



City of Leavenworth

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

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers
June 27, 2017 - 6:30 PM

Call to Order

Flag Salute

Roll Call

Council Committees -4th Tuesday –

Econ. Dev. 4:00 Finance 5:00

Consent Agenda

1. Approval of Agenda
2. Approval of June 13, 2017 Regular Meeting Minutes
3. Approval of June 13, 2017 Study Session Minutes
4. 2017 Claims \$165,250.55
5. Motion to Set Public Hearing – Rural Development Application for Funding Wastewater Facility Upgrades on July 11, 2017 at 6:45 PM

Councilmember and Committee Reports

Mayor/Administration Reports

Comments from the Public on Items Not on the Agenda

Discussion: Joint Mid-Year Meeting with Planning Commission

Resolutions, Ordinances, Orders and Other Business

1. Action: Professional Services Agreement for Parking with Williams Consulting
2. Action: Interlocal Agreement for Parking Cost Sharing with the Port of Chelan County
3. Action: Interlocal Agreement for Parking Cost Sharing with the Chamber of Commerce
4. Action: Professional Service Agreement for Regional Utility Consolidation Study with FCS Group
5. Action: Mountain Pact Letter: Review of the Antiquities Act
6. Action: Cancel July 25, 2017 Regular Council Meeting and Subcommittee Meetings

Information Items for Future Consideration

1. Discussion with Sheriff Burnett on Public Safety Contract: July 11, Study Session
2. PUD Substation Update July 11, Council Meeting

Adjournment

(Next Ordinance is 1549 - Next Resolution is 13-2017)

SUPPLEMENTAL COUNCIL AGENDA

Notable Action and Process of the Planning Commission:

1. Review of the entire Plan. This has significant value on many levels.
 - a. Sections of the Plan may be outdated, invalid or simply not in sync with the community's desires.
 - b. It is mandated by State Laws.
 - c. The act of verifying the intent of the goals and policies, or even the analysis, can result in ensuring that the objectives of the community are being implemented.
 - d. This is a feedback loop that shows that the City is meeting the needs and desires of the community; and is caring enough to check.
 - e. Trends and expectations change. This is true for projects.
 - f. Planning efforts help achieve the City vision by meeting a particular need in a systematic way, for example, completing smaller scale projects and planning for the need over a long period of time.
 - g. This planning helps determine the future networks and systems citywide.
2. Financially constrained. Monies and resources are limited. Selecting priorities and setting clear goals help control expenses, reduce redundancy or inefficiency, which allows for timing and coordination, and allows for more to be completed within the funding that is available.
3. New Future Streets. The plan will serve as a framework for a future street system. This will allow for clear expectation of development, efficient use of lands, emergency service access, funding options, and better traffic circulation / flows.
4. Removing information that is no longer relevant.

Comprehensive Plan Framework

A comprehensive plan is a guide for future land uses throughout the City. This guidance document provides a foundation for the creation of regulatory codes, such as zoning and development regulations. Each element includes a list of the goals and a set of policies to achieve these goals. The Leavenworth Comprehensive Plan includes the following Elements:

Land Use Element

The Land Use Element describes the "big picture" of how a community chooses to balance the goals of the GMA. The update may include data, tables and references with new population projections and any changes based on the Urban Growth Area review.

Housing Element

The Housing Element is an inventory and analysis of existing and projected housing needs, identifying the housing units necessary to serve the projected population. Review and update with the new Housing Needs Assessment and the population projections.

Capital Facilities Element

The Capital Facilities Element is an inventory of existing capital facilities owned by public entities, and a forecast of future needs of expanded or new facilities.

Utilities Element

The Utilities Element is an inventory of existing utilities and current capacities, addressing the future needs to accommodate for the expected population growth.

Transportation Element

The Transportation Element is an inventory of transportation services and facilities for water, air, and ground travel, including transit. One of the goals of the Element is to define existing facilities and travel levels to plan for future travel needs.

Parks and Recreation Element

The Parks and Recreation Element is an inventory of recreational facilities, activities and parks. Public recreation is a needed service and benefit to the people of Leavenworth and surrounding populations. The Parks and Recreation Element articulates the needs, level of service, and outlines resources required to facilitate recreation opportunities and administer parks and recreation programs.

Economic Development Element

The Economic Element contains general information about the local and regional economy, and goals and policies to guide and encourage economic development and diversification. The City has recognized the importance of economic development in maintaining the stability of the local economy and quality of life.

Shoreline Master Program

The new Shoreline Master Program will be adopted by reference.

Development Regulations

Development Regulations are rules put in place to implement the Comprehensive Plan and preserve the health and safety of the population and the environment. They are developed to be consistent with State regulations and requirements.

Amendments to the zoning and other codes may be necessary; and may be processed subsequent to completion of the Comprehensive Plan amendments.

1. Professional Services Agreement for Parking with Williams Consulting

The City Council is being asked to review and consider approval of a Professional Services Agreement (PSA) with Rick Williams Consulting for a Leavenworth Parking Study. The estimated cost of the study is \$56,322. The cost of the study will be shared between the Port of Chelan County (Port), Leavenworth Area Chamber of Commerce (Chamber) and the City of Leavenworth. The Port has committed \$30,000 in funding for the project, the Chamber \$13,161

and the City \$13,161. The City will also provide the staffing resources to oversee and facilitate the study. The format of the contract is the standard City form.

There is a slight modification on the insurance requirement, Professional Liability: Errors and Omissions have been waived for this agreement. As parking consultants, the firm does not carry professional liability insurance, primarily because they do not have professional certifications like lawyers, engineers, architects, builders, and doctors. Typically, professional liability insurance is tied to the professional certifications. All other insurance requirements have been met; other Oregon and Washington cities that the firm has done business with have waived the professional liability requirement.

The following is background information regarding the Parking Study:

What? A Parking Study and Assessment is necessary for the City to have the information to incorporate best management practices for the existing and future vehicle parking locations and the allocation of future parking resources. The study will provide information on the current availability and use of existing parking resources, gain an understanding of future parking needs, and collect high-level information on potential future major capital improvements, such as a parking garage. The goal is to find parking options that would benefit Leavenworth and to assist and ensure continued economic growth in Leavenworth and the area.

Background: The concerns of parking availability in Leavenworth began shortly after the success of Project L.I.F.E (Leavenworth Improvement for Everyone) and the transformation of Leavenworth into the Bavarian Village; with tourism and visitors, comes vehicles and the questions on parking. Parking is essential in providing easy access for residents, guests and visitors, limiting congestion and ensuring the growth to City's businesses and the tourism based economy. The history and conversation on parking is long: The first parking survey was completed by the City in 1989; in 1995, the City commissioned Perteet Engineering to conduct a Downtown Parking Study; in 2011, the City requested Republic Parking to provide a high level assessment of the parking resources in Leavenworth; and in 2012, the City purchased the Fruit Warehouse Property and implemented paid parking and timed parking at several of the off-street City owned parking lots. Early in 2015, the City, Chamber of Commerce and community once again began the discussion on addressing the ongoing need for additional parking; as a result, the Chamber and City both identified the need for the completion of a Parking Study and Assessment in their priorities for 2017.

Why a Parking Study and Assessment? An undersupply of parking spaces compromises access and circulation, creates spillover problems for adjacent uses, and if left unaddressed could be a limiting factor on the economic vitality and growth of the area. Conversely, an oversupply of parking is costly to the City and businesses, is visually unattractive and may negatively impact the urban design and streetscape. To that end, the Parking Study and Assessment will provide the decision makers with the necessary information to achieve the following:

- Evaluation of parking supply and demand based on today's "normal" peak use.
- Improve parking availability for customers.
- Assist in developing modifications of existing parking management and regulations.
- An evaluation of parking supply and demand given expected land use changes and development.

- Development of parking opportunities in the context of a multi-modal downtown.
- Explore the financial feasibility of building and operating a parking garage.

How can the stakeholder’s participate? Two tracks to accomplish stakeholder participation. A stakeholder advisory committee will be formed to work with the consultant throughout the study process. Their efforts will include establishing key priorities and project outcomes, review of all the data collection analysis and finding and development of strategies to address the project priorities, constraints and opportunities of future parking needs. Members of the committee will serve as liaisons for their individual constituencies.

The second track will be direct public outreach and public engagement opportunities. This will include:

- 2 Public Open Houses
- One-on-one interviews
- Presentations to business and residential associations
- Presentations/updates to City leadership (Council and Commissions)
- Creation of materials for placement on the City’s website

Coordination and content of outreach activities will be conducted with City project management staff, consultant and committee.

What is the estimated cost? The estimated cost at this time is \$56,322. A second Data Collection and Analysis period conducted during off-peak season is not included in this scope of work. The City share of the contract cost obligations will be from the Parking Fund.

How long will the study take to complete? A preliminary draft of the study is anticipated early in 2018.

What will happen once the study is finished? The study will provide local leaders additional information on how best to manage and dedicate resources associated with parking. Local government leaders may implement considerations identified in the study or other options not contemplated in the study.

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

- Professional Service Agreement: Rick Williams Consulting
- Exhibit A: Revised Scope of Work and Project Budget
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Service Agreement with Rick Williams Consulting for a cost not to exceed \$56,322.*

2. Interlocal Agreement for Parking Cost Sharing with the Port of Chelan County

The City Council is being asked to review and consider the approval of an Interlocal Agreement with the Port of Chelan County (Port) for their commitment of \$30,000 toward the Parking Study and Assessment. The estimated cost of the study is \$56,322. The Port has committed \$30,000 in

funding for the project, the Leavenworth Chamber of Commerce \$13,161, and the City's commitment is for \$13,161. The City will also provide the staffing resources to oversee and facilitate the study. The contract has been reviewed by the City Attorney and approved as to form.

The following item is included under **TAB 2:**

- Interlocal Agreement: Port of Chelan County
 - **MOTION:** *The Leavenworth City Council acknowledges and appreciates the \$30,000 financial commitment by the Port of Chelan County and moves to approve and authorizes the Mayor to sign the Interlocal Agreement with the Port of Chelan County for cost sharing of the Parking Study and Commitment.*

3. Interlocal Agreement for Parking Cost Sharing with the Chamber of Commerce

The City Council is being asked to review and consider for approval an agreement with the Leavenworth Area Chamber of Commerce for cost sharing on the Parking Study and Assessment. The Chamber has agreed to fund \$13,161 of the \$56,322 total cost of the project. The Port of Chelan County and City of Leavenworth have also committed to funding the project. The City will also provide the staffing resources to oversee and facilitate the study. The contract has been reviewed by the City Attorney and approved as to form.

The following item is included under **TAB 3:**

- Interlocal Agreement: Chamber of Commerce
 - **MOTION:** *The Leavenworth City Council acknowledges and appreciates the \$13,161 financial commitment by the Leavenworth Area Chamber of Commerce and moves to approve and authorizes the Mayor to sign the Agreement with the Chamber of Commerce for cost sharing of the Parking Study and Commitment.*

4. Professional Service Agreement for Regional Utility Consolidation Study with FCS Group

The City Council is being asked to review and consider approval of a Professional Services Agreement with the FCS Group for consultant services of the Regional Utility Consolidation Study. The Consultant will conduct an analysis and study of the five organizations: the City of Cashmere, City of Leavenworth, Chelan County, Chelan County PUD and the Peshastin Water District regarding the consolidation and/or merger analysis and to identify opportunities to expand, and/or to strengthen the delivery of water and sanitary sewer services to the utility accounts of the agencies. The Request for Qualifications was posted on May 8, 2017 with a due date of May 30, 2017. Agency representatives met on June 8, 2017 and selected the FCS Group based on their previous work with area agencies and their experience working on other consolidation studies. The cost of the study is \$140,000 with a \$10,000 contingency; a total cost of \$150,000. The contingency will be used in the event additional questions or areas are identified by the stakeholders group for more in-depth research.

The study is being funded by the Chelan County PUD. In 2016, Chelan PUD customer-owners were invited to submit proposals for projects that could be funded under the Public Power Benefit program created under the 2015 District Strategic Plan. Customer-owners were urged to recommend projects that would improve the quality of life in Chelan County and that would provide the best, for the most, for the longest period of time. The cities of Cashmere and Leavenworth, along with the Chelan County Board of Commissioners submitted a proposal to consider the potential for regionalization of the water/wastewater services in the upper Wenatchee Valley. The study was funded by the PUD Commissioners for 2017.

The contract is a standard City of Leavenworth Professional Service Agreement. The one change in the agreement is under paragraph III.2 Work Product and Documents. In this case, the work product produced will be joint property of the City and Consultant. The scope of work has been reviewed by agency representatives. Payment to the consultant will be made by the City and then reimbursed by the PUD.

Included in the packet is a “Project Approach and Understanding” that is provided regarding the study background, purpose and general study sequence. In a review of the scope of work, additional meetings with the Stakeholders Group were added and an all agency presentation on the findings and conclusion will be scheduled at the completion of the study.

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

- Project Approach and Understanding
 - PSA: FCS Group
 - Exhibit A Task Plan, Schedule and Proposed Cost of Services
 - Regionalization Study Stakeholders Committee Members
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the professional service agreement with FCS Group for consulting services for the Regional Utility Consolidation Study at a not to exceed cost of \$150,000.*

5. Mountain Pact Letter: Review of the Antiquities Act

At the June 13, 2017 Study Session, the City Council had a discussion regarding a request from the Mountain Pact to provide a letter to the U.S. Department of the Interior, Secretary Zinke, asking the Department to stop the review on how the 1906 Antiquities Act has been used to select and preserve national monuments and strongly urge the Department of the Interior to maintain the protection and current boundaries of all existing national monuments. The Council is being asked to review and consider supporting a letter to U.S. Department of the Interior, Secretary Zinke, asking the Department to stop the review on how the 1906 Antiquities Act has been used to select and preserve national monuments.

The Antiquities Act of 1906 is an act passed by the United States Congress and signed into law by Theodore Roosevelt on June 8, 1906. This law gives the President of the United States the authority to, by presidential proclamation, create national monuments from federal lands to protect significant natural, cultural, or scientific features. The Act directs the President to limit the designation to the “smallest area compatible with proper care and management of the objects

to be protected.” Presidents from both sides of the aisle have used their own discretion to determine the size and level of protection in designating national monuments.

In April 2017, President Donald Trump signed an executive order directing Secretary of the Interior Ryan Zinke to reassess the size of national monuments designated under the Antiquities Act of 1906, to determine whether the acreage covered by that designation "conforms" with the "requirements and original objectives of the Act," while balancing "the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities."

The Mountain Pact is a coalition of western tourism based cities, empowering the mountain communities to build resilience in the face of economic and environmental stresses through federal climate and conservation policy. The Mountain Pact is a nonprofit project fiscally sponsored by Sierra Business Council (501c3). The Mountain Pact organization views the call for a review on the use of the Antiquities Act as a “. . . attack on the protection of and investment in public land . . .” and “ poses a direct threat to western mountain communities that rely on outdoor recreation to drive their local economies.”

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

- Mountain Pact Policy Background: Antiquities Act and National Monument Review
- Mountain Pact Draft Letter
- **MOTION:** *The Leavenworth City Council approves supporting the Mountain Pact Coalition of Cities requesting U.S. Department of the Interior, Secretary Zinke, asking the Department to stop the review on how the 1906 Antiquities Act has been used to select and preserve national monuments.*

6. Cancel July 25, 2017 Regular Council Meeting and Subcommittee Meetings

The Council is being asked to approve the cancelation of the regularly scheduled July 25, 2017 City Council Meeting and Subcommittee meetings as there are no current items anticipated for action. Previously, the draft agenda items included a potential update to the Six-Year Capital Facilities Plan; however, it has been determined that the plan does not need amendments this year and can be reviewed again in 2018. This timeline will also fall in line with the Water and Sewer System Plan updates that are currently occurring and can then be integrated into the Facility Plan in 2018.

There are no items included under **TAB 6**.

- **MOTION:** *The Leavenworth City Council moves to cancel the July 25, 2017 Regular City Council meeting and Subcommittee meetings.*