15
24	1879.13	5217.76	6601.16
25	1879.09	5192.76	6601.15
26	1879.09	5167.76	6601.14
27	1879.09	5142.71	6601.13
28	1879.07	5142.76	6576.50
29	1879.05	5142.76	6551.50
30	1879.04	5142.76	6526.50

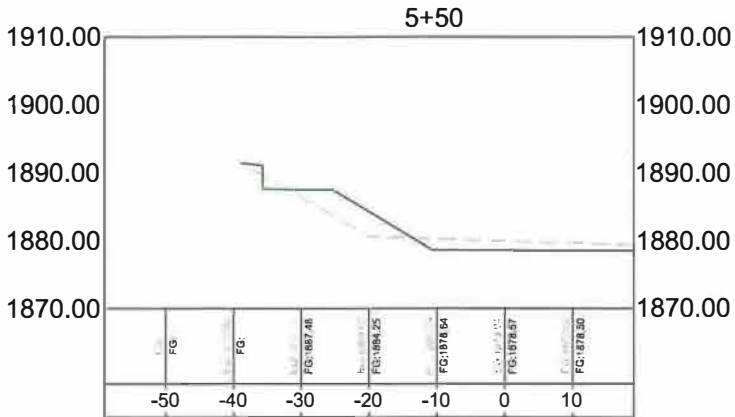
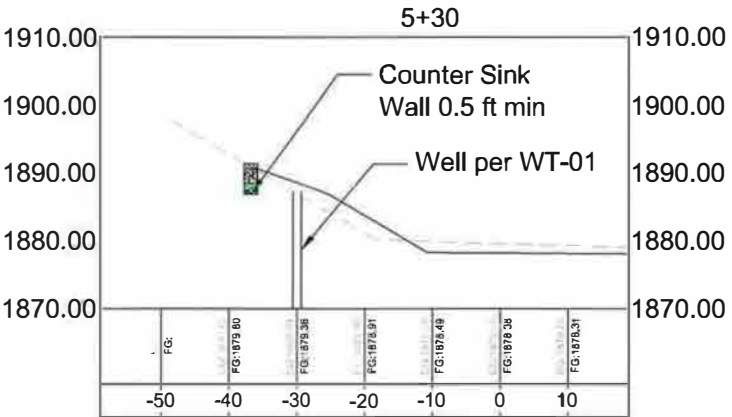
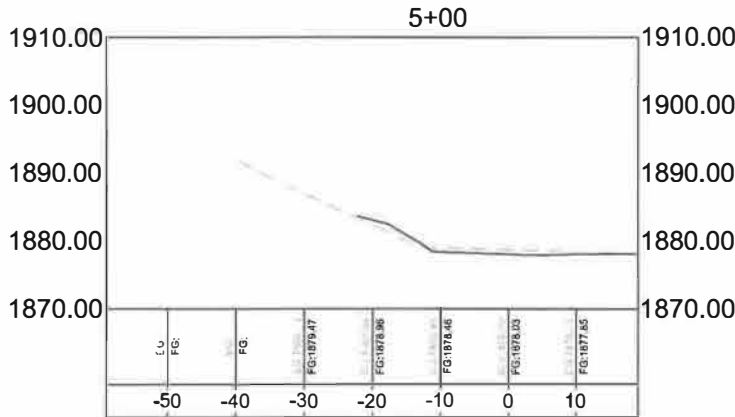
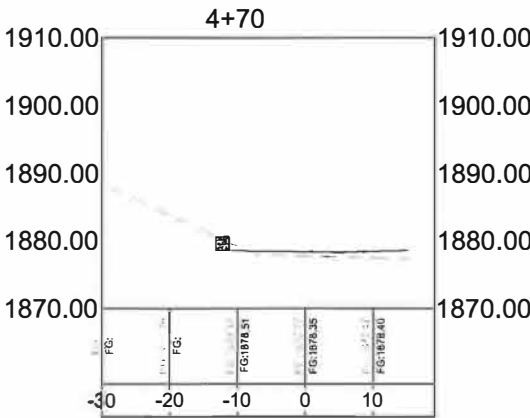
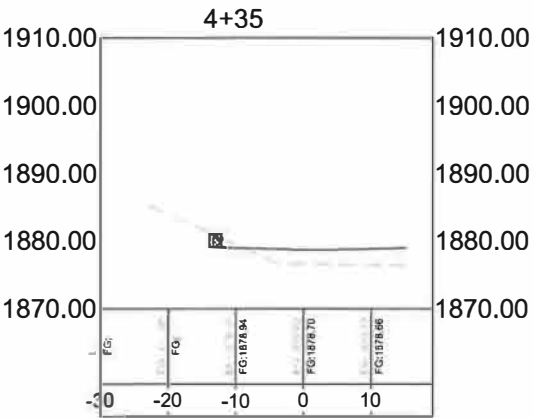
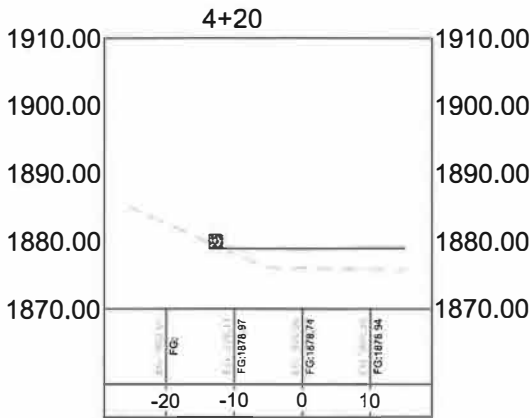
Point Table			
Point #	Elevation	Northing	Easting
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32	1879.00	5142.76	6476.50
33	1879.00	5167.76	6476.49
34	1879.00	5192.76	6476.49
35	1879.00	5217.76	6476.49
36	1879.00	5242.76	6476.48
37	1879.00	5260.76	6476.48
38	1879.00	5260.76	6455.21
39	1879.00	5280.76	6455.21
40	1879.00	5280.76	6435.31
41	1879.00	5280.76	6410.31
42	1879.00	5280.76	6387.17
43	1879.00	5267.76	6387.20
44	1879.00	5242.76	6387.27
45	1879.00	5217.76	6387.35
46	1879.00	5192.76	6387.42
47	1879.00	5167.76	6387.49
48	1879.00	5142.76	6387.57
49	1879.14	5142.76	6360.31
50	1879.27	5142.76	6335.31
51	1879.40	5142.76	6310.31
52	1878.50	5197.35	6337.35
53	1878.50	5273.35	6337.14
54	1878.63	5290.76	6352.13
55	1878.80	5290.76	6455.21
56	1877.80	5260.76	6536.48
57	1877.80	5169.47	6536.49



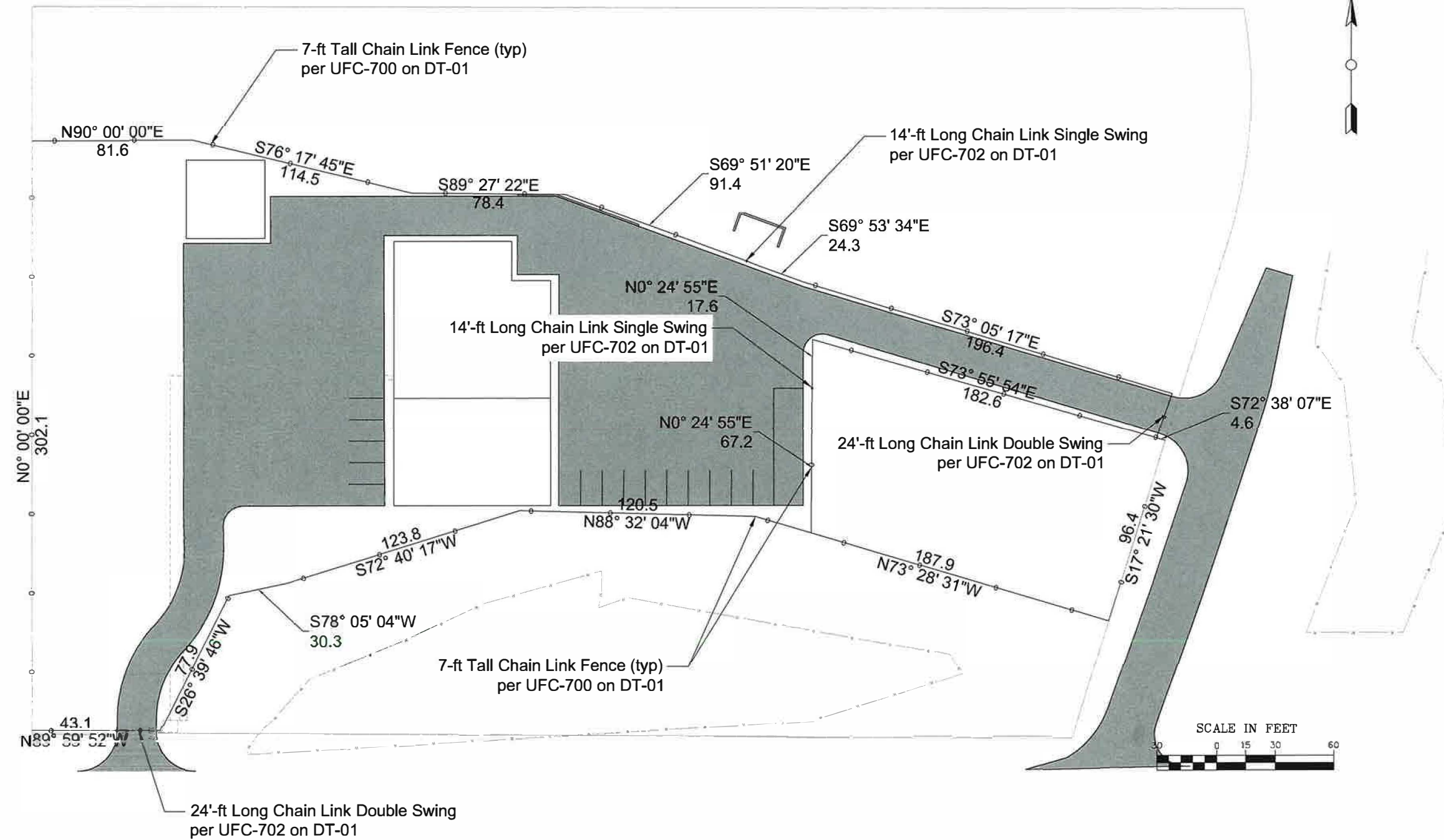
Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
		
		
		
Federal Aid No.		
C.R.P. No.		
Parking Area		
PA-01	09 / 22	

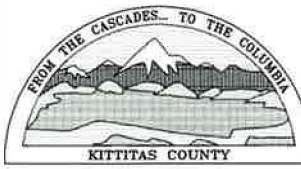


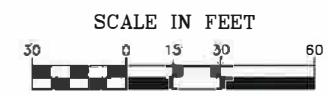
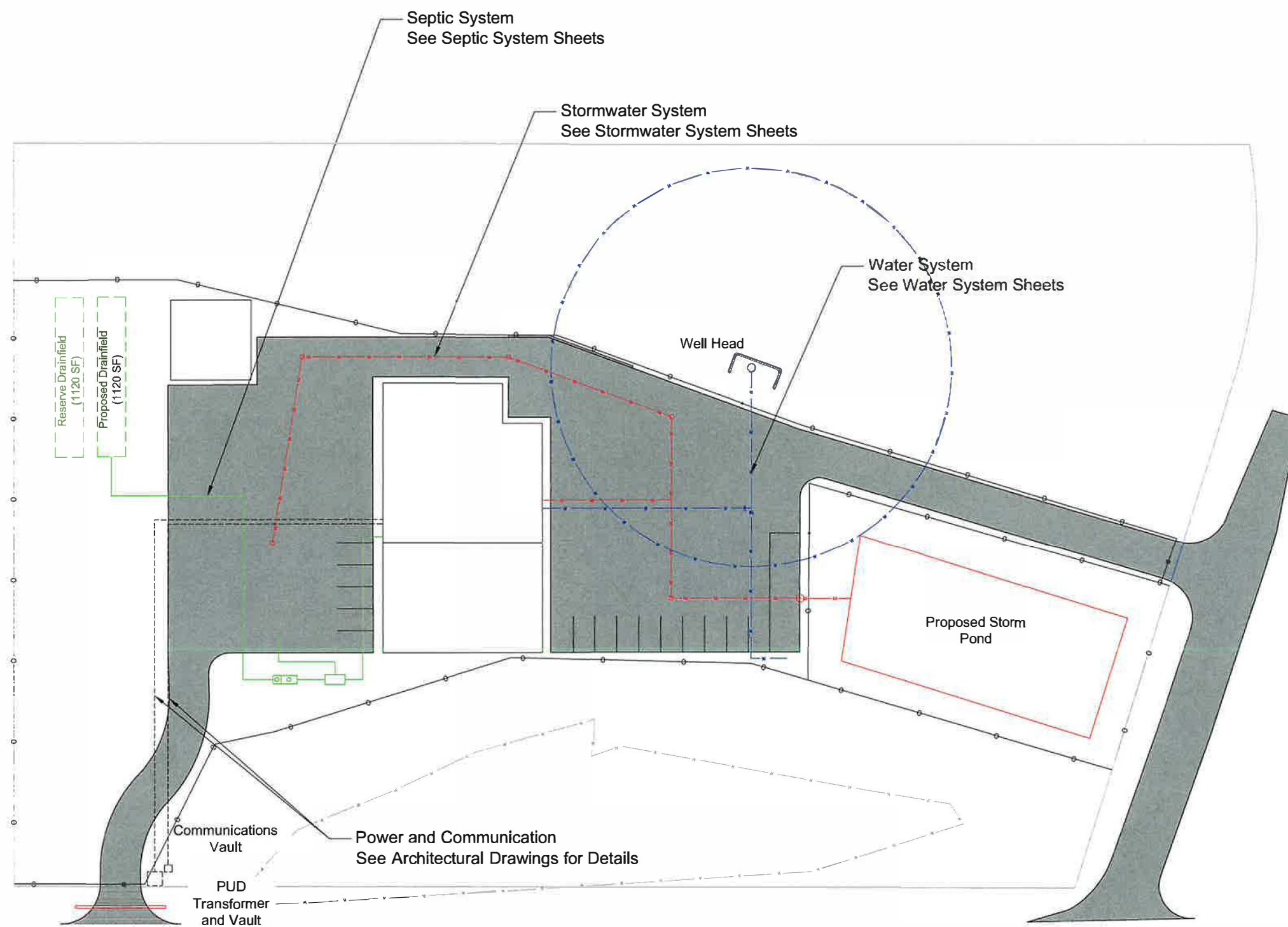
Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Retaining Wall		
WA-01	10 / 22	

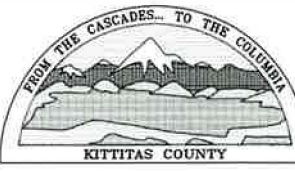


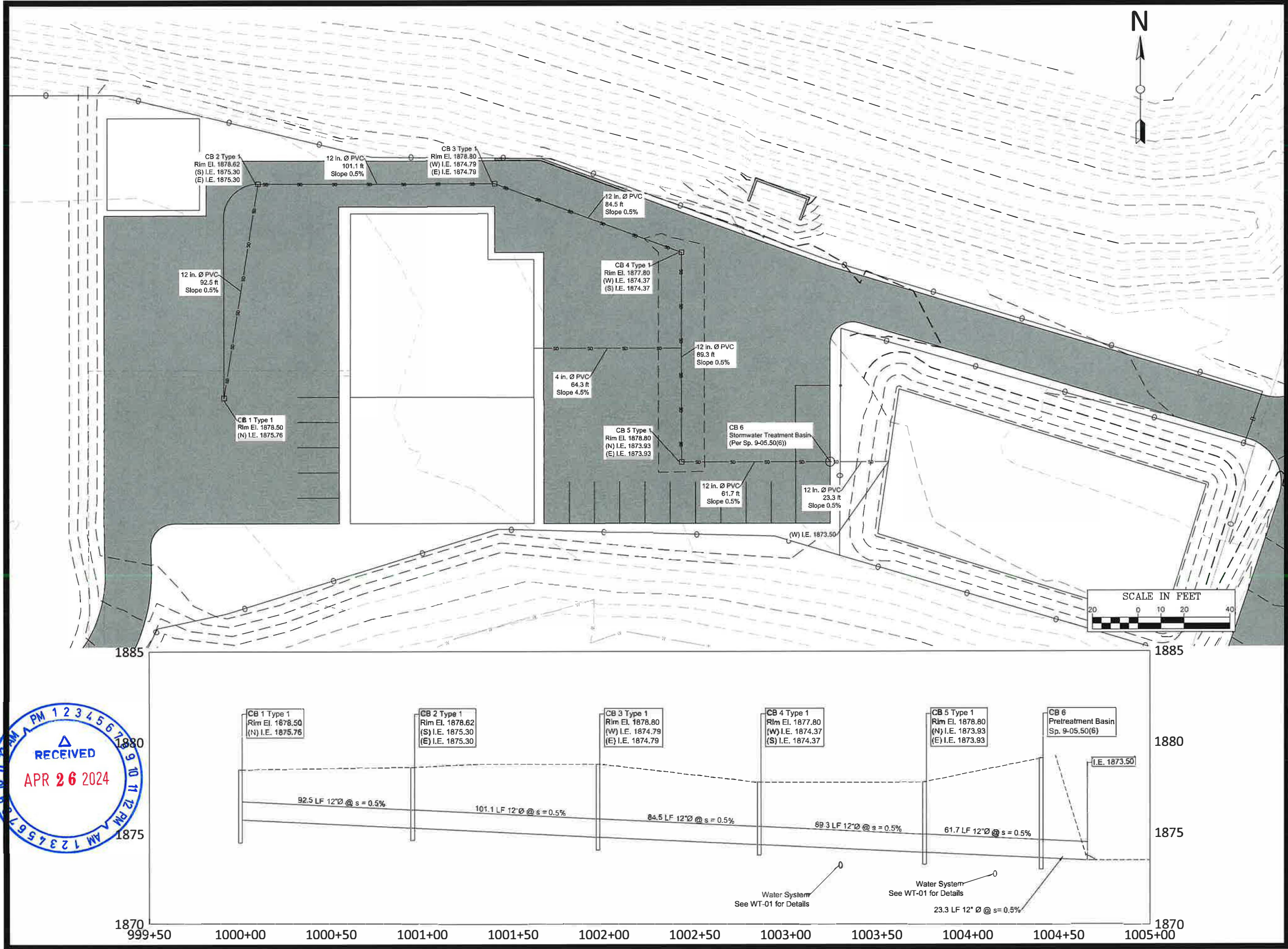
Airport Rd		
Upper County		
Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
Federal Aid No.		
C.R.P. No.		
Retaining Wall		
WA-02	11 / 22	



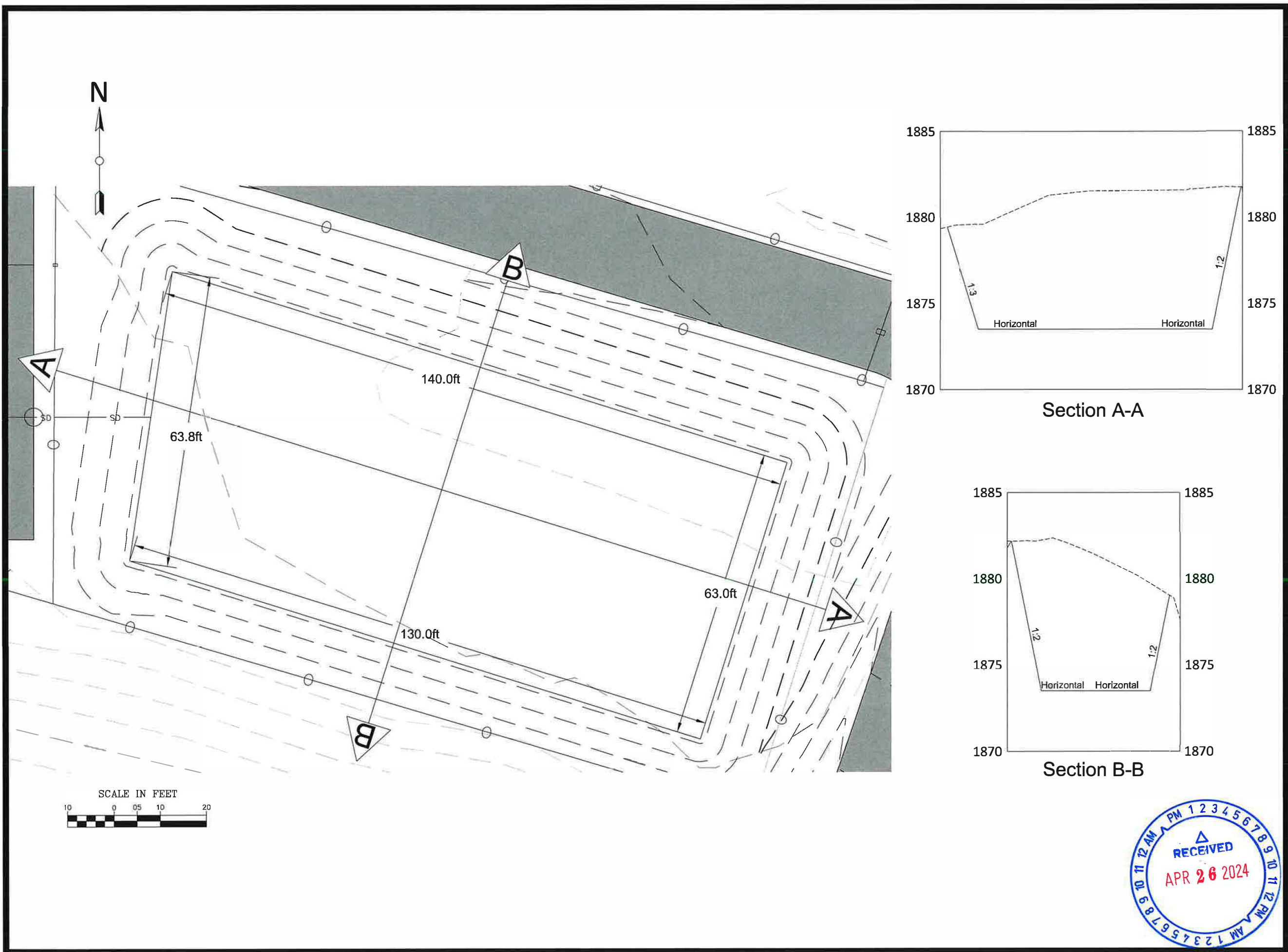
Airport Road		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Fence Details		
FE-01	12 / 22	

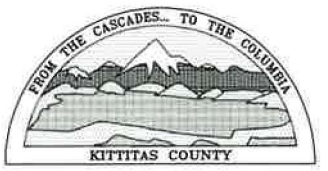


Airport Rd		
Upper County		
Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
		
		
		
Federal Aid No.		
C.R.P. No.		
Utilites Site Plan		
UT-01	13 / 22	

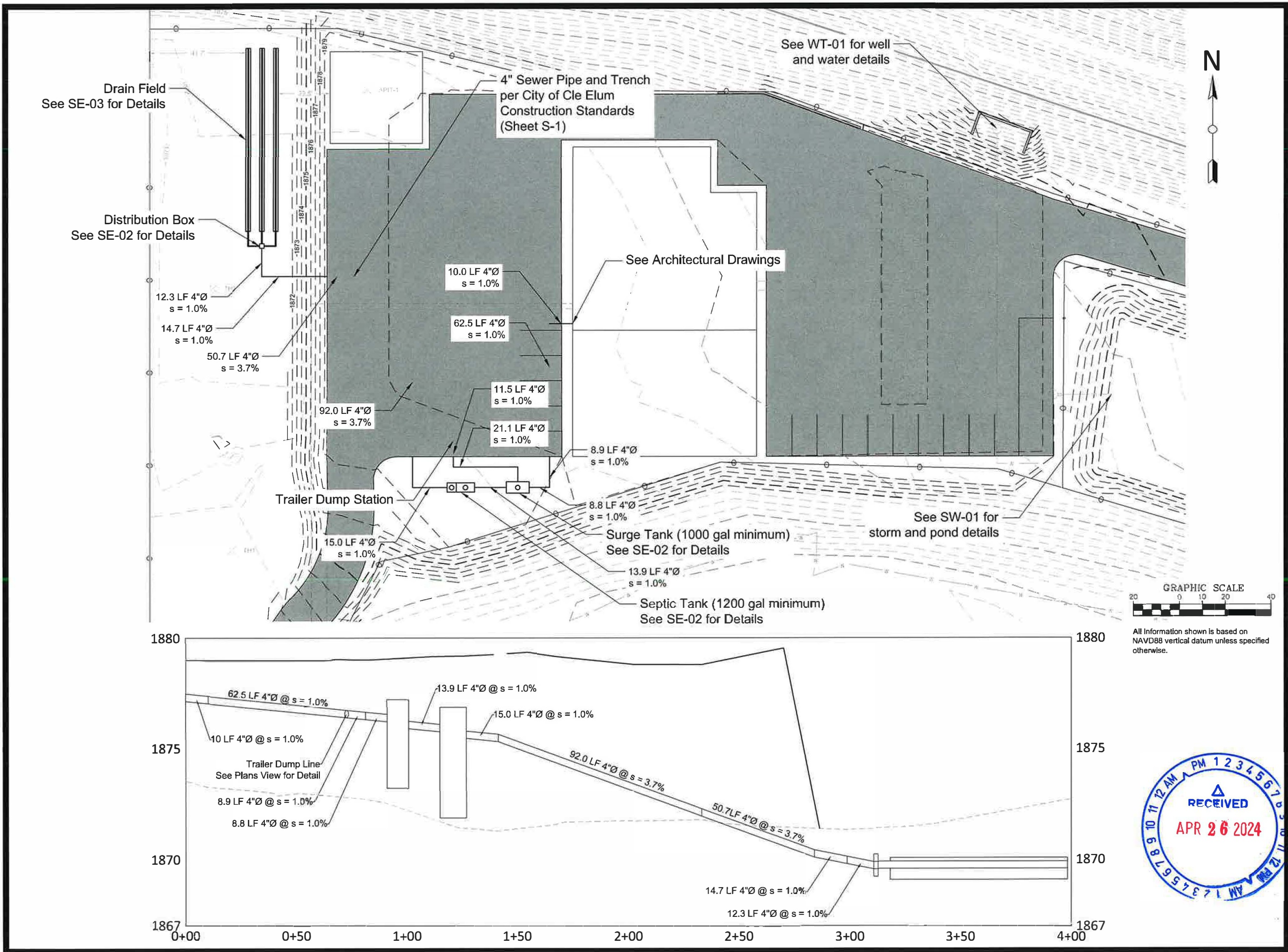


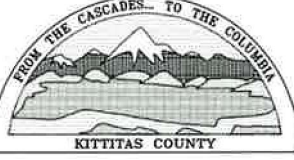
Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
811 Know what's below. Call before you dig.		
CAMERON CURTIS PROFESSIONAL ENGINEER 23020010 EXPIRATION 12/31/2025		
FROM THE CASCADES... TO THE COLUMBIA KITITITAS COUNTY		
Federal Aid No.		
C.R.P. No.		
Stormwater System		
SW-01	14 / 22	

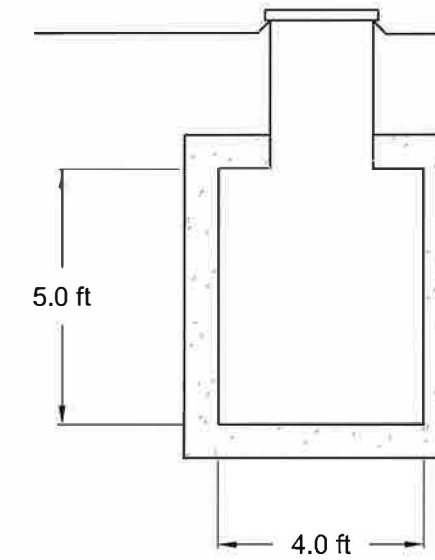
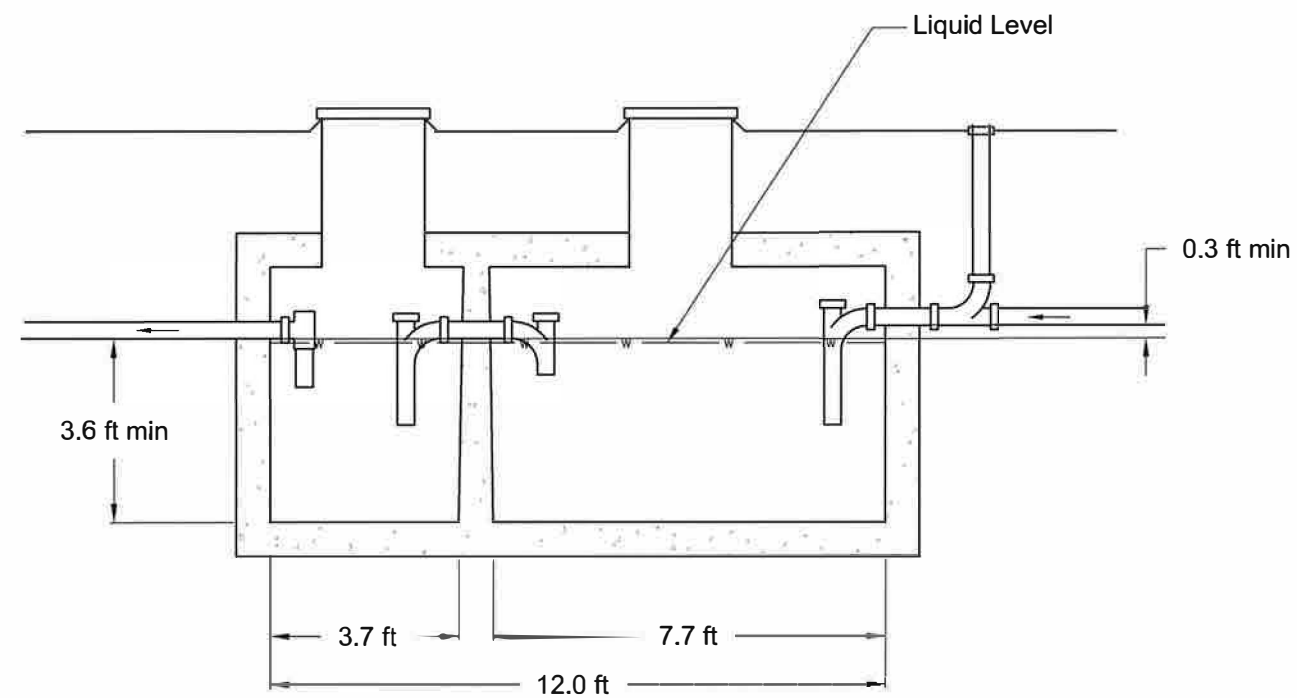


Airport Rd		
Upper County		
Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Stormwater System		
SW-02	15 / 22	

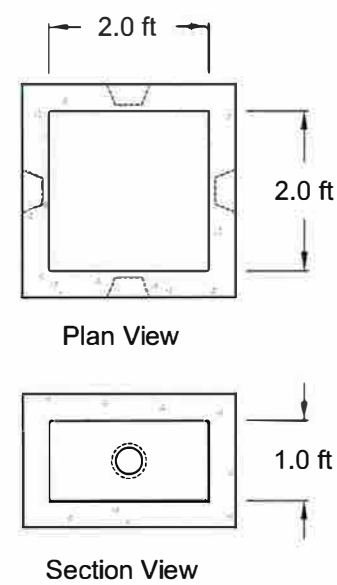




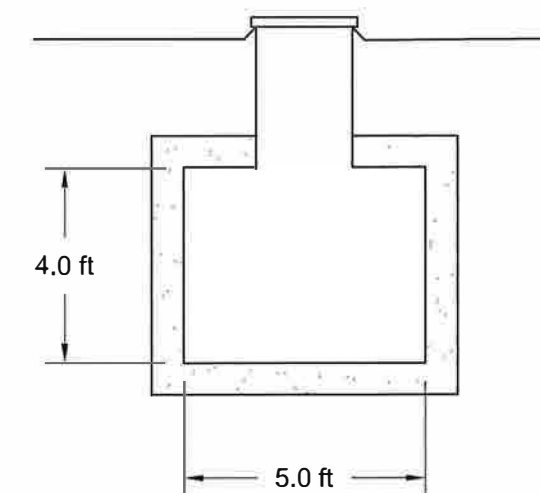
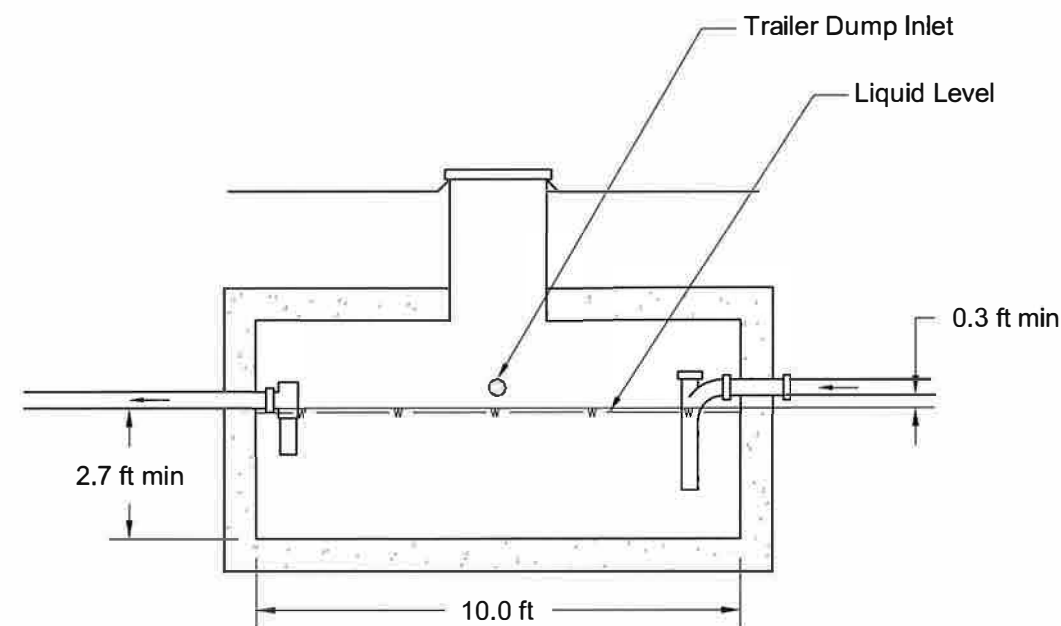
Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Septic System		
SE-01	16 / 22	



Septic Tank Details

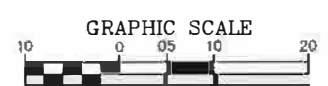
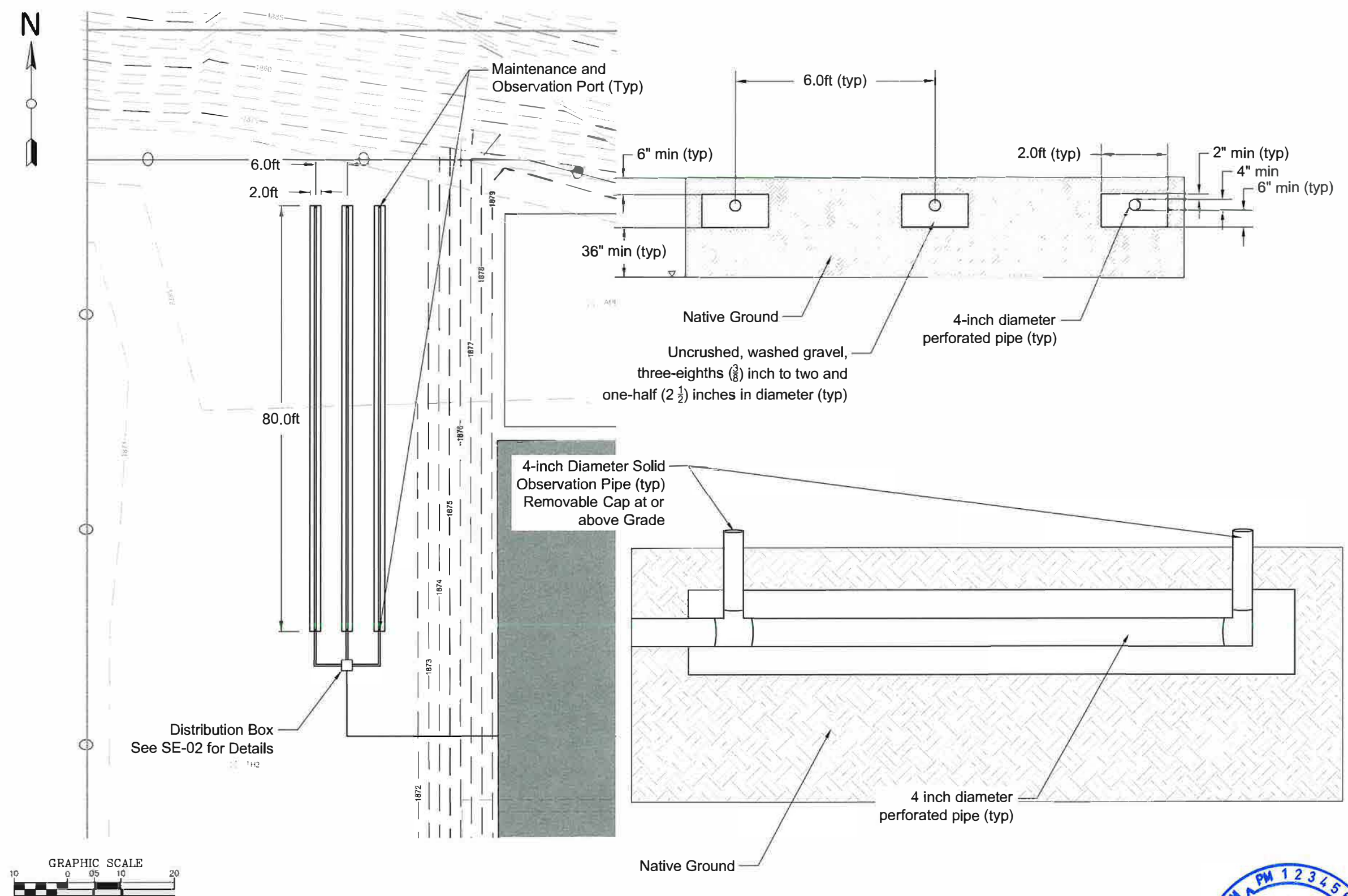


Distribution Box Details

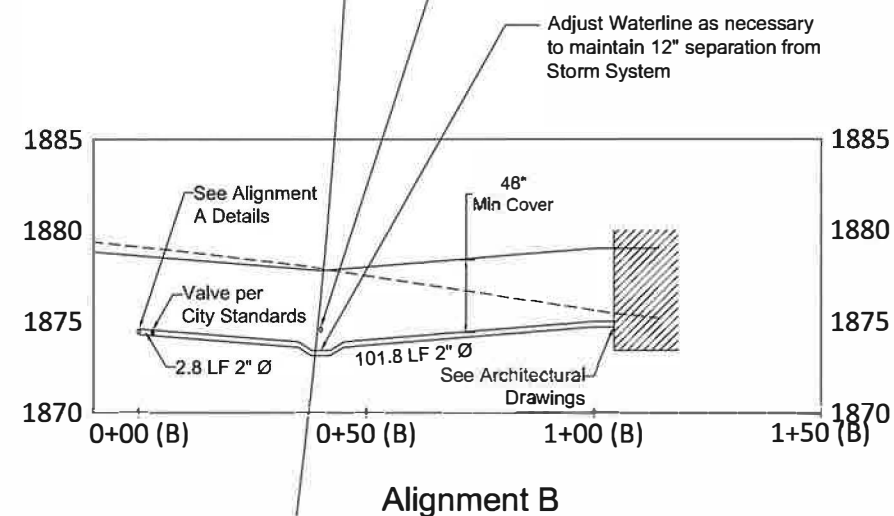
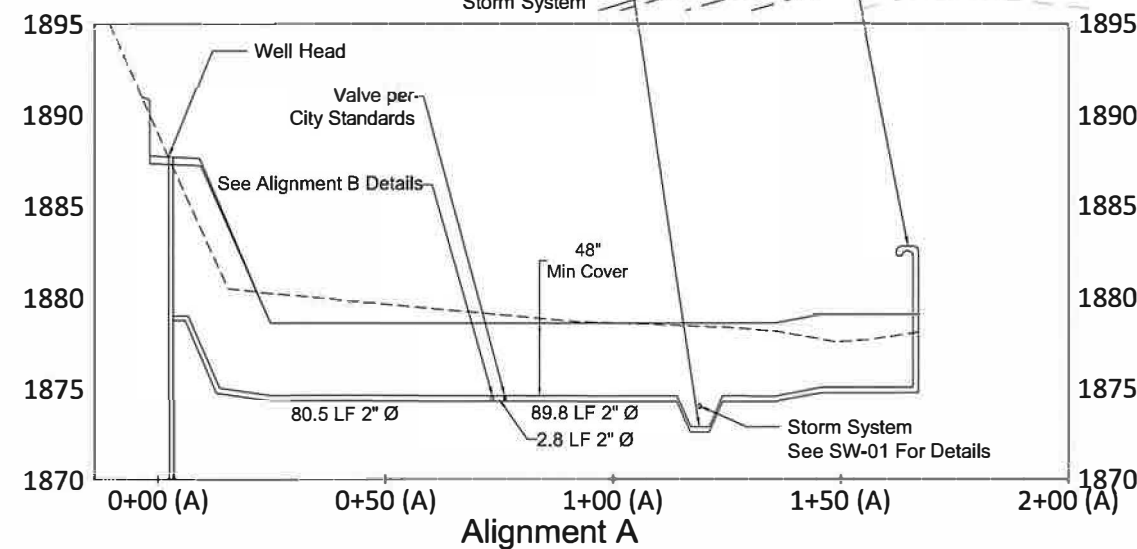
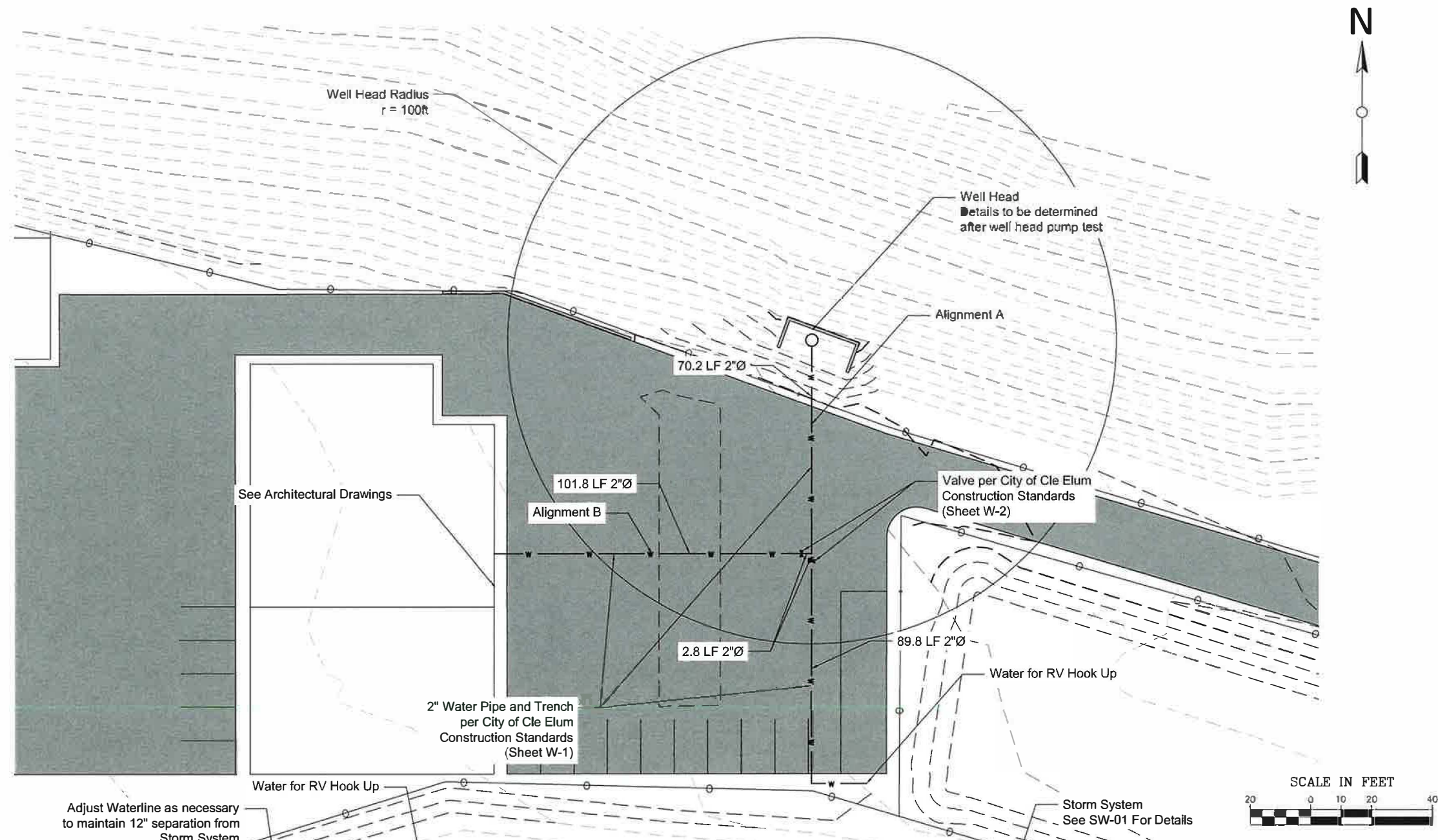


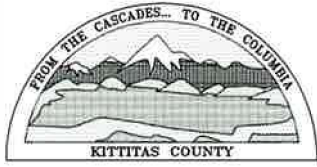
Tanks meeting dimensions shown or approved equivalent from Washington State Department of Health List of Registered Sewage Tanks

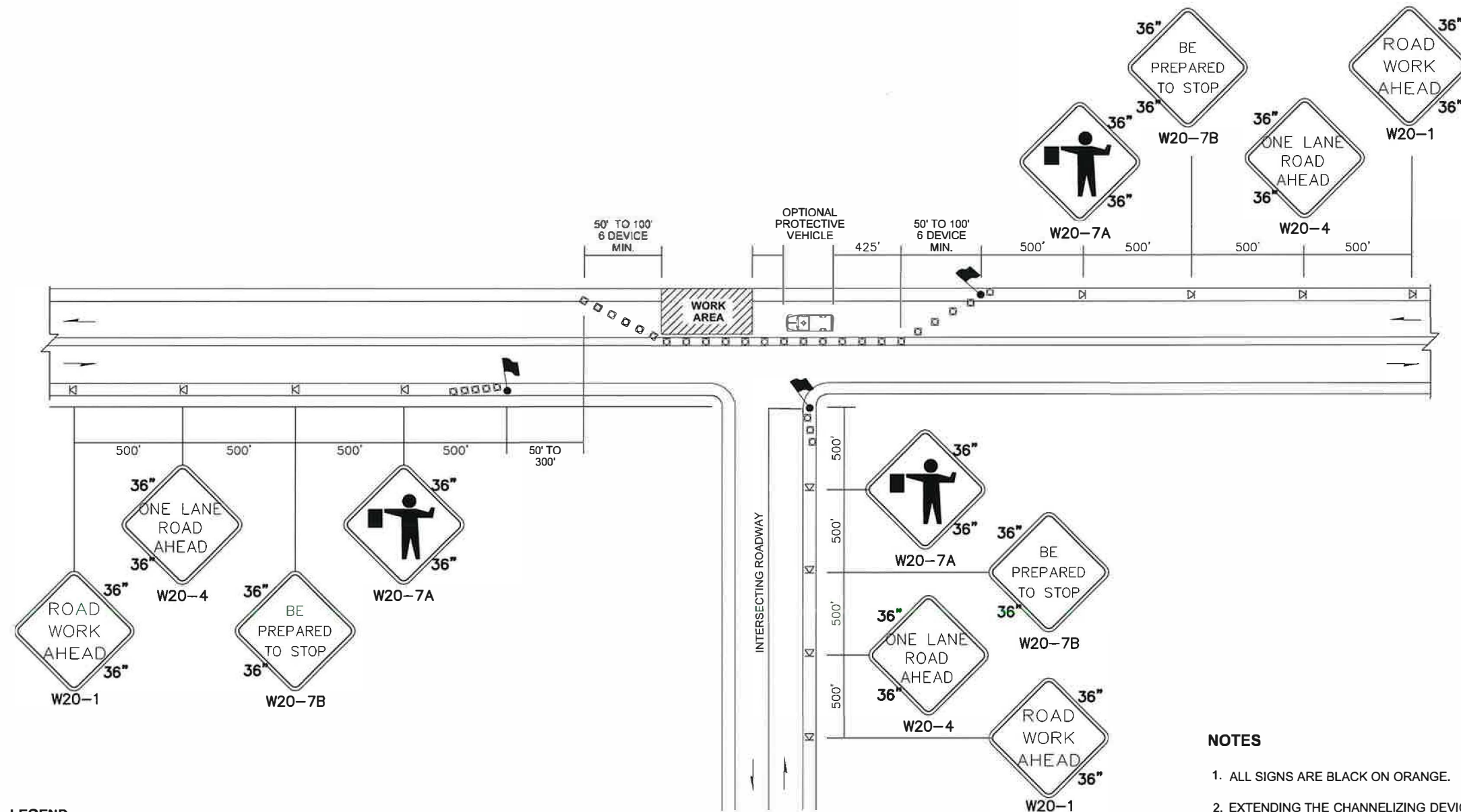
Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
Know what's below. Call before you dig.		
Federal Aid No.		
C.R.P. No.		
Septic System		
SE-02	17 / 22	



Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Septic System		
SE-03	18 / 22	



Airport Rd		
Upper County		
Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Water System		
WT-01	19 / 22	

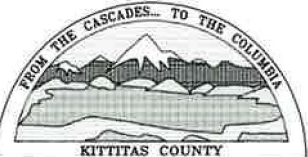


- LEGEND**
- FLAGGING STATION
 - TEMPORARY SIGN LOCATION
 - CHANNELIZING DEVICES
 - PROTECTIVE VEHICLE (OPTIONAL)

**ONE-LANE, TWO-WAY TRAFFIC CONTROL
WITH FLAGGERS**
NOT TO SCALE

NOTES

1. ALL SIGNS ARE BLACK ON ORANGE.
2. EXTENDING THE CHANNELIZING DEVICE TAPER ACROSS SHOULDER IS RECOMMENDED.
3. NIGHT WORK REQUIRES ADDITIONAL ROADWAY LIGHTING AT FLAGGING STATIONS. SEE THE **STANDARD SPECIFICATIONS** FOR ADDITIONAL DETAILS.
4. SEE **SPECIAL PROVISIONS** FOR WORK HOUR RESTRICTIONS.

Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By
 Know what's below. Call before you dig.		
		
		
Federal Aid No.		
C.R.P. No.		
Temporary Traffic Control		
TC-01	20 / 22	



Airport Rd

Upper County
Search and Rescue

4/12/2024

Designed By: C. Curtis

Entered By: C. Curtis

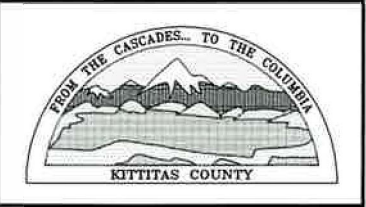
County Engineer: C. Curtis

P.W. Director: J. Fredrickson

Revision	Date	By



Know what's below.
Call before you dig.

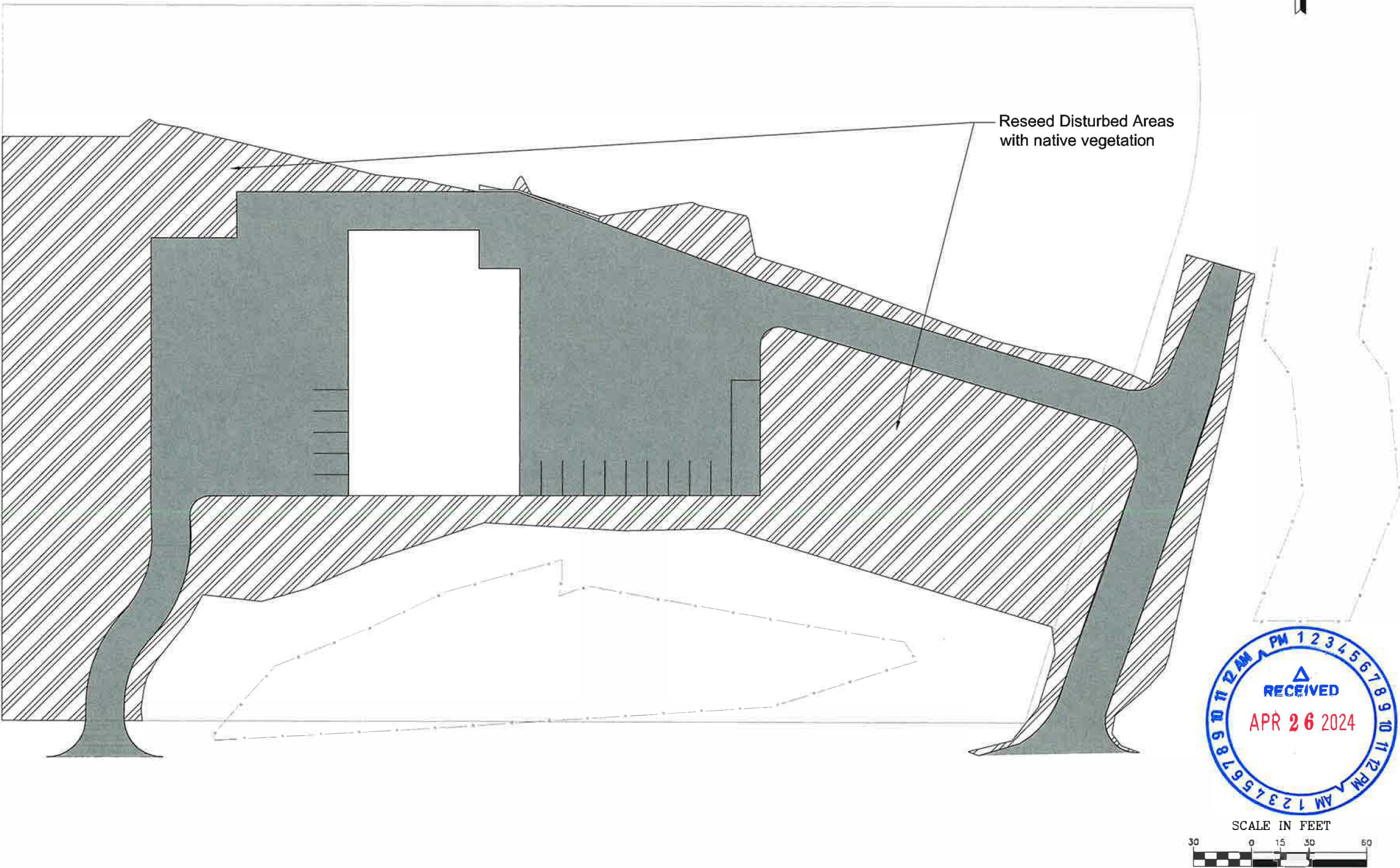


Federal Aid No.

C.R.P. No.

City of Cle Elum Details

DT-01	21 / 22
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Airport Rd		
Upper County Search and Rescue		
4/12/2024		
Designed By:	C. Curtis	
Entered By:	C. Curtis	
County Engineer:	C. Curtis	
P.W. Director:	J. Fredrickson	
Revision	Date	By



Know what's below.
Call before you dig.





Federal Aid No.	
C.R.P. No.	
Landscaping Detail	
LC-01	22 / 22

Wetland boundaries identified by Jacobs are preliminary until the USACE validates the flagged wetland boundaries. Validation of the wetland boundary by the USACE provides a certification, usually written, that the wetland boundaries verified are the boundaries that will be regulated by the USACE until specified data or until the regulations are modified. Only the USACE can provide this certification.

Since wetlands are dynamic communities affected by both natural and human activities, changes in wetland boundaries may be expected; therefore, wetland delineations cannot remain valid for an indefinite period. The USACE typically recognizes the validity of wetland delineations for a period of 5 years after completion.

If you have any questions regarding the findings and recommendations in this report, please contact Jen Bader at (509) 899-5256 or at Jennifer.Bader@jacobs.com.

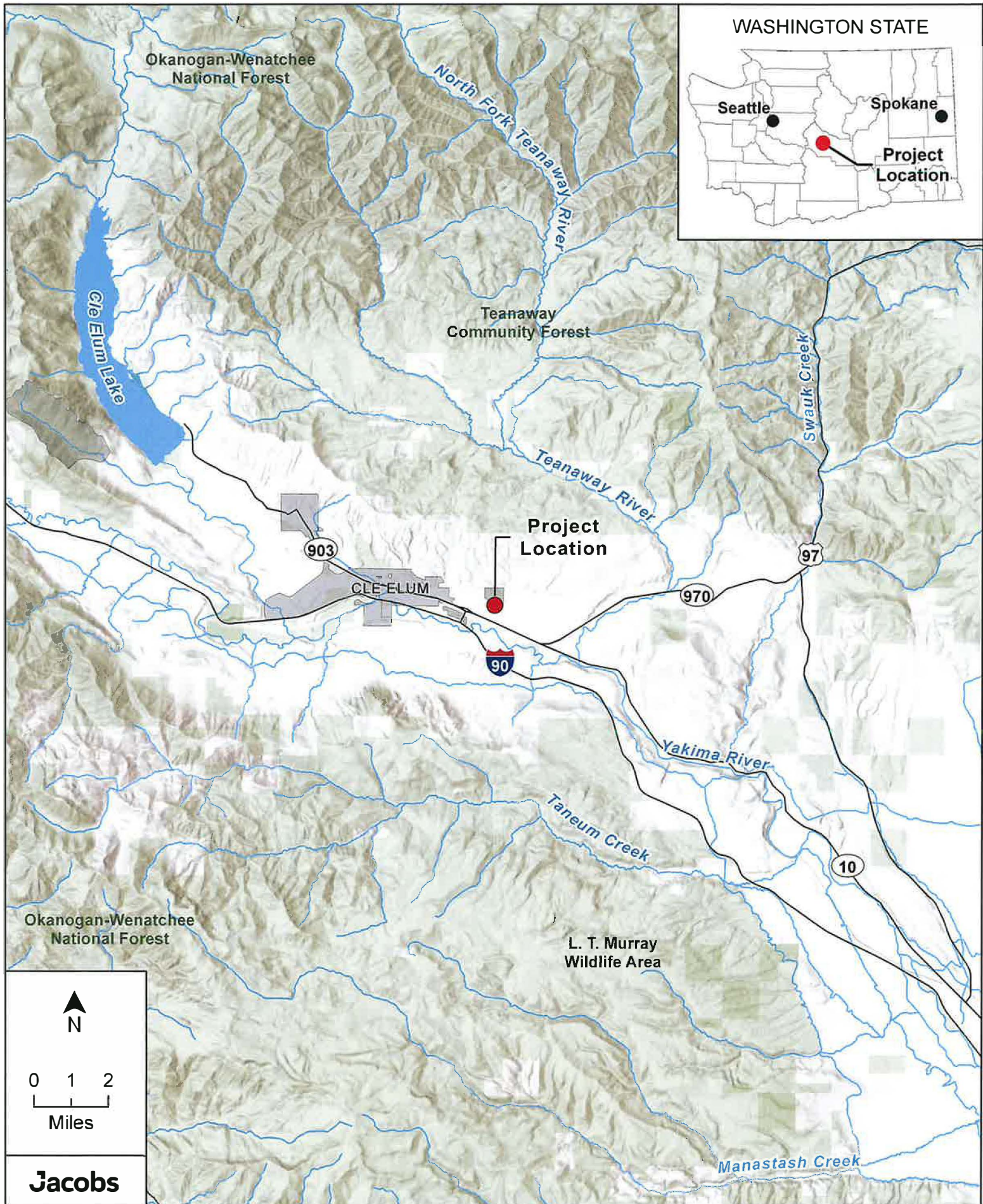


Memorandum

32 North 3rd Street
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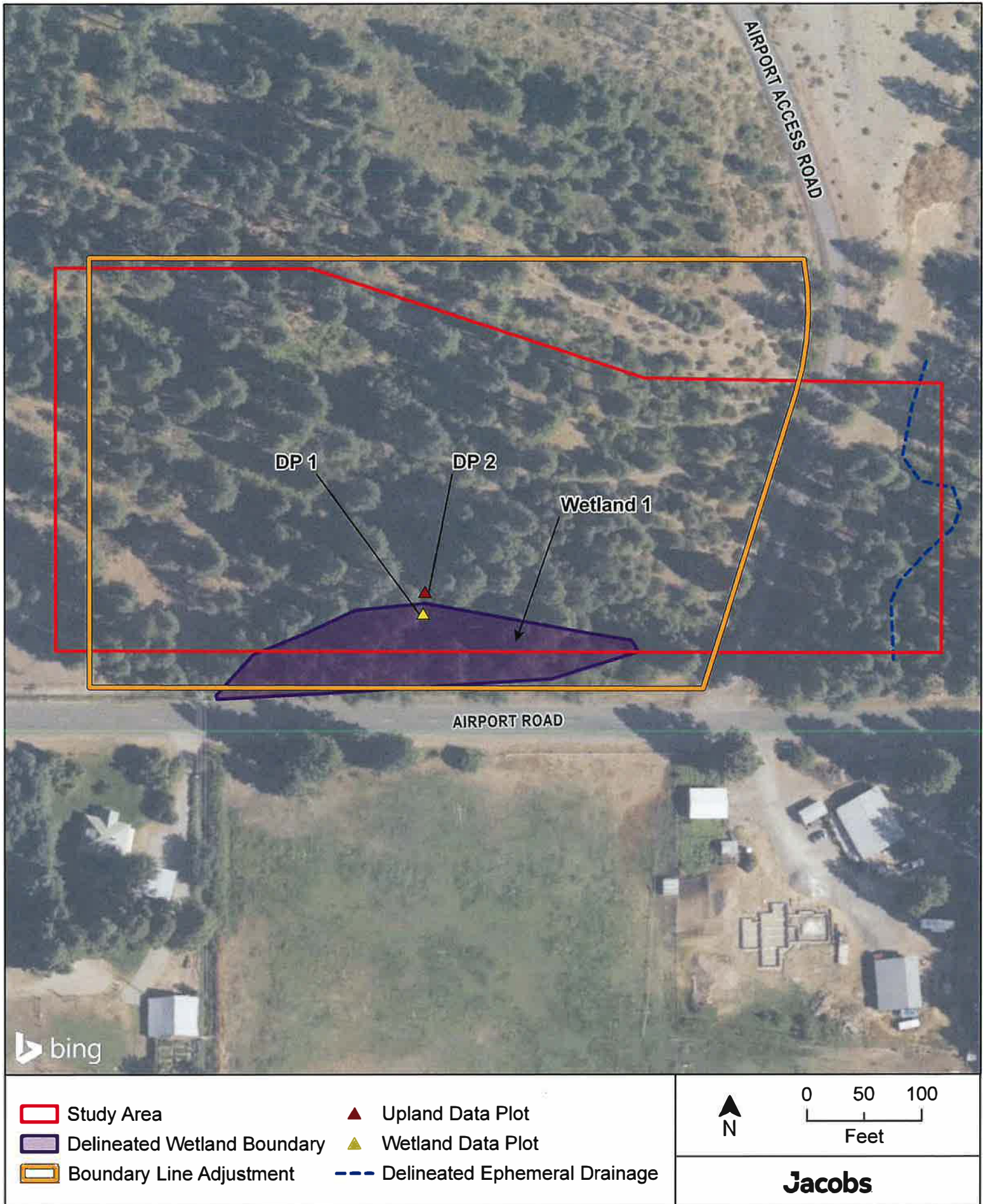
Attachment A. Reference Maps

FIGURE 1. VICINITY



Data Sources: Kittitas County, USFWS, USGS, WSDOT. Basemap Sources: Esri, NASA, NGA, USGS.

FIGURE 2. STUDY AREA



Attachment B. Project Area Photographs



Photograph 1: Wetland 1 looking from north to south toward Airport Rd.



Photograph 2: Wetland 1 looking at data plot location.



Photograph 3: Upland area within the study area looking northwest.



Photograph 4: Upland area within the study area.



Photograph 5: Drainage on east side of parcel looking downstream, or the upstream of culvert.



Photograph 6: Drainage on east side of parcel looking upstream, or the downstream of culvert.



Photograph 7: Drainage on east side of parcel looking downstream.



Photograph 8: Drainage on east side of parcel looking upstream.

Attachment C. Corps Wetland Data Forms

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Search and Rescue Site - Wetland 1 City/County: Kittitas County Sampling Date: 6/20/2023
 Applicant/Owner: Kittitas County State: WA Sampling Point: DP-1
 Investigator(s): Jen Bader, Nicole Ogan Section, Township, Range: Section 30, Township 20 North, Range 16
 Landform (hillslope, terrace, etc.): depression Local relief (concave, convex, none): concave Slope (%): 1
 Subregion (LRR): A Lat: 47.18969096 Long: -120.88289679 Datum: NAD83HARN
 Soil Map Unit Name: Teanaway ashy loam NWI Classification: PFO

Are climatic / hydrologic conditions on the site typical for this time of year? ☒ Yes ☐ No (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? ☒ Yes ☐ No
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? ☒ Yes ☐ No	Is the Sampled Area within a Wetland? ☒ Yes ☐ No
Hydric Soil Present? ☒ Yes ☐ No	
Wetland Hydrology Present? ☒ Yes ☐ No	
Remarks: Depression between Airport road and hillslope.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 20x20)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <i>Pinus ponderosa</i>	10	Y	76.9	FACU
2. <i>Crataegus douglasii</i>	3	Y	23.1	FAC
3. _____				
4. _____				
	13	= Total Cover		

Sapling/Shrub Stratum (Plot size: 15x15)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <i>Cornus alba</i>	65	Y	79.3	FACW
2. <i>Salix lasiandra</i>	7	N	8.5	FACW
3. <i>Symphoricarpos albus</i>	5	N	6.1	FACU
4. <i>Rosa woodsii</i>	5	N	6.1	FACU
5. _____				
	82	= Total Cover		

Herb Stratum (Plot size: 5x5)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <i>Equisetum arvense</i>	1	Y	100.0	FAC
2. _____				
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
	1	= Total Cover		

Woody Vine Stratum (Plot size: 15x15)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <i>None</i>				
2. _____				
		= Total Cover		

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 75.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>72</u>	x 2 = <u>144</u>
FAC species <u>4</u>	x 3 = <u>12</u>
FACU species <u>20</u>	x 4 = <u>80</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>96</u> (A)	<u>236</u> (B)

Prevalence Index = B/A = 2.458

Hydrophytic Vegetation Indicators:

☐ 1 - Rapid Test for Hydrophytic Vegetation

☒ 2 - Dominance Test is >50%

☒ 3 - Prevalence Index is ≤3.0'

☐ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

☐ 5 - Wetland Non-Vascular Plants¹

☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present?

☒ Yes ☐ No

Remarks:

Ground cover was dense leaf litter. One skunk cabbage and some carex (not able to identify since early in growth form with now flowers) were also present in the wetland.

Sampling Point: DP-1

HYDROLOGY

US Army Corps of Engineers (WSDOT Adapted Form)

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Arch and Rescue Site - Wetland 2 City/County: Kittitas County Sampling Date: 6/20/2023
 Applicant/Owner: Kittitas County State: WA Sampling Point: DP-2
 Investigator(s): Jen Bader, Nicole Ogan Section, Township, Range: Section 30, Township 20 North, Range 16
 Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): convex Slope (%): 25
 Subregion (LRR): A Lat: 47.18978762 Long: -120.88284448 Datum: NAD83HARN
 Soil Map Unit Name: Teanaway ashy loam NWI Classification: upland

Are climatic / hydrologic conditions on the site typical for this time of year? ☒ Yes ☐ No (If no, explain in Remarks.)
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? ☒ Yes ☐ No
 Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? ☐ Yes ☒ No	Is the Sampled Area within a Wetland? ☐ Yes ☒ No
Hydric Soil Present? ☐ Yes ☒ No	
Wetland Hydrology Present? ☐ Yes ☒ No	
Remarks: South facing hillslope adjacent and north of wetland.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>20x20</u>)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <u>Pinus ponderosa</u>	40	Y	100.0	FACU
2. _____				
3. _____				
4. _____				
	40	= Total Cover		

Sapling/Shrub Stratum (Plot size: <u>15x15</u>)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <u>Symphoricarpos albus</u>	10	Y	50.0	FACU
2. <u>Amelanchier alnifolia</u>	5	Y	25.0	FACU
3. <u>Rosa woodsii</u>	5	Y	25.0	FACU
4. _____				
5. _____				
	20	= Total Cover		

Herb Stratum (Plot size: <u>5x5</u>)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <u>Tragopogon dubius</u>	1	Y	100.0	UPL
2. _____				
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
	1	= Total Cover		

Woody Vine Stratum (Plot size: <u>15x15</u>)	Absolute % Cover	Dom. Sp.?	Relative % Cover	Indicator Status
1. <u>None</u>				#N/A
2. _____				
		= Total Cover		

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>0</u>	x 2 = <u>0</u>
FAC species <u>0</u>	x 3 = <u>0</u>
FACU species <u>60</u>	x 4 = <u>240</u>
UPL species <u>1</u>	x 5 = <u>5</u>
Column Totals: <u>61</u> (A)	<u>245</u> (B)

Prevalence Index = B/A = 4.016

Hydrophytic Vegetation Indicators:

☐ 1 - Rapid Test for Hydrophytic Vegetation

☐ 2 - Dominance Test is >50%

☐ 3 - Prevalence Index is ≤3.0'

☐ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

☐ 5 - Wetland Non-Vascular Plants¹

☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present?

☐ Yes ☒ No

Remarks:

Ground cover was dense litter. See plant list of site for other species located in the uplands.

Sampling Point: DP-2

HYDROLOGY

Western Mountains, Valleys, and Coast – Version 2.0
Page 203 of 310

Attachment D. Plant List

Table 1. Plant List

Scientific Name ¹	Common Name	Western Mountain, Valleys, and Coast ²	Distribution in Cover Types	Type ³	Riparian Vegetation	Wetland	Upland
Trees							
<i>Alnus</i> sp.	Alder	Varies	Sporadic			Sparse	Sparse
<i>Crataegus douglasii</i>	Douglas hawthorne	FAC	Sporadic	N	Sparse	Sparse	Sparse
<i>Pinus ponderosa</i>	Ponderosa pine	FACU	Even	N			Common
<i>Populus balsamifera</i>	Black cottonwood	FAC	Sporadic	N	Sparse	Common	
<i>Pseudotsuga menziesii</i>	Douglas fir	FACU	Sporadic	N			Sparse
<i>Amelanchier alnifolia</i>	Servicberry	FACU	Sporadic	N			Sparse
<i>Ceanothus velutinus</i>	Mountain balm		Even	N			Common
<i>Cornus sericea</i>	Redosier dogwood	FACW	Clumped	N	Common	Common	
<i>Mahonia</i> sp.	Oregon-grape	FACU	Clumped	N			Sparse
<i>Philadelphus lewisii</i>	Mock orange	FACU	Sporadic	N	Sparse		
<i>Prunus virginiana</i>	Chokecherry	FACU	Clumped	N	Sparse		
<i>Purshia tridentata</i>	Bitterbrush	UPL	Sporadic	N			Common
<i>Rosa woodsii</i>	Wood's rose	FACU	Clumped	N			Common
<i>Salix lasiandra</i>	Pacific willow	FACW	Sporadic	N		Common	
<i>Sambucus nigra</i> sp. <i>cerulea</i>	Blue elderberry	FAC	Sporadic	N	Sparse	Sparse	
<i>Symphoricarpos albus</i>	Common snowberry	FACU	Sporadic	N			Common
Herbs							
<i>Apocynum</i> sp.	Dogbane	Varies	Clumped	N			Sparse
<i>Balsamorhiza sagittata</i>	Arrowleaf balsamroot	UPL	Clumped	N			Sparse
<i>Cirsium arvense</i>	Canadian thistle	FAC	Clumped	I		Sparse	
<i>Collomia grandiflora</i>	Grand collomia	UPL	Sporadic	N			Sparse
<i>Crepis</i> sp.	Hawksbeard	Varies	Sporadic	N			Sparse
<i>Elymus repens</i>	Quackgrass	FAC	Even	I	Common		Common
<i>Equisetum arvense</i>	Field horsetail	FAC	Clumped	N	Common	Sparse	
<i>Fragaria virginiana</i>	Blueleaf strawberry, mountain	FACU	Clumped	N			Sparse
<i>Geranium viscosissimum</i>	Sticky purple geranium	FACU	Clumped	N			Sparse
<i>Lupinus</i> sp.	Lupine	Varies	Sporadic	N			Sparse
<i>Lysichiton americanus</i>	American skunkcabbage	OBL	Single	N		Single	
<i>Madia exigua</i>	Small tarweed	UPL	Clumped	N			Sparse
<i>Poa bulbosa</i>	Bulbous bluegrass	FACU	Even	I			Common
<i>Potentilla</i> sp.	Cinquefoil	Varies	Sporadic	N			Sparse
<i>Senecio</i> sp.	Butterweed	Varies	Sporadic	N			Sparse
<i>Vicia</i> sp.	Vetch	Varies	Sporadic	N			Sparse

¹ Species identified only to genus were due to limited ability to determine species.

² Western Mountains, Valleys, and Coast Region Indicator Status described in Table 2.

³ Type: N=Native, I=Introduced, U=Unknown because unable to identify to species and both could occur in this habitat type for Genus.

Table 1. Plant List

Indicator status	Abbreviation	Definition	Percent Occurrence in Wetlands (%)
Obligate	OBL	Occur almost always under natural conditions in wetlands.	99
Facultative Wetland	FACW	Usually occur in wetlands but occasionally found in non-wetlands.	67–99
Facultative	FAC	Equally likely to occur in wetlands and nonwetlands.	34–66
Facultative Upland	FACU	Usually occur in non-wetlands but occasionally found in wetlands.	1–33
Upland	UPL	Occur in wetlands in another region, but occur almost always under natural conditions in non-wetlands in the region specified.	1

Reference

Lichvar, R. W., N. C. Melvin, M. Butterwick, and W. N. Kirchner (Lichvar et al.). 2012. *National Wetland Plant List Indicator Rating Definitions*. Prepared for USACE Wetland Regulatory Assistance Program, Publication #ERDC/CRREL TN-12-1. July.

Attachment E. Streamflow Duration Data Form

Appendix B: Streamflow Duration Field Assessment Form

Project # / Name		Assessor																									
Address			Date																								
Waterway Name		Coordinates at downstream end																									
Reach Boundaries		Lat. _____ N	Long. _____ W																								
Precipitation w/in 48 hours (cm)		Channel Width (m)	☐ Disturbed Site / Difficult Situation (Describe in "Notes")																								
Observed Hydrology	% of reach w/observed surface flow _____ % of reach w/any flow (surface or hyporheic) _____ # of pools observed _____																										
Observations	Observed Wetland Plants (and indicator status): Observed Macroinvertebrates: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 35%;">Taxon</th> <th style="width: 15%;">Indicator Status</th> <th style="width: 15%;">Ephemeroptera?</th> <th style="width: 35%;"># of Individuals</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>			Taxon	Indicator Status	Ephemeroptera?	# of Individuals																				
Taxon	Indicator Status	Ephemeroptera?	# of Individuals																								
Indicators	1. Are aquatic macroinvertebrates present? ☐ Yes ☐ No 2. Are 6 or more individuals of the Order Ephemeroptera present? ☐ Yes ☐ No 3. Are perennial indicator taxa present? (refer to Table 1) ☐ Yes ☐ No 4. Are FACW, OBL, or SAV plants present? (Within ½ channel width) ☐ Yes ☐ No 5. What is the slope? (In percent, measured for the valley, not the stream) _____ %																										
Conclusions																											
Single Indicators: ☐ Fish ☐ Amphibians		Finding: ☐ Ephemeral ☐ Intermittent ☐ Perennial																									

Notes: (explanation of any single indicator conclusions, description of disturbances or modifications that may interfere with indicators, etc.)

Difficult Situation:

Describe situation. For disturbed streams, note extent, type, and history of disturbance.

- ☐ Prolonged Abnormal Rainfall / Snowpack
- ☐ Below Average
- ☐ Above Average
- ☐ Natural or Anthropogenic Disturbance
- ☐ Other: _____

Additional Notes: (sketch of site, description of photos, comments on hydrological observations, etc.) Attach additional sheets as necessary.

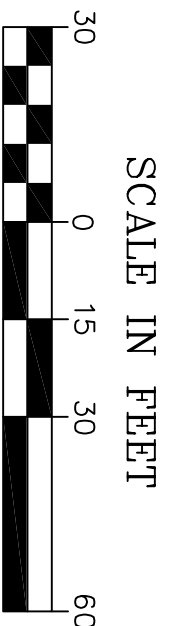
Ancillary Information:

- ☐ Riparian Corridor
- ☐ Erosion and Deposition
- ☐ Floodplain Connectivity

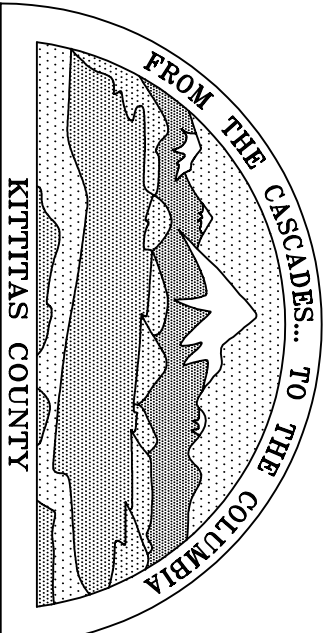
Observed Amphibians, Snake, and Fish:

Taxa	Life History Stage	Location Observed	Number of Individuals Observed

Upper County
Search and Rescue



**Know what's below.
Call before you dig.**



C.R.P. No.

Site Plan

/

Exhibit II: Notices

- Notice of Application and Environmental Review
- MDNS
- Notice of Public Hearing
- Newspaper Post
- Posting of site
- Mailing Notices
- Notice of Closed Record Public Hearing
- Newspaper Post
- Posting of site
- Mailing Notices

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

NOTICE OF APPLICATION AND ENVIRONMENTAL REVIEW

DATE: June 11, 2024
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: City of Cle Elum, Planning Department
APPLICANT: Kittitas County Public Works
FILE NUMBER: SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002
LOCATION: Airport Road, Cle Elum, WA
TAX PARCEL NUMBER: 962113
DATE OF APPLICATION: April 26, 2024
DATE OF COMPLETENESS: June 7, 2024

PROJECT DESCRIPTION: Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

NOTICE OF ENVIRONMENTAL REVIEW: This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Cle Elum, Planning Division, has been established as the lead agency, under WAC 197-11-928 for this project. The City of Cle Elum has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Mitigated Determination of Nonsignificance (MDNS) per WAC 197-11-355. The optional DNS process is being used and this may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent threshold determination may be obtained by request and may be appealed pursuant to CEMC 14.30.230.

Required Permits: The following local, state, and federal permits/approvals may or will be needed for this project: Building Permit, Stormwater Permit, Critical Areas Permit

Required Studies: N/A

Existing Environmental Documents: Aquatics Resources Summary, August 18, 2023

Development Regulations for Project Mitigation and Consistency Include: the State Environmental Policy Act, the Cle Elum Urban Area Zoning Ordinance, and the Cle Elum Urban Area Comprehensive Plan.

REQUEST FOR WRITTEN COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 15-day comment period for this review. All written comments received by 4:30 p.m. on **June 26, 2024** will be considered prior to issuing the final SEPA determination. This proposal requires a Public Hearing which will be scheduled at a later date. Please reference file numbers (SEPA-2024-003) and applicant's project name (Kittitas County Public Works) in any correspondence you submit. You can mail or submit your comments to:

**City of Cle Elum, Attention: Planning Department/Kittitas County Public Works
119 West First Street, Cle Elum, WA 98922**

NOTICE OF DECISION A copy of the SEPA threshold determination and Notice of Public Hearing will be mailed to parties of record and entities who were provided this notice once it is rendered.

The file containing the complete application is available for public review at the City of Cle Elum, 119 W First Street, Cle Elum, WA 98922. If you have any questions on this proposal, please contact Colleda Monick, Planning Consultant at (509) 864-1976, or email to: planning@cleelum.gov

Enclosed: Narrative, Critical Areas Application, SEPA Checklist, Aquatics Resources Summary, Site Plan

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

**WASHINGTON STATE ENVIRONMENTAL POLICY ACT
MITIGATED DETERMINATION OF NONSIGNIFICANCE
CITY OF CLE ELUM, WASHINGTON
July 8, 2024**

PROJECT DESCRIPTION: Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum, Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or training, there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

LOCATION: Vicinity of Airport Road
PARCEL NUMBERS: 962113
PROponent: Kittitas County Public Works
PROPERTY OWNERS: Kittitas County
LEAD AGENCY: City of Cle Elum

FILE NUMBER: SEP#2024-003

DETERMINATION: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.12C.030(2)(c). This decision was made after reviewing a completed environmental checklist and other information on file with the lead agency and a public comment period which ended on June 26, 2024. This information is available to the public on request.

I. FINDINGS

A. Processing

1. The application for Environmental Review as received on April 26, 2024.
2. The application was deemed complete for processing on June 7, 2024.
3. The application is being processed under the provisions of Ch. 14.40 (Environmental Review).
4. **Public Notice:** Pursuant to CEMC 14.40.060 and 14.30.120:
 - a. A Notice of Application and Environmental Review as issued on June 11, 2024.
 - b. The 14-day public comment period for this application ended on June 26, 2024 and three comments were received.

B. Review

1. Wetlands

A wetland delineation was conducted by Jacobs on August 20 and 27, 2023.

Wetlands were delineated using methods described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*. The wetland delineation identifies a Category III wetland on-site, requiring a 60-foot buffer. The initial site plans submitted on April 26, 2024 show encroachment into the required wetland buffer and do not meet the standards of CEMC 18.01.070. On May 29, 2024 an updated mitigation plan was submitted showing a proposed new planting area around the retention pond. The proposal includes 6,618 square-feet of new planting area which is a net increase of 1,871 square-feet over the area proposed to encroach into the wetland buffer. The applicant shall submit an update to the wetland delineation demonstrating how the proposed new planting area meets the applicable standards for buffer averaging and/or compensatory mitigation.

2. Engineering

a. Stormwater:

All stormwater must be retained onsite consistent with the City's Construction Standards and 2019 Stormwater Management Manual for Eastern Washington. A stormwater drainage plan and report, prepared by a licensed engineer and registered in the state of Washington, shall be submitted for City review and approval consideration. Design calculations for peak flow and peak volume storage requirements shall be based on a design storm frequency of ten-year, twenty-four-hour storm runoff event. Design calculations for treatment shall be based on sixty-four percent of the two-year recurrence interval, twenty-four-hour storm runoff event.

b. Utilities:

Per CEMC 13.08.090: The type, capacities, location and layout of a private sewage disposal system shall comply with all regulations of the Washington State Health Department and the Kittitas County sanitarian. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than five thousand square feet. No septic tank or cesspool is permitted to discharge to any public sewer or natural outlet.

Per CEMC 15.24.140, 1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems; 2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; 3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and 4. Water wells shall be located on high ground that is not in the floodway.

c. Access:

Proposed access is through the existing Airport Access Road. The applicant is also proposing secondary access directly from Airport Road. Improvements to airport access road to meet minimum fire code standards shall be required.

Agency Comments:

During the public comment period, the following comments were submitted which have been summarized below. (Full comments can be found within the record.)

1. On June 24, 2024, the **Washington State Department of Ecology** provided written comments, summarized below:
 - a. Your project is located within the boundaries of WAC 175-539A so it may be subject to the rule. If you are planning on withdrawing groundwater for a new use within the boundaries of WAC 173-539A, your project must be water budget neutral. Before withdrawing or using any water please submit a *Request of Determination of Water Budget Neutrality* or an *Application for a new Water Right Permit*, depending on the size of your project either form may be required.
2. On June 25, 2024, the **Certified Tribes of the Colville Reservation** provided written comments, summarized below:
 - a. Recommendation for the project to continue under an Inadvertent Discovery Plan and should new cultural resources be uncovered a data recovery and mitigation plan should be implemented.
3. On June 25, 2024, the **Washington State Department of Fish and Wildlife** provided written comments, summarized below:
 - a. Recommend the additional mitigation measures, 1) Donating large conifers with rootwads to stream/wetland/river restoration projects within Upper Yakima Watershed; 2) Minimizing the impervious surfaces associated with the project to reduce likelihood of changes to hydrology for the wetland, and/or; 3) Additional native plantings in the riparian management zone for the watercourse at the eastern parcel boundary.

II. CONCLUSIONS:

- A. A Notice of Application was sent out on June 11, 2024. Three (3) SEPA agency comments were received.
- B. As mitigated, this proposal will have no adverse environmental impacts.
- C. Project specific conditions for improvements will be included in the Staff Report for PMU#2024-002.

III. REQUIRED MITIGATION MEASURES:

This Mitigated Determination of Nonsignificance (MDNS) is hereby conditioned upon following mitigated measures, as authorized under WAC 197-11-660 and Cle Elum Municipal Code CEMC 14.40, and the Cle Elum Urban Area Comprehensive Plan, which contains goals, policies, and

regulations which provide substantive authority to require mitigation under the State Environmental Policy Act (SEPA).

1. Before withdrawing or using any water please submit a *Request of Determination of Water Budget Neutrality* or an *Application for a new Water Right Permit*, depending on the size of your project to the Washington State Department of Ecology.
2. An Inadvertent Discovery Plan shall be implemented.
3. Where buffer reductions are requested, the wetland delineation shall be updated to show how the proposed minimization measures meet the requirements of CEMC 18.01.070.

✓ This MDNS is issued under WAC 197-11-355. There is no further comment period on the MDNS

Responsible Official: Robert Omans
Position/Title: SEPA Responsible Official
Phone: (509) 674-2262
Address: 119 W First Street, Cle Elum, WA 98922

Date: July 8, 2024

Signature:

A handwritten signature in black ink, appearing to read "Robert Omans", written over a horizontal line.

✓ You may appeal this determination to: Robert Omans, City Administrator, at 119 W First Street, Cle Elum, WA 98922.

No later than: **July 22, 2024.**

By method: Described here: [https://cleelum.municipal.codes/CEMC/14.30.230\(B\)\(5\)](https://cleelum.municipal.codes/CEMC/14.30.230(B)(5))

You should be prepared to make specific factual objections. Contact the City of Cle Elum to read or ask about the procedures for SEPA appeals.

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

NOTICE OF PUBLIC HEARING

DATE: July 8, 2024
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: City of Cle Elum, Planning Department
APPLICANT: Kittitas County Public Works
FILE NUMBER: SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002
LOCATION: Airport Road, Cle Elum, WA
TAX PARCEL NUMBER: 962113

PROJECT DESCRIPTION: Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

REQUEST FOR WRITTEN COMMENT AND NOTICE OF HEARING: Your views on this proposal are welcome. **All written comments received by 4:30 p.m. on July 22, 2024, will be considered prior to issuing the staff recommendation to the Hearing Examiner and will be made part of the official record – however, written comments can be received up to the hearing date.** You can mail your comments to:
City of Cle Elum
119 W First Street, Cle Elum, WA 98922

This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for Wednesday, August 7th, 2024, beginning at 6:00 p.m. or soon thereafter, in the Council Chambers located at City Hall, 119 West First Street, Cle Elum, WA 98922 or can be joined virtually via zoom.

Join virtually with zoom: <https://us06web.zoom.us/j/89129694481>

Meeting ID: 7573184018 | **Passcode:** 98922

NOTICE OF RECOMMENDATION: Following the public hearing, the Hearing Examiner will issue their recommendation to City Council. When available, a copy of the recommendation will be mailed to parties of record and entities who were provided this notice once it is rendered. **A separate public notice will be provided for the public hearing before the Cle Elum City Council.** The file containing the complete application is available for public review at the City of Cle Elum, 119 W 1st Street, Cle Elum, Washington. If you have questions regarding this proposal, please call Colleda Monick, Planning Consultant at 509-894-1976, or email to colleda.monick@cleelum.gov

**NOTICE OF PUBLIC HEARING
CITY OF CLE ELUM**

Notice is hereby given that the Cle Elum Hearing Examiner will hold a public hearing at the Cle Elum City Hall, 119 West First Street, Cle Elum, WA. 98922, on Wednesday, August 7th, 2024, at 6:00 p.m. or soon thereafter for the purpose of considering a:

Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

Interested persons may appear and be heard at said hearing, or written comments may be submitted to the City of Cle Elum, Attn: City Clerk, 119 West First Street, Cle Elum, WA. 98922, (Search & Rescue), no later than 4:30 p.m. on July 24, 2024, to be included in the record.

(Published in the N.K.C. TRIBUNE, July 11, 2024.)

LAND USE ACTION

Project:

Description:

Public Hearing:

Comment Period:

Interested parties may obtain project information from the City of Cle Elum, 618 West First Street, Cle Elum, WA 98922 or at www.cityofcleelum.com/city-services/planning/

CITY OF CLE ELUM
PLANNING DEPARTMENT
(509) 674-2262



Owner	Address2	City t2_State Zip
STARCEVICH, JOSEPH M ETUX	2290 AIRPORT RD	CLE ELUM, WA 98922-9207
KITTITAS CO (PUBLIC WORKS)	411 N RUBY ST STE 1	ELLENSBURG, WA 98926-6300
FUDACZ, GARY J ETUX	1309 E 1ST	CLE ELUM, WA 98922
STATE OF WASH (DNR)	PO BOX 47016	OLYMPIA, WA 98504-7016
BRONKEMA, JARED A & LISA A	2150 AIRPORT RD	CLE ELUM, WA 98922-9502
WILLETTE,,THOMAS WAYNE	2311 AIRPORT RD	CLE ELUM, WA 98922
CITY OF CLE ELUM	119 W 1ST	CLE ELUM, WA 98922-1105
MYERS, MARK M	930 WHITE RD	CLE ELUM, WA 98922-9210
JOHANSON, ELIZABETH K	750 CATHEDRAL DR	COUPEVILLE, WA 98239

On June 11, 2024, I mailed the Kittitas
County Public Works Regional Search and
Rescue Facility Notice of Application and
Environmental Review to the mailing list
above Virgil Amick

From: Virgil Amick
To: Matthew Lundh; Rob Omans; Virgil Amick; Richard Weinman; Christina Wollman; Colleda Monick; bannen@hlacivil.com; william.larue@veolia.com; Robin Newcomb; Debbie Lee; Audrey Casassa; Aaron Barr; Whitney Prosek; Rich Albo; Ed Mills; Jane Agar; Amy Pridemore; Alexandra Kenyon; Planner@ci.roslyn.wa.us; jeff.adams@ci.roslyn.wa.us; librarian@ci.roslyn.wa.us; clerk@ci.roslyn.wa.us; publicworks@ci.roslyn.wa.us; brooksideconsulting@gmail.com; townhall@southcleelum.org; cjdevere@msn.com; lhadden1@gmail.com; johnstonj@ci.ellensburg.wa.us; lillquistn@ci.ellensburg.wa.us; christa.stream@cityofkittitas.com; cid@fairpoint.net; laura.kukes@co.kittitas.wa.us; jeremy.larson@co.kittitas.wa.us; steph.mifflin@co.kittitas.wa.us; adminstaff@kittcom.org; assessoradmin@co.kittitas.wa.us; haley.mercer@co.kittitas.wa.us; laura.osiadacz@co.kittitas.wa.us; cory.wright@co.kittitas.wa.us; brett.wachsmith@co.kittitas.wa.us; jesse.cox@co.kittitas.wa.us; holly.erdmen@co.kittitas.wa.us; environmentalhealth@co.kittitas.wa.us; environmentalhealth@co.kittitas.wa.us; chad.bala@co.kittitas.wa.us; Kelee Hodges; mark.cook@co.kittitas.wa.us; josh.fredrickson@co.kittitas.wa.us; cds@co.kittitas.wa.us; sarah@krdistrict.org; solidwaste@co.kittitas.wa.us; housing@hakittitas.org; john.storch@kprd1.org; baileyj@fairpoint.net; brenda.smits@doh.wa.gov; deanah.watson@commerce.wa.gov; reviewteam@commerce.wa.gov; scott.kuhta@commerce.wa.gov; sepa@dahp.wa.gov; sydney.hanson@dahp.wa.gov; sepacenter@dnr.wa.gov; MARTIN.MAUNEY@dnr.wa.gov; Luke.warthen@dnr.wa.gov; Scott.chambers@dnr.wa.gov; wyatt.leighton@dnr.wa.gov; Rivers@dnr.wa.gov; lennard.jordan@ecy.wa.gov; lori.white@ecy.wa.gov; crosepa@ecy.wa.gov; sfo461@ecy.wa.gov; R3planning@dfw.wa.gov; Jennifer.Nelson@dfw.wa.gov; scott.downes@dfw.wa.gov; GonsetP@wsdot.wa.gov; PrilucJ@wsdot.wa.gov; sauriow@wsdot.wa.gov; scplanning@wsdot.wa.gov; ken.graham@parks.wa.gov; robert.d.bright10.civ@army.mil; deborah.j.knaub@usac.army.mil; david.j.moore@usace.army.mil; Washington.fhwa@dot.gov; sandeep.kaur@usps.gov; joseph.rausch@usda.gov; amber.malamphy@usda.gov; connor.armi.hsy@colvilletribes.com; guy.moura@colvilletribes.com; aren.orsen.hsy@colvilletribes.com; john.sirois.adm@colvilletribes.com; darnell.sam.adm@colvilletribes.com; milton.davis.adm@colvilletribes.com; steve@snoqualmtribe.us; adam@snoqualmtribe.us; enviroreview@yakama.com; thpo@yakama.com; Noah.Oliver@Yakama.com; ccamuso@yakama.com; prigdon@yakama.com; osprev@qwestoffice.net; delano_saluskin@yakama.com; jode@yakama.com; director@wahorsepark.org; nicky.pasi@mtsgreenway.org; darcy.batura@tnc.org; amy@kittitascountychamber.com; lhendrix@usbr.gov; kitty@futurewise.org; Ed Mills; corrie.reagan@roslynfire.org; dan.young@co.kittitas.wa.us; sinclairj@kvfr.org; office@kcfd7.com; geoffscherer@gmail.com; darren.higashiyama@co.kittitas.wa.us; clay.myers@co.kittitas.wa.us; kim.dawson@co.kittitas.wa.us; akelly1@wm.com; belcherj@cersd.org; soderstromm@cersd.org; overtonr@cersd.org; mhollandsworth@hopesource.us; ckelly@hopesource.us; rholden@kvhealthcare.org; arrfanimalrescue@gmail.com; nolan@inlandnet.com; David.Hoffman@pse.com; sandy.leek@pse.com; adam.crawford@pse.com; vlconnell@bpa.gov; forchin8@gmail.com; nolan@inlandnet.com; tribune@nkctribune.com; jana@nkctribune.com; terry@nkctribune.com; legals@kvnews.com
Subject: Kittitas County Public Works Regional Search and Rescue Facility.
Date: Tuesday, June 11, 2024 1:58:16 PM
Attachments: image002.png

Good Afternoon,

The City of Cle Elum is requesting comments on the following **Notice of Application and Environmental Review for a Kittitas County Search and Rescue Facility**.

REQUEST FOR WRITTEN COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 15-day comment period for this review. All written comments received by 4:30 p.m. on **June 26, 2024** will be considered prior to issuing the final SEPA determination. This proposal requires a Public Hearing which will be scheduled at a later date. Please reference file numbers (SEP-2024-003) and applicant's project name (Kittitas County Public Works) in any correspondence you submit. You can mail or submit your comments to: Planning@cleelum.gov or City of Cle Elum, Attention: Planning Department/Kittitas County Public Works, 119 West First Street, Cle Elum, WA 98922.

Link to the file materials can be found below.

<https://cleelum.gov/city-services/administrative-services/public-notices/>

Virgil Amick



Permit/Office Technician
City of Cle Elum
P: 509-674-2262 Ext.110
E: Vamick@cleelum.gov



KFCD #3 (Easton)	P.O. Box 52 Easton, WA.98925
KFCD #6 (Lake Cle Elum)	P.O. Box 328 Ronald, Wa. 98940
Cle Elum Fire	301 Penn Ave. Cle Elum, WA. 98922
Roslyn Fire	P.O. Box 451 Roslyn, WA. 98941
KCFD #1	P.O. Box 34 Thorp, WA. 98946
KCFD #4 (Vantage)	P.O. Box 29 Vantage, WA. 98950
Fire District #7	31 Firehouse Rd. Cle Elum, WA. 98922
South Cle Elum Fire	P.O. Box 762 S. Cle Elum, WA. 98943
Kittitas Valley Fire & Rescue	2020 Vantage Highway, Ellensburg WA. 98926
KCFD #51 (Snoq Pass)	P.O. Box 99, Snoqualmie Pass WA. 98068
Kittitas Fire	P.O. Box 719 Kittitas Wa. 98934
DNR (Southeast Region)	713 Bowers Rd. Ellensburg, WA. 98926

On June 11, 2024, I mailed the Kittitas County Public Works Regional Search and Rescue Facility Notice of Application and Environmental Review to the mailing list above. Virgil Amick

KFCD #3 (Easton)	P.O. Box 52 Easton, WA.98925
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DNR (Southeast Region)	713 Bowers Rd. Ellensburg, WA. 98926

On July 8, 2024, I mailed the Kittitas County
Public Works Regional Search and Rescue
Facility MDNS and Notice of Public Hearing
to the mailing list above. Virgil Amick

Owner	Address2	City t2_State Zip
STARCEVICH, JOSEPH M ETUX	2290 AIRPORT RD	CLE ELUM, WA 98922-9207
KITTITAS CO (PUBLIC WORKS)	411 N RUBY ST STE 1	ELLENSBURG, WA 98926-6300
FUDACZ, GARY J ETUX	1309 E 1ST	CLE ELUM, WA 98922
STATE OF WASH (DNR)	PO BOX 47016	OLYMPIA, WA 98504-7016
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WILLETTE, THOMAS WAYNE	2311 AIRPORT RD	CLE ELUM, WA 98922
CITY OF CLE ELUM	119 W 1ST	CLE ELUM, WA 98922-1105
MYERS, MARK M	930 WHITE RD	CLE ELUM, WA 98922-9210
JOHANSON, ELIZABETH K	750 CATHEDRAL DR	COUPEVILLE, WA 98239

On July 8,2024 I mailed the Kittias
County Public Works Search and
Rescue Facility MDNS and Notice
of Public Hearing to the mailing list
above. Virgil Amick

From: [Virgil Amick](#)
To: [Matthew Lundh](#); [Rob Omans](#); [Virgil Amick](#); [Richard Weinman](#); [Christina Wollman](#); [Colleda Monick](#); [bannen@hlacivil.com](#); [william.larue@veolia.com](#); [Robin Newcomb](#); [Debbie Lee](#); [Audrey Casassa](#); [Aaron Barr](#); [Whitney Prosek](#); [Rich Albo](#); [Ed Mills](#); [Jane Agar](#); [Amy Pridemore](#); [Alexandra Kenyon](#); [Planner@ci.roslyn.wa.us](#); [jeff.adams@ci.roslyn.wa.us](#); [librarian@ci.roslyn.wa.us](#); [clerk@ci.roslyn.wa.us](#); [publicworks@ci.roslyn.wa.us](#); [brooksideconsulting@gmail.com](#); [townhall@southdeelum.org](#); [cjdevere@msn.com](#); [lhadden1@gmail.com](#); [johnstoni@ci.ellensburg.wa.us](#); [lilquistn@ci.ellensburg.wa.us](#); [christa.stream@cityofkittitas.com](#); [cid@fairpoint.net](#); [laura.kukes@co.kittitas.wa.us](#); [jeremy.larson@co.kittitas.wa.us](#); [steph.mifflin@co.kittitas.wa.us](#); [adminstaff@kittcom.org](#); [assessoradmin@co.kittitas.wa.us](#); [haley.mercer@co.kittitas.wa.us](#); [laura.osiadacz@co.kittitas.wa.us](#); [corv.wright@co.kittitas.wa.us](#); [brett.wachsmith@co.kittitas.wa.us](#); [jesse.cox@co.kittitas.wa.us](#); [holly.erdmen@co.kittitas.wa.us](#); [environmentalhealth@co.kittitas.wa.us](#); [environmentalhealth@co.kittitas.wa.us](#); [chad.bala@co.kittitas.wa.us](#); [Kelee Hodges](#); [josh.fredrickson@co.kittitas.wa.us](#); [cde@co.kittitas.wa.us](#); [sarah@krdistrict.org](#); [solidwaste@co.kittitas.wa.us](#); [housing@hakittitas.org](#); [john.storch@kprd1.org](#); [brenda.smits@doh.wa.gov](#); [deanah.watson@commerce.wa.gov](#); [reviewteam@commerce.wa.gov](#); [scott.kuhta@commerce.wa.gov](#); [sepa@dahp.wa.gov](#); [sydney.hanson@dahp.wa.gov](#); [sepacenter@dnr.wa.gov](#); [MARTIN.MAUNEY@dnr.wa.gov](#); [Luke.warthen@dnr.wa.gov](#); [Scott.chambers@dnr.wa.gov](#); [wyatt.leighton@dnr.wa.gov](#); [Rivers@dnr.wa.gov](#); [lennard.jordan@ecy.wa.gov](#); [lori.white@ecy.wa.gov](#); [crosepa@ecy.wa.gov](#); [sfo461@ecy.wa.gov](#); [R3planning@dfw.wa.gov](#); [jennifer.nelson@dfw.wa.gov](#); [cassandra.weekes@dfw.wa.gov](#); [GonsetP@wsdot.wa.gov](#); [PrilucJ@wsdot.wa.gov](#); [sauriow@wsdot.wa.gov](#); [scplanning@wsdot.wa.gov](#); [ken.graham@parks.wa.gov](#); [robert.d.bright10.civ@army.mil](#); [david.j.moore@usace.army.mil](#); [Washington.fhwa@dot.gov](#); [sandeep.kaur@usps.gov](#); [joseph.rausch@usda.gov](#); [amber.malamphy@usda.gov](#); [connor.armi.hsy@colvilletribes.com](#); [guy.moura@colvilletribes.com](#); [aren.orsen.hsy@colvilletribes.com](#); [john.sirois.adm@colvilletribes.com](#); [damell.sam.adm@colvilletribes.com](#); [milton.davis.adm@colvilletribes.com](#); [steve@snoqualmtribe.us](#); [adam@snoqualmtribe.us](#); [enviroreview@yakama.com](#); [thpo@yakama.com](#); [Noah.Oliver@Yakama.com](#); [ccamuso@yakama.com](#); [prigdon@yakama.com](#); [osprey@qwestoffice.net](#); [delano.saluskin@yakama.com](#); [director@wahorsepark.org](#); [nickv.pasi@mtsgreenway.org](#); [darcy.batura@tnc.org](#); [amy@kittitascounty.chamber.com](#); [lhendrix@usbr.gov](#); [Ed Mills](#); [corrie.reagan@roslynfire.org](#); [dan.young@co.kittitas.wa.us](#); [sinclairj@kvfr.org](#); [office@kcfd7.com](#); [geoffscherer@gmail.com](#); [darren.higashiyama@co.kittitas.wa.us](#); [clay.myers@co.kittitas.wa.us](#); [kim.dawson@co.kittitas.wa.us](#); [akelly1@wm.com](#); [belcherj@cersd.org](#); [soderstromm@cersd.org](#); [overtorn@cersd.org](#); [mhollandsworth@hopesource.us](#); [ckelly@hopesource.us](#); [rholden@kvhealthcare.org](#); [anfanimalrescue@gmail.com](#); [nolan@inlandnet.com](#); [David.Hoffman@pse.com](#); [sandy.leek@pse.com](#); [adam.crawford@pse.com](#); [vlconnell@bpa.gov](#); [forchin8@gmail.com](#); [nolan@inlandnet.com](#); [tribune@nkctribune.com](#); [jana@nkctribune.com](#); [terry@nkctribune.com](#); [legals@kvnews.com](#)
Cc: [kelee.hodges.pw@co.kittitas.wa.us](#)
Bcc: [Steven Harper](#); [Beth Williams](#); [Ken Ratliff](#); [John Glondo](#); [Jerred Weis](#); [Audrey Malek](#); [Steven Cook](#); [Gary Berndt](#); [Paul Kantwill](#); [jone53@gmail.com](#); [Matt Fluegge](#); [Colin Brissev](#); [Ian Steele](#); [Marc Kirkpatrick](#)
Subject: MDNS/ Notice of Public Hearing - Kittitas County Public Works Regional Facility for Search and Rescue.
Date: Monday, July 8, 2024 10:13:00 AM
Attachments: [Notice of Public Hearing.pdf](#), [image002.png](#), [MDNS.pdf](#)

PROJECT DESCRIPTION: Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

REQUEST FOR WRITTEN COMMENT AND NOTICE OF HEARING: Your views on this proposal are welcome. All written comments received by 4:30 p.m. on July 24, 2024, will be considered prior to issuing the staff recommendation to the Hearing Examiner and will be made part of the official record – however, written comments can be received up to the hearing date. You can mail your comments to:

City of Cle Elum
119 W First Street, Cle Elum, WA 98922

This request requires that the Hearing Examiner hold an open record public hearing, which is scheduled for Wednesday, August 7th, 2024, beginning at 6:00 p.m. or soon thereafter, in the Council Chambers located at City Hall, 119 West First Street, Cle Elum, WA 98922 or can be joined

virtually via zoom.

Join virtually with zoom: <https://us06web.zoom.us/j/89129694481>

Meeting ID: 7573184018 | **Passcode:** 98922

Virgil Amick



Permit/Office Technician
City of Cle Elum
P: 509-674-2262 Ext.110
E: Vamick@cleelum.gov



City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

NOTICE OF CLOSED RECORD PUBLIC HEARING

DATE: September 24, 2024
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: City of Cle Elum, Planning Department
APPLICANT: Kittitas County Public Works
FILE NUMBER: SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002
LOCATION: Airport Road, Cle Elum, WA
TAX PARCEL NUMBER: 962113

PROJECT DESCRIPTION: Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

NOTICE OF CLOSED RECORD PUBLIC HEARING: This request requires that the City Council hold a closed record public hearing, which is scheduled for Tuesday, September 24, 2024, beginning at 6:00 p.m. or soon thereafter, in the Council Chambers located at City Hall, 119 West First Street, Cle Elum, WA 98922 or can be joined virtually via zoom.

Join virtually with zoom: <https://us06web.zoom.us/j/89129694481>

Meeting ID: 7573184018 | **Passcode:** 98922

PROJECT INFORMATION: The file containing the complete application, including the Hearing Examiner's recommendation, is available for public review at the City of Cle Elum, 119 W 1st Street, Cle Elum, Washington or online at <https://cleelum.gov/city-services/administrative-services/public-notices/>. If you have questions regarding this proposal, please call Colleda Monick, Planning Consultant at 509-894-1976, or email to colleda.monick@cleelum.gov

PUBLIC

A6 THURSDAY, SEPT. 5, 2024 • NKC TRIBUNE

NOTICE OF CLOSED RECORD PUBLIC HEARING CITY OF CLE ELUM

Notice is hereby given that the Cle Elum City Council will hold a closed record public hearing at the Cle Elum City Hall, 119 West First Street, Cle Elum, WA 98922, on Tuesday, September 24th, 2024, at 6:00 p.m. or soon thereafter for the purpose of considering a:

Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

The file containing the complete application, including the Hearing Examiner's recommendation, is available for public review at the City of Cle Elum, or online at <https://cleelum.gov/city-services/administrative-services/public-notices/> (File No: SEPA-2024-003; PMU-2024-002; CA-2024-001 and; SDR-2024-002)

(Published in the N.K.C. TRIBUNE, Sept. 5, 2024.)

LAND USE ACTION

Project:

Description:

**Public Hearing:
Comment Period:**

Interested parties may obtain
information from the City of Cle Elum
119 West First Street, Cle Elum, WA 98922 or at
www.cityofcleelum.com/city-services/planning/

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cleelum.gov

NOTICE OF CLOSED RECORD PUBLIC HEARING

DATE: September 24, 2024
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: City of Cle Elum, Planning Department
APPLICANT: Kittitas County Public Works
FILE NUMBER: SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002
LOCATION: Airport Road, Cle Elum, WA
TAX PARCEL NUMBER: 962113

PROJECT DESCRIPTION: Proposal to construct a regional facility for search and rescue (SAR) along with an emergency operations center (EOC) in the City of Cle Elum in the Planned Mixed Use zoning district. Typical daily operations will have 1-2 employees on-site. During active search and rescue activities and/or trainings there may be up to 40 people on-site for a short time. The project will be constructed over two phases with the first phase being clearing and grading, the installation of storm drainage systems, septic system, and well installation. The second phase will include construction of buildings and parking lots.

NOTICE OF CLOSED RECORD PUBLIC HEARING: This request requires that the City Council hold a closed record public hearing, which is scheduled for Tuesday, September 24, 2024, beginning at 6:00 p.m. or soon thereafter, in the Council Chambers located at City Hall, 119 West First Street, Cle Elum, WA 98922 or can be joined virtually via zoom.

Join virtually with zoom: <https://us06web.zoom.us/j/89179694481>
Meeting ID: 7573184018 | Passcode: 98922

PROJECT INFORMATION: The file containing the complete application, including the Hearing Examiner's recommendation, is available for public review at the City of Cle Elum, 119 W 1st Street, Cle Elum, Washington or online at <https://cleelum.gov/city-services/administrative-services/public-notices/>. If you have questions regarding this proposal, please call Colleda Monick, Planning Consultant at 509-894-1976, or email to colleda.monick@cleelum.gov

**CLE ELUM
PLANNING DEPARTMENT
(509) 674-2262**



Owner	Address2	City t2_State Zip
STARCEVICH, JOSEPH M ETUX	2290 AIRPORT RD	CLE ELUM, WA 98922-9207
KITTITAS CO (PUBLIC WORKS)	411 N RUBY ST STE 1	ELLENSBURG, WA 98926-6300
FUDACZ, GARY J ETUX	1309 E 1ST	CLE ELUM, WA 98922
STATE OF WASH (DNR)	PO BOX 47016	OLYMPIA, WA 98504-7016
BRONKEMA, JARED A & LISA A	2150 AIRPORT RD	CLE ELUM, WA 98922-9502
WILLETTE, THOMAS WAYNE	2311 AIRPORT RD	CLE ELUM, WA 98922
CITY OF CLE ELUM	119 W 1ST	CLE ELUM, WA 98922-1105
MYERS, MARK M	930 WHITE RD	CLE ELUM, WA 98922-9210
JOHANSON, ELIZABETH K	750 CATHEDRAL DR	COUPEVILLE, WA 98239

On September 4, 2024, I mailed the
Kittitas County Public Works Regional
Search and Rescue Facility Notice of
Closed Public Hearing to the mailing list
above Virgil Amick

KFCD #3 (Easton)	P.O. Box 52 Easton, WA.98925
KFCD #6 (Lake Cle Elum)	P.O. Box 328 Ronald, Wa. 98940
Cle Elum Fire	301 Penn Ave. Cle Elum, WA. 98922
Roslyn Fire	P.O. Box 451 Roslyn, WA. 98941
KCFD #1	P.O. Box 34 Thorp, WA. 98946
KCFD #4 (Vantage)	P.O. Box 29 Vantage, WA. 98950
Fire District #7	31 Firehouse Rd. Cle Elum, WA. 98922
South Cle Elum Fire	P.O. Box 762 S. Cle Elum, WA. 98943
Kittitas Valley Fire & Rescue	2020 Vantage Highway, Ellensburg WA. 98926
KCFD #51 (Snoq Pass)	P.O. Box 99, Snoqualmie Pass WA. 98068
Kittitas Fire	P.O. Box 719 Kittitas Wa. 98934
DNR (Southeast Region)	713 Bowers Rd. Ellensburg, WA. 98926

On September 4, 2024, I mailed the Kittitas County Public Works Regional Search and Rescue Facility Notice of Closed Public Hearing to the mailing list above. Virgil Amick

Exhibit III: Comments

- Department of Ecology, 6-24-24
- Colville Tribes, 6-25-24
- Washington State Department of Fish and Wildlife, 6-25-24
- Washington State Department of Health, 7-09-24



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490



June 24, 2024

Virgil Amick
City of Cle Elum, Planning Department/Kittitas County Public Works
119 West First Street
Cle Elum, WA 98922

RE: 202402509, SEP-2024-003

Dear Virgil Amick:

Thank you for the opportunity to comment during the Optional Determination of Nonsignificance process for the Kittitas County Search and Rescue project. We have reviewed the documents and have the following comments.

Water Resources Program

Your project is located within the boundaries of WAC 173-539A so it may be subject to the rule. If you planning on withdrawing groundwater for a new use within the boundaries of WAC 173-539A, your project must be water budget neutral. Before withdrawing or using any water please submit a *Request of Determination of Water Budget Neutrality* or an *Application for a New Water Right Permit*, depending on the size of your project either form may be required. If you have any questions or would like to respond to these Water Resources comments, please contact Nathan Longoria at (509) 907-1752 or email at nathan.longoria@ecy.wa.gov.

Sincerely,

Amber Johnson
SEPA Coordinator
Central Regional Office
509-723-5677
crosepacoordinator@ecy.wa.gov



From: [Connor Armi](#)
To: [Virgil Amick](#)
Cc: [Guy Moura](#); [Hanson, Sydney \(DAHP\)](#)
Subject: Re: Kittitas County Public Works Regional Search and Rescue Facility
Date: Tuesday, June 25, 2024 2:14:17 PM
Attachments: [image002.png](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon Virgil,

This consultation is in response to the Kittitas County Public Works Search and Rescue facility. The Confederated Colville Tribes commented on the FEMA proposed Cle Elum Search and Rescue Facility which seems to be the same project. Our recommendation is that the project continue under an IDP and should new cultural resources be uncovered a data recovery and mitigation plan should be implemented.

Sincerely,
Connor Armi | Archaeologist Senior MA, RPA
History/Archaeology Program
Confederated Tribes of the Colville Reservation
PO Box 150 | Nespelem, WA 99155
d: 509-634-2690 | c: 509-631-1131
connor.armi.hsy@colvilletribes.com

On Tue, Jun 11, 2024 at 1:58 PM Virgil Amick <vamick@cleelum.gov> wrote:

Good Afternoon,

The City of Cle Elum is requesting comments on the following **Notice of Application and Environmental Review for a Kittitas County Search and Rescue Facility**.

REQUEST FOR WRITTEN COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 15-day comment period for this review. All written comments received by 4:30 p.m. on **June 26, 2024** will be considered prior to issuing the final SEPA determination. This proposal requires a Public Hearing which will be scheduled at a later date. Please reference file numbers (SEP-2024-003) and applicant's project name (Kittitas County Public Works) in any correspondence you submit. You can mail or submit your comments to:

Planning@cleelum.gov or City of Cle Elum, Attention: Planning Department/Kittitas County Public Works, 119 West First Street, Cle Elum, WA 98922.



State of Washington
DEPARTMENT OF FISH AND WILDLIFE
South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740 • Fax: (509) 575-2474

June 25, 2024

Planning Department
City of Cle Elum
119 West First Street
Cle Elum, WA 98922

SUBJECT: WDFW COMMENTS ON KITTITAS COUNTY SEARCH AND RESCUE FACILITY SEPA-2024-003, PMU-2024-002, CA-2024-001, SDR-2024-002

Dear City of Cle Elum,

Thank you for the opportunity to comment on the proposed Kittitas County Search and Rescue Facility (project), near the Cle Elum Airport. The Washington Department of Fish and Wildlife (WDFW) has reviewed the application materials and are familiar with the area and critical areas that intersect this parcel.

We appreciate the site constraints on the parcel and efforts that have occurred to maximize the effectiveness of the search and rescue operations that serve our community. After reviewing the wetland forms, site photographs, and aerial imagery of the wetland, it appears to provide excellent wildlife cover with a complex mix of woody species, grasses, and forbs. The mitigation measures for encroachment into the buffer include planting the slopes of the stormwater pond with native grass and forbs as well as some red-osier dogwood. Because the slopes of the stormwater pond would likely naturally establish in these species and the stormwater pond will be fenced within the facility, we recommend additional mitigation measures be considered for impacts to the wetland buffer.

Potential mitigation measures for consideration may include: 1) Donating large conifers with rootwads to stream/wetland/river restoration projects within the Upper Yakima Watershed; 2) Minimizing the impervious surfaces associated with the project to reduce likelihood of changes to hydrology for the wetland, and/or 3) Additional native plantings in the riparian management zone for the watercourse at the eastern parcel boundary.

We offer these recommendations and requests for consideration to ensure the fish and wildlife habitat conservation areas and wetlands on and adjacent to this property are protected consistent with the purpose of the Cle Elum Critical Areas Ordinance (Cle Elum Municipal Code 18.01.010), which is to "...protect critical areas and to channel development to less ecologically sensitive areas".

Thank you for your consideration and we look forward to working with the City and Kittitas County on this important project for our community. Please don't hesitate to contact me with any question about these comments at (509) 961-6639 or Jennifer.nelson@dfw.wa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Nelson". The ink is dark and the signature is fluid.

Jennifer Nelson
Fish and Wildlife Biologist



From: [Smits, Brenda M \(DOH\)](#)
To: [Virgil Amick](#)
Cc: [Mau, Russell E \(DOH\)](#)
Subject: FW: MDNS/ Notice of Public Hearing - Kittitas County Public Works Regional Facility for Search and Rescue
Date: Tuesday, July 9, 2024 8:46:25 AM
Attachments: [image002.png](#)
[image003.png](#)
[Notice of Public Hearing.pdf](#)
[MDNS.pdf](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Virgil,

The Department of Health (DOH) Office of Drinking Water (ODW) has reviewed the attached documents, generating the following comment(s):

1. This appears to be a new public water system. Whether Group A or Group B, the applicant would need to submit a water system application to the respective regulatory agency. Kittitas County Health has sole regulatory jurisdiction and authority for Group B water systems in Kittitas County. If a Group A water system, approval by the Dept. of Health is required. The applicant needs to provide more specific or detailed information regarding connections and population to determine the type of public water system.
2. For any well water use, DOH ODW requires the applicant to confirm that the groundwater extractions meet Kittitas County requirements – both existing (that the use is “perfected” and does not require mitigation) and proposed additional extractions show mitigation.

Please contact DOH with any questions or concerns,

Thanks,

Brenda Smits

Regional Planner
Office of Drinking Water
Washington State Department of Health
Brenda.Smits@doh.wa.gov
509-329-2122 | www.doh.wa.gov



From: Virgil Amick <vamick@cleelum.gov>

Sent: Monday, July 8, 2024 10:16 AM

Subject: MDNS/ Notice of Public Hearing - Kittitas County Public Works Regional Facility for Search and Rescue.

External Email



Proclamation: *Support Your Local Chamber of Commerce Day, October 16, 2024*

Whereas, the Kittitas County Chamber of Commerce has long served as a pillar of our community, advocating for local businesses and fostering economic growth; and

Whereas, the chamber promotes collaboration among businesses, government, and community members to enhance the quality of life for all residents of Kittitas County; and

Whereas, supporting local chambers of commerce is crucial in advancing economic prosperity, promoting tourism, and nurturing a vibrant business environment; and

Whereas, the third Wednesday of October each year provides an opportunity to recognize and celebrate the contributions of our local chamber of commerce;

Now, therefore, I, **Matthew Lundh**, your Mayor of the City of Cle Elum, do hereby proclaim October 16, 2024, and the third Wednesday of October, to be "Support Your Local Chamber of Commerce Day" in Kittitas County. I call upon all municipalities, businesses, and residents to join me in expressing appreciation for the Kittitas County Chamber of Commerce and its dedication to the well-being and prosperity of our community.

Signed this 10th day of September, 2024.

Matthew Lundh
Mayor of Cle Elum
City of Cle Elum
cleelum.gov



September 23, 2024

City of Cle Elum
119 West 1st Street
Cle Elum, WA 98922

Attn: Matthew Lundh, Mayor

Re: City of Cle Elum
Second Street Pathway – Safety Stabilization
HLA Project No.: 24056SS
TIB Project No.: P-E-930(P06)-1 & C-E-930(004)-1
Recommendation of Award

Dear Mayor Lundh:

The small works roster bid opening for the above referenced project was administered at 9:00 a.m. on Monday, September 23, 2024. A total of five (5) bids were received with the low bid of \$282,825.84, being offered by Ascent Foundation & More LLC, of Cle Elum, WA. This low bid is approximately eighteen (18%) percent below the Engineer's Estimate of \$343,960.00.

We have reviewed and checked the bid proposals of all bidders and recommend the City of Cle Elum award a construction contract to Ascent Foundation & More LLC, in the amount of \$282,825.84. Please send us a copy of the City of Cle Elum Council meeting minutes authorizing award of this project.

Enclosed please find the project Bid Summary for your review. Please advise if we may answer any questions or provide additional information.

Sincerely,

 Digitally signed by Benjamin A. Annen
Date: 2024.09.23
10:55:13-07'00'

Benjamin A. Annen, PE

BAA/jdb

Enclosures

Copy: Rob Omans, Aaron Barr, Debbie Lee, Robin Newcomb, City of Cle Elum
Taylor Denny, Angie Ringer, HLA

BID SUMMARY						BIDDER NO. 1		BIDDER NO. 2		BIDDER NO. 3	
Owner: City of Cle Elum Project: Second Street Pathway - Safety Stabilization HLA Project No.: 24056SS TIB Project No.: P-E-930(P06)-1 & C-E-930(004)-1 Bid Opening Date: September 23, 2024						Ascent Foundation & More LLC 106 N. Peoh Ave Suite C Cle Elum, WA 98923		Moreno & Nelson Construction Corp. dba Nelson Construction PO Box 794 Walla Walla, WA 99362		Active Construction Inc. 5110 River Rd. E. Tacoma, WA 989443	
ITEM NO.	DESCRIPTION	QTY.	UNIT	ENGINEER'S ESTIMATE		UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
				UNIT PRICE	AMOUNT						
1	Minor Change	---	FA	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
2	Mobilization	---	LS	\$ 27,000.00	\$ 27,000.00	\$ 11,400.00	\$ 11,400.00	\$ 21,415.00	\$ 21,415.00	\$ 35,972.00	\$ 35,972.00
3	Project Temporary Traffic Control	---	LS	\$ 18,000.00	\$ 18,000.00	\$ 3,975.00	\$ 3,975.00	\$ 6,000.00	\$ 6,000.00	\$ 20,000.00	\$ 20,000.00
4	Removal of Structures and Obstructions	---	LS	\$ 7,000.00	\$ 7,000.00	\$ 1,300.00	\$ 1,300.00	\$ 5,000.00	\$ 5,000.00	\$ 25,000.00	\$ 25,000.00
5	Unclassified Excavation Incl. Haul	330	CY	\$ 70.00	\$ 23,100.00	\$ 58.70	\$ 19,371.00	\$ 65.00	\$ 21,450.00	\$ 55.00	\$ 18,150.00
6	Crushed Surfacing Base Course	320	TON	\$ 35.00	\$ 11,200.00	\$ 57.89	\$ 18,524.80	\$ 80.00	\$ 25,600.00	\$ 50.00	\$ 16,000.00
7	HMA Cl. 3/8-Inch PG 64H-28	370	TON	\$ 250.00	\$ 92,500.00	\$ 171.14	\$ 63,321.80	\$ 170.00	\$ 62,900.00	\$ 170.00	\$ 62,900.00
8	Storm Sewer Pipe 12 In. Diam.	186	LF	\$ 60.00	\$ 11,160.00	\$ 81.21	\$ 15,105.06	\$ 135.00	\$ 25,110.00	\$ 175.00	\$ 32,550.00
9	Catch Basin Type 1	4	EA	\$ 2,000.00	\$ 8,000.00	\$ 1,450.93	\$ 5,803.72	\$ 2,900.00	\$ 11,600.00	\$ 2,100.00	\$ 8,400.00
10	Catch Basin Type 1 With Area Drain	3	EA	\$ 3,000.00	\$ 9,000.00	\$ 3,033.26	\$ 9,099.78	\$ 5,000.00	\$ 15,000.00	\$ 2,500.00	\$ 7,500.00
11	Adjust Manhole	5	EA	\$ 700.00	\$ 3,500.00	\$ 439.83	\$ 2,199.15	\$ 950.00	\$ 4,750.00	\$ 550.00	\$ 2,750.00
12	Shoring or Extra Excavation	186	LF	\$ 5.00	\$ 930.00	\$ 11.66	\$ 2,168.76	\$ 1.00	\$ 186.00	\$ 3.00	\$ 558.00
13	Select Backfill, as Directed	30	CY	\$ 50.00	\$ 1,500.00	\$ 76.76	\$ 2,302.80	\$ 45.00	\$ 1,350.00	\$ 70.00	\$ 2,100.00
14	Adjust Meter Box	5	EA	\$ 300.00	\$ 1,500.00	\$ 102.90	\$ 514.50	\$ 785.00	\$ 3,925.00	\$ 425.00	\$ 2,125.00
15	Basalt Rock Mulch	16	CY	\$ 100.00	\$ 1,600.00	\$ 81.04	\$ 1,296.64	\$ 250.00	\$ 4,000.00	\$ 225.00	\$ 3,600.00
16	Landscape Restoration	---	FA	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
17	Cement Conc. Traffic Curb and Gutter	970	LF	\$ 40.00	\$ 38,800.00	\$ 54.30	\$ 52,671.00	\$ 25.00	\$ 24,250.00	\$ 40.00	\$ 38,800.00
18	Cement Conc. Sidewalk 4-Inch Thick	422	SY	\$ 85.00	\$ 35,870.00	\$ 93.44	\$ 39,431.68	\$ 65.00	\$ 27,430.00	\$ 85.00	\$ 35,870.00
19	Cement Conc. Sidewalk 6-Inch Thick	4	SY	\$ 200.00	\$ 800.00	\$ 93.27	\$ 373.08	\$ 115.00	\$ 460.00	\$ 220.00	\$ 880.00
20	Cement Conc. Curb Ramp	8	EA	\$ 3,500.00	\$ 28,000.00	\$ 1,959.58	\$ 15,676.64	\$ 1,250.00	\$ 10,000.00	\$ 3,000.00	\$ 24,000.00
21	Cluster Mailbox Unit	1	EA	\$ 3,000.00	\$ 3,000.00	\$ 2,925.43	\$ 2,925.43	\$ 4,000.00	\$ 4,000.00	\$ 2,500.00	\$ 2,500.00
22	Permanent Signing	---	LS	\$ 2,000.00	\$ 2,000.00	\$ 1,165.00	\$ 1,165.00	\$ 1,000.00	\$ 1,000.00	\$ 1,200.00	\$ 1,200.00
23	Pavement Markings	---	LS	\$ 10,000.00	\$ 10,000.00	\$ 4,700.00	\$ 4,700.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00
BID TOTAL					\$ 343,960.00		\$ 282,825.84		\$ 288,926.00		\$ 355,355.00
ENGINEER'S REPORT						ADDITIONAL BID TOTALS					
Competitive bids were opened September 23, 2024. All bids have been reviewed by this office. We recommend the contract be awarded to: Ascent Foundation & More LLC. Digitally signed by Benjamin A. Annen Date: 2024.09.23 10:25:27-07'00' Project Engineer _____ Date _____ 						BIDDER				BID TOTAL	
						J.M. Pacific Construction, Inc.				\$ 407,142.00	
						Chettos Concrete LLC				Non-Responsive	
*Bid results can be found at: hlacivil.com						*Highlighted amounts have been corrected.					



September 23, 2024

City of Cle Elum
119 West 1st Street
Cle Elum, WA 98922

Attn: Mayor Matthew Lundh

Re: City of Cle Elum
First Street Improvements Phase 3 - Downtown Revitalization
HLA Project No.: 23150C
Fed. Aid Project No.: STBG(R)-0903(086)
TIB Project No.: 6-E-930(008)-1
Progress Estimate No.: 06 - Revised

Dear Mayor Lundh:

Enclosed is **revised** Progress Estimate No. 06 for work performed by Active Construction, Inc., through August 31, 2024, in connection with their contract on the above referenced project. The amount due to the Contractor is \$417,023.83. As specified in the federal funding agreement associated with this project, no retainage is being withheld by the City of Cle Elum.

Submission of Certified Payrolls for Active Construction, Inc. and subcontractors are required for review. Our office is completing this task on behalf of the City of Cle Elum. Labor documents will be provided to the City of Cle Elum upon completion of the project.

We recommend this Progress Estimate be considered and approved by the City of Cle Elum.

Please contact our office if you have questions or if we may provide additional information.

Sincerely,

 Digitally signed by
Benjamin A. Annen
Date: 2024.09.23
08:32:00-07'00'

Benjamin A. Annen, PE

BAA/jdb

Enclosures

Copy: Greg Gebhard, Josh Grau, Tommy Pelton, Active Construction, Inc.
Rob Omans, Aaron Barr, Debbie Lee, Robin Newcomb, City of Cle Elum
Taylor Denny, Dennis Peralá, HLA

CONSTRUCTION PROGRESS ESTIMATE

First Street Improvements Phase 3 - Downtown Revitalization

CITY OF CLE ELUM

119 WEST 1ST STREET

CLE ELUM, WA 98922

TO: Active Construction, Inc.

PO Box 430

Puyallup, WA 98443

HLA PROJECT NO.: 23150C

TIB Project No.: 6-E-930(008)-1

FEDERAL AID NO. STBG(R)-0903(086)

PROGRESS ESTIMATE NO.: 6 REVISED

FROM: Aug. 01, 2024

TO: Aug. 31, 2024



BID ITEM NO.	DESCRIPTION	UNIT	CONTRACT TOTAL (Contract + COs)			TOTAL WORK TO DATE		PREVIOUS PAID		AMOUNT DUE NOW (Total - Previous)		PERCENT CONTRACT COMPLETE
			QTY	UNIT PRICE	COST	QTY	COST	QTY	COST	QTY	COST	
1	Minor Change	FA	1	\$ 175,000.00	\$ 175,000.00	0.40	\$ 69,263.03	0.39	\$ 69,058.20	0.00	\$ 204.83	40%
2	Training	HR	1,200	\$ 1.00	\$ 1,200.00	760	\$ 760.00	572	\$ 572.00	188	\$ 188.00	63%
3	SPCC Plan	LS	1	\$ 150.00	\$ 150.00	1	\$ 150.00	1	\$ 150.00	0	\$ -	100%
4	Archaeological and Historical Salvage	FA	1	\$ 100.00	\$ 100.00	0	\$ -	0	\$ -	0	\$ -	0%
5	Mobilization	LS	1	\$ 373,354.00	\$ 373,354.00	1	\$ 373,354.00	1	\$ 373,354.00	0	\$ -	100%
6	Project Temporary Traffic Control	LS	1	\$ 270,000.00	\$ 270,000.00	0.41	\$ 110,625.00	0.37	\$ 100,750.00	0.04	\$ 9,875.00	41%
7	Clearing and Grubbing	LS	1	\$ 5,000.00	\$ 5,000.00	0.71	\$ 3,571.43	0.43	\$ 2,142.86	0.29	\$ 1,428.57	71%
8	Removal of Structures and Obstructions	LS	1	\$ 177,000.00	\$ 177,000.00	0.71	\$ 126,178.57	0.43	\$ 75,607.14	0.29	\$ 50,571.43	71%
9	Unclassified Excavation Incl. Haul	CY	2,510	\$ 85.00	\$ 213,350.00	1,658.98	\$ 141,012.90	1,247.22	\$ 106,013.30	411.76	\$ 34,999.60	66%
10	Crushed Surfacing Base Course	TON	970	\$ 38.00	\$ 36,860.00	350.52	\$ 13,319.76	311.16	\$ 11,824.08	39.36	\$ 1,495.68	36%
11	Crushed Surfacing Top Course	TON	130	\$ 58.00	\$ 7,540.00	65.98	\$ 3,826.84	49.14	\$ 2,850.12	16.84	\$ 976.72	51%
12	HMA Cl. 1/2-Inch PG 64H-28	TON	330	\$ 230.00	\$ 75,900.00	194.29	\$ 44,687.20	146.79	\$ 33,762.20	47.50	\$ 10,925.00	59%
13	Storm Sewer Pipe 12 In. Diam.	LF	95	\$ 110.00	\$ 10,450.00	42	\$ 4,620.00	0	\$ -	42	\$ 4,620.00	44%
14	Storm Sewer Pipe 6 In. Diam., Incl. Saddle	LF	2	\$ 3,500.00	\$ 7,000.00	0	\$ -	0	\$ -	0	\$ -	0%
15	Catch Basin Type 1	EA	2	\$ 1,800.00	\$ 3,600.00	1	\$ 1,800.00	0	\$ -	1	\$ 1,800.00	50%
16	Adjust Catch Basin	EA	32	\$ 350.00	\$ 11,200.00	18	\$ 6,300.00	14	\$ 4,900.00	4	\$ 1,400.00	56%
17	Adjust Monitoring Well	EA	2	\$ 350.00	\$ 700.00	0	\$ -	0	\$ -	0	\$ -	0%
18	Select Backfill, as Directed	CY	50	\$ 75.00	\$ 3,750.00	0	\$ -	0	\$ -	0	\$ -	0%
19	D.I. Pipe for Water Main 6 In. Diam.	LF	6	\$ 190.00	\$ 1,140.00	5	\$ 950.00	0	\$ -	5	\$ 950.00	83%
20	Adjust Valve Box	EA	4	\$ 335.00	\$ 1,340.00	4	\$ 1,340.00	1	\$ 335.00	3	\$ 1,005.00	100%
21	Hydrant Assembly with Tapping Valve Assembly	EA	1	\$ 20,000.00	\$ 20,000.00	1	\$ 20,000.00	0	\$ -	1	\$ 20,000.00	100%
22	Hydrant Assembly Replacement	EA	1	\$ 8,000.00	\$ 8,000.00	0.97	\$ 7,750.00	0.97	\$ 7,750.00	0	\$ -	97%
23	Adjust Meter Box	EA	25	\$ 400.00	\$ 10,000.00	18	\$ 7,200.00	11	\$ 4,400.00	7	\$ 2,800.00	72%
24	Irrigation System, Complete	LS	1	\$ 265,000.00	\$ 265,000.00	0.56	\$ 147,642.86	0.41	\$ 109,785.71	0.14	\$ 37,857.14	56%
25	ESC Lead	DAY	66	\$ 1.00	\$ 66.00	0	\$ -	0	\$ -	0	\$ -	0%
26	Inlet Protection	EA	54	\$ 115.00	\$ 6,210.00	51	\$ 5,865.00	51	\$ 5,865.00	0	\$ -	94%
27	Plant Selection - Redpointe Maple (2-1/2" Caliper)	EA	21	\$ 675.00	\$ 14,175.00	8	\$ 5,400.00	5	\$ 3,375.00	3	\$ 2,025.00	38%
28	Plant Selection - Metro Gold Maple (2-1/2" Caliper)	EA	40	\$ 555.00	\$ 22,200.00	16	\$ 8,880.00	10	\$ 5,550.00	6	\$ 3,330.00	40%
29	Plant Selection - Kelsey Dogwood (2 Gallon)	EA	412	\$ 55.00	\$ 22,660.00	153	\$ 8,415.00	86	\$ 4,730.00	67	\$ 3,685.00	37%
30	Plant Selection - Dwarf Mugo Pine (2 Gallon)	EA	80	\$ 55.00	\$ 4,400.00	32	\$ 1,760.00	20	\$ 1,100.00	12	\$ 660.00	40%

CONSTRUCTION PROGRESS ESTIMATE

First Street Improvements Phase 3 - Downtown Revitalization

CITY OF CLE ELUM

119 WEST 1ST STREET

CLE ELUM, WA 98922

TO: Active Construction, Inc.

PO Box 430

Puyallup, WA 98443

HLA PROJECT NO.: 23150C

TIB Project No.: 6-E-930(008)-1

FEDERAL AID NO. STBG(R)-0903(086)

PROGRESS ESTIMATE NO.: 6 REVISED

FROM: Aug. 01, 2024

TO: Aug. 31, 2024



BID ITEM NO.	DESCRIPTION	UNIT	CONTRACT TOTAL (Contract + COs)			TOTAL WORK TO DATE		PREVIOUS PAID		AMOUNT DUE NOW (Total - Previous)		PERCENT CONTRACT COMPLETE
			QTY	UNIT PRICE	COST	QTY	COST	QTY	COST	QTY	COST	
31	Plant Selection - Black Eyed Susan (1 Gallon)	EA	1,035	\$ 20.00	\$ 20,700.00	272	\$ 5,440.00	108	\$ 2,160.00	164	\$ 3,280.00	26%
32	Plant Selection - Woods Compact Kinnikinnick (2 Gallon)	EA	1,795	\$ 40.00	\$ 71,800.00	620	\$ 24,800.00	352	\$ 14,080.00	268	\$ 10,720.00	35%
33	Plant Selection - Golden Nugget Barberry (2 Gallon)	EA	105	\$ 30.00	\$ 3,150.00	37	\$ 1,110.00	37	\$ 1,110.00	0	\$ -	35%
34	Plant Selection - Flower Carpet Pink Rose (2 Gallon)	EA	59	\$ 35.00	\$ 2,065.00	25	\$ 875.00	25	\$ 875.00	0	\$ -	42%
35	Plant Selection - Sun Rose Burgundy Dazzler (1 Gallon)	EA	195	\$ 20.00	\$ 3,900.00	64	\$ 1,280.00	64	\$ 1,280.00	0	\$ -	33%
36	Plant Selection - Moonbeam Coreopsis (1 Gallon)	EA	600	\$ 25.00	\$ 15,000.00	230	\$ 5,750.00	150	\$ 3,750.00	80	\$ 2,000.00	38%
37	Topsoil Type A	CY	580	\$ 130.00	\$ 75,400.00	254.48	\$ 33,082.40	172.26	\$ 22,394.38	82.22	\$ 10,688.02	44%
38	Subgrade Topsoil	CY	975	\$ 110.00	\$ 107,250.00	48.82	\$ 5,370.20	35.50	\$ 3,905.00	13.32	\$ 1,465.20	5%
39	Root Barrier	LF	3,850	\$ 16.00	\$ 61,600.00	971	\$ 15,536.00	608	\$ 9,728.00	363	\$ 5,808.00	25%
40	Root Path	LF	2,275	\$ 20.00	\$ 45,500.00	1,350	\$ 27,000.00	1,022	\$ 20,440.00	328	\$ 6,560.00	59%
41	Basalt Rock Mulch	CY	100	\$ 110.00	\$ 11,000.00	32.21	\$ 3,543.10	21.30	\$ 2,343.00	10.91	\$ 1,200.10	32%
42	Plant Establishment	FA	1	\$ 10,000.00	\$ 10,000.00	0	\$ -	0	\$ -	0	\$ -	0%
43	Cement Conc. Traffic Curb and Gutter	LF	3,730	\$ 34.00	\$ 126,820.00	2,233	\$ 75,922.00	1,576	\$ 53,584.00	657	\$ 22,338.00	60%
44	Bench	EA	12	\$ 3,000.00	\$ 36,000.00	0	\$ -	0	\$ -	0	\$ -	0%
45	Trash Receptacle	EA	6	\$ 5,100.00	\$ 30,600.00	0	\$ -	0	\$ -	0	\$ -	0%
46	Bike Rack	EA	18	\$ 1,800.00	\$ 32,400.00	0	\$ -	0	\$ -	0	\$ -	0%
47	Bollard	EA	3	\$ 3,500.00	\$ 10,500.00	0	\$ -	0	\$ -	0	\$ -	0%
48	Monument Relocation	FA	1	\$ 2,500.00	\$ 2,500.00	0	\$ -	0	\$ -	0	\$ -	0%
49	Coal Cart Relocation	FA	1	\$ 10,000.00	\$ 10,000.00	0	\$ -	0	\$ -	0	\$ -	0%
50	Trash Compactor Relocation	FA	1	\$ 2,000.00	\$ 2,000.00	0	\$ -	0	\$ -	0	\$ -	0%
51	Cement Conc. Sidewalk 6-Inch Thick	SY	225	\$ 131.00	\$ 29,475.00	50.04	\$ 6,554.77	50.04	\$ 6,554.77	0	\$ -	22%
52	Cement Conc. Sidewalk 4-Inch Thick	SY	45	\$ 115.00	\$ 5,175.00	38.28	\$ 4,402.20	38.28	\$ 4,402.20	0	\$ -	85%
53	Cement Conc. Sidewalk 4-Inch Thick Patterned	SY	4,990	\$ 115.00	\$ 573,850.00	1,763.33	\$ 202,782.95	1,138.83	\$ 130,965.45	624.50	\$ 71,817.50	35%
54	Cement Conc. Curb Ramp	EA	28	\$ 3,400.00	\$ 95,200.00	11	\$ 37,400.00	7	\$ 23,800.00	4	\$ 13,600.00	39%
55	Tree Lighting System, Complete	LS	1	\$ 280,000.00	\$ 280,000.00	0.48	\$ 135,500.00	0.36	\$ 101,500.00	0.12	\$ 34,000.00	48%
56	Conduit Installation (PSE Illumination)	LF	2,690	\$ 25.00	\$ 67,250.00	2,010	\$ 50,250.00	1,142	\$ 28,550.00	868	\$ 21,700.00	75%
57	Furnished Conduit Installation (PSE Power)	LF	1,960	\$ 24.00	\$ 47,040.00	2,009	\$ 48,216.00	1,724	\$ 41,376.00	285	\$ 6,840.00	103%
58	Furnished Conduit Installation (Wholesale Communications)	LF	575	\$ 15.00	\$ 8,625.00	799	\$ 11,985.00	557	\$ 8,355.00	242	\$ 3,630.00	139%
59	Furnished Conduit Installation (Inland Networks)	LF	1,025	\$ 15.00	\$ 15,375.00	1,003	\$ 15,045.00	619	\$ 9,285.00	384	\$ 5,760.00	98%
60	Furnished Conduit Installation (Lumen Technologies)	LF	500	\$ 16.00	\$ 8,000.00	539	\$ 8,624.00	539	\$ 8,624.00	0	\$ -	108%

CONSTRUCTION PROGRESS ESTIMATE

First Street Improvements Phase 3 - Downtown Revitalization

CITY OF CLE ELUM
119 WEST 1ST STREET
CLE ELUM, WA 98922

TO: Active Construction, Inc.
PO Box 430
Puyallup, WA 98443

HLA PROJECT NO.: 23150C
TIB Project No.: 6-E-930(008)-1
FEDERAL AID NO. STBG(R)-0903(086)

PROGRESS ESTIMATE NO.: 6 REVISED

FROM: Aug. 01, 2024 TO: Aug. 31, 2024



BID ITEM NO.	DESCRIPTION	UNIT	CONTRACT TOTAL (Contract + COs)			TOTAL WORK TO DATE		PREVIOUS PAID		AMOUNT DUE NOW (Total - Previous)		PERCENT CONTRACT COMPLETE
			QTY	UNIT PRICE	COST	QTY	COST	QTY	COST	QTY	COST	
61	Electrical Service Connection	EA	11	\$ 4,500.00	\$ 49,500.00	0	\$ -	0	\$ -	0	\$ -	0%
62	Telecommunication Service Connection	EA	13	\$ 3,000.00	\$ 39,000.00	0	\$ -	0	\$ -	0	\$ -	0%
63	Accessible Pedestrian Push Button	EA	16	\$ 2,700.00	\$ 43,200.00	0	\$ -	0	\$ -	0	\$ -	0%
64	Permanent Signing	LS	1	\$ 15,000.00	\$ 15,000.00	0	\$ -	0	\$ -	0	\$ -	0%
65	Pavement Markings	LS	1	\$ 30,000.00	\$ 30,000.00	0	\$ -	0	\$ -	0	\$ -	0%
66	Segmental Block Wall	SF	600	\$ 45.00	\$ 27,000.00	397.88	\$ 17,904.45	397.88	\$ 17,904.45	0	\$ -	66%

Subtotal	\$ 3,759,220.00	\$ 1,853,044.67	\$ 1,440,840.88	\$ 412,203.79	41%
Project Total	\$ 3,759,220.00	\$ 1,853,044.67	\$ 1,440,840.88	\$ 412,203.79	41%
Plus Materials on Hand		\$ 44,611.72	\$ 39,791.68	\$ 4,820.04	
Amount Due Progress Estimate No. 6		\$ 1,897,656.39	\$ 1,480,632.56	\$ 417,023.83	

I hereby certify that the foregoing is a true and correct statement of the work performed under this contract.


Digitally signed by Benjamin A.
Annen
Date: 2024.09.23 08:32:12-07'00'
Benjamin A. Annen, PE

CONSTRUCTION PROGRESS ESTIMATE - SCHEDULE OF VALUES

City of Cle Elum

First Street Improvements Phase 3 - Downtown Revitalization

TO: Active Construction, Inc.
PO Box 430
Puyallup, WA 98443

HLA PROJECT NO.: 23150C
FEDERAL AID NO. STBG(R)-0903(086)



<i>BID ITEM NO.</i>	<i>BID ITEM NAME</i>	<i>DESCRIPTION</i>	<i>QUANTITY</i>	<i>UNIT</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>	<i>PERCENT OF ITEM COMPLETE</i>
3	SPCC Plan	100% Complete - Submittal Received and Approved.	1	LS	\$ 150.00	\$ 150.00	100%
5	Mobilization	5% Completion = 50% Payment of Mobilization	1	LS	\$ 186,677.00	\$ 186,677.00	100%
5	Mobilization	10% Completion = 100% Payment of Mobilization	1	LS	\$ 186,677.00	\$ 186,677.00	100%
6	Project Temporary Traffic Control	Traffic Control Set Up	1	LS	\$ 25,500.00	\$ 25,500.00	100%
6	Project Temporary Traffic Control	Daily Traffic Control	330	DAY	\$ 700.00	\$ 231,000.00	43%
6	Project Temporary Traffic Control	Traffic Control Take Down	1	LS	\$ 13,500.00	\$ 13,500.00	0%
7	Clearing and Grubbing	7.01 - Peoh to Bullitt - North	1	LS	\$ 714.29	\$ 714.29	100%
7	Clearing and Grubbing	7.02 - Bullitt to Wright - North	1	LS	\$ 714.29	\$ 714.29	100%
7	Clearing and Grubbing	7.03 - Wright to Harris - North	1	LS	\$ 714.29	\$ 714.29	100%
7	Clearing and Grubbing	7.04 - Oakes to Pennsylvania - South	1	LS	\$ 714.29	\$ 714.29	0%
7	Clearing and Grubbing	7.05 - Harris to Wright Ave. South	1	LS	\$ 714.29	\$ 714.29	0%
7	Clearing and Grubbing	7.06 - Wright to Bullitt - South	1	LS	\$ 714.29	\$ 714.29	100%
7	Clearing and Grubbing	7.07 - Bullitt to Peoh - South	1	LS	\$ 714.29	\$ 714.29	100%
8	Removal of Structures and Obstructions	8.01 - Peoh to Bullitt - North	1	LS	\$ 25,285.71	\$ 25,285.71	100%
8	Removal of Structures and Obstructions	8.02 - Bullitt to Wright - North	1	LS	\$ 25,285.71	\$ 25,285.71	100%
8	Removal of Structures and Obstructions	8.03 - Wright to Harris - North	1	LS	\$ 25,285.71	\$ 25,285.71	100%
8	Removal of Structures and Obstructions	8.04 - Oakes to Pennsylvania - South	1	LS	\$ 25,285.71	\$ 25,285.71	0%
8	Removal of Structures and Obstructions	8.05 - Harris to Wright Ave. South	1	LS	\$ 25,285.71	\$ 25,285.71	0%
8	Removal of Structures and Obstructions	8.06 - Wright to Bullitt - South	1	LS	\$ 25,285.71	\$ 25,285.71	100%
8	Removal of Structures and Obstructions	8.07 - Bullitt to Peoh - South	1	LS	\$ 25,285.71	\$ 25,285.71	100%
24	Irrigation System, Complete	24.01 - Peoh to Bullitt - North	1	LS	\$ 37,857.14	\$ 37,857.14	100%
24	Irrigation System, Complete	24.02 - Bullitt to Wright - North	1	LS	\$ 37,857.14	\$ 37,857.14	100%
24	Irrigation System, Complete	24.03 - Wright to Harris - North	1	LS	\$ 37,857.14	\$ 37,857.14	90%
24	Irrigation System, Complete	24.04 - Oakes to Pennsylvania - South	1	LS	\$ 37,857.14	\$ 37,857.14	0%
24	Irrigation System, Complete	24.05 - Harris to Wright Ave. South	1	LS	\$ 37,857.14	\$ 37,857.14	0%
24	Irrigation System, Complete	24.06 - Wright to Bullitt - South	1	LS	\$ 37,857.14	\$ 37,857.14	85%
24	Irrigation System, Complete	24.07 - Bullitt to Peoh - South	1	LS	\$ 37,857.14	\$ 37,857.14	100%
55	Tree Lighting System, Complete	55.01 - Peoh to Bullitt - North	1	LS	\$ 40,000.00	\$ 40,000.00	100%
55	Tree Lighting System, Complete	55.02 - Bullitt to Wright - North	1	LS	\$ 40,000.00	\$ 40,000.00	85%
55	Tree Lighting System, Complete	55.03 - Wright to Harris - North	1	LS	\$ 40,000.00	\$ 40,000.00	85%
55	Tree Lighting System, Complete	55.04 - Oakes to Pennsylvania - South	1	LS	\$ 40,000.00	\$ 40,000.00	0%
55	Tree Lighting System, Complete	55.05 - Harris to Wright Ave. South	1	LS	\$ 40,000.00	\$ 40,000.00	0%
55	Tree Lighting System, Complete	55.06 - Wright to Bullitt - South	1	LS	\$ 40,000.00	\$ 40,000.00	85%
55	Tree Lighting System, Complete	55.07 - Bullitt to Peoh - South	1	LS	\$ 40,000.00	\$ 40,000.00	85%
64	Permanent Signing	Base Installation	1	LS	\$ 9,000.00	\$ 9,000.00	0%
64	Permanent Signing	Signs	1	LS	\$ 6,000.00	\$ 6,000.00	0%
65	Pavement Markings	Paid on percentage of work complete monthly	1	LS	\$ 30,000.00	\$ 30,000.00	0%

CONSTRUCTION PROGRESS ESTIMATE - MATERIALS ON HAND STATUS

City of Cle Elum

First Street Improvements Phase 3 - Downtown Revitalization

TO: Active Construction, Inc.

PO Box 430

Cle Elum, WA 98922

HLA PROJECT NO.: 23150C

FEDERAL AID NO. STBG(R)-0903(086)

FROM: 8/1/2024

TO: 8/31/2024



INVOICE DATE	FULL PAID INVOICE DATE	SUPPLIER AND INVOICE NO.	PE PAID ON	BID ITEM NO.	SCHED.	ITEM DESCRIPTION	UNIT PRICE	% COMPLETE	PE 5		PE 5 LINE ITEM TOTAL	PE 6		PE 6 LINE ITEM TOTAL	LINE ITEM TOTALS
									PAY	DEDUCT		PAY	DEDUCT		
6/28/2024		2M Company 213028318-01	5	24	A	IRRIGATION SYSTEM, COMPLETE	\$ 34,969.50	56%	\$ 34,969.50	\$ (14,337.50)	\$ 20,632.01	\$ -	\$ (5,245.43)	\$ (5,245.43)	\$ 15,386.58
6/28/2024		2M Company 213028318-02	5	40	A	ROOT PATH	\$ 25,358.00	59%	\$ 25,358.00	\$ (11,411.10)	\$ 13,946.90	\$ -	\$ (3,550.12)	\$ (3,550.12)	\$ 10,396.78
6/28/2024		2M Company 213028318-04	5	39	A	ROOT BARRIER	\$ 6,205.68	25%	\$ 6,205.68	\$ (992.91)	\$ 5,212.77	\$ -	\$ (558.51)	\$ (558.51)	\$ 4,654.26
5/23/2024		Advance Traffic Products 38371	6	63	A	ACCESSIBLE PEDESTRIAN PUSH BUTTON	\$ 14,174.10	0%	\$ -		\$ -	\$ 14,174.10	\$ -	\$ 14,174.10	\$ 14,174.10
									\$ 66,533.18	\$ (26,741.50)	\$ 39,791.68	\$ 14,174.10	\$ (9,354.06)	\$ 4,820.04	
									\$39,791.68			\$4,820.04			\$ 44,611.72

Specification Section 1-09.8 - The Contracting Agency will not pay for material on hand when the invoice cost is less than \$2,000.00.

SCHEDULE A MOH TOTAL	\$ 39,791.68	SCHEDULE A MOH TOTAL	\$ 4,820.04
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September 17, 2024

City of Cle Elum
119 West 1st Street
Cle Elum, WA 98922

Attn: Mayor Matthew Lundh

Re: City of Cle Elum
Second Street and Rossetti Way Water Main Improvements
HLA Project No.: 22188C
Project Acceptance

Dear Mayor Lundh:

This letter serves as our recommendation for acceptance of this project by your City Council. We have reviewed the work performed by Ascent Foundation and More, LLC on this project and believe it has been completed satisfactorily.

Once the project has been accepted as complete by the City Council, the required "Notice of Completion of Public Works Contract" will be completed by our office and sent to the Department of Revenue, Department of Labor and Industries, and Employment Security Departments through our access to your Labor and Industries portal. If you prefer to submit the Notice of Completion, please let us know.

After acceptance of the project and when lien releases have been received from the Department of Revenue, Department of Labor and Industries, and Employment Security Department, this project will be considered complete.

The City will receive the following from HLA Engineering and Land Surveying, Inc. (HLA) in a One Drive Link for download:

- A completed copy of the project punch list items identified during the final walk-through inspection.
- A PDF set of Record Drawings for the project.
- Final Contract Voucher Certification from the Contractor certifying all labor and materials furnished on this project have been paid for.
- Required project labor and equal employment opportunity documents including:
 - Requests to Sublet and verifications for the Prime Contractor and all subcontractors who performed work on this project.
 - Statement of Intent to Pay Prevailing Wages approved by the Washington State Department of Labor and Industries.
 - Affidavits of Wages Paid approved by the Washington State Department of Labor and Industries.

Our office will retain an electronic copy of the project files should the City need them in the future.

Please forward a copy of your Council Resolution authorizing project acceptance.

If you have questions or if we may provide additional information, please contact our office.

Sincerely,

 Digitally signed by
Benjamin A. Annen
Date: 2024.09.17
12:02:35-07'00'

Benjamin A. Annen, PE

BAA/jld

Enclosures

Copy: Rob Omans, Aaron Barr, Debbie Lee, Robin Newcomb – City of Cle Elum
Taylor Denny, Angie Ringer – HLA

City of Cle Elum
Second Street and Rosetti Way Watermain Improvements
Public Works Board Funding
PC23-96103-116
Amortization Schedule
INTEREST RATE INCENTIVE

Loan Amount \$2,841,810.00
Interest Rate 0.89%

20 years	Year	Principal	Interest	Payment	Balance
1	2025	\$142,090.50	\$25,292.11	\$167,382.61	\$2,841,810.00
2	2026	\$142,090.50	\$24,027.50	\$166,118.00	\$2,699,719.50
3	2027	\$142,090.50	\$22,762.90	\$164,853.40	\$2,557,629.00
4	2028	\$142,090.50	\$21,498.29	\$163,588.79	\$2,415,538.50
5	2029	\$142,090.50	\$20,233.69	\$162,324.19	\$2,273,448.00
6	2030	\$142,090.50	\$18,969.08	\$161,059.58	\$2,131,357.50
7	2031	\$142,090.50	\$17,704.48	\$159,794.98	\$1,989,267.00
8	2032	\$142,090.50	\$16,439.87	\$158,530.37	\$1,847,176.50
9	2033	\$142,090.50	\$15,175.27	\$157,265.77	\$1,705,086.00
10	2034	\$142,090.50	\$13,910.66	\$156,001.16	\$1,562,995.50
11	2035	\$142,090.50	\$12,646.05	\$154,736.55	\$1,420,905.00
12	2036	\$142,090.50	\$11,381.45	\$153,471.95	\$1,278,814.50
13	2037	\$142,090.50	\$10,116.84	\$152,207.34	\$1,136,724.00
14	2038	\$142,090.50	\$8,852.24	\$150,942.74	\$994,633.50
15	2039	\$142,090.50	\$7,587.63	\$149,678.13	\$852,543.00
16	2040	\$142,090.50	\$6,323.03	\$148,413.53	\$710,452.50
17	2041	\$142,090.50	\$5,058.42	\$147,148.92	\$568,362.00
18	2042	\$142,090.50	\$3,793.82	\$145,884.32	\$426,271.50
19	2043	\$142,090.50	\$2,529.21	\$144,619.71	\$284,181.00
20	2044	\$142,090.50	\$1,264.61	\$143,355.11	\$142,090.50
Totals		\$2,841,810.00	\$265,567.14	\$3,107,377.14	

City of Cle Elum
Second Street and Rosetti Way Watermain Improvements
Public Works Board Funding
PC23-96103-116
Amortization Schedule
REPAYMENT PERIOD INCENTIVE

Loan Amount \$2,841,810.00
Interest Rate 1.39%

25 years	Year	Principal	Interest	Payment	Balance
1	2025	\$113,672.40	\$39,501.16	\$153,173.56	\$2,841,810.00
2	2026	\$113,672.40	\$37,921.11	\$151,593.51	\$2,728,137.60
3	2027	\$113,672.40	\$36,341.07	\$150,013.47	\$2,614,465.20
4	2028	\$113,672.40	\$34,761.02	\$148,433.42	\$2,500,792.80
5	2029	\$113,672.40	\$33,180.97	\$146,853.37	\$2,387,120.40
6	2030	\$113,672.40	\$31,600.93	\$145,273.33	\$2,273,448.00
7	2031	\$113,672.40	\$30,020.88	\$143,693.28	\$2,159,775.60
8	2032	\$113,672.40	\$28,440.83	\$142,113.23	\$2,046,103.20
9	2033	\$113,672.40	\$26,860.79	\$140,533.19	\$1,932,430.80
10	2034	\$113,672.40	\$25,280.74	\$138,953.14	\$1,818,758.40
11	2035	\$113,672.40	\$23,700.70	\$137,373.10	\$1,705,086.00
12	2036	\$113,672.40	\$22,120.65	\$135,793.05	\$1,591,413.60
13	2037	\$113,672.40	\$20,540.60	\$134,213.00	\$1,477,741.20
14	2038	\$113,672.40	\$18,960.56	\$132,632.96	\$1,364,068.80
15	2039	\$113,672.40	\$17,380.51	\$131,052.91	\$1,250,396.40
16	2040	\$113,672.40	\$15,800.46	\$129,472.86	\$1,136,724.00
17	2041	\$113,672.40	\$14,220.42	\$127,892.82	\$1,023,051.60
18	2042	\$113,672.40	\$12,640.37	\$126,312.77	\$909,379.20
19	2043	\$113,672.40	\$11,060.32	\$124,732.72	\$795,706.80
20	2044	\$113,672.40	\$9,480.28	\$123,152.68	\$682,034.40
21	2045	\$113,672.40	\$7,900.23	\$121,572.63	\$568,362.00
22	2046	\$113,672.40	\$6,320.19	\$119,992.59	\$454,689.60
23	2047	\$113,672.40	\$4,740.14	\$118,412.54	\$341,017.20
24	2048	\$113,672.40	\$3,160.09	\$116,832.49	\$227,344.80
25	2049	\$113,672.40	\$1,580.05	\$115,252.45	\$113,672.40
Totals		\$2,841,810.00	\$513,515.07	\$3,355,325.07	

**CITY OF CLE ELUM
Planning Department
STAFF REPORT**

Proposed code amendments to Chapter 12.01, Right-of-Way Use Permit

AGENDA DATE: September 24, 2024

ACTION REQUESTED: Ordinance 1682

BACKGROUND: The proposed Ordinance No. 1682 seeks to amend Chapter 12.01 of the Cle Elum Municipal Code (CEMC) concerning right-of-way use permits. The amendments were reviewed by the Public Works and Community Development Committee, which recommended approval of the changes at its meeting on September 12, 2024. These amendments aim to enhance the City's regulations concerning the use of public right-of-way, ensuring consistency, safety, and clarity in permitting processes.

Key Changes:

1. Establishment of Section 12.01.045:

A new section, "Projecting Sign and Awning Right-of-Way Use Permit" (Section 12.01.045), will be added to Chapter 12.01. This section outlines the requirements and standards for obtaining permits for projecting signs and awnings that encroach into the public right-of-way. This addition seeks to provide clear guidelines for business owners and property developers while ensuring public safety and maintaining the character of the streetscape.

2. Amendments to Existing Sections:

The ordinance proposes amendments to several existing sections within Chapter 12.01, including Sections 12.01.020, 12.01.030, 12.01.040, 12.01.050, 12.01.060, 12.01.080, 12.01.090, 12.01.100, 12.01.110, 12.01.130, and 12.01.140.

These amendments aim to:

- Clarify the application and review process for right-of-way use permits.
- Update requirements for compliance and enforcement.
- Ensure the protection of public property and safety in the right-of-way areas.
- Enhance the overall administration of right-of-way use, including terms, conditions, and permit fees.

The proposed amendments are designed to address the evolving needs of the City and its community. As the City continues to

grow and develop, it is essential to have clear and comprehensive regulations governing the use of the public right-of-way. The amendments will help ensure that the right-of-way is used safely and effectively, balancing the interests of the City, businesses, and the public. By establishing clear standards for projecting signs and awnings, the ordinance also aims to support local businesses while maintaining a cohesive and attractive streetscape.

RECOMMENDATION: Adoption of Ordinance No. 1682

ATTACHMENTS: Staff Report; Ordinance

LEAD STAFF: Colleda Monick, City Planner

POSSIBLE MOTIONS:

Motion 1: Approve the Ordinance as Presented

"I move to approve Ordinance No. 1682 amending Chapter 12.01 of the Cle Elum Municipal Code related to right-of-way use permits, as presented."

Motion 2: Approve the Ordinance with Changes

"I move to approve Ordinance No. 1682 amending Chapter 12.01 of the Cle Elum Municipal Code related to right-of-way use permits, with the following changes: [**specify changes, e.g., modification of specific sections, clarification of language, addition of new provisions, etc.**]."

Motion 3: Deny the Ordinance

"I move to deny Ordinance No. 1682 amending Chapter 12.01 of the Cle Elum Municipal Code related to right-of-way use permits. The Council finds that the proposed amendments are not in the best interest of the City or the community at this time."

CITY OF CLE ELUM
WASHINGTON
ORDINANCE NO. 1682

**AN ORDINANCE OF THE CITY OF CLE ELUM,
WASHINGTON, AMENDING CHAPTER 12.01 OF THE CLE
ELUM MUNICIPAL CODE (“CEMC”) RELATED TO
RIGHT-OF-WAY USE PERMITS; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE.**

WHEREAS, the Public Works and Community Development Committee reviewed amendments to Chapter 12.01 and, at their September 12, 2024 meeting, recommended approval of the changes; and

WHEREAS, in order to protect the city’s right-of-way, code amendments to the city’s Chapter 12.01 CEMC, Right-of-Way Use Permits, are necessary; and

WHEREAS, it is in the best interest of the City and community to establish a new section in Chapter 12.01 CEMC related to “Projecting sign and awning right-of-way use permit” 12.01.045, and to amend sections 12.01.020, 12.01.030, 12.01.040, 12.01.050, 12.01.060, 12.01.080, 12.01.090, 12.01.100, 12.01.110, 12.01.130, and 12.01.140.

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

Section 1. Amendment to Replace and Supersede. The proposed amendment to CEMC Sections 12.01.020, 12.01.030, 12.01.040, 12.01.050, 12.01.060, 12.01.080, 12.01.090, 12.01.100, 12.01.110, 12.01.130, and 12.01.140, as contained in Exhibit “A” attached hereto and fully incorporated herein, shall replace and supersede previous versions of the referenced documents.

Section 2. The following section is added. 12.01.045, as contained in Exhibit “B” hereto and fully incorporated herein.

Section 3. Severability. Should any portion of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CLE ELUM CITY COUNCIL AT A REGULAR MEETING
THEREOF ON THE ____ OF ____ 2024.

CITY OF CLE ELUM

Matthew Lundh, Mayor

ATTEST/AUTHENTICATED:

Debbie Lee, City Clerk

APPROVED AS TO FORM:

Alexandra L. Kenyon, City Attorney

Date of Publication: _____

Effective Date: _____

EXHIBIT A

Chapter 12.01 RIGHT-OF-WAY USE PERMITS

Sections:

12.01.010	Purpose.
12.01.020	Definitions.
12.01.030	Prohibited acts – Notice and permit required.
12.01.040	Application requirements.
12.01.045	Projecting sign and awning right-of-way use permit
12.01.050	Right-of-Way Permit DurationLength of permit validity.
12.01.060	Permit conditions.
12.01.070	Notification.
12.01.080	Standards for restoration of surfaces.
12.01.090	Clean-up.
12.01.100	Nonperformance by applicant—City to perform work—Costs.
12.01.110	Inspection.
12.01.120	Violations—Penalties.
12.01.130	Permit revocation.
12.01.140	Permit exceptions.
12.01.150	Indemnification.

12.01.010 Purpose.

It is the purpose of this chapter to provide for the issuance of right-of-way use permits in order to regulate activities within city of Cle Elum owned right-of-way in the interest of public health, safety, and welfare and to provide for the fees, charges, warranties, and procedures required to administer the permit process. It is in the city and citizens' interest to conduct work in the right-of-way that is safe and harmonious with other right-of-way uses.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.020 Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter and any accompanying procedures:

“Applicant” or “permittee” means the person, firm or organization making application for a permit, holding a permit, or doing work under a permit issued under this chapter.

“City” means the city of Cle Elum.

“City engineer” means the city engineer of the city of Cle Elum or his/her designee.

“Permit” means a document granted under the provisions of this chapter authorizing specified work in city rights-of-way.

“Portable sign” means a sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs, see CEMC 15.20.

“Projecting sign” means a sign which is attached to and projects horizontally from a building wall into the right-of-way, see CEMC 15.20.—

“Restoration” means the act of repairing, replacing or cleaning the right-of-way to its former condition with like or better quality and to the satisfaction of the city.

“Right-of-way” means all property in which the city has any form of ownership, title, easement or interest and which is held for public road or travel purposes, regardless of whether any road or sidewalk exists thereon or whether it is used, improved or maintained for public travel.

“Structure” means any building, booth, scaffold, fence, stand, platform, sign, pole, ladder, posts, pipe, wire, cable or any other thing placed or maintained on, over, under or within any right-of-way.

“Work” means any activity disturbing, disrupting, impairing, hampering, impeding or preventing public travel on or access to any right-of-way, or affecting any improvement on any right-of-way.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.030 Prohibited acts – Notice and permit required.

A. Except upon application to and issuance by the city of a [right-of-way](#) permit, it shall be unlawful to do any work in any right-of-way. Work for which a [right-of-way use](#) permit is required shall include, but not be limited to, the following:

1. Placing or maintaining any structure, [including signage and awnings](#), within a right-of-way.
2. Spilling, dumping, discharging or depositing any material within a right-of-way.
3. Excavating, filling, or grading any land, or constructing any structure when said activity does or is likely to result in any deposit of dirt, mud, rock, debris or other material within a right-of-way.
4. Cutting, pruning, or disturbing any brush, trees or landscaping within a right-of-way, [except for routine maintenance, such as the removal of weeds or invasive species from planters, landscaped beds, or similar areas](#).
5. Cutting, digging, marring or otherwise disturbing the road, road bed, road surface, sidewalk, sidewalk bed, sidewalk surface or any other portion of a right-of-way.
6. Painting or marking, including utility locate markings, within the right-of-way.

B. A separate permit shall be required for each separate work occurring on or in a right-of-way, as determined by the city engineer.

C. A separate permit shall be required for each separate person, firm or corporation working in any right-of-way, as determined by the city engineer.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.040 Application requirements.

A. When applying for a right-of-way permit, the applicant shall provide the following:

1. A detailed sketch showing proposed work in relation to the public right-of-way, other existing utilities and street improvements;

2. A certificate of liability insurance naming city as an additional insured, and for construction projects, insurance should include with minimum limits of liability stated in the most recent edition of Standard Specifications for Road, Bridge, and Municipal Construction as published by WSDOT~~Standard Specifications for Municipal Public Works Construction, published by the Washington chapter of the American Public Works Association (APWA)~~ or as otherwise required by the city; provided, however, that a self-insured public utility may submit a letter of responsibility in lieu of a certificate of liability insurance. Such letter of responsibility shall be approved as to form by the city attorney prior to acceptance by the city;

3. A statement regarding coordination with other utilities as to location of work so as not to interfere with those utilities.

B. No opening shall be made until all necessary fittings and materials are available and on hand to complete all work.

C. Franchised utilities shall utilize the standard locations for their facilities where practicable.

D. An administrative fee set forth by resolution of the city council shall be charged for the review and issuance of each permit.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.050 ~~Length of permit validity~~ Right-of-Way Permit Duration.

~~Such permit shall be valid for a time period not to exceed one hundred twenty days from date of issuance; provided, however, that an applicant may request one extension of time not to exceed sixty days in duration. Such request shall be written and received by the city at least seven days prior to the expiration date of the original permit.~~

1. Short-Term Right-of-Way Permits:

Short-term right-of-way permits are issued for uses of the public right-of-way that are valid

for a time period not to exceed one hundred twenty days from date of issuance. These uses include but are not limited to: placement of limited-term container-type storage units; placement of limited-term dumpsters; use and occupation of the right-of-way for construction projects lasting less than one-hundred twenty days; and temporary storage of landscaping materials being used in a project.

2. Long-Term Right-of-Way Permits:

Long-term right-of-way permits are valid for up to one (1) year from the date of issuance. These permits are subject to renewal on an annual basis upon ~~application and~~ payment of the fee set forth in the city's master fee schedule ~~and the submittal of a renewed insurance policy~~. Permits granted under authority other than this chapter shall remain in effect according to their terms without the need for application or renewal unless terminated or revoked as provided by the terms of those permits. These uses include but are not limited to: sidewalk and projecting signs; and awnings.

3. Permit Extensions:

For permits that do not fall under long-term classifications, the initial permit shall be valid for a period not exceeding one hundred twenty (120) days from the date of issuance. An applicant may request one ~~additional~~ extension of up to ~~sixtyone hundred twenty (60120)~~ days. Such a request must be made in writing and received by the city at least seven (7) days prior to the original permit's expiration date.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.060 Permit conditions.

A. The city engineer will endeavor to review the permit application within ten days of its acceptance. If the city engineer concludes that the work can comply with the provisions of this chapter, the city engineer may grant the permit and shall include such terms and conditions as are required by the code and/or as necessary to protect the public health, safety and welfare.

B. The following conditions shall apply to every permit, and shall be in addition to any conditions particular to a specific permit:

1. All permits shall be permissive and shall be subject to the public right of travel on and access to the right-of-way.
2. The applicant shall have secured all other necessary or required permits, licenses or legal approvals.
3. The applicant is responsible for complying with all applicable local, state and federal health and safety codes, standards, regulations and/or accepted industry standards. It is the responsibility of the applicant to ~~insure~~ensure that their work force and the public are guarded against any hazards arising from activities of the applicant or its agents.
4. The applicant shall furnish, place and maintain all required traffic-control devices (both vehicular and pedestrian). Signing and traffic control provided by applicant shall comply with the current edition of the Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration (FHWA) and as approved by the Washington Department of Transportation.
5. Any traffic restriction shall be approved by city officials.
6. All work performed shall conform to the ~~Design and Construction Standards~~design-standards and specifications of the city, and all standard manuals used by the city in the administration of its duties.
7. Restoration shall be required and completed within the designated duration of the permit.
8. Right-of-way surfaces shall be cleaned prior to the end of each day's operation, and all catch basins, culverts or other city-owned improvements affected by any deposit of dirt, mud, rock, debris or other material shall be cleaned as specified by the city engineer.
9. No permit shall be assigned without the written agreement of the city.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.070 Notification.

The applicant shall notify the public works director or its designee at least forty-eight hours prior to starting work.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.080 Standards for restoration of surfaces.

A. The applicant shall, with reasonable promptness and no later than twenty days after the work is finished, restore the surface of such streets, avenues, lanes, highways, sidewalks, pathways, and public places.

B. The applicant shall satisfactorily restore all areas disturbed by construction activities to an equal or better condition than existed prior to construction. All surfacing restoration shall meet the minimum depths stated in the City's Design and Construction Standards, current edition. The following shall be considered the minimum acceptable depths of surfacing materials to be replaced dependent upon existing surfacing type:

1. Asphalt concrete pavement and/or bituminous surface treatment surfacing:

a. Three inches compacted depth asphalt concrete pavement, Class G, placed in two lifts;

b. Three inches compacted depth crushed surfacing top course (5/8"-0);

c. Eight inches compacted depth ballast (2½"-0).

2. Cement concrete sidewalk:

a. Four inches thickness in pedestrian areas, three thousand psi twenty-eight-day minimum compressive strength cement concrete;

b. Six inches thickness in vehicle areas, three thousand psi twenty-eight-day minimum compressive strength cement concrete;

c. Two inches compacted depth crushed surfacing top course (5/8"-0) under all cement concrete areas;

d. ~~Refer to city sidewalk specifications.~~

3. ~~Gravel street:~~

a. ~~Three inches compacted depth crushed surfacing top course (5/8"-0);~~

b. ~~Nine inches compacted depth ballast (2½"-0);~~

c. ~~Replace all ballast if mud or clay.~~

4. ~~Gravel street shoulder:~~

a. ~~Four inches compacted depth crushed surfacing top course (5/8"-0).~~

C. Cement concrete curb and gutter shall be replaced where disturbed with new cement concrete curb and gutter as shown on the City's Design and Construction Standards, current edition~~city's Standard Driveway Detail and the referenced APWA Specifications and Standard Plans.~~

D. Temporary crushed-rock trench restoration (1.5" minus gradation) will be permitted for a maximum of two weeks following installation of facilities.

E. If adverse weather conditions exist, temporary asphalt concrete cold-mix patch will be permitted until weather conditions permit the required permanent restoration specified above.

F. All restoration materials and workmanship shall be in accordance with the Standard Specifications for Road, Bridge, and Municipal Construction as published by WSDOT, most recent edition~~most recent edition of the referenced APWA Specifications.~~

G. All trench backfill and restoration materials must be compacted to ninety-five percent of maximum density at a maximum of six-inch lifts; the limits identified in the City's Design and Construction Standards.

H. All restoration work must be approved by the city.

I. A deposit or bond in an amount to be determined by the city engineer may be required prior to commencing work in order to guarantee materials and workmanship; provided, however, that self-insured public utilities shall be excluded from this requirement provided they have complied with CEMC [12.01.040](#).

J. All restoration materials and workmanship must be guaranteed for a one-year period following formal acceptance of same by the city. Any remedial work required during this guarantee period must be provided and performed by the applicant, at the applicant's sole expense, upon demand by the city.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.090 Clean-up.

The applicant is to restore all areas worked to equal or better condition than found within twenty [calendar](#) days of completing the installation, weather permitting. Any extension of time shall be approved in writing by the city.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.100 Nonperformance by applicant—City to perform work—Costs.

The city may, upon twenty [calendar](#) days' written notice to the applicant, at any time do, or order to have done, any and all work that it considers necessary to restore any area left in an unsatisfactory condition or in a condition, in the opinion of the city, dangerous to life or property; and the applicant, upon demand, shall pay to the city all costs, including any consultant or legal fees, of such work plus ten percent.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.110 Inspection.

The applicant shall pay, upon completion of the project and inspection by the appropriate city official [or consultant](#), an inspection fee covering the actual cost of said inspection. A statement of costs shall be rendered to the applicant at the completion of the project.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.120 Violations—Penalties.

- A. The violation of or failure to comply with any provision of this chapter is declared to be unlawful and a nuisance.
- B. Any violation of any provision of this chapter is a civil violation, for which a monetary penalty may be assessed and abatement may be required as provided in this code.
- C. In addition to or as an alternative to any other penalty provided by this chapter or by law, any person who violates any provision of this chapter shall be guilty of a misdemeanor.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.130 Permit revocation.

- A. Notwithstanding any other section of this chapter, the city engineer may immediately revoke or suspend any permit by giving the applicant written notice thereof if any of the following has occurred:
 - 1. The work or activity does not proceed in accordance with the plans as approved, or conditions of approval, or is not in compliance with the requirements of this code or procedures, or other city ordinances or state law.
 - 2. The permittee has made a misrepresentation of a material fact in applying for a permit.
 - 3. The city has been denied access to investigate and inspect the right-of-way.
 - 4. The work creates an unsafe condition with respect to the public, public property, any abutting property, or any other property, person or thing lawfully in or adjacent to the right-of-way.
 - 5. The applicant has failed to comply with any term of this chapter or any other applicable law, statute, code provision or regulation.

6. The applicant has failed to pay any fee, penalty or deposit levied pursuant to this chapter.
7. In the event of any violation of the terms and conditions of the permit, including but not limited to the failure to maintain insurance as required.
8. The applicant has permitted or maintained any nuisance on the right-of-way.
9. In the event the city needs the right-of-way. The city's use of the right-of-way shall take precedence over any other use.
10. The sidewalk sign, projecting sign, or awning/awning sign has become dilapidated or poses a safety hazard; or the property owner has not submitted the required annual fee and updated insurance policy within ~~xx~~thirty (30) calendar days of the anniversary of the annual permit issuance.

B. Upon suspension or revocation of a permit, all use of the right-of-way shall cease, except as authorized or directed by the city.

C. The permittee shall be responsible for all costs necessary to remove the structure from the right-of-way and for the restoration of the right-of-way.

D. If any use or occupancy for which the permit has been revoked is not immediately discontinued, the director of public works may remove any such structure or obstruction or cause to be made such repairs upon the structure or obstruction as may be necessary to render the same secure and safe, the cost and expense of which shall be assessed against the permittee, including all fees, costs, and expenses incurred, including attorneys' fees associated with the enforcement of or collection of the same. The city may enforce this chapter in any manner provided by law, including the abatement of public nuisances.

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.140 Permit exceptions.

A. A right-of-way use permit may not be required of utilities or franchised utilities when responding to emergencies that require work in the right-of-way, such as water or sewer main breaks, gas leaks, downed power lines or similar emergencies; provided, that the department

shall be notified by the responding utility or city contractor verbally or in writing as soon as practicable following onset of an emergency. ~~Nothing herein shall relieve a responding utility or city contractor from the requirement to apply for a right-of-way use permit within forty-eight hours after beginning emergency work in the right-of-way and comply with the requirements of the chapter.~~

B. ~~The city shall determine whether a permit shall be required for routine maintenance and construction work performed by city utilities and city maintenance crews. Work by the City of Cle Elum or its contractors, is exempt from this chapter. Additionally, if franchised utility work is taking place as part of a City of Cle Elum project, the franchised utility work is exempt from this chapter.~~

(Ord. 1639 § 1 (Exh. A), 2022)

12.01.150 Indemnification.

The applicant shall fully indemnify and hold the city harmless from any and all liability which might arise as a result of the actions of the applicant, its agents, servants or employees. The city shall notify the applicant promptly of any action filed against the city.

(Ord. 1639 § 1 (Exh. A), 2022)

The Cle Elum Municipal Code is current through Ordinance 1673, passed July 9, 2024.

Disclaimer: The city clerk's office has the official version of the Cle Elum Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited here.

[City Website: cityofcleelum.com](http://cityofcleelum.com)

[City Telephone: \(509\) 674-2262](tel:(509)674-2262)

[Hosted by General Code.](#)

Exhibit B

Chapter 12.01 RIGHT-OF-WAY USE PERMITS

NEW SECTION

12.01.045 Projecting sign and awning right-of-way use permit

12.01.045 Projecting sign and awning right-of-way use permit.

A right-of-way use permit shall be granted by the city engineer or his/her designee for a sidewalk sign, projecting sign or awning (including awning signs) and shall endorse the application form if it meets the following conditions:

- A. The business/commercial use has a current and valid business license from the city of Cle Elum, and is located in a commercial or industrial zoning district;
- B. The sign complies with all the requirements found in CEMC 15.20, et al.;
- C. A site plan has been filed with the application, which identifies the proposed location of the sidewalk sign or awning sign and ensures that if a portable sign is placed on the sidewalk, an area of the sidewalk at least four feet in width is maintained at all times for compliance with the Americans with Disabilities Act of 1990 standards which will not be impeded by the sidewalk sign;
- D. Sidewalk, projecting signs and awnings must comply with all provisions of this chapter including but not limited to application requirements, annual fees and renewal, liability insurance, appeals and safety compliance.

CITY OF CLE ELUM
Chief of Police

**AGENDA STAFF
REPORT**

AGENDA DATE: September 24th, 2024

ACTION REQUESTED: Approve the Automated License Plate Readers (ALPR) Policy as presented.

BACKGROUND: In the most recent years of legislative sessions, the governing body of Washington State has passed laws that have significantly reduced law enforcement's ability to investigate, apprehend, and prosecute criminals. Law enforcement is constantly adapting and adjusting how we do our jobs in this ever-changing environment.

Automated License Plate Readers, or ALPR's, were developed to give law enforcement another tool to use in the commission of their duties. I applied for and was approved for a grant that would allow the Cle Elum Police Department to use ALPRs. A blind bid was conducted, and Flock won the bid.

During this project council involvement and transparency have been at the top of the priority list. The policy was developed with the assistance of Councilmember Cook and was brought to the Public Health and Safety Committee; both Councilmember Cook and the Public Safety and Health Committee reviewed and approved the policy to be sent to council. A heavy focus of the policy was placed on protecting individual's rights and consequences for those who misuse the ALPR and it's data.

RECOMMENDATION: Council to vote on and approve the Automated License Plate Reader (ALPR) Policy as presented.

ATTACHMENTS: XXXXXX

LEAD STAFF: Chief Rich Albo

Automated License Plate Readers

425.1 PURPOSE AND SCOPE

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

425.2 ADMINISTRATION OF ALPR DATA

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

425.3 ALPR OPERATION

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

- (a) An ALPR shall only be used for official and legitimate law enforcement business.
- (b) An ALPR may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) No member of this department shall operate ALPR equipment, or access ALPR data, without first completing department-approved training.
- (d) If practicable, the officer should verify an ALPR response through the Central Computerized Enforcement Service System (ACCESS) before taking enforcement action that is based solely upon an ALPR alert.
- (e) No ALPR operator may retrieve ACCESS data unless otherwise authorized to do so.
- (f) An ALPR shall not be used for the purpose of assisting any agency, including the Cle Elum Police Department, if their sole pursuit of their investigation is centered around an individual's immigration status, standing, deportation etc. Officers can use an ALPR or assist other agencies using an ALPR on individuals that have a criminal or civil issue not related to their immigration status.
- (g) An ALPR shall not be used to aid in any investigation that limits, restricts, or hinders in any way rights or services afforded or protected to individuals by Washington State law.

Automated License Plate Readers

425.4 ALPR DATA COLLECTION AND RETENTION

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

All ALPR data downloaded to the server shall be stored according to the [Washington State Law Enforcement Records Retention Schedule](#) and thereafter shall be purged every 30 days unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action, or is subject to a lawful action to produce records. In such circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

425.5 ACCOUNTABILITY AND SAFEGUARDS

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

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the records and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action. Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes, with an exception listed under 425.3(f):
 - 1. If it is found that anyone attempting to access ALPR data not in accordance with the Cle Elum Police Department's policy, a supervisor shall be notified as soon as practical. The supervisor shall then inform the Chief of Police and ALPR Administrator in memo form detailing the person, agency, and any pertinent information of the violation.
 - 2. The Chief of Police or ALPR Administrator will then take the proper measures to investigate the claim and act appropriately.
 - 3. Each violation can result in, but is not limited to: notification to individual's supervisor (to include outside agency supervisors), notification to command staff or Chief of Police (to include outside agency command staff and Chief of Police), access to ALPR and data terminated for an individual, access to ALPR and data terminated for an outside agency, notification directly to the ALPR provider, and progressive discipline up to and including termination.
- (d) ALPR system audits should be conducted on a regular basis.

Attachments

Washington State Law Enforcement Records Retention Schedule.pdf

This schedule applies to: Law Enforcement Agencies

Scope of records retention schedule

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

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

Disposition of public records

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

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

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

Revocation of previously issued records retention schedules

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

Authority

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

Signature on File

For the State Auditor: Cindy Evans

Signature on File

For the Attorney General: Matt Kernutt

Signature on File

The State Archivist: Steve Excell

CITY OF CLE ELUM
Chief of Police

**AGENDA STAFF
REPORT**

AGENDA DATE: September 24th, 2024

ACTION REQUESTED: Council to repeal current CEMC 8.44 and Council to vote on and approve the updated Ordinance # 1683

BACKGROUND: Homelessness has been a rising issue across our nation, and Cle Elum is not immune to it. In general, our Police Department has a good relationship and works well with our unhoused community members. Cle Elum has few resources to help those in need, and the need for housing is not an exception. This lack of resources contributes to the impact on the homeless community.

While our Police Department works well with our homeless community, it is important to have laws that both give rights to the homeless community, while protecting our residents. In most circumstances, Officers are able to communicate and educate those violating ordinances at a successful rate. Passing this new version of the ordinance gives the ability for Officers to act upon individuals who are not following our codes and ordinances. Procedures Officers will follow will continue to prioritize communication and education, but this new ordinance gives Officers the legal backing to take action when necessary. The change to this ordinance eliminates outdated laws and codes and keeps the city within current standards and practices.

RECOMMENDATION: The Council to repeal the current CEMC 8.44 and replace it with the updated camping ordinance.

ATTACHMENTS: Ordinance 1683 & Exhibit A

LEAD STAFF: Chief Rich Albo

CITY OF CLE ELUM
WASHINGTON
ORDINANCE NO. 1683

AN ORDINANCE OF THE CITY OF CLE ELUM, WASHINGTON, RELATING TO CAMPING ON PUBLIC PROPERTY, RETITLING CHAPTER 8.44 OF THE CLE ELUM MUNICIPAL CODE (“CEMC”) TO “CAMPING ON PUBLIC PROPERTY,” AND SPECIFICALLY AMENDING CEMC SECTIONS 8.44.010, 8.44.020, 8.44.030, AND 8.44.040; ADOPTING NEW SECTIONS IN CEMC CHAPTER 8.44 AS FOLLOWS: SECTION 8.44.050, “REMOVAL OF UNAUTHORIZED ENCAMPMENTS AND INDIVIDUAL CAMPS,” SECTION 8.44.060, “PENALTIES,” SECTION 8.44.070, “MITIGATION,” SECTION 8.44.080, “TEMPORARY EXCLUSION FROM PUBLIC PROPERTY – WRITTEN EXCLUSION ORDER – OPPORTUNITY TO APPEAL,” SECTION 8.44.090, “NO PUBLIC DUTY CREATED,” AND SECTION 8.44.100 “SEVERABILITY;” PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to update Chapter 8.44 of the Cle Elum Municipal Code (“Camping within City Limits”) to rename that chapter, make amendments, and adopt new sections to address camping on public property within the City to protect and uphold public health and safety in light of the Grants Pass v. Johnson decision issued by the United States Supreme Court at the end of June 2024.

WHEREAS, the updates proposed as part of this ordinance will ensure that the City can engage in appropriate enforcement actions to protect public health and safety and public property while remaining within the recently clarified parameters of its constitutional authority.

WHEREAS, adoption of this ordinance will provide increased functionality, clarity, and enforceability relating to camping and storage of personal property on public property, as well as reflect similar codes as those adopted by the City’s neighboring jurisdictions; and

WHEREAS, the City Council finds these changes will support effective, responsive, and responsible law enforcement within the City, thereby contributing to increased public safety.

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

Section 1. Chapter 8.44 CEMC Amended. Chapter 8.44 of the Cle Elum Municipal Code

is hereby amended, and new sections adopted as set forth in Exhibit A attached hereto.

Section 2. Code Interpretations. In the event of a conflict between any provisions of the amended sections and new sections added in Chapter 8.44 of the Cle Elum Municipal Code as adopted in Section 1 of this Ordinance and any previously adopted ordinances; this Ordinance shall supersede those previously adopted ordinances.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

**APPROVED BY THE CLE ELUM CITY COUNCIL AT A REGULAR MEETING
THEREOF ON THE _____ OF SEPTEMBER, 2024.**

CITY OF CLE ELUM

Matthew Lundh, Mayor

ATTEST/AUTHENTICATED:

Debbie Lee, City Clerk

Approved as to form:

Alexandra L. Kenyon, City Attorney

Filed with the City Clerk: _____

Passed by the City Council: _____

Date of Publication: _____

Effective Date: _____

EXHIBIT A

Cle Elum Municipal Code Chapter 8.44 CAMPING ON PUBLIC PROPERTY

8.44.010 Purpose.

It is the purpose of this chapter to prevent harm and to promote the public health, safety, and general welfare and environment by keeping public streets, sidewalks, parks, and other public property owned or maintained by the city and public rights-of-way within the city readily accessible to the public, and to prevent use of public property owned or maintained by the city for camping purposes or storage of personal property that interferes with the rights of others to use the areas for the purposes for which they were intended. It is also the purpose of this chapter to establish a uniform policy for city departments to address the removal of unauthorized encampments from public property owned or maintained by the city and, where applicable, temporarily store personal property in a manner consistent with local, state, and federal laws.

(Ord. 1152 § 1, 2001; Ord. 183 § 1, 1918)

8.44.020 Definitions.

- (1) “Abandoned” means personal property or other items that which reasonably appears, based on the totality of the circumstances, the owner thereof intentionally relinquished the right or intent to possess by action, verbal or written disclaimer, lapse of time, or non-use of the same.
- (2) “Admonishment” means a written exclusion order issued by a law enforcement officer that excludes a person from specific public property associated with a person’s violations of local or state laws. Admonishments may be issued for a period of up to one year from the issuance date and subject a person to arrest and prosecution for criminal trespass if violated.
- (3) “Camp” or “camping” means to pitch, erect, or occupy camp facilities, structures, or locations, or to use camp paraphernalia or both, for the purpose of or in such a way to facilitate, taking up temporary residence overnight; or parking or otherwise situating a camper, recreational vehicle, trailer, or other vehicle for the purpose of taking up temporary residence overnight.
- (4) “Camp facilities” include, but are not limited to, tents, huts, temporary shelters or structures made of any material, campers, recreational vehicles, or trailers.
- (5) “Camp paraphernalia” Includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks and/or cooking facilities and similar equipment.
- (6) “City” has the same meaning as provided in CEMC 1.04.010.
- (7) “Contraband” means any item, material, or substance that is unlawful to produce or possess.
- (8) “Hazardous item” or “hazardous material” means items that reasonably appear to pose a threat to public safety or health to an individual, members of the public, or to City employees.

Examples include but are not limited to human and/or animal waste; drug use needles or other illegal drug related paraphernalia; illegal drugs or items that may be used for manufacture of illegal drugs; items bearing signs of contamination, infestation, mold, or biohazard; dangerous or hazardous chemicals; and items posing a risk of fire or explosion.

(9) “Litter” has the same meaning as used in RCW 70A.200.030(6) and (11) as adopted or hereafter amended or recodified.

(10) “Park” or “park facility” means any building, structure, equipment, sign, shelter, swimming pool, vegetation, playground, real property, or other physical property owned or controlled by the city for park purposes. Park or park facility includes all associated areas, including but not limited to parking lots for parks, structures, regardless of whether the area is under the management and control of the parks and recreation department.

(11) “Public property” means real property, including facilities located thereon, owned or maintained by the city.

(12) “Personal property” means, in addition to its common meaning, an item that is:

- (a) Reasonably recognizable as belonging to a person;
- (b) Has apparent utility or value in its present condition; and
- (c) Is not abandoned, solid waste, litter, trash, or a hazardous item.

(13) “Right-of-Way” has the same meaning as provided in CEMC 12.01.020.

(14) “Rules and regulations” mean any policies or laws governing use of and behavior or conduct upon public property.

(15) “Solid waste” has the same meaning as used in RCW 70A.205.015(22) as currently enacted or subsequently amended or recodified, and includes, but is not limited to: human or animal waste; garbage or trash; household liquid or hazardous waste; food waste; soiled or infested sleeping bags, clothing, bedding, and/or tents or other similar structures or shelters; other Hazards; empty packaging; or clearly discarded materials and decaying furniture, tires, mattresses, and wood.

(16) “Street” has the same meaning as provided CEMC 1.04.010.

(17) “Store” or “storage” means to put aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.

(18) “Trail” means a public path owned, operated, or maintained by the city for the primary purpose of walking, biking, or other non-vehicular travel.

(19) “Unauthorized encampment” means one or more camp facilities in an identifiable area where the camp facilities are in sight of each other or areas where each camp facility is located within 300 feet of another camp facility.

(20) “Vehicle” has the same meaning as RCW 46.04.670 as currently enacted or hereafter amended or recodified.

(Ord. 1152 § 2, 2001; Ord. 183 § 2, 1918)

8.44.030 Unlawful camping.

Each camp site shall be provided with at least two sanitary toilets, and such toilets shall conform to the requirements of city and state regulations pertaining to the disposal of such waste.

(1) It is unlawful for any person to camp, occupy camp facilities for purposes of habitation, or use camp paraphernalia in the following areas, except as otherwise provided by the Municipal Code or where specifically designated:

- (a) Any street, alley, sidewalk, city street, or city right-of-way.
- (b) Any trail, park, or park facility, except as authorized by special permit or allowance.
- (c) Any city-owned or maintained parking lot or city-owned area, whether improved or unimproved; or
- (d) Any other city-owned or -maintained property.

(2) It is unlawful for any person to occupy a vehicle for the purpose of camping while that vehicle is parking in the following areas, except as otherwise provided by ordinance or as permitted by special permit or allowance:

- (a) Any park outside of opening hours.
- (b) Any street, alley, city road, or city right-of-way; or
- (c) Any city-owned or -maintained parking lot or other city-owned or -maintained areas, whether improved or unimproved.

(Ord. 1152 § 3, 2001; Ord. 183 § 3, 1918)

8.44.040 Unlawful storage of personal property in public places.

(1) It is unlawful for any person to store personal property, including camp facilities and camp paraphernalia, on the following public property owned or maintained by the city, except as otherwise provided by the Cle Elum Municipal Code:

- (a) Any city street or right-of-way.
- (b) Any trail, park, or park facility, or parking lot thereof.
- (c) Any city-owned or maintained parking lot or city-owned area, whether improved or unimproved; or

(d) Any other public property owned or maintained by the city.

(2) This section shall not apply to vehicles, including trailers, recreational vehicles, and campers, that are legally parked in rights-of-way, unless otherwise prohibited by law.

(Ord. 183 § 4, 1918)

8.44.050 Removal of unauthorized encampments and individual camps.

(1) Law enforcement officer(s) or city designated personnel will determine whether a location constitutes a “camp,” “unauthorized encampment,” “abandoned,” or meeting the definition of any other term defined in this chapter. For this determination, the law enforcement officer or designated city personnel merely needs to determine that the thing, collection of items, area, or location is readily identifiable as such without said inquiry or determination creating a danger or threat of safety to law enforcement or the designated city personnel.

(2) Personal property, camping paraphernalia, camp facilities, and all other property, hazardous items, contraband, litter, and/or solid waste located at an unauthorized encampment may be removed subject to the following provisions:

(a) Upon a determination by law enforcement or designated city personnel that an area constitutes an unauthorized encampment or that an individual is engaged in unlawful camping or storage of personal property in a public place.

(b) Property which presents an immediate and substantial risk of harm. If the unauthorized encampment, unlawful camping, or unlawful storage of personal property results in an immediate and significant risk of harm to any person or impedes pedestrian or vehicular traffic, then law enforcement, city staff, or contracted city agent may immediately remove any personal property, camping paraphernalia, camp facilities, and all other property, contraband, weapons, litter, and solid waste, which shall be stored or disposed in the manner as set forth below in subsection (2)(c) below.

(c) Except as stated in subsection (2)(b) above, prior to removing property from an unauthorized encampment or unlawful camp, or removing personal property unlawfully stored on public property owned or maintained by the city, the following shall occur:

(i) The city shall post at least a 72-hour advanced notice, which shall include the following information at a minimum:

(A) The address or location of the unauthorized encampment, unlawful camping, or unlawful storage of personal property.

(B) A statement that camping or storage activity is prohibited by chapter 8.44 CEMC.

(C) A statement that any individual continuing to use the area for unlawful camping or storage of personal property may be subject to criminal trespass prosecution and penalties

pursuant to Title 9 CEMC and RCW 9A.52.070 or 080, as applicable, incorporated herein by reference and as may be hereafter amended or recodified; and

(D) A statement that any personal property, camping paraphernalia, camp facilities, and all other property, contraband, litter, or solid waste remaining at the site after the notice period is subject to removal and, as may be applicable, temporary storage by the city, consistent with chapter 63.32 RCW as exists now and hereafter amended.

(ii) At the end of the 72-hour notice period, any personal property, camping paraphernalia, camp facilities, and all other property, contraband, litter, or solid waste may be removed by city personnel or agents thereof. Furthermore:

(A) Any personal property removed from the site shall be stored by the city for at least sixty (60) days, consistent with chapter 63.32 RCW as exists now or hereafter amended or recodified, prior to being disposed of.

(B) Notice of where personal property removed from the encampment may be claimed, along with the length of time the owner has to retrieve said property, shall be posted at the location or delivered to any individuals at the site.

(C) If the name and contact information for the owner of a particular item of personal property can reasonably be identified, the city shall attempt to contact the identified owner and provide notice that the personal property has been removed and how the owner may claim the personal property, along with the length of time the owner has to retrieve said property.

(D) Any contraband or evidence of a crime located at the site shall be seized and properly disposed of or retained as evidence of criminal activity; and

(E) Any litter, hazardous item, or solid waste found at the site shall be properly disposed of consistent with federal, state, and local laws and regulations.

8.44.060 Penalties.

(1) The first violation of any of the provisions of this chapter is punishable by a fine of \$75, which may be reduced to \$35 for mitigation efforts of the violating individual per CEMC 8.44.070.

(2) The second violation of any of the provisions of this chapter is punishable by a fine of \$75, which may be reduced to \$50 for mitigation efforts of the violating individual per CEMC 8.44.070.

(3) In the instance of a third (cited) violation within one year of previous two citations under this chapter, the individual in violation, in addition to a citation of \$75, may be issued a written exclusion order by a police officer of the Police Department barring said individual from the particular public property owned or maintained by the city for a period of 30 days up to a period of one year, as determined by the officer based on a totality of the circumstances.

(a) Such an exclusion order shall only apply to the particular public property owned or maintained by the city that the conduct constituting a violation of this chapter occurred in.

(b) A person violating the written exclusion order is subject to arrest and prosecution for criminal trespass under CEMC 9.24.030.

8.44.070 Mitigation.

Upon conviction for a violation of this Chapter, in addition to any other factors deemed appropriate by the Court, the Court may consider whether the person immediately removed all personal property and litter, including but not limited to bottles, cans, and garbage from the campsite, after being informed the placement thereof was in violation of the law as a mitigating factor for determining appropriate penalties.

8.44.080 Temporary Exclusion from Public Property – Written Exclusion Order – Opportunity to appeal.

(1) An individual may be issued a written exclusion order/notice to vacate by a city law enforcement officer barring said individual from public property for a period of 30 days up to one year, as determined by the officer based on a totality of the circumstances if within a one-year period the individual is warned two or more times, formally or informally, or issued two or more citations at the same public property for violating regulations related to public property; or for violating any state or local law(s) while on said public property. The foregoing exclusion order shall only apply to the particular public property in which the offending conduct occurred.

(2) An individual with a current exclusion order applying to them may be subject to arrest and prosecution for criminal trespass under CEMC 9.24.030 for violating the exclusion order.

(3) The admonishment included on an exclusion notice:

(a) Shall comply with RCW 9A.52.105 and 9A.52.115 as adopted or hereafter amended or recodified.

(b) Is effective whether or not the excluded person is charged, tried, or convicted of any crime or infraction.

(c) Is effective even if the admonished person refuses a copy of the Admonishment; provided, that the issuing city official reasonably notifies the admonished person of the admonishment period, place(s) of exclusion, and appeal process under this Notice.

(d) Is effective for the admonishment period unless and until shortened or rescinded by an official ruling after appeal in this section.

(e) May be based upon observations by city officials and/or police officers, or upon civilian reports that an official or officer could reasonably rely on in determining probable cause; and

(f) Shall provide the excluded person with information on how to appeal the exclusion decision of the City.

(4) Admonishments and exclusion orders may be delivered in person to the individual or by first class mail to the individual at the individual's last known address, or any other method reasonably designed to provide service of the notice to the individual trespassed.

(5) The person subject to an admonishment contained on an exclusion order/notice to vacate may appeal the Admonishment in writing. Any such appeal must:

(a) Be in writing including at least the person's name, the involved property location, and the approximate Admonishment date to enable processing of the appeal.

(b) Be received by the City Clerk or postmarked within 14 calendar days of the person's receiving the Admonishment; and

(c) Be under oath and include all facts that the admonished person believes support shortening or rescinding of the Admonishment.

(6) The Mayor or designee shall review any appeal of the Admonishment and shall issue a ruling upholding, rescinding, or shortening the Admonishment within 14 calendar days of receiving the written request for appeal. The appeal process in this section cannot be used to appeal any criminal penalties imposed by a court under this section or any other law. The Mayor or designee may consider the Admonishment and any other relevant and trustworthy submitted written materials in deciding the appeal. The Admonishment shall be upheld if supported by a preponderance of evidence. The ruling may be transmitted to the excluded person by mail, in person, electronically, or by any other method specified by the person or reasonably likely under the circumstances to give notice of the decision.

8.44.090 No public duty created.

It is expressly the purpose of this chapter to provide for and promote the health, safety, and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons or individual who will or should be especially protected or benefited by the terms of this chapter.

Nothing contained in this chapter is intended nor shall be construed to create or form the basis of any liability on the part of the city or its officers, employees, or agents for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of this chapter by its officers, employees, or agents.

8.44.100 Severability.

If any portion of this chapter, or its application to any person or circumstances, is held invalid, the validity of the chapter as a whole, or any other portion thereof, or the application of the provision to other persons or circumstances is not affected.

CITY OF CLE ELUM
City Administration

**AGENDA STAFF
REPORT**

AGENDA DATE: September 24, 2024

ACTION REQUESTED: Approval Resolution 2024-026 and implement a paid visitor parking program.

BACKGROUND: To support and enhance the significant investment the city has made in revitalizing First Street, a paid visitor parking program was proposed to the City Council on August 13 of this year. The Council generally supported the initiative but referred it to committee for further consideration. On September 12, 2024, the Public Works Committee reviewed the program and unanimously agreed with it, recommending its implementation on First Street only, between Billings and Peoh Avenues.

Tonight, we present the Resolution for the paid visitor parking program and the Service Agreement with ParkMobile for your review and approval.

RECOMMENDATION: Recommend approval or Resolution 2024-026 and implement a paid visitor parking program.

ATTACHMENTS: Resolution 2024-026
ParkMobile Services Agreement

LEAD STAFF: Matthew Lundh / Robert Omans

**CITY OF CLE ELUM
WASHINGTON**

RESOLUTION NO. 2024-026

**A RESOLUTION OF THE CITY OF CLE ELUM, WASHINGTON, ADOPTING
PAID VISITOR PARKING WITHIN THE CITY TO SUPPORT DOWNTOWN
INFRASTRUCTURE MAINTENANCE AND IMPROVEMENTS.**

WHEREAS, the City of Cle Elum recently invested \$15 million in downtown infrastructure to enhance the community and improve the visitor experience; and

WHEREAS, the City wishes to maintain and enhance these improvements to ensure that they continue to benefit both residents and visitors; and

WHEREAS, increased tourism has resulted in greater impacts on the community and its infrastructure, necessitating ongoing maintenance and improvements to meet the demands of visitors and residents; and

WHEREAS, the City of Cle Elum desires to have funds available to support the maintenance of these improvements and to ensure the continued vitality and attractiveness of the downtown area; and

WHEREAS, at a regular meeting of the Cle Elum Public Works Committee on September 12, 2024, the Committee reviewed and moved in favor of approving the Park Mobile, LLC Service Agreement to implement a paid visitor parking program; and

WHEREAS, revenue generated through the paid visitor parking program will be deposited into the General Fund to support street-related maintenance and operations as well as infrastructure improvements in the City of Cle Elum; and

WHEREAS, the adoption of paid visitor parking is in the best interest of the City and its residents, providing a means to manage parking demand and generate revenue for essential services;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF CLE ELUM, WASHINGTON, AS FOLLOWS:**

Section 1. The City Council hereby adopts the implementation of paid visitor parking within the City of Cle Elum.

Section 2. The revenue generated from the paid visitor parking program shall be deposited into the General Fund and allocated for street-related maintenance and operations, as well as infrastructure improvements within the City.

Section 3. The City Administrator is hereby authorized and directed to take all actions necessary to implement this resolution, including but not limited to establishing parking fees, entering into the Park Mobile, LLC Service Agreement and overseeing the administration of the paid visitor parking program.

Section 4. This resolution shall be in full force and shall take effect immediately upon its passage and adoption.

**PASSED BY THE CLE ELUM CITY COUNCIL AT A REGULAR MEETING
THEREOF ON THE ____ DAY OF ____, 2024.**

CITY OF CLE ELUM

Matthew Lundh, Mayor

ATTEST/AUTHENTICATED:

Debbie Lee, City Clerk

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:
Date Posted:

This ParkMobile Service Agreement ("Agreement") is made by and between Parkmobile, LLC, a Delaware limited liability company, with offices at 1100 Spring St. NW, Ste 200, Atlanta, GA 30309 ("ParkMobile") and City of Cle Elum, a Washington municipality, with offices at 119 West First Street, Cle Elum, WA 98922 ("Client"). This Agreement will become effective as of the last signature date below (the "Effective Date"). In consideration of the mutual covenants and agreements set forth in this Agreement, the parties agree as follows:

PARTY CONTACTS			
Client		ParkMobile	
Legal Name:	City of Cle Elum	Legal Name:	Parkmobile, LLC
Contact:		Sales Rep:	Kat Franchuk
Email:		Email:	Kat.Franchuk@parkmobile.io
Phone:		Phone:	470-427-0003
Address:		Address:	
	City of Cle Elum 119 West First Street Cle Elum, WA 98922		Parkmobile, LLC 1100 Spring St. NW Ste 200 Atlanta, GA 30309
For legal notices:			
with a copy to ParkMobile's Legal Department at the above address and to legal-notices@parkmobile.io .			

SERVICE TERMS	
Services	ParkMobile will provide Client with the Services related to the following types of parking transactions: On-Demand
Initial Term	5 years beginning on the Effective Date
Renewal	This Agreement will automatically renew for additional successive one (1) year terms unless earlier terminated pursuant to this Agreement's express provisions or either party provides written notice of non-renewal at least sixty (60) days before the end of the then-current term (each a " <u>Renewal Term</u> " and, collectively, together with the Initial Term, the " <u>Term</u> ").
Termination	Either party may terminate this Agreement effective immediately on written notice to the other party, if the breaching party materially breaches this Agreement, and such breach: (i) is incapable of cure; or (ii) being capable of cure, remains uncured thirty (30) days after the non-breaching party provides the breaching party with written notice of such breach.
Merchant of Record	The parties designate ParkMobile as the merchant of record. Client agrees to pay ParkMobile \$0.20 + 3% of the total transaction amount per transaction for this service. ParkMobile will remit any amounts due Client in arrears to Client on the 15th of the following month.
Parking Locations	The Services will be provided to Client in the following locations / geographical territory: All Client locations

Signage	Client will receive one free welcome kit that includes the aluminum signs and/or decal stickers necessary to complete implementation (installation not included). All signage included in the welcome kit is designed using ParkMobile's standard signage templates. Custom signage may be made available to Client for purchase at ParkMobile's current signage rates. Any requested changes to ParkMobile's standard signage templates will be treated as custom signage. Additional and/or replacement signage may be purchased by Client at ParkMobile's then-current signage rates. Installation and maintenance of all signage is Client's sole responsibility.
Governing Law	State of Georgia
Schedules	This Agreement incorporates the following Schedules: Schedule 1: Client General Terms and Conditions; Schedule 2: Services; Schedule 3: Client Electronic Funds Authorization Form

IMPLEMENTATION FEES			
Description	Units	Rate	Price
Implementation Fee	0	\$1,000.00	\$0.00
Custom Development	0	\$165.00/hr	\$0.00
Total Implementation Fees:			\$0.00

ADDITIONAL FEES	
Call Center & Customer Support	WAIVED
Client Support & Maintenance	WAIVED
Hosting	WAIVED
Enforcement Portal	WAIVED
Reporting Portal	WAIVED
Marketing & Advertising	WAIVED

USER FEES		
On-Demand User Fee	\$0.45	per transaction

The parties have executed this Agreement as of the Effective Date.

CITY OF CLE ELUM

PARKMOBILE, LLC

By: _____

By: _____

Name:

Name:

Title:

Title:

Date:

Date:

**SCHEDULE 1:
CLIENT GENERAL TERMS & CONDITIONS****1. SERVICES**

- 1.1 General.** During the term, ParkMobile will provide the Services to Client in accordance with the terms and conditions of this Agreement.
- 1.2 Launch Date.** The parties will mutually agree upon the launch date for the Services.
- 1.3 ParkMobile Application.** On and after the launch date, Client's Parking Locations, along with associated Parking Information, will be made available to the general public through the ParkMobile Application.
- 1.4 Parking Management Services.** Subject to the license granted in Section 2, Client will be provided access to the Platform to manage Client's Parking Locations and associated Parking Information.
- 1.5 Parking Locations.** The parties agree that ParkMobile does not own, operate, manage, or maintain any Parking Location. Client agrees that ParkMobile is not responsible for the condition or operation of any Parking Location, including, but not limited to, the operation of third-party hardware and/or software-based solutions used by Client at the Parking Location or for the delivery and/or fulfillment of parking or other services at the Parking Location.
- 1.6 Publicity of Services.** Each party will use commercially reasonable efforts to market the Services throughout the Term. All brochures and promotional material to be distributed by Client will be in a form mutually agreed upon by the parties, which will not be unreasonably withheld or delayed.
- 1.7 Exclusivity.** Throughout the term, the parties agree that ParkMobile will be the exclusive provider of electronic payment parking services for Client.
- 1.8 PCI DSS.** ParkMobile has obtained, and will continue to maintain throughout the term, Payment Card Industry – Data Security Standard (PCI DSS) certification.
- 1.9 Online Client General Terms & Conditions.** The parties agree that this Agreement supersedes the Client General Terms and Conditions that is publicly available at <https://parkmobile.io/client-terms> with respect to the Services provided under this Agreement.

2. ACCESS & USE OF PLATFORM

- 2.1 Provision of Access.** Subject to and conditioned on Client's and its Authorized Users' compliance with the terms and conditions of this Agreement, all applicable laws and regulations, and Client's payment of fees, ParkMobile grants Client a non-exclusive, non-transferable right to access and use the Platform during the Term. Such use is limited to Client's internal use. ParkMobile will provide Client the Access Credentials within a reasonable time following the Effective Date.
- 2.2 Documentation License.** ParkMobile hereby grants to Client a non-exclusive, non-sublicensable, non-transferable license to use the Documentation during the Term solely for

Client's internal business purposes in connection with its use of the Services.

- 2.3 Use Restrictions.** Client will not, directly or indirectly, and will not permit any third party to, access or use the Platform except as expressly permitted by this Agreement. For purposes of clarity and without limiting the generality of the foregoing, Client shall not, except as this Agreement expressly permits: (a) copy, modify, or create derivative works of the Platform or Documentation, in whole or in part; (b) rent, lease, copy, lend, sell, sublicense, assign, distribute, publish, transfer, or otherwise make available the Platform or Documentation to any person or entity; (c) reverse engineer, disassemble, decompile, decode, adapt, or otherwise attempt to derive or gain access to any software component of the Platform, in whole or in part; (d) bypass or breach any security device or protection used by the Platform or access or use the Platform other than by an Authorized User through the use of his or her own then valid Access Credentials; (e) remove any proprietary notices from the Platform or Documentation; (f) use the Platform or Documentation in any manner or for any purpose that infringes, misappropriates, or otherwise violates any IP Right or other right of any person, or that violates any applicable law; (g) upload invalid data, malware, or other software agents through the Platform; or (h) use the Platform for any purpose beyond the scope of the access granted in this Agreement.
- 2.4 Reservation of Rights.** Nothing in this Agreement grants any right, title, or interest in or to (including any license under) any IP Rights in or relating to, the Services, whether expressly, by implication, estoppel, or otherwise. All right, title, and interest in and to the Services are and will remain with ParkMobile.
- 2.5 Changes.** ParkMobile reserves the right, in its sole discretion, to make any changes to the Services that it deems necessary or useful to: (a) maintain or enhance: (i) the quality or delivery of ParkMobile's services to its customers; (ii) the competitive strength of or market for ParkMobile's services; or (iii) the Services' cost efficiency or performance; or (b) to comply with applicable law.
- 2.6 Suspension or Termination of Services.** Notwithstanding anything to the contrary in this Agreement, ParkMobile may suspend, terminate, or otherwise Client's, any Authorized User's, or any other person's access to or use of all or any part of the Services, without incurring any resulting obligation or liability, if: (a) ParkMobile receives a judicial or other governmental demand or order, subpoena, or law enforcement request that expressly or by reasonable implication requires ParkMobile to do so; or (b) ParkMobile believes, in its good faith and sole discretion, that (i) Client or any Authorized User has failed to comply with any material term of this Agreement, or accessed or used the Services beyond the scope of the rights granted or for a purpose not authorized under this Agreement; (ii) Client or any Authorized User is, has been, or is likely to be using the Services for fraudulent, misleading, or unlawful activities; (iii) there is a threat or attack on any of the Services; (iv)

Client's or any Authorized User's use of the Services disrupts or poses a security risk to ParkMobile or to any other client, end user, vendor or partner of ParkMobile; or (v) this Agreement expires or is terminated. This Section does not limit any of ParkMobile's other rights or remedies, whether at law, in equity, or under this Agreement.

3. CLIENT RESPONSIBILITIES

3.1 Use of Platform Account. Client is responsible and liable for all uses of the Platform resulting from access provided by Client, directly or indirectly, whether such access or use is permitted by or in violation of this Agreement. Client must notify ParkMobile immediately of any breach of security or unauthorized use of Client's account.

3.2 Parking Information. Client is responsible for setting all rates, zones, and other required information regarding its Parking Locations offered through the ParkMobile Application and for keeping such information up to date within the Platform.

3.3 Effect of Client Failure or Delay. ParkMobile is not responsible or liable for any delay or failure of performance caused in whole or in part by Client's delay in performing, or failure to perform, any of its obligations under this Agreement.

4. SERVICE AND SUPPORT

4.1 Scheduled Maintenance. ParkMobile will use commercially reasonable efforts to schedule downtime for routine maintenance of the Services between the hours of 12:00 a.m. and 4:00 a.m., Eastern Time; however, ParkMobile may modify this window from time-to-time by providing Client with advance notice. If ParkMobile anticipates that it will need to perform maintenance activities that are likely to be disruptive to the use of the Services outside of the scheduled maintenance window, ParkMobile will use commercially reasonable efforts to give Client at least 24 hours prior notice. Notwithstanding the foregoing, ParkMobile reserves the right to perform any required emergency maintenance work outside of the scheduled maintenance window. To the extent practicable, ParkMobile will use commercially reasonable efforts to notify Client before commencing any emergency maintenance outside of the scheduled maintenance window and will use commercially reasonable efforts to limit or avoid impact to use of the Services.

4.2 Client Support. ParkMobile will use commercially reasonable efforts to assist Client with any technical support that Client may reasonably require in using the Services. ParkMobile will provide technical support for rate and configuration changes to Client Monday – Friday (excluding holidays) between the hours of 8:00 a.m. and 6:00 p.m. (ET). For issues relating to On-Demand Parking Services, Client may submit a support request via email to support@parkmobile.io. For issues relating to Reservation Parking Services, Client may submit a support request via email to prs@parkmobile.io. ParkMobile will provide Client with emergency technical support 24 hours a day, seven days a week, 365 days a year. In the event of an emergency involving technical and/or system availability issues, Client may contact the on-call engineer via email to applicationsupport@parkmobile.io.

4.3 End-User Support. ParkMobile will provide customer support for ParkMobile Users 24 hours a day, seven days a week, 365 days a year. There are multiple methods that ParkMobile Users can access customer support, such as: ParkMobile's online ticketing system, in-app chat feature, and toll-free phone number.

5. CONFIDENTIAL INFORMATION

5.1 General. Neither party will disclose the other party's Confidential Information except to its employees, affiliates, agents, or professional advisors ("Representatives") who need to know it and who have a legal obligation to keep it confidential. The receiving party will use the disclosing party's Confidential Information only to exercise rights and fulfill obligations under this Agreement. The receiving party will ensure that its Representatives are also subject to the same non-disclosure and use obligations. The receiving party may disclose the other party's Confidential Information when required by law after giving reasonable notice to the disclosing party, if permitted by law.

5.2 Personal Data. In the event a party discloses Personal Data to the other party, the receiving party will have the right to use the Personal Data only as required and necessary to perform its obligations under this Agreement.

6. INTELLECTUAL PROPERTY OWNERSHIP

6.1 Client Data. Client Data remains the sole and exclusive property of Client. Client grants ParkMobile a perpetual, irrevocable, royalty-free license to use Client Data in connection with the Services.

6.2 Client Brand Features. Client grants to ParkMobile a nonexclusive, nonsublicensable, nontransferable, royalty free license during the term to display Client's Brand Features in connection with providing and/or marketing the Services. ParkMobile will not make any use of Client's Brand Features in a manner that dilutes, tarnishes or blurs the value of such Brand Features.

6.3 ParkMobile IP. Client acknowledges that, as between Client and ParkMobile, ParkMobile owns all right, title, and interest, including all IP Rights, in and to the Services, including but not limited to the ParkMobile Application and the Platform.

6.4 ParkMobile Brand Features. ParkMobile grants to Client a nonexclusive, nonsublicensable, nontransferable, royalty free license during the term to display ParkMobile's Brand Features in connection with the Services, subject to ParkMobile's Brand Guidelines available at <https://parkmobile.io/company/parkmobile-media-assets/logos/>. Client will not make any use of ParkMobile's Brand Features in a manner that dilutes, tarnishes or blurs the value of such Brand Features.

6.5 ParkMobile User Data. ParkMobile User Data remains the sole and exclusive property of ParkMobile. ParkMobile may sublicense certain ParkMobile User Data to Client upon Client's execution of ParkMobile's Data Protection Agreement. Client will not, directly or indirectly: (i) sell or resell ParkMobile User Data in any capacity or form; (ii) create any derivative work using ParkMobile User Data; or (iii) use ParkMobile User Data for purposes other than

those specifically allowed in this Agreement. Notwithstanding the foregoing, the parties acknowledge and agree that ParkMobile will not sublicense or provide any PCI Data to Client.

6.6 Resultant Data. Resultant Data remains the sole and exclusive property of ParkMobile. ParkMobile grants Client a revocable, royalty-free, non-exclusive, non-assignable, non-transferable license to applicable Resultant Data for the duration of the term only for Client's internal use in connection with the Services.

6.7 Reservation of Rights. ParkMobile reserves all rights not expressly granted to Client in this Agreement. Except for the limited rights and licenses expressly granted under this Agreement, nothing in this Agreement grants, by implication, waiver, estoppel, or otherwise, to Client or any third party any IP Rights or other right, title, or interest in or to the ParkMobile Application and/or the Platform.

7. FEES AND PAYMENT

7.1 Fees. Client shall pay ParkMobile the fees set forth in the Agreement that incorporates these Client General Terms & Conditions ("Fees") in accordance with this Section 7.

7.2 Payment Terms. The parties designate ParkMobile as the merchant of record. Client agrees to pay ParkMobile \$0.20 + 3% of the total transaction amount per transaction for this service. On or before the 15th day of each month, ParkMobile will disburse to Client all parking fees ParkMobile received during the preceding month from ParkMobile Users on behalf of Client as a direct result of this Agreement, less any amounts owed to ParkMobile.

7.3 Taxes. All fees and other amounts payable by Client under this Agreement are exclusive of taxes and similar assessments. Without limiting the foregoing, Client is responsible for all sales, use, and excise taxes, and any other similar taxes, duties, and charges of any kind imposed by any federal, state, or local governmental or regulatory authority on any amounts payable by Client hereunder, other than any taxes imposed on ParkMobile's income.

7.4 Reserved.

7.5 No Deductions or Setoffs. All amounts payable to ParkMobile under this Agreement shall be paid by Client to ParkMobile in full without any setoff, recoupment, counterclaim, deduction, debit, or withholding for any reason (other than any deduction or withholding of tax as may be required by applicable law).

7.6 Fee Increases. Beginning on the first anniversary of the Effective Date and continuing annually thereafter on a compounding basis, fees shall increase by ten percent (10%) or the percentage equal to the average increase in all items under the Consumer Price Index over the prior 12-month period, whichever is greater. Based on this criteria, fees shall then round up to the nearest two (2) decimal places. This change will take effect without prior notice to Client.

7.7 Limited Payment Agent. Client appoints ParkMobile as its agent for the limited purpose of receiving, holding, and settling payments made by ParkMobile Users to Client in connection with the Services. Client acknowledges and

agrees that receipt of payment from ParkMobile Users in connection with the Services by ParkMobile shall be deemed the same as receipt by Client itself.

8. REPRESENTATIONS AND WARRANTIES

8.1 Mutual. Each party represents, warrants and covenants to the other party that: (a) it is duly organized, validly existing, and in good standing as a corporation or other legal entity under the laws of the jurisdiction of its incorporation or other organization; (b) it has the full right, power, and authority to enter into and perform its obligations and grant the rights, licenses, consents, and authorizations it grants or is required to grant under this Agreement; (c) the representative that is executing this Agreement has been duly authorized by all necessary corporate or organizational action of such party; and (d) when executed and delivered by both parties, this Agreement will constitute the legal, valid, and binding obligation of such party, enforceable against such party in accordance with its terms.

8.2 ParkMobile. ParkMobile represents, warrants, and covenants to Client that ParkMobile will perform the Services using personnel of required skill, experience, and qualifications and in a professional and workmanlike manner in accordance with generally recognized industry standards for similar services and will devote adequate resources to meet its obligations under this Agreement.

8.3 Disclaimers. EXCEPT FOR THE EXPRESS WARRANTIES SET FORTH IN SECTION 8.1 AND SECTION 8.2, ALL SERVICES ARE PROVIDED "AS IS." PARKMOBILE SPECIFICALLY DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE, AND NON-INFRINGEMENT, AND ALL WARRANTIES ARISING FROM COURSE OF DEALING, USAGE, OR TRADE PRACTICE. WITHOUT LIMITING THE FOREGOING, PARKMOBILE DOES NOT WARRANT THAT THE SERVICES OR ANY PRODUCTS OR RESULTS OF THE USE THEREOF WILL BE UNINTERRUPTED OR ERROR-FREE. PARKMOBILE SHALL NOT BE LIABLE FOR DELAYS, INTERRUPTIONS, SERVICE FAILURES, OR OTHER PROBLEMS INHERENT IN USE OF THE INTERNET AND ELECTRONIC COMMUNICATIONS.

9. INDEMNIFICATION

9.1 Mutual. Each party will indemnify, defend, and hold harmless the other party from and against any and all losses, damages, liabilities, costs (including reasonable attorneys' fees) ("Losses") incurred as a result from any third-party claim, suit, action, or proceeding ("Third-Party Claim") to the extent it arises from a breach of the indemnifying party's representations and warranties under this Agreement.

9.2 ParkMobile. ParkMobile will indemnify, defend, and hold harmless Client from and against any and all Losses incurred by Client resulting from any Third-Party Claim that the Platform or any use of the Platform in accordance with this Agreement, infringes or misappropriates such third party's IP Rights, provided that Client promptly notifies ParkMobile in writing of the claim, cooperates with ParkMobile, and allows ParkMobile sole authority to control the defense and settlement of such claim.

9.3 Client. Client will indemnify, defend, and hold harmless ParkMobile from and against any and all Losses incurred by ParkMobile resulting from any Third-Party Claim arising out of Client's disclosure or use of ParkMobile User Data in violation of this Agreement.

9.4 Mitigation. If any of the Services are claimed to, or in ParkMobile's opinion are likely to, infringe, misappropriate, or otherwise violate any third-party IP Rights, or if Client's use of the Services is enjoined or threatened to be enjoined, ParkMobile may, at its option and sole cost and expense: (a) obtain the right for Client to continue to use the Services as contemplated by this Agreement; (b) modify or replace the Services, in whole or in part, to seek to make the Services (as so modified or replaced) non-infringing, while providing equivalent features and functionality, in which case such modifications or replacements will constitute the Services, as applicable, under this Agreement; or (c) by written notice to Client, terminate this Agreement and require Client to immediately cease any use of the Services.

9.5 Sole Remedy. THIS SECTION 9 SETS FORTH CLIENT'S SOLE REMEDIES AND PARKMOBILE'S SOLE LIABILITY AND OBLIGATION FOR ANY ACTUAL, THREATENED, OR ALLEGED CLAIMS THAT THE SERVICES OR ANY SUBJECT MATTER OF THIS AGREEMENT INFRINGES, MISAPPROPRIATES, OR OTHERWISE VIOLATES ANY INTELLECTUAL PROPERTY RIGHTS OF ANY THIRD PARTY.

10. LIMITATION OF REMEDIES AND DAMAGES

10.1 Exclusion of Damages. EXCEPT AS OTHERWISE PROVIDED IN SECTION 10.3, IN NO EVENT WILL PARKMOBILE OR ANY OF ITS LICENSORS, SERVICE PROVIDERS, OR SUPPLIERS BE LIABLE UNDER OR IN CONNECTION WITH THIS AGREEMENT OR ITS SUBJECT MATTER UNDER ANY LEGAL OR EQUITABLE THEORY, INCLUDING BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, AND OTHERWISE, FOR ANY: (A) LOSS OF PRODUCTION, USE, BUSINESS, REVENUE, OR PROFIT OR DIMINUTION IN VALUE; (B) IMPAIRMENT, INABILITY TO USE OR LOSS, INTERRUPTION, OR DELAY OF THE SERVICES; (C) LOSS, DAMAGE, CORRUPTION, OR RECOVERY OF DATA, OR BREACH OF DATA OR SYSTEM SECURITY; (D) COST OF REPLACEMENT GOODS OR SERVICES; (E) LOSS OF GOODWILL OR REPUTATION; OR (F) CONSEQUENTIAL, INCIDENTAL, INDIRECT, EXEMPLARY, SPECIAL, ENHANCED, OR PUNITIVE DAMAGES, REGARDLESS OF WHETHER SUCH PERSONS WERE ADVISED OF THE POSSIBILITY OF SUCH LOSSES OR DAMAGES OR SUCH LOSSES OR DAMAGES WERE OTHERWISE FORESEEABLE, AND NOTWITHSTANDING THE FAILURE OF ANY AGREED OR OTHER REMEDY OF ITS ESSENTIAL PURPOSE.

10.2 Cap on Monetary Liability. EXCEPT AS OTHERWISE PROVIDED IN SECTION 10.3, IN NO EVENT WILL THE COLLECTIVE AGGREGATE LIABILITY OF PARKMOBILE ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHETHER ARISING UNDER OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, OR ANY OTHER LEGAL OR

EQUITABLE THEORY, EXCEED ONE TIMES THE TOTAL AMOUNTS PAID TO PARKMOBILE UNDER THIS AGREEMENT IN THE 12 MONTH PERIOD PRECEDING THE EVENT GIVING RISE TO THE CLAIM. THE FOREGOING LIMITATIONS APPLY EVEN IF ANY REMEDY FAILS OF ITS ESSENTIAL PURPOSE.

10.3 Exceptions. The exclusions and limitations in Section 10.1 and Section 10.2 do not apply to ParkMobile's obligations under Section 9 or liability for ParkMobile's gross negligence or willful misconduct.

11. RESERVED

12. GENERAL TERMS

12.1 Assignment. Client shall not assign or otherwise transfer any of its rights, or delegate or otherwise transfer any of its obligations or performance under this Agreement, in each case whether voluntary, involuntarily, by operation of law, or otherwise, without ParkMobile's prior written consent. No assignment, delegation, or transfer will relieve Client of any of its obligations or performance under this Agreement. Any purported assignment, delegation, or transfer in violation of this Section 12.1 is void. This Agreement is binding upon and inures to the benefit of the parties and their respective successors and permitted assigns.

12.2 Severability. If a court of competent jurisdiction holds any term or provision of this Agreement to be invalid, illegal or unenforceable, the rest of the Agreement will remain in effect.

12.3 Headings. The headings in this Agreement are for reference only and do not affect the interpretation of this Agreement.

12.4 Notices. Any notice or communication permitted or required under this Agreement must be in writing and will be deemed received by the addressee: (a) when received, if delivered by hand with signed confirmation of receipt; (b) when received, if sent by a nationally recognized overnight courier, signature required; (c) when sent, if by email (with confirmation of transmission), if sent during the addressee's normal business hours, and on the next business day, if sent after the addressee's normal business hours; and (d) on the third business day after the date mailed by certified or registered mail, return receipt requested, postage prepaid. Notices must be sent to the attention of the respective party's legal department at the address set forth at the beginning of this Agreement or such other address as either party may specify in writing. Any notice permitted or required under this Agreement that is sent to ParkMobile shall also be sent via email to legal-notices@parkmobile.io.

12.5 Governing Law. This Agreement and all related documents, and all matters arising out of or relating to this Agreement, whether sounding in contract, tort, or statute are governed by, and construed in accordance with, the laws of the State of Georgia, United States of America (including its statutes of limitations).

12.6 Amendment; Waivers. Any amendment must be in writing, signed by both parties, and expressly state that it is amending this Agreement. No waiver by any party will be effective unless explicitly set forth in writing and signed by the party so waiving. No terms or conditions stated in a

Client purchase order, vendor onboarding process or web portal, or any other Client order documentation shall be incorporated into or form any part of this Agreement, and all such terms or conditions shall be null and void, notwithstanding any language to the contrary therein, whether signed before or after this Agreement.

- 12.7 Entire Agreement.** This Agreement, together with any other documents incorporated herein by reference, constitutes the sole and entire agreement of the parties with respect to the subject matter of this Agreement and supersedes all prior and contemporaneous understandings, agreements, representations, and warranties, both written and oral, with respect to such subject matter.
- 12.8 Third-Party Beneficiaries.** There are no third-party beneficiaries under this Agreement.
- 12.9 Force Majeure.** Neither party will be liable to the other for any delay or failure to perform any obligation under this Agreement (except for a failure to pay Fees) if the delay or failure results from any cause beyond such party's reasonable control, including acts of God, labor disputes or other industrial disturbances, systemic electrical, telecommunications, or other utility failures, earthquakes, storms or other elements of nature, pandemics, blockages, embargoes, riots, acts or orders of government, acts of terrorism, or war.
- 12.10 Independent Contractors.** The parties to this Agreement are independent contractors. The parties do not intend, and nothing in this Agreement should be construed, to create or enter into any partnership, joint venture, employment, franchise, agency, or similar relationship. Neither party has the power to bind the other or incur obligations on the other party's behalf without the other party's prior written consent.
- 12.11 Export Control.** Client will comply with all export and import laws and regulations of the United States and other applicable jurisdictions. Without limiting the foregoing, Client: (i) represents and warrants that it is not listed on any U.S. government list of prohibited or restricted parties or located (or a national of) a country that is subject to a U.S. government embargo or that has been designated by the U.S. government as a "terrorist supporting" country; (ii) will not (and will not permit any third parties to) access or use any Service in violation of any U.S. export embargo, prohibition or restriction, and (iii) will not submit to any Service any information that is controlled under the U.S. International Traffic in Arms Regulation.
- 12.12 Interpretation.** This Agreement shall be construed without regard to any presumption or rule requiring construction or interpretation against the party drafting an instrument or causing any instrument to be drafted. The Schedules referred to herein shall be construed with, and as an integral part of, this Agreement to the same extent as if they were set forth verbatim herein.
- 12.13 Counterparts.** The parties may execute this Agreement in counterparts, including PDF and other electronic copies, which taken together will constitute one instrument.

13. DEFINITIONS

"Access Credentials" means any user name, identification number, password, license or security key, security token, PIN, or other security code, method, technology, or device, used alone or in combination, to verify an individual's identity and authorization to access and use the Platform.

"Authorized User" means Client's employee, consultant, contractor, and agent who is authorized by Client to access and use the Platform under the rights granted to Client pursuant to this Agreement.

"Brand Features" means a party's trade names, trademarks, service marks, logos, domain names, and other distinctive brand features.

"Client Data" means any data specific to Client's operation that is provided by Client to ParkMobile to be used in the provision of Services that is not available to ParkMobile publicly or by other means.

"Confidential Information" means information that one party (or an affiliate) discloses to the other party under this Agreement, and that is marked as confidential or would normally be considered confidential information under the circumstances. It does not include information that is independently developed by the recipient, is rightfully given to the recipient by a third party without confidentiality obligations or becomes public through no fault of the recipient.

"Documentation" means any manuals, instructions, or other documents or materials that ParkMobile provides or makes available to Client in any form or medium and which describe the functionality, components, features, or requirements of the Services.

"IP Rights" means any and all registered and unregistered rights granted, applied for, or otherwise now or hereafter in existence under or related to any patent, copyright, trademark, trade secret, database protection, or other intellectual property rights laws, and all similar or equivalent rights or forms of protection, in any part of the world.

"Parking Information" means parking zones, parking rates, parking restrictions, selected payment methods, and other information necessary for the provision of the Services for a specific Parking Location.

"Parking Location" means the location or locations of Client's on-street parking, off-street parking, reservation parking, parking lots, parking decks, permitted parking, and other facilities where ParkMobile Users may park.

"ParkMobile Application" means any and all mobile and/or web applications, services, or interfaces developed, hosted, or managed by, on behalf of, or in partnership with ParkMobile and that are made available to the general public and that facilitate the payment of parking transactions.

"ParkMobile User" means an end user that uses the ParkMobile Application.

"ParkMobile User Data" means information, data, and other content, in any form or media, that is submitted, posted, or otherwise transmitted by or on behalf of a ParkMobile User, directly or indirectly, through the ParkMobile Application.

"PCI Data" means, as applicable, payment card number, cardholder name, expiration date, card verification code or value, service code, and/or security-related information used to authenticate cardholders and/or authorize payment card transactions

"Personal Data" means (i) any information about an identified or identifiable individual; or (ii) information that is not specifically about an identifiable individual but, when combined with other information, may identify an individual. Personal Data includes names, email addresses, postal addresses, telephone numbers, government identification numbers, financial account numbers, payment card information, license plate information, online identifiers (including IP addresses and cookie identifiers), network and hardware identifiers, geolocation information, and any information that constitutes "personal data" or "personal information" within the meaning of any relevant and applicable data privacy or protection laws.

"Platform" means access-controlled mobile and/or web applications, services or interfaces developed, hosted, or managed by, on behalf of, or in partnership with ParkMobile that are made available to Client to administer, configure, manage and/or monitor parking sessions, parking rates, and/or parking restrictions associated with Client's Parking Locations.

"Resultant Data" means data and information related to Client's, Authorized Users' and/or ParkMobile Users' use of the Services that is used by ParkMobile in an aggregate and anonymized manner, including to compile statistical and performance information related to the provision and operation of the Services.

"Services" means the ParkMobile Application, the Platform, and all other services provided by ParkMobile under this Agreement.

SCHEDULE 2: SERVICES

ON-DEMAND PARKING SERVICES

ParkMobile offers a service to ParkMobile Users that facilitates the activation of and payment for on-demand parking using the ParkMobile Application ("On-Demand Parking").

ParkMobile Users may begin and, if applicable, end a parking transaction in a variety of ways: (1) visiting <https://app.parkmobile.io>; (2) calling ParkMobile's IVR System, or (3) using the ParkMobile Application. In order to register with ParkMobile and begin a parking session, a consumer simply provide ParkMobile with the information required by ParkMobile to create an account, including payment method information and license plate number. Thereafter, subsequent parking sessions only require the ParkMobile User to enter or select the applicable parking duration available for the applicable location.

The parking zone code of the Client parking areas are indicated on parking signs or on parking meters. Enforcers of the Client check the validity of parking status real time against the Platform via a web service offering, provided as part of the Services, to determine if a valid parking right exists. This information can be accessed by using a handheld terminal, mobile device or personal digital assistant (PDA).

ParkMobile does not provide or pay for Client's use of handheld terminals, mobile devices or PDAs for enforcement or any data plans or other items needed for communication between such items and the Services.

At their option, ParkMobile Users will receive parking alert services from ParkMobile via SMS, ParkMobile Application push notification or email. The ParkMobile User may be notified, for example, when parked for an extended period of time or when the maximum parking time nears expiration.

ParkMobile Users can use On-Demand Parking anywhere the Services are available.

All parking charges are automatically charged to the ParkMobile User's payment method, and ParkMobile Users have real time access to an online account-based personal page accessible from <https://app.parkmobile.io> to access and print parking history, receipts, and statements.

**SCHEDULE 3:
CLIENT ELECTRONIC FUNDS AUTHORIZATION FORM**

This form authorizes ParkMobile, LLC to make payment to a business electronically. **All payments will be paid in the account designated by the voided check or bank letter attached to this form once it has been verified by ParkMobile, LLC via telephone call, otherwise a check will be issued to the address on file.** It is the responsibility of the client to notify ParkMobile, LLC of any changes pertinent to electronic payments, such as changes in banking information or email address.

PAYEE/CLIENT INFORMATION

CLIENT NAME:
ADDRESS:
CONTACT PERSON:
TELEPHONE NUMBER:
VERIFICATION CALL BACK CONTACT PERSON:
VERIFICATION TELEPHONE NUMBER:
PRIMARY FINANCE CONTACT EMAIL:
SECONDARY FINANCE CONTACT EMAIL:
SIGNATURE & TITLE OF AUTHORIZED OFFICIAL:

FINANCIAL INSTITUTION INFORMATION

BANK NAME:
ADDRESS:
CONTACT PERSON:
TELEPHONE:
EMAIL:
NINE DIGIT ROUTING TRANSIT NUMBER:
DEPOSITOR ACCOUNT TITLE:
DEPOSITOR ACCOUNT NUMBER:
TYPE OF ACCOUNT:
PLEASE BE SURE TO ATTACH A VOIDED CHECK OR BANK LETTER TO VERIFY THE ABOVE ACCOUNT INFORMATION

This authorizes ParkMobile, LLC to send credit entries (and appropriate debit and adjustment entries), electronically or by any other commercially accepted method, to the account indicated above and to other accounts specified by Client in the future (the "Account"). This authorizes the financial institution holding the Account to post all such entries. This authorization will be in effect until ParkMobile receives a written termination notice from Client and has a reasonable opportunity to act on it.

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Phone: (509) 674-2262
Fax: (509) 674-4097
www.cityofcleelum.com

September 24, 2024

Susan Grindle
Chief Executive Officer
HopeSource
606 W. 3rd Ave.
Ellensburg, WA 98926

Re: Matching Funds for WSDOT Consolidated Grant Program

City of Cle Elum is pleased to continue this partnership with HopeSource and the many agencies supporting public transportation in Kittitas County. We are willing to commit up to \$48,000.00 amount of matching funds needed for HopeSource's application for the 2025-2027 biennium WSDOT Consolidated Grant Program, pending approval:

- Sustain the Kittitas County Connector Bus

We continue to recognize the value public transportation brings to our community, providing many residents with access to employment, education, healthcare, social and other essential services.

Please contact Robin Newcomb at 509-674-2262 or rnewcomb@cleelum.gov if you have questions.

Sincerely,

Matthew Lundh
Mayor

CITY OF CLE ELUM
WASHINGTON
RESOLUTION NO. 2024-025

**A RESOLUTION OF THE CITY OF CLE ELUM,
WASHINGTON, REPEALING RESOLUTION NO. 2023-027**

WHEREAS, on November 13, 2023, the City of Cle Elum (“City”) adopted certain sewer rates through Resolution No. 2023-027; and

WHEREAS, the City has updated its sewer rates through Chapter 13.08 Cle Elum Municipal Code; and

WHEREAS, the City Council wishes to affirmatively repeal Resolution No. 2023-027.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLE ELUM, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Repealer. The City Council hereby repeals Resolution No. 2023-027 in its entirety.

Section 2. Effective Date. This resolution shall take effect immediately upon its passage and adoption.

PASSED BY THE CLE ELUM CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF OCTOBER 2024.

CITY OF CLE ELUM

Matthew Lundh, Mayor

ATTEST/AUTHENTICATED:

Debbie Lee, City Clerk

Approved as to form:

Alexandra L. Kenyon, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.: 2024-025

Date Posted:

RESOLUTION NO. 9/17/2024

A RESOLUTION OF THE TOWN OF SOUTH CLE ELUM, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT BETWEEN THE TOWN OF SOUTH CLE ELUM ("TOWN"), THE CITY OF CLE ELUM ("CITY") AND THE CARPENTER MEMORIAL LIBRARY BOARD OF TRUSTEES ("BOARD") RELATED TO LIBRARY SERVICES.

WHEREAS, the residents of the Town have expressed concerns about library services not being offered at no cost to the Town since 2003 and an annual fee of \$35 per family; and

WHEREAS, all parties are in favor of the "Agreement" to conform to requests received from the Town's residents;

NOW THEREFORE, the Town Council of South Cle Elum, Washington does hereby resolve that authorization is hereby granted for:

1.) Authorization. The Mayor is hereby authorized to sign the "Agreement" between the Town of South Cle Elum, the City of Cle Elum and the Carpenter memorial Library Board of Trustees.

PASSED BY THE TOWN OF SOUTH CLE ELUM COUNCIL AT A REGULAR MEETING THEREOF ON THE 17TH DAY OF SEPTEMBER, 2024.



James DeVere, Mayor

ATTEST:



Luanne Osiadacz, Clerk/Treasurer

APPROVED AS TO FORM



Jeff Slothower, Town Attorney

Public Library Services Agreement

THIS AGREEMENT is entered into on this 17th day of September 2024, by and between the City of Cle Elum, a Washington municipal corporation ("City"), the Carpenter Memorial Library Board of Trustees ("Board") and the Town of South Cle Elum ("Town") collectively known as the parties ("Parties"), and consented to by the City of Cle Elum Council.

RECITALS

WHEREAS, pursuant to RCW 27.12.280, the Board of the Carpenter Memorial Library has the power to make available to South Cle Elum residents the services of said Library, upon such terms and conditions as may be agreed upon; and

WHEREAS, pursuant to RCW 27.12.180, South Cle Elum has the power to contract to receive library service from Carpenter Memorial Library ("Library"), and the Board is granted the reciprocal power to contract to render such services with the consent of the City Council; and

WHEREAS, South Cle Elum desires to assist in providing library services from Carpenter Memorial Library for South Cle Elum residents; and

WHEREAS, the Board is willing to provide the library services of Carpenter Memorial Library for South Cle Elum residents.

NOW THEREFORE, the Parties agree as follows:

1. **SERVICES.** The usual public library services provided by Carpenter Memorial Library will be provided to Town residents who come to the library to use its facilities in accordance with the rules, regulations and operating policies and procedures applicable at any given time.
2. **COMPENSATION.** The Town will pay for library services rendered by the Library to Town residents in accordance with the following schedule:

The Town shall pay directly to the City the sum of **\$1,000** for library services rendered from April 1, 2024 through March 31, 2025, upon signing this Agreement.

3. **RECORDS.** The following statistics shall be compiled and maintained by the library and reported to the Town Council at the end of this Agreement:
 - (a) Statistics on library usage by Town residents. This will include the number of Town residents attaining library cards and the value the Town received at the rate of \$35.00 per card.
4. **INDEMNIFICATION.** The Parties shall defend, indemnify and hold each, its officers, officials, employees and volunteers harmless from claims, injuries, damages, losses or suits including attorney fees, arising out of, in connection with, or incident to any negligent or intentional acts, errors or omissions, or conduct of each (or its employees, agents, representatives, subcontractors

/ subconsultants) in performance of this Agreement, whether such claims sound in contract, tort, or other legal theory, except for injuries and damages caused by the sole negligence of each party.

5. AMENDMENTS. Any amendment to this Agreement shall be in writing and shall be only as specifically authorized by the Town Council and the Library Board as consented to by the City Council.
6. GOVERNING LAW: This Agreement shall be governed by, constructed, and enforced in accordance with the laws of the State of Washington.
7. DURATION OF AGREEMENT AND TERMINATION. This Agreement shall be deemed to have commenced and become effective as of April 1, 2024, and shall continue in effect until March 31, 2025. This Agreement will be amended and reviewed at termination to determine if cost effectiveness was achieved by the Parties before a new Agreement is entered into.

DATED this 17th day of September 2024



South Cle Elum Mayor, James L. DeVere

Carpenter Memorial Library Board



Attested To: South Cle Elum Clerk/Treasurer

Carpenter Memorial Library Board

Cle Elum Mayor, Matthew Lundh

Attested To: Cle Elum Clerk

As authorized by the Cle Elum City Council on the _____ day of _____ 2024.

CHECK REGISTER

City Of Cle Elum

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4129	09/11/2024	Claims	1	EFT	Cintas Corporation	38.00	Public works cleaning 9/3
4132	09/11/2024	Claims	1	EFT	Puget Sound Energy	214.07	1st and Penn street lights August #0910
4141	09/20/2024	Claims	1	EFT	Umpqua Bank	7,612.16	August visa charges PW \$2744.93, Police \$596.61, Fire Department \$323.30, Police \$560.56, City Admin \$3386.76
4142	09/11/2024	Claims	1	EFT	Methodworks	2,797.09	August IT services -- Hanson ponds, water regional plant, library, police dept, city hall
4143	09/11/2024	Claims	1	EFT	City of Cle Elum	10,494.79	August 2024, W/S use Fire, Police, City Hall, Bathrooms, Parks, Public Works, Rentals, water plant, pump station
4146	09/11/2024	Claims	1	EFT	Pitney Bowes Global Financial Services L	2,000.00	Postage/city hall
4151	09/11/2024	Claims	1	EFT	WA State Dept of Licensing	42.00	Gun Permits #1066 and #1067
4155	09/11/2024	Claims	1	EFT	Verizon Wireless	588.14	Police Dept cell phones
4198	09/16/2024	Claims	1	EFT	Kittitas County P.U.D. #1	550.35	Airport lift station/shop/airport office lights August power
4199	09/16/2024	Claims	1	EFT	Lumen (Level 3)	39.65	City long distance
4235	09/17/2024	Claims	1	EFT	Puget Sound Energy	6,837.71	August 2024 Gas and Electric-- city hall, library, police, fire, parks, Kuney, street lights, shop, restrooms, old water plant, chlorinator, cemetery, city hall rental
4236	09/24/2024	Claims	1	46925	Active Construction Inc	417,023.83	First Street Project Phase 3 DOT \$6M Grant and TIB \$1M Grant--Progress Estimate
4237	09/24/2024	Claims	1	46926	B&A Litigation Services	1,918.40	8/28 City Heights Vandenhaak deposition; City Heights arbitration deposition -- Jolicoeur
4238	09/24/2024	Claims	1	46927	Buell Realtime Reporting LLC	4,893.85	City Heights arbitration Neil Beaton transcript of deposition; City Heights arbitration Carmichael transcript; City Heights arbitration Berger transcript
4239	09/24/2024	Claims	1	46928	Cle Elum Farm and Home	472.15	City Acct 22 -- Service Truck, library, meter antenna; Fire Dept Acct 24 -- Adapter, coupler for phone, socket, adapter, cement extractor
4240	09/24/2024	Claims	1	46929	Cle Elum Hardware	40.51	City shop/public works Acct 90 - service truck, cemetery tools
4241	09/24/2024	Claims	1	46930	Consilio LLC	43,696.02	City Heights Arbitration August Legal Fees
4242	09/24/2024	Claims	1	46931	Copiers Northwest Inc.	324.68	Public Works and Library copier usage 8/1 to 8/31; City hall copier usage 8/1 to 8/31
4243	09/24/2024	Claims	1	46932	DEBA Inc.	462.13	Police Dept 2013 ford explorer tow #3691
4244	09/24/2024	Claims	1	46933	GTP Electric Georgeson Technology Prof.	984.25	Council chambers Air conditioning

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4245	09/24/2024	Claims	1	46934	HLA Engineering and Land Surveying, Inc.	238,090.49	August Engineering Fees -- Blue Fern; August Engineering Fees -- Update Design and Construction Standards; August Engineering Fees -- City Heights arbitration, Hanson Ponds, Dearmin, Page claim, Regio
4246	09/24/2024	Claims	1	46935	Harvest Valley Pest Control	162.15	9/9 pest control
4247	09/24/2024	Claims	1	46936	Heritage Law	500.00	August defense attorney fees -- Mikolyuk and Jenkins
4248	09/24/2024	Claims	1	46937	Historical Research Associates, Inc.	1,032.25	Blue Fern August Fees
4249	09/24/2024	Claims	1	46938	Huntington National Bank	3,657.75	Police Dept 4 in car camera lease; Police Dept 11 in car camera lease
4250	09/24/2024	Claims	1	46939	Imperium Consulting Group LLC	29,802.50	City Heights arbitration August/Imperium Consulting
4251	09/24/2024	Claims	1	46940	James Oil/Pacific Pride	1,971.31	Police Dept fuel 9/1 to 9/15; Public works fuel 9/1 to 9/15
4252	09/24/2024	Claims	1	46941	Kenyon Disend, PLLC	40,547.12	August attorney fees -- Gonzales lawsuit; August attorney fees -- Blue Fern Development; August attorney fees -- flagpole park ord ban, Dallman CUP, records retention, camping ord, water rate res, sew
4253	09/24/2024	Claims	1	46942	Kittcom	34,917.00	Police Dept 4th Qtr Dispatch
4254	09/24/2024	Claims	1	46943	Kittitas County Auditor	18.00	Lien release #202408260006/Unruh
4255	09/24/2024	Claims	1	46944	Kittitas County Chamber of Commerce	550.00	Police Dept LKC Registration Fee
4256	09/24/2024	Claims	1	46945	Marson & Marson	10.01	Public works 2x4; Flagpole park bushing
4257	09/24/2024	Claims	1	46946	Gary McLean	8,275.25	Hearing Examiner -- Kittitas County Search and Rescue August 7th
4258	09/24/2024	Claims	1	46947	Menke Jackson Beyer LLP	165,723.25	Menke Jackson Retainer Fee; August attorney fees/Dearmin; August attorney fees/City Heights arbitration
4259	09/24/2024	Claims	1	46948	Midstate Co-op	319.13	Quick connect valves/cemetery
4260	09/24/2024	Claims	1	46949	Mountain Auto Parts	3,454.83	Police Acct 2387 -- Durango Oil Filter, White F150 Brakes, Caliper, Fleet bearing assy, trvl axle, gear oil, Actuator; City/Public Works Acct 2385 -- Cat loader, Trk 21 LED, 2nd Street Storm Ratchet I
4261	09/24/2024	Claims	1	46950	Northern Kittitas County Tribune	79.20	Notice of Closed Public Hearing Search & Rescue Facility
4262	09/24/2024	Claims	1	46951	Pape Machinery	38.47	Public works rewind assembly
4263	09/24/2024	Claims	1	46952	Stoel Rives	1,015.00	City Heights Arbitration/August legal fees
4264	09/24/2024	Claims	1	46953	Van Ness Feldman LLP	35,341.00	Blue Fern August attorney fees
4265	09/24/2024	Claims	1	46954	WA State Dept of Transportation	1,867.02	Police Dept fuel August
4266	09/24/2024	Claims	1	46955	WA State Treasurer	558.28	August court fees to state
4267	09/24/2024	Claims	1	46956	Waste Management of Ellensburg	81,350.85	September Solid Waste Collection and Removal
511 Legislative						984.25	
514 Financial, Recording & Elections						280.00	
515 Legal Services						26,125.67	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			518 Centralized Services			7,586.49	
			521 Police Department			46,347.89	
			522 Fire Department			1,896.20	
			536 Cemetery			1,291.37	
			558 Planning & Community Devel			13,571.44	
			559 Housing & Community Develop			6,223.26	
			572 Libraries			967.47	
			576 Park Facilities			6,837.01	
			594 Capital Expenditures			2,134.00	
			595 Capital Expenditures- Streets			1,276.00	
		001 Current Expense/General Fund				115,521.05	
			515 Legal Services			257,659.72	
			518 Centralized Services			6,812.25	
			559 Housing & Community Develop			19,252.14	
		004 City Heights WCIA Settlement Agreement 2023				283,724.11	
			542 Streets - Maintenance			13,450.37	
			543 Streets Admin & Overhead			2,726.44	
			595 Capital Expenditures- Streets			456,935.76	
		101 Street Fund				473,112.57	
			595 Capital Expenditures- Streets			114,353.19	
		102 TIB Complete Streets Grant				114,353.19	
			521 Police Department			592.95	
		104 Police 3/10's Sales Tax Fund				592.95	
			515 Legal Services			36,837.00	
			558 Planning & Community Devel			22,753.49	
		131 Blue Fern Development 2024-01				59,590.49	
			515 Legal Services			4,277.75	
		132 Wildwood Ranch Devel. #2024-002				4,277.75	
			534 Water Utilities			2,474.18	
		401 Water Fund				2,474.18	
			537 Garbage & Solid Waste			81,570.85	
		402 Garbage Fund				81,570.85	
			546 Airports, Port, Terminal			136.43	
		403 Airport Fund				136.43	
			534 Water Utilities			1,778.95	
		404 Water Regional Fund				1,778.95	
			594 Capital Expenditures			2,163.50	
		406 Water Capital Reserve Fund				2,163.50	
			535 Sewer			6,328.05	
		409 Sewer Fund				6,328.05	
			535 Sewer			3,054.79	
		410 Sewer Regional Fund				3,054.79	
			594 Capital Expenditures			1,031.50	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
		413 Sewer Capital Reserve Fund				1,031.50	
		580 Non Expenditures				600.28	
		699 State Agency Fund 380/580				600.28	
						<u>1,150,310.64</u>	Claims: 1,150,310.64

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, and that I am authorized to authenticate and certify to said claim(s). Approved by the Auditing Committee:

Jerred Weis Date _____

Steven Harper Date _____

Beth Williams Date _____