



City of Leavenworth

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City Council
Cheryl K. Farivar - *Mayor*
Elmer Larsen
Carolyn Wilson – *Mayor Pro Tem*
Mia Bretz
Margaret Neighbors
Sharon Waters
Clint Strand
Jason Lundgren
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers
December 11, 2018 – 6:30 PM

Call to Order
Flag Salute
Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of November 27, 2018 Regular Meeting Minutes
3. November 2018 Payroll \$205,803.95
4. 2018 Claims \$349,184.29

Public Safety Report: Sergeant Scott Lawrence, Liaison Officer
Councilmember and Committee Reports
Mayor / Administration Reports

Comments from the Public on Items Not on the Agenda

Executive Session: RCW 42.30.140 (4)(b) Collective Bargaining

Public Hearing – City Assumption of Transportation Benefit District @ 6:45 PM

Resolutions, Ordinances, Orders, and Other Business

1. Action: Ordinance 1577 – Amending Chapter 3.92 Transportation Benefit District for Assumption by City
2. Action: Resolution 19-2018 – 2019 Rate & Fee Schedule
3. Action: Ordinance 1578 – Final 2018 Budget Amendment
4. Action: Ordinance 1579 – Adopting 2019-2020 Budget
5. Action: Resolution 20-2018 – Legislative Priorities for 2018-2019
6. Action: Authorization to Rebid US 2 Crosswalks Project
7. Action: Interlocal Agreement: Chelan County Fire District #3 (exp. 12/31/2018)
8. Action: Professional Services Agreement: IntegriTech
9. Action: Professional Services Agreement: Pacific Engineering and Design
10. Action: Agreement Amendment: Convenience Store Coaching
11. Action: Cancel December 25, 2018 Regular Council Meeting and Subcommittee Meetings

Information Items for Future Consideration

Executive Session: RCW 42.30.140 (4)(b) Professional Negotiations

Adjournment

(Next Ordinance is 1580 – Next Resolution is 21-2018)

The City of Leavenworth is committed to providing reasonable accommodations in accordance with the Americans with Disabilities Act. Please contact City Hall at (509) 548-5275 at least 72 hours prior to a scheduled meeting to request an accommodation.

Council Committees – 2nd Tuesday

Economic Development 3:00 PM
Parks 4:00 PM
Public Works 5:00 PM

SUPPLEMENTAL COUNCIL AGENDA

1. Ordinance 1577 – Amending Chapter 3.92 Transportation Benefit District for Assumption by City

The City Council will consider for approval the assumption of the Leavenworth Transportation Benefit District (TBD) after conducting a public hearing. This ordinance is designed to dissolve the Board of the TBD while retaining all of the original expectations of a TBD. This includes taking on all of the rights, powers, functions, and obligations as well as reaffirming the TBD's resolutions that created the Bylaws, District Finance Plan, and the Material Change Policy.

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

- Ordinance 1577
 - TBD Resolution 01-2010 Bylaws
 - TBD Resolution 02-2010 District Finance Plan
 - TBD Material Change Policy
 - Chapter 36.74 RCW – Transportation Benefit Districts – Assumption by Cities and Counties
- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1577 assuming the rights, powers, functions and obligations of the Leavenworth Transportation Benefit District, abolishing the TBD Governing Board, and amending Chapter 3.92 Transportation Benefit District for Assumption by the City of Leavenworth.*

2. Resolution 19-2018 – 2019 Rate & Fee Schedule

The City Council is being asked to approve the final amendments to the 2019 Rate and Fee Schedule that will be effective as of January 1, 2019. The resolution includes the annual utility rate changes, as included within the Six-Year Utility Rate Study approved by Council action, with exception to residential garbage rates. At the November Study Session, Councilmembers requested no change in the residential rates due to the transition with Waste Management occurring on February 1, 2019. Additional changes include the suggested changes for residential (reduction of \$100) and commercial (increase of \$50) roof permits based on the amount of staff time that Building Code Inspector Mark Barnes has calculated, suggested changes in fire hydrant rates from Public Works Director Herb Amick that are located within the Water Rate Fees, removal of the Festhalle 2018 rates, and the removal of one remaining reference to RV Parking in the Festhalle Lot that was removed earlier this year.

As discussed with Council at the November Study Session, Development Services staff will be reviewing building and development related fees for future consideration of changes. In addition, the Pool Rates will be reviewed by the PRSA in the spring as well as Cemetery rates in 2019 for future consideration of changes.

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

- Resolution 19-2018 Redline Version

- Resolution 19-2018 Clean Version
 - **MOTION:** *The Leavenworth City Council moves to approve Resolution 19-2018 – setting the rates and fees for 2019.*

3. Ordinance 1578 – Final 2018 Budget Amendment

The City Council is being asked to approve the final budget amendment for the 2017-2018 Biennial Budget. Adjustments have been incorporated that have been authorized over the past quarter by the Council and ensures no violation of exceeding authorized expenditures by State law. One additional item is the collection of \$900 dollars in property taxes for the Upper Valley Park & Recreation Service Area (PRSA) that had not been anticipated at budget creation; this is being incorporated in both the PRSA and Pool Fund to book and then transfer the funds to the Pool. A spreadsheet is included that details each of the adjustments by line item and specifies the purpose/reason for each of the commitments. In total, the increases amount to \$1,800 across the various funds with most of the funds having a net \$0 increase. In most cases each of the funds are being offset by reducing the estimated ending fund balances.

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

- Ordinance 1578
 - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1578 Final Amendment to the 2017-2018 Biennial Budget.*

4. Ordinance 1579 – Adopting 2019-2020 Budget

The City Council is being asked to approve Ordinance 1579 – Adopting the 2019 - 2020 Biennial Budget; both years are combined for audit purposes. Also included as prepared in the 2019 budget, with the recommendation of the City Administrator, a topic that was previously reviewed within an Executive Session, are the proposed wages for non-union employees at varying rates and union employees included with a negotiated increase of 3.25%. Prior budget meetings provided Council and Staff with the budget priorities for inclusion in the 2019 - 2020 Budget. City Staff presented the Preliminary Budget at the November 13, 2018 City Council meeting and a final public hearing on the Budget was held at the November 27, 2018 City Council meeting.

The following item is included under **TAB 4:**

- Ordinance 1579
 - **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1579 - Adopting the 2019-2020 Biennial Budget.*

5. Resolution 20-2018 – Legislative Priorities for 2019

The City Council is being asked to review and consider for approval Resolution 20-2018 which identifies the City's Legislative Priorities for the 2019 Legislative Session. As reviewed at the September 11, 2018 Council Meeting, the proposed priorities are:

1. Infrastructure Funding/Sales Tax Option
2. Housing Affordability
3. Recycling and Waste Reduction
4. Public Works Trust Fund
5. Secure Funding for MRSC

While the City has identified legislative priorities in the past, the Association of Washington Cities (AWC) in their “Operations: Strong Cities Program” is recommending that cities actually review and adopt by motion a list of Legislative Priorities, provide those priorities to their District Legislative representatives, and then follow-up after the session to see what actions were achieved.

Last year, the City was successful in working with Senator Hawkins and creating a pilot program for the burning of yard waste collected within the City that cannot be disposed through composting or at the Dryden Transfer Station. The addition to this year’s priority is for the Legislature and Department of Ecology to give a good look at opening other avenues for collected recycling material or programs for waste reduction.

If approved, the City will furnish the list of priorities to the offices of Senator Hawkins, Representative Steele, and Representative Goehner.

The following item is included under **TAB 5:**

- Resolution 20-2018 Legislative Priorities
 - **MOTION:** *The Leavenworth City Council moves to approve Resolution 20-2018 Legislative Priorities for 2019.*

6. Authorization to Rebid US 2 Crosswalks Project

The City Council is being asked to approve the advertisement for bid of the Highway 2 Crosswalk Improvement Project. This project includes the enhancements of three crosswalk locations on Highway 2; the crosswalk located at Gustav’s, City Hall crosswalk, and the crosswalk located at the Link Park N Ride. The Flashing Beacon System at City Hall will be relocated to the Link Park and Ride site and replaced with a Hawk System Crossing, which will be coordinated with the existing WSDOT traffic light at the intersection of Highway 2 and 9th Street. The Gustav’s crossing will also have a Hawk System Crossing installed. In addition, new striping, new pedestrian lighting, curb cuts, and ADA upgrades will be made as a part of the project. The Flashing Beacon Crossing relocated at the Park and Ride will be converted from solar to standard power.

Mr. Steve Marsh, PE, TD&H Engineering is the City’s engineering consultant on this project. Funding is provided through the Pedestrian/Bicycle Safety Program, which is considered State Funding and the WA State Department of Transportation (WSDOT). The bid period will be open for three weeks beginning January 9, 2019. Once bids are received, the bid submittals will be reviewed for completeness and a recommendation on the lowest qualified bidder will be presented to the Council for consideration of a bid award in early February. The Call for Bids

will be published in the Seattle Daily Journal of Commerce and posted on the Builders Exchange website.

This will be the second bid attempt for the project. The initial bid, completed in August of 2018, resulted in a bid from a single contractor in an amount well exceeding the engineer's estimate. Council, upon the advice of TD&H Engineering and the approval of the Washington State Department of Transportation, voted to reject the initial bid with the intent to re-bid the project in January of 2019, presumably within a more favorable bidding climate.

The following item is included under **TAB 6:**

- Initial Crosswalk Bid Tabulation August 2018
- **MOTION:** *The Leavenworth City Council moves to authorize the advertisement for bids for the Highway 2 Crosswalk Improvement Project.*

7. Interlocal Agreement: Chelan County Fire District No. 3 (exp. 12/31/2018)

The City Council is being asked to review and consider for approval an extension to the current Interlocal Agreement for Fire Marshall Services between the Fire District and City of Leavenworth for a one year period. The extension time period would be from January 1, 2019 through December 31, 2019 at a cost of \$43,000, which is consistent with the current cost. This is the second extension of the current agreement. In 2016, the City Council and Fire District Commissioners agreed to a two year extension while the Fire District was studying a levy increase request. The levy was approved by the voters, and in the past year the Fire District has implemented a number of staffing changes, service delivery changes, and equipment replacement purchases. The one year extension will allow the District and City to review the current Fire Marshall Services and funding sources. The Fire Marshall agreement was developed to address issues that Fire District No. 3 would provide to the City that are not typically provided throughout the Fire District; these include development plan review by the Fire Marshall and annual fire inspections of commercial businesses.

On November 6, 2012, voters of the City of Leavenworth and the Chelan County Fire District No. 3 approved the ballot measure for annexation of the City into the Fire District by over an 85% vote margin. The annexation became effective on January 1, 2014. As noted above, the Fire Marshall Contract covers additional services that are not performed by the District in servicing other areas of the district.

The following items are included under **TAB 7:**

- Interlocal Cooperative Agreement between the City of Leavenworth and Chelan County Fire District No. 3 for International Fire Code Services for 2014 – 2016
- Agreement Amendment for 2017 - 2018
- Draft Agreement Amendment for 2019
- **MOTION:** *The Leavenworth City Council moves to approve the Agreement Extension with Chelan County Fire District #3 for International Fire Code Services/Fire Marshall Services for a period of One-Year from January 1, 2019 through December 31, 2019.*

8. Professional Services Agreement: IntegriTech

The City Council is being asked to review and approve a Professional Services Agreement (PSA) with IntegriTech for on-call engineering consultant services. IntegriTech is a local engineering firm, represented by Mr. Aaron Schmidt and Mr. Bill Schmidt, the firm founder. This agreement would allow the City to have a local on-call engineering firm to respond to engineering inquiries or smaller City engineering needs when necessary. In the event consultant services from IntegriTech would be requested for larger projects, a scope of work would be requested and an amendment to this contract would be considered based on the City's purchasing policy. IntegriTech is listed on the City's Consultant Roster that is through the Municipal Research and Services Center of Washington (MRSC) Small Public Works Consultant Roster.

This will be the sixth year that the City has had a service contract with the firm. Aaron Schmidt has provided engineering assistance to the City on many projects including the Well #3 Project, the West Street Pavement Project, improvements for Parking Lots P1 and P2, and is presently working on the fish screen design review, a project proposed by the WA Department of Fish and Wildlife for the City's Icicle Creek water plant intake.

This agreement is capped at \$10,000 for general engineering support for 2019. In addition, the City would have an initial payment to cover the cost of requested additional insurance coverage by the City in the amount of \$1,886. The consultant would invoice at the hourly rate stated in the IntegriTech Statement of Fees for any specific projects where a scope of work would be requested by the City; those cost estimates would be based on the hourly fee provided within the Statement of Fees. The hourly fees are reduced in comparison to other firms where the hourly fee does include the cost of insurance.

The following items are included under **TAB 8**:

- 2019 Professional Services Agreement – IntegriTech
- Exhibit A: Statement of Fees
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Services Agreement with IntegriTech for on-call consulting engineer services.*

9. Professional Services Agreement: Pacific Engineering and Design

The City Council is being asked to review and approve a Professional Services Agreement (PSA) with Pacific Engineering and Design for on-call engineering, inspection, and plan review consultant services. Pacific Engineering and Design is a local engineering firm located in Wenatchee, WA and is represented by Mr. Thom Kutrich, P.E. This agreement would allow the City to continue to utilize the firm for engineering, project on-site inspection, and plan review consulting services. A scope of services will be provided by Pacific Engineering and Design for each assigned project; expenditures for plan review and various other services are reimbursed by the applicant.

The City has worked in conjunction with the firm on several City related projects such as the Hampton Inn Water Main Improvements and the Pinegrass Development; the firm acted as a

special inspector and represented the City on those projects; the cost of services are incurred by the developer. It is envisioned that the City would utilize the consulting skills of Pacific Engineering and Design for several of the upcoming projects in 2019, such as the completion of the Link Transit Project and the proposed Weidner apartment complex located within Willkommen Village. This agreement is capped at \$15,000 for general engineering support for 2019.

The following items are included under **TAB 9**:

- 2019 Professional Services Agreement – Pacific Engineering and Design
- Exhibit A – 2018 Schedule of Fees
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Services Agreement with Pacific Engineering and Design for on-call engineering, inspection, and plan review consulting services.*

10. Agreement Amendment: Convenience Store Coaching

The City Council is being asked to review and consider for approval an amendment to the Professional Services Agreement with Convenience Store Coaching. The City has previously contracted with Convenience Store Coaching, primarily contracting for the services of Mr. Josh Flickner to manage the Leavenworth Festhalle. The initial contract was approved and initiated on October 10, 2017. Over the course of the last year, Mr. Flickner, under the oversight of the Festhalle Oversight Committee has added to the service levels his company is providing at the Leavenworth Festhalle.

One area is providing in-house janitorial and security service for the events at the Festhalle. Previously, the City had employed several part time janitors at the Festhalle to provide the janitorial services. As the labor markets have changed, keeping those positions filled by the City became more difficult. In 2017, the City changed to contracting with an outside vendor for janitorial services. While this was an improvement initially, there were issues with the private contractor's service levels and claims for services. Mr. Flickner proposed that his firm, Convenience Store Coaching, employ the janitorial staff and provide the service. In addition, his employees also provide for onsite security for a number of events. The Committee recommended trying this approach on a trial basis. As a result of this trial, events have been provided a higher level of customer service and at a slightly lower price.

The second item included in the amendment is increasing the management hours for the Festhalle to include additional hours for pro-active marketing of the Festhalle. Initially, this concept began as a trial to provide better customer service and follow-up to current users and to actively promote the Festhalle to convention users. This did prove successful last summer with the booking of the USDA Regional Meeting and at this time ongoing conversations with other organizations for this year. This is a change from past passive marketing where the manager waited for the phone to ring. Mr. Flickner has attended the Northwest Event Trade Show and actively pursues other leads for facility rentals. This added effort in marketing does require additional staff hours, hence the change in contracted hours for Festhalle management.

The Festhalle Oversight Committee does receive monthly updates from Mr. Flickner on his efforts. Both changes to the operation of the Festhalle are viewed as positive steps at this time.

The following items are included under **TAB 10**:

- PSA Convenience Store Coaching LLC, Consultant Management Services
- Agreement Amendment
- **MOTION:** *The Leavenworth City Council moves to approve the Agreement Amendment with Convenience Store Coaching, LLC dated October 10, 2017 concerning the operation and management of the Leavenworth Festhalle.*

11. Cancel December 25, 2018 Regular Council Meeting and Subcommittee Meetings

The Council is being asked to approve the cancellation of the regularly scheduled December 25, 2018 City Council Meeting. This request is based on the assumption that the Council completes and approves the 2019-2020 budget work and other necessary actions for the 2018 calendar year by December 11, 2018.

There are no items included under **TAB 11**.

- **MOTION:** *The Leavenworth City Council moves to cancel the December 25, 2018 Regular City Council meeting and Subcommittee meetings.*