

LEAVENWORTH CITY COUNCIL
Study Session Agenda
City Hall - Council Chambers
June 12, 2018 9:00 a.m.

9:00 – 9:10 Chamber Report

This time is provided for a Chamber of Commerce representative to provide an update to the City Council on items of interest to the Chamber and City.

9:10 – 10:10 Discussion on Peak Traffic Flow and Planning – Thom Kutrich

During the May City Council Study Session, Councilmember Jason Lundgren requested additional information to learn more regarding peak traffic. Mr. Thom Kutrich is the City's Contract Engineer and a WA licensed Professional Engineer with Pacific Engineering & Design, PLLC. Mr. Kutrich has 30 years of experience as a civil engineer. His expertise covers a broad range of civil engineering services with an emphasis on municipal practice focusing on all facets of public works, including drinking water, transportation, storm drainage, construction, funding, and administration. Mr. Kutrich routinely supervises the production of feasibility studies, technical reports, permits, environmental documents, construction plans, specifications, estimates, and contract documents.

Thom will be presenting information on peak hour traffic. Peak and off-peak traffic have been discussed by the public on many occasions. This time is provided to increase the Council's understanding of peak hour traffic.

- ✓ Traffic congestion occurs when the number of vehicles using a roadway or intersection approaches the actual capacity of the facility. The most common congestion periods are the AM and PM commute and special events.
- ✓ Traffic Impact Analysis (TIA) procedures are used to evaluate congestion. The City may require a TIA for any proposed development project, which generates significant vehicular traffic, e.g. a new grocery store. Each TIA is required to conform to City adopted TIA procedures, which are widely accepted as the industry standard of practice.
- ✓ A TIA is required to address congestion, in terms of delay, queue, and volume-to-capacity, for selected streets or intersections 1.) Before a proposed project is built (existing conditions) and 2.) After a proposed project is built (post conditions). Delay is defined as additional travel time experienced by the traveler. Queue is defined as the amount of vehicle storage required for turn lanes. Volume is defined as an actual traffic count or forecast in terms of vehicles per hour (vph). Capacity is defined as the theoretical maximum rate at which vehicles can pass a given point in terms of vph. A volume to capacity (v/c) ratio of < 0.85 generally means that adequate roadway or intersection capacity is available, and delays and queues are not expected.

- ✓ Once the delay, queue, and volume-to-capacity are understood for both existing and post conditions, a Level of Service is assigned to the facility in question. The City threshold of Level of Service D is acceptable. LOS beyond D may require mitigation. If significant impact(s) are identified, potential mitigation measures (on-site or off-site) can be proposed and evaluated.

During previous meetings, the Council studied the City's adopted policies for Level of Service (LOS) and the methodology to support state mandated concurrency. Both LOS and concurrency have been reviewed in detail by the Council and found within the adopted Comprehensive Plan (Transportation Element). These concepts will not be discussed in detail but touched upon to gain an understanding of the ramifications of peak traffic. Below are both LOS and concurrency information "at a glance."

- ✓ Level-of-service (LOS) is a qualitative measurement of the operation of a facility. LOS is typically expressed as ratio of users of a facility, to the capacity of that same facility. It is a tool to assist planning for meeting a community's needs and expectations. Once a community establishes a LOS for a given facility (or facilities), it is then used to measure whether an existing facility is adequate to serve its citizens, or whether there are deficiencies that should be corrected. As the community grows in population, an adopted LOS assures that facilities and services will keep pace with that growth.
- ✓ The definition of "adequate" facilities and services will vary even among similar-sized communities.
- ✓ The Growth Management Act (GMA) requires jurisdictions to establish LOS for transportation-related facilities ([RCW 36.70A.070\(6\)\(a\)](#)). The GMA requires denial of a proposed development if its impacts on the local transportation system would result in LOS dropping below adopted standards. To receive approval, new developments must provide improvements or strategies to handle the new demand concurrent with the development (or provide a financial commitment to complete them within six years). Local jurisdictions also must have a program to bring existing facilities up to adopted standards. If meeting adopted LOS is not feasible, local jurisdictions may need to revisit comprehensive plan goals and LOS to consider how they may be adjusted while still implementing the community's vision. Communities may not require a developer to pay for improvements to correct existing deficiencies. Although the GMA does not require denial when facilities other than transportation facilities are inadequate, the subdivision statute and other laws may require improvements (see [RCW 58.17.110](#)).
- ✓ Concurrency is one of the goals of the Growth Management Act and refers to the timely provision of public facilities and services relative to the demand for them. To maintain concurrency means that adequate public facilities are in place to serve new development as it occurs or within a specified time period. The Growth Management Act (GMA) gives special attention to concurrency for transportation.
- ✓ The GMA requires that transportation improvements or strategies to accommodate development impacts need to be made concurrently with land development. "Concurrent

with the development” is defined by the GMA to mean that any needed "improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years." [RCW 36.70A.070](#)(6)(b). Local governments have flexibility regarding how to apply concurrency within their plans, regulations, and permit systems.

- ✓ As part of the requirement to develop a comprehensive plan, jurisdictions are required to establish level-of-service standards (LOS) for arterials, transit service, and other facilities. [RCW 36.70A.070](#)(6)(a). Once a jurisdiction sets a LOS, it is used to determine whether the impacts of a proposed development can be met through existing capacity and/or to decide what level of additional facilities will be required. Transportation is the only area of concurrency that specifies denial of development if LOS standards cannot be met. However, local jurisdictions must have a program to correct existing deficiencies and bring existing transportation facilities and services up to locally adopted standards. A developer may not be required to pay for improvements to correct existing deficiencies.
- ✓ Local jurisdictions may adopt a concurrency mechanism for other public facilities that are deemed necessary for development. [WAC 365-196-840](#)(2). These other facilities may include parks and recreational facilities, sanitary sewer systems, stormwater facilities, and schools.

In addition, the City Attorney Thom Graafstra was asked to provide a memorandum summarizing the legal context of traffic count methodologies. The assessment summarizes the following:

Layers of jurisdictions affect transportation planning and funding, from the FHWA, to DOT, to Chelan County and the City. **The norm if not the mandated legal requirement for traffic counts is midweek counting of traffic.** The following could be expected from a Leavenworth change in its traffic counting to weekend:

1. Some essential project concurrency determinations that now pass will fail if the City standard is a weekend peak hour count, either preventing the project, or greatly impacting its cost.
2. Some essential SEPA determinations that now are determinations of nonsignificance, either will be mitigated determinations, or determinations of significance. Mitigated determinations will impact project costs and may impact decisions to proceed; determinations of significance will impact project costs and timing and have an even greater potential impact on decisions to proceed since such determinations will necessitate an Environmental Impact Statement.
3. On the other hand, a City change in standard will probably have NO impact on projects within the sole jurisdiction of the County or DOT. The County will assess County roads that connect to the City under County Standards. DOT will assess Highway 2 under state standards.

4. If the City proceeds to a weekend count, to the extent County, or State (DOT, TIB) or Federal funds are involved, it is hard to know the impact, because research to date has provided no guidance. It is fair to expect however, that there will be some confusion by other agencies, and confusion is sure to impose delays, if not changed final decisions on City applications for loans and grants.

In conclusion, the memorandum dated June 8, 2018 regarding Legal Context of Traffic Count Methodologies states:

Though the City's Comprehensive Plan does require traffic counts to be mid-week, the City's Comprehensive Plan does recognize unique City weekend traffic characteristics and sets goals to deal with weekend traffic.

Comprehensive planning under the Growth Management Act is a careful docketed process, encouraging broad public participation, with a deliberative, consistent final legislative action by the City Council. Following the process is part of doing things correctly. An important issue has been raised that should be given the respect it deserves by following the proper process for its consideration in light of the consequences it may have such that the council should consider its docketing for full study.

The following item is included under **TAB A:**

- Memorandum dated June 8, 2018 regarding Legal Context of Traffic Count Methodologies

10:10 – 11:40 Wastewater Treatment Plant Design – Dana Varela

This time has been provided to allow Mr. Dana Cowger, PE with Varela & Associates, Inc. and Mr. Mark Esvelt with Esvelt Environmental Engineering, to review and update the City Council in regard to the Wastewater Treatment Plant design upgrades required to meet the 2020 Department of Ecology requirements for phosphorous discharge commonly referred to as TMDL (Total Maximum Daily Load). Varela & Associates have had an ongoing relationship with the City of Leavenworth since 1987. They have been involved with many of the City water and wastewater projects and are under contract with the City by Council approval for design of the upgrades and improvements now necessary for the plant as well as assisting the City in securing funding for the project.

Today's discussion is to provide an update to the City Council on the design options, technology selection, and estimated costs. While this discussion is an overview of the process to date, Varela & Associates have provided more detailed information on the key decision points of Site Development, Bio-P Implementation, and the Tertiary Treatment Options. This information is presented in the Technical Memorandums provided under **Tab B** pending initiation of final construction design and eventual project bidding.

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

- Discussion Outline

- 141104-WWTP Impr. – TM-01 Trt Site Selection (05-29-18)
- 141104-WWTP Impr. – TM-02 Bio-P implementation (05-29-18)
- 141104-WWTP Impr. – TM-03 Ceramic Membrane Eval (05-29-18--rev 06-07-18)

11:40 – 11:50 Ordinance XXXX Festival Permits Application

This is a follow-up from last month’s Study Session on the review of the Festival Permit Application and Ordinance. At the previous Council Study Session, the Council requested several changes to the application; those changes have been incorporated into the new draft application.

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

- Draft Ordinance XXX Festival Permitting Process
- Draft Festival Permit Application

11:50 – 12:15 Parking Information Update

This topic is a follow-up from the Parking Study Public Open House. While the Parking Study is not yet completed and a fully developed parking strategy has yet to be developed, there are several recommendations that could be tested and/or addressed in either a pilot program or the expansion of existing parking programs. The full parking strategies developed from the Parking Study will be considering timed parking within the Commercial District, Residential Parking passes, restricted time zones within residential zones, a Shared Parking Plan, and future added capacity. This time is set aside for Council to consider several short-term, interim changes, which they may want to address at this time:

Pilot Program - Employee Parking Permit: Over the last several months, the Cascade Medical Center and City Staff have had several discussions regarding the Medical Center staff parking to provide additional parking for clients of Cascade Medical Center, and to provide additional parking availability on Commercial Street. The proposed employee parking plan would allow for employee parking Monday through Friday at either lot P2 or P4. The fees would be \$30.00 per month for a reserved parking location in lot P2 and \$45.00 per month for lot P4. Permits would be issued to the vehicle and would be non-transferable. Reserved parking in Parking Lot P2 would not be available for the month of October. For the initial kickoff of this program, 20 parking spaces would be available in Lot P4 and 40 parking spaces would be available in lot P2. Pricing is based on the weekday revenues calculated for each individual lot.

Addition of 30 Minute Parking Stall: At the Study Session, staff will provide a map of the current 30-minute parking locations. There are currently eleven (11) 30-minute parking locations within the Commercial District. The previous City Council preferred the thirty-minute time frame for providing residents access to downtown for quick shopping pickups at the various shops. The 30-minute time frame also allows for a higher level of enforcement than a one hour or longer period, given the limited enforcement contract the City currently has. The Council may want to consider adding additional locations.

Addition of Bike Parking Locations: Staff will also be providing a map of the current Bicycle Parking locations in the downtown area at the Study Session meeting on Tuesday. There are currently five corral areas within the downtown area. These were initiated by the City in 2013. They are well used and are removed for 4 – 5 months of the year. The Council may want to consider the addition of more locations.

Parking Enforcement: Cascade Medical Center and Link Transit have both made inquiries to the City, asking if the City would be open to expanding the contract with Pacific Security to include parking enforcement on their properties. While the specific details on the level of enforcement have not been finalized, the enforcement would include Cascade Medical Center Employee parking lots and overnight parking restrictions at the new Link Park & Ride. The City would expand the use of Pacific Security and also process and collect any fees associated with the issuance of a parking citation. The City’s experience has been that the parking fees generally cover the cost of enforcement. The benefit for partnering with Cascade Medical Center and Link Transit is primarily for efficiency and standardizing parking enforcement throughout the City.

There are no items included under **TAB D**.

12:15 – 12:30 Committee Reports and Council Open Discussion

a. Committee & Meeting Reports

b. Open Discussion

The remainder of this time slot allows for Council discussion of items not on the agenda.