

ORDINANCE NO. 4782

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 2.16 “FUNDS”; AND AMENDING SECTIONS 2.16.2200, 2.16.2440, 2.16.2600, 2.16.3780 AND 2.16.3800 OF THE ELLENSBURG CITY CODE.

WHEREAS, the Finance Department recently converted one full-time cashier position into two part-time positions, creating the need for an additional change drawer of \$150; and

WHEREAS, the Stan Bassett Youth Center has sports registrations that require an additional change drawer of \$50; and

WHEREAS, the Public Works department takes in cash for permitting, creating a need for a revolving cash fund of \$150; and

WHEREAS, the Ellensburg Police Department (EPD) utilizes a Confidential Investigative Fund (CIF) to assist with proactive investigations primarily involving felony drugs; and

WHEREAS, the EPD administrative captain currently manages this fund as the chief of police's designee; and

WHEREAS, the EPD supervisor of the investigative unit has privileged knowledge of confidential details that are pertinent to authorizing monies to be expended;

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

**Section 1. Section 2.16.2200 of the Ellensburg City Code, as last amended by Section 2 of Ordinance 3632, is hereby amended to read as follows:**

**2.16.2200 Utility change fund established.**

There shall be established in trust to cashiers authorized to make change in the process of receiving payments for utility billings a sum not to exceed \$75900.00. Each cashier entrusted with such cash shall have personal responsibility for accounting for it when required by the city finance director/treasurer or city manager and shall be liable to the city for any shortages occurring other than through theft of some third party which can be established by competent proof. Each cashier's change funds shall be used only for the purpose intended and shall not be taken out of City Hall. The city shall provide a safe place for the keeping of said funds at City

Hall. Monies deposited to this fund shall be transferred from the city's general fund. [Ord. 4763 § 1, 2017; Ord. 4683 § 1, 2014; Ord. 4184, 1998; Ord. 3632 § 2, 1988.]

**Section 2. Section 2.16.2440 of the Ellensburg City Code, as last amended by Section 2 of Ordinance 3632, is hereby amended to read as follows:**

**2.16.2440 Stan Bassett Youth Center change and revolving fund established.**

There shall be established a Stan Bassett Youth Center revolving petty cash fund in the amount of \$100150.00 for the purpose of making change and \$50.00 for the payment of small purchases or freight and postage charges due. All expenditures from the fund shall be supported by proper receipts with reimbursement authorized from the claims fund upon presentation of the receipts with vouchers to the city council. [Ord. 4763 § 1, 2017; Ord. 4184, 1998; Ord. 3632 § 2, 1988.]

**Section 3. Section 2.16.2600 the Ellensburg City Code and Section 1 of Ordinance 4763 is hereby amended to read as follows:**

**2.16.2600 Public works change and revolving fund established.**

There shall be established a public works department revolving petty cash fund in the amount of \$150.00 for the purpose of making change and \$75.00 for the payment of small purchases or freight and postage charges due. All expenditures from the fund shall be supported by proper receipts with reimbursement authorized from the claims fund upon presentation of the receipts with vouchers to the city council. [Ord. 4763 § 1, 2017.]

**Section 4. Section 2.16.3780 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3546, is hereby amended to read as follows:**

**2.16.3780 Custodian.**

The Ellensburg city chief of police is hereby ~~designated and~~ appointed as the custodian of such funds. The chief of police may assign the management of this fund to a supervisor of his/her unit the Department. and upon receipt of the monies transferred to said chief of police as custodian, said chief of police shall immediately thereupon open a checking account in a local bank in the name of the city of Ellensburg, Washington, and entitled "confidential investigative imprest fund, chief of police, custodian." The city clerk and the chief of police shall each have signatory authority over said checking account. [Ord. 3546 § 1, 1986.]

**Section 5. Section 2.16.3800 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3546, is hereby amended to read as follows:**

**2.16.3800 Deposits – Disbursements – Administration.**

Deposits to, disbursements from, and administration of said fund shall be subject to and in accordance with all restrictions, limitations, and requirements and other provisions of applicable laws and regulations of the state of Washington, and any presently applicable ordinances of the city of Ellensburg, and any other laws or ordinances hereafter adopted which may be applicable thereto and shall adhere to EPD's adopted policies and the following specific requirements:

- A. The supervisor of the unit to which the imprest fund is assigned must authorize all advances of monies to agents or officers for the purchase of evidence or information. The city manager shall authorize all disbursements from the fund prior to expenditures being made. The custodian of the fund Such authorization must specify the evidence or information to be received purchased, the amount of expenditures, and assumed name of the informer, Confidential Informant (CI) and shall authorize all advances of monies to agents or officers for the purchase of such information.
- B. The investigation unit must maintain confidential files of the true names, assumed names, and signatures of all informers Confidential Informants (CIs) to whom payments have been made. To the extent practicable, pictures and/or fingerprints of the informer (CI) payee should also be maintained.
- C. The custodian shall receive from the agent or officer authorized to make a confidential payment a receipt for cash advanced to him for such purposes.
- D. The agent or officer shall receive from the informer (CI) a receipt, the form of which shall be provided by the city clerk. A second witnessing agent or officer shall be required to verify the payment to the informer (CI) in at least 25 percent of the contacts. In addition, on 10 percent of the meetings the agent or officer in charge should be present to verify the payment to the informer (CI).
- E. The signed receipt from the informer (CI) payee with a memorandum report detailing the information/evidence received shall be forwarded to the agent or officer in charge. The agent or officer in charge shall compare the signature on the receipt with the confidential file of assumed

name signatures. He/she shall also evaluate the information or evidence received in relation to the expense incurred, ~~and add his evaluation remarks to the report of the agent or officer who made the expenditure~~. A certification of payment to the custodian will serve as support for the expenditure from the fund. The certification shall be witnessed by the agent or officer in charge on the basis of the report and informer (CI) payee's receipt.

F. The custodian of the fund shall prepare a quarterly report showing status and reconciliation of the fund and itemizing each payment, name used by informer (CI) payee, information received and use to which information was put. This report shall be made part of the Confidential Informant files and reviewed quarterly by ~~the city manager~~ the chief of police or designee. [Ord. 3546 § 1, 1986.]

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

**Section 7. Corrections.** Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 8. Effective Date.** This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 20th day of November, 2017.

  
MAYOR

ATTEST:

  
CITY CLERK

Approved as to form:

  
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CITY ATTORNEY

Publish: 11-24-17

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4782 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4782 was published as required by law.

  
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COREEN M. RENO