



## City of Leavenworth

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**City Council**  
Cheryl K. Farivar - *Mayor*  
Elmer Larsen  
Robert Francis  
Carolyn Wilson - *Mayor Pro Tem*  
Gretchen Wearne  
Mia Bretz  
Margaret Neighbors  
Richard Brinkman  
Joel Walinski - *City Administrator*

### LEAVENWORTH CITY COUNCIL

#### AGENDA

Leavenworth City Hall - Council Chambers  
May 10, 2016 - 6:30 p.m.

#### Call to Order

#### Flag Salute

#### Roll Call

#### Consent Agenda

1. Approval of Agenda
2. Approval of April 26, 2016 Regular Meeting Minutes
3. 2016 Claims \$768,704.38
4. April 2016 Payroll \$211,050.18

**Council Committees - 2<sup>nd</sup> Tuesday**  
Public Safety 3:00 Parks 4:00 Public  
Works 5:00

#### Public Safety Report: Sargent Bruce Long, Liaison Officer

#### Councilmember and Committee Reports

#### Mayor/Administration Reports

#### Comments from the Public on Items Not on the Agenda

#### Group Funding Report: Steve Maher – Wenatchee Valley Velo Club Tour de Bloom Race

#### Resolutions, Ordinances, Orders and Other Business

1. Action: Pace Engineering Contract – Chumstick Trail & W/S Extension
2. Action: MDSquare Contract – Chumstick Trail & W/S Extension
3. Action: Ordinance 1525 Budget Amendment – Salary Schedule Only
4. Action: Ordinance 1526 Site Development Permits
5. Action: Surplus Computers

#### Information Items for Future Consideration

1. Joint Mid-Year Meeting with the Planning Commission on XXXXXX, 2016
2. Mayor's Ad Hoc Housing Affordability Committee Appointments
3. Code Changes on Fireworks Ban and Alcohol Related Events in Parks

#### Adjournment

**(Next Ordinance is 1527 - Next Resolution is 08-2016)**

## SUPPLEMENTAL COUNCIL AGENDA

### **1. Pace Engineering Contract – Chumstick Trail & W/S Extension**

The City Council is being asked to approve a new Consultant Agreement with Pace Engineering, replacing the previous agreement, for the construction engineering requirements associated with the Chumstick Multipurpose Trail Water and Sewer Extension Project and the Chumstick Highway Lift Station Pumps and Auxiliary Generator Project. On October 13, 2015 the City Council tentatively approved a contract for Pace Engineering in the amount of \$57,849 contingent upon approval by the Washington Department of Transportation (WA DOT). Included in this new agreement are sub-consultant services for Z-Engineers and CSI (Construction Special Inspection). Z-Engineers will provide the oversight for the electrical component installation of the Lift Station and auxiliary generator. Z-Engineers have worked on other City projects and provides electrical maintenance service for the Waste Treatment Plant and City mechanical control system at the well field. CSI will be testing materials for the water main pipeline bedding zone and backfill compaction, trench roadway top course compaction, asphalt materials compliance testing and asphalt density compaction testing. This type of materials testing is mandatory to comply with normal City construction standards as well as the Department of Transportation Standards and Specifications. CSI has completed this work on other City projects to the satisfaction of City Staff and other project funders such as the WA DOT and Transportation Improvement Board (TIB). CSI is located in Wenatchee and is listed on the MRSC Roster for Small Public Works Projects and Consultants.

Pace Engineering provided the initial engineering and design work for the construction of the Chumstick Multipurpose Trail Water and Sewer Project and this agreement is the next step in the project management phase of completing the construction to the satisfaction of the funding agency, WA DOT.

The total cost of the contract is an amount not to exceed \$65,640. A percentage of funding for one of the two projects is provided through the WA DOT; as such, one of the requirements is for the project to be administered by a registered engineer and the format of the contract is the DOT template. Time is billed on an hourly basis for Construction Engineering and the contract scope of work includes the following:

- Installation of a multipurpose trail extending along the NW side of Chumstick Highway west of North Road
- Extension of a 6” forced sewer main terminating at a lift station opposite North Road
- Extension of a 12” water main from County Shop Road terminating at the lift station

The following items are included under **TAB 1**:

- WA DOT Local Programs State Funding Agreement
- Pace Engineering Consultant Agreement
- **MOTION:** *The Leavenworth City Council moves to approve the Consultant Agreement with Pace Engineering in an amount not to exceed \$65,640 and authorizes the Mayor to sign the agreement.*

## **2. MDSquare Contract – Chumstick Trail & W/S Extension**

The City Council is being asked to approve a new contract with MDSquare, LLC (Mr. Mike Deason) to perform construction inspection services for the Chumstick Multipurpose Trail and Water and Sewer Extension Project and the Chumstick Highway Lift Station Pumps and Auxiliary Generator Project. This proposed contract is an open-ended contract for construction inspection services for a not to exceed amount of \$38,160.00.

The City is estimating that approximately 24 – 30 hours a week are needed for Mr. Deason's time for construction inspection services for the Chumstick Project from May through August (approximately 80 Working Days).

The City has made revisions to the City's standard professional services agreement for insurance requirements to suit this contract for the scope of work being completed and the responsibilities required of MDSquare, LLC, by eliminating the insurance requirements for Comprehensive General Liability, Workers Compensation, and Consultant's Errors and Omissions Liability; however, there is a requirement for Automobile Liability Insurance. Mr. Deason has previously contracted with the City for construction inspection work.

The following items are included under **TAB 2:**

- The proposed Professional Services Agreement for these construction inspection services with MDSquare, LLC
- Scope of Work
- **MOTION:** *The Leavenworth City Council moves to approve the Professional Services Agreement with MDSquare, LLC for an amount not to exceed \$38,160 and authorizes the Mayor to sign the agreement.*

## **3. Ordinance 1525 Budget Amendment – Salary Schedule Only**

The City Council is being asked to amend the salary schedule which is approved by Ordinance as a budget amendment. At this time there is no expectation of changes needed in the actual budget line items. The new request for the 24 hour position, requiring a CDL endorsement, came about as a result of the City's increasing need for year round weekend coverage for garbage collection, cardboard collection, and general service needs. This need has arisen from a progressive, year to year, increase of weekend tourism and festival demands. In an effort to fill this need, the City, in discussion with union representatives, came to an agreement upon the creation of the new nonunion position as proposed here. The position would only work weekends with either an 8 or 10 hour shift depending on the time of year and needed services. A CDL license is required to operate the City's garbage truck. Other duties would be as assigned including responding to service calls, emptying City trash cans in commercial areas, special event support, etc.

The following items are included under **TAB 3:**

- Ordinance 1525
- Draft Job Description: Part Time Public Works Maintenance Worker (Weekends/CDL Endorsed)
- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1525 Budget Amendment for the 2016 Salary Schedule.*

#### **4. Ordinance 1526 Site Development Permits**

The City Council is being asked to adopt Ordinance No. 1526. On April 12, 2016, the City Council studied a new amendment to the Leavenworth Municipal Code (LMC) regarding a new “Site Development Permit.”

As included within the Planning Commission 2015 Amendment Docket, the Planning Commission has been asked to review and study "Add Site Development permit" (including: Permit for improvements that do not rise to higher level permitting (need a process to capture review and approvals. Define such permit)). From time to time, updates and edits to the LMC may be necessary to reflect appropriate changes and where necessary. This text amendment has been reviewed and deliberated upon by the Planning Commission on May 6, 2015, June 3, 2015, July 1, 2015, August 5, 2015, September 2, 2015, and December 2, 2015. During the December 2, 2015 public hearing, the Planning Commission heard testimony and continued the action to March 2, 2016. On March 2, 2016, the Planning Commission voted to forward the amendment to the City Council.

The Planning Commission deliberated on the topic of adding a permit to the list of existing permits allowed and issued by the City of Leavenworth. The Planning Commission did not want to inadvertently create more layers of “bureaucracy” which would delay projects or be an additional burden to the development community. Many Planning Commission study sessions included discussions of the purpose, intent, and functionality of this new type of permit.

Currently, contractor’s activities for any earth movement are issued a grading, excavation and earthwork permit. This is an awkward and ill-fitting permit for projects that include, but are not limited to: infrastructure installation outside of a Permit to Perform Work in City Street Right-of-Way, wetland, or other critical area enhancements.

The Site Development permit is intended to be a tool within the permit spectrum that fits below the International Building Code Appendix J – Grading. The provisions of this chapter apply to grading, excavation and earthwork construction, including fills and embankments. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern. Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit therefore from the building official. A grading permit does not include the construction of retaining walls or other structures.

The Planning Commission desires a more flexible and reduced criteria permit to allow property management and to begin the first stages of development without the need to obtain a grading, excavation and earthwork permit under the IBC.

The following items are included under **TAB 4**:

- Ordinance 1526 - Amendment to LMC 21.09.030 and 18.08.385 - creating site development permit.
- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1526 Site Development Permits.*

## 5. Surplus Computers

The City Council is being asked to authorize the Mayor to proceed with surplusing for recycling purposes the City's old and obsolete computer systems. At this time the City has identified 5 computer systems for recycling. In general, the City depreciates values on computers at an estimated useful life of four to five years (seven to eight years for Servers) and at this time each of the computers identified for recycling have no remaining value as they have all exceeded the useful life. On April 8, 2014 the Council approved a perpetual professional service agreement with Firefly for the recycling process that requires the retention of the hard drives on each of the devices. Due to the confidentiality of potential data contained on the hard drives, the City has chosen to dispose of the computer systems through this professional service agreement to ensure the protection of this sensitive data. Firefly has already removed the hard drives on these computers and provided them to the City for retention purposes. Additionally, Firefly outsources the rebuilding of these obsolete computers for donating back to the community through programs for schools, low-income families, senior centers and other agencies that have use for older computers and computer parts.

The following items are included under **TAB 5**:

- City of Leavenworth May 10, 2016 Computer Systems for Recycling List
- Professional Service Agreement with Firefly – *April 8, 2014*
  
- **MOTION:** *The Leavenworth City Council moves to authorize the Mayor to surplus for recycling purposes with Firefly the computer systems as identified by serial numbers on the May 10, 2016 Computer Systems for Recycling List.*