



City of Leavenworth

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City Council
Carl J. Florea - *Mayor*
Carolyn Wilson
Mia Bretz
Sharon Waters
Clint Strand
Jason Lundgren
Anne Hessburg - *Mayor Pro Tem*
Zeke Reister
Ana Cortez-Steiner - *City Administrator*

MEETINGS VIA ZOOM CONFERENCING July 14, 2020 Pacific Time (US and Canada)

Morning Study Session 8:30 AM to 10:30 AM

Join Zoom Meeting

<https://us02web.zoom.us/j/89719505158?pwd=S0I0U3JRNjGg4SS9rVEJGb0xCaTRYUT09>

Meeting ID: 897 1950 5158

Password: 256533

Afternoon Committee Meetings 4:30 – 6:00 PM – All 3 Meetings will run for ½ hour each via the same zoom meeting beginning at 4:30 PM; Councilmembers will attend based on their specific assignments.

Join Zoom Meeting

<https://us02web.zoom.us/j/82960262125?pwd=UDhCbItRWdDUEdDjMDGg4OWt0c1R0Zz09>

Meeting ID: 829 6026 2125

Password: 159792

Regular Evening Meeting Begins at 6:30 PM

<https://us02web.zoom.us/j/87959607419?pwd=YlBjL1UwV1Hm2dpeVE5dWxzYU1odz09>

Meeting ID: 879 5960 7419

Password: 866696

All Meetings allow for the same dial by your location option using the numbers listed below:

+1 253 215 8782 US

+1 301 715 8592 US

Or Find your local number: <https://us02web.zoom.us/j/keoKh4hQ3E>

The City requests that all non-essential visits to City Hall for the Council Meetings be observed. The City Hall Council Chambers will be open for the public that wants to attend the meetings in person; however, social distancing will be required for those that choose to attend. Space may be limited. We encourage all Councilmembers and the public to utilize the zoom meeting feature. Staff will ensure hosting of the access approximately 10 minutes prior to each of the scheduled meetings; no meeting business may be discussed prior to the official opening of the meetings. The public is encouraged to submit written comments prior to the meetings by sending to the City Clerk at financedir@cityofleavenworth.com; comments via email will need to be submitted by no later than 5:00 PM on Monday, July 13, 2020 in order for them to be received and prepared for submission into the record; comments received for the evening meeting will be read aloud as part of the Comments From the Public on Items Not on the Agenda or during the discussion of specific items. If you would like to deliver comments, you may contact City Hall at (509) 548-5275 prior to 1:00 PM on Monday, July 13, 2020 to schedule an appointment for delivery. Comments received through US Mail will be included if they are received prior to the meetings.

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers

July 14, 2020 – 6:30 PM

Call to Order

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of June 23, 2020 Regular Meeting Minutes
3. June 2020 Payroll \$228,085.18
4. 2020 Claims \$1,053,503.57
5. Motion to Set Public Hearing on Six-Year Capital Facilities Plan on 9/22/2020 at 6:45 PM
6. Authorization to Proceed with a Request for Proposal – Pine Street Phase II Engineering

Council Committees – 2nd Tuesday

Economic Development 4:30 PM

Parks 5:00 PM

Public Works 5:30 PM

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

Presentation: Census Complete Count – Brooklyn Holton

Public Hearing on Code Inconsistencies at 6:45 PM

Resolutions, Ordinances, Orders, and Other Business

1. Action: Ordinance 1612 – Code Inconsistencies Chapter 12.08
2. Action: Ordinance 1613 – Code Inconsistencies Chapter 21.07
3. Action: Ordinance 1614 – Code Inconsistencies Chapter 15.04
4. Action: Ordinance 1615 – Code Inconsistencies Chapter 14.10
5. Action: Ordinance 1616 – Quarterly Budget Amendment
6. Action: Development Services Mid-Year Report
7. Action: Consultant Agreement with TD&H for 14th Street Pavement Project
8. Action: Professional Services Agreement with 3Sherpas for Website Redesign
9. Action: Cascade School District Skateboard Park Memorandum Amendment #2
10. Action: Ratification of Resolution 14-2020 – Updated Proclamation of Emergency

Information Items for Future Consideration

Executive Session: RCW 42.30.110 (1)(c) Minimum Price of Real Estate

Adjournment

(Next Ordinance is 1617 – Next Resolution is 15-2020)

SUPPLEMENTAL COUNCIL AGENDA

1. Ordinance 1612 – Code Inconsistencies Chapter 12.08

The City Council is being asked to amend the Leavenworth Municipal Code to address code inconsistencies to Chapter 12.08 Street and Sidewalk Obstructions. This section of code currently references enforcement actions which conflict with Chapter 21.13 Enforcement. The amendment removes the outdated enforcement actions and replaces them by referencing Chapter 21.10 Enforcement. This amendment will address an inconsistency in how code enforcement is to be handled. The Planning Commission recommended approval of the amendments after conducting a Hearing on June 3, 2020 where no public comment was received.

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

- Staff Report, for June 3, 2020 Hearing
- Planning Commission Minutes June 3, 2020
- Ordinance 1612

- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1612 amending the Leavenworth Municipal Code Chapter 12.08, Street and Sidewalk Obstruction, to reference existing enforcement procedures.*

2. Ordinance 1613 – Code Inconsistencies Chapter 21.07

The City Council is being asked to amend the Leavenworth Municipal Code Chapter 21.07, Application Process, to include a “right of entry” for City employees to enter an applicant’s property after a land use or pre-application application is received by the City. These types of site visits allow City employees time to review the proposal in relation to the site conditions. The “right of entry” is covered in multiple areas of code but was not specifically included for land use applications.

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

- See **TAB 1**, Staff Report and Planning Commission Minutes
- Ordinance 1613

- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1613 amending the Leavenworth Municipal Code Chapter 21.07, Application Process, to provide a right of entry of City employees when a permit has been applied for.*

3. Ordinance 1614 – Code Inconsistencies Chapter 15.04

The City Council is being asked to amend the Leavenworth Municipal Code Chapter 15.04, Building Codes, to clarify two items; (1) swimming pool covers are not a substitute for fencing, which is required to be 5’ tall, and (2) define exempt accessory storage shed uses for tools, storage, playhouse, or similar use with a limit of 200 square feet or less. The use of a storage shed is

separate from accessory buildings, such as cabanas or crafting rooms, which are regulated under the building codes as habitable spaces.

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

- See **TAB 1**, Staff Report and Planning Commission Minutes
- Ordinance 1614
- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1614 amending the Leavenworth Municipal Code Chapter 15.04, Building Codes, to clarify swimming pool and accessory shed requirements.*

4. Ordinance 1615 – Code Inconsistencies Chapter 14.10

The City Council is being asked to amend the Leavenworth Municipal Code Chapter 14.10, Signs, to exempt Service Activity Signs which are used to identify community service groups, such as the Lions Club and Rotary. The placement of these signs is typically located in the public right-of-way or private property at the gateway to the community or business core. The current Service Activity Sign is located near the east end of town.

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

- See **TAB 1**, Staff Report and Planning Commission Minutes
- Example Image of a Service Activity Sign
- Ordinance 1615
- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1615 amending the Leavenworth Municipal Code Chapter 14.10, Signs, to add Service Activity Signs as an exempt sign.*

5. Ordinance 1616 – Quarterly Budget Amendment

The City Council is being asked to adopt Ordinance 1616 Quarterly Budget Amendment, which amends the budget at the fund level. A majority of this amendment includes the approved Council actions over the past quarter. Due to the COVID-19 shutdown, additional reductions are being incorporated to the City's major revenue streams, which includes parking, retail sales, and lodging tax revenues; see specific comments on the detailed line item sheet for various projections anticipated through year-end. Some minor amendments have been included for the reductions in the Festhalle Fund revenues that have been refunded, removal of additional funding that was previously budgeted for the Water Meter Replacement Project, a request from City Administrator Ana Cortez for Lodging Tax Funds to assist in downtown restrooms (utilization of the Festhalle restrooms on busy weekends), previously approved requests by Public Works to keep two fleet related vehicles for the Park and Street Departments, and an increase to the ER&R (Equipment Rental & Replacement) Fund for the additional repairs this year to the existing garbage truck. There are no recommended reductions to the City's major enterprise funds that includes the Garbage, Water, Sewer, and Stormwater Funds.

At this time, there remains an uncertainty of what the total effects of lost revenues will have on the City’s individual funds; however, making these necessary major revenue reductions now will greatly assist in the development of the 2021-2022 Budget. The City Council will see another amendment in October that will reflect the changes from now through July 31 (current actual losses only reflect through April). The greatest financial impact is occurring in the Lodging Tax Fund that had previously had an estimated ending fund balance of \$1,307,766; based on the lost revenues to date, plus the projections noted through year-end, the current loss amounts to approximately \$825,000 for the Fund by year-end.

Based on the City’s current Financial Policy, which is being reviewed by the Finance Committee for future potential changes, the chart below is a current snapshot of the City’s fund balances versus the policy recommendations; if a fund is not listed there is no set policy for that fund (these figures take into account this budget amendment for budgeted figures, not actuals, and includes the change from the last snapshot):

Fund	Reserve Policy	Reserve After QBA
General	40% by 2020 - Revenues	40% - down from 56%
Garbage	25% - Expenditures	15% - down from 16%
Water	25% - Expenditures	50% - up from 48%
Sewer	35% - Expenditures	100% - down from 101%
Stormwater	25% - Expenditures	125% - down from 129%
Parking	100% - Annual Debt Due	26% - down from 109%
Lodging Tax	\$300,000	160% - \$482,766 - down from 436% or \$1,307,766
ER&R	Sustain Operations/Capital	No issues EFB = \$343,666 – down from \$410,870
Civic Center – Festhalle	50% - Expenditures	0% of \$74,104 – down from 11%
City Pool	25% - Expenditures	90-95% - up from 55%

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

- Ordinance 1616
- Revenue and Expense Line Item Details
- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1616 Quarterly Budget Amendment.*

6. Development Services Mid-Year Report

This time is provided for the City Council to review and discuss development activities for the first six months of 2020. The Mid-Year Report provides a summary of 2019 permits, a breakdown of

2020 permits, and an overview of the Development Services Department Objectives and Achievements.

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

- Mid-Year Report 2020

7. Consultant Agreement with TD&H for 14th Street Pavement Project

The City Council is being asked to approve a Transportation Improvement Board (TIB) Consultant Agreement with TD&H Engineering for the construction engineering requirements associated with the 14th Street Pavement Project – Commercial Street to Front Street. This work includes full depth pavement reclamation as well as curb, gutter, sidewalk, and drainage improvements. The City, utilizing the assistance of TD&H Engineering, applied for and was awarded a grant for the project through the TIB; the agreement was approved by the City Council and signed by the Mayor on December 10, 2019. The City's portion of the project will be \$25,800 and the total project engineering estimate is \$488,300. The actual project will not begin until 2021 when the Wastewater Treatment Plant project is completed to eliminate construction overlap.

The total cost of the TIB approved Consultant Agreement with TD&H is an amount not to exceed \$39,191.57; however, the full budgeted engineering amount is \$69,200. This difference is allotted to allow the City to directly hire geotechnical engineering services and other subconsultants as needed or prescribed by TD&H.

The following item is included under **TAB 7:**

- TIB Consultant Agreement – 14th Street Project
 - **MOTION:** *The Leavenworth City Council moves to approve the Consultant Agreement with TD&H Engineering in an amount not to exceed \$39,197.57 and authorizes the Mayor to sign the agreement.*

8. Professional Services Agreement with 3Sherpas for Website Redesign

The City Council is being asked to authorize the Mayor to sign a Professional Services Agreement with Fallon Technology, Inc, dba 3Sherpas, for the redesign of the City's website.

The following item is included under **TAB 8:**

- Professional Services Agreement – Fallon Technology, Inc., dba 3Sherpas
 - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign a contract with Fallon Technology, Inc, doing business as, 3Sherpas for the redesign of the City website.*

9. Cascade School District Skateboard Park Memorandum Amendment No. 2

Staff seeks authorization from Council to execute a second amendment to the July 25, 2016 Memorandum of Understanding between the City and Cascade School District. This amendment requests an extension for entering into an intergovernmental disposition of property on or before December 31, 2020; the previous date for such transaction was September 30, 2020. With Council direction, staff will meet with District staff to ensure full execution of this extension.

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

- Amendment No. 2 to Skateboard Park Memorandum of Understanding
 - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign Amendment No. 2 to the Skateboard Park Memorandum of Understanding between the City of Leavenworth and Cascade School District.*

10. Ratification of Resolution 14-2020 – Updated Proclamation of Emergency

The City Council is being asked to approve and adopt Resolution 14-2020, ratifying a proclamation of emergency from Mayor Florea, which was signed as of Friday, July 2, 2020 in response to the novel coronavirus (COVID-19) outbreak.

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

- Resolution 14-2020
- Updated Proclamation of Emergency 2020-05
 - **MOTION:** *The Leavenworth City Council moves to approve and adopt Resolution 14-2020 – Proclamation of Emergency.*