



City of Leavenworth

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City Council
Cheryl K. Farivar - *Mayor*
Carolyn Wilson - *Mayor Pro Tem*
Mia Bretz
Margaret Neighbors
Sharon Waters
Clint Strand
Jason Lundgren
Position No. 7 - *Vacant*
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers
August 27, 2019 – 6:30 PM

Call to Order

Flag Salute

Roll Call

Council Committees – 4th Tuesday

Housing 3:00 PM
Public Safety 4:00 PM
Finance 5:00 PM

Consent Agenda

1. Approval of Agenda
2. Approval of July 23, 2019 Regular Meeting Minutes
3. 2019 Claims \$1,103,457.72
4. July 2019 Payroll \$276,254.33
5. Set Public Hearing Mandatory Code Amendments (Development Regulations and Critical Area Regulations) for September 24, 2019 @ 6:45 PM
6. Set Public Hearing Considering the Condemnation of 125 Pine Street Property for Temporary Access and Slope Easements – September 24, 2019 @ 6:45 PM

Councilmember and Committee Reports

Mayor / Administration Reports

Comments from the Public on Items Not on the Agenda

Resolutions, Ordinances, Orders, and Other Business

1. Action: Central Avenue – Two Way Street
2. Action: Annexation Request – Letter of Intent McDevitt
3. Action: Golf Course Lease Amendment
4. Action: Contract Approval – Permit Tracking System
5. Action: Leavenworth Area Promotions Appointment
6. Action: Pista Grit Removal / Replacement Project
7. Action: Contract Amendment #1 - Gray & Osborne, Inc
8. Action: Front Street Restroom Redesign

Information Items for Future Consideration

1. Mayor's Annual Breakfast on 9/17/2019 at the Wild Huckleberry from 7:00 AM – 9:00 AM

Adjournment

(Next Ordinance is 1594 – Next Resolution is 12-2019)

SUPPLEMENTAL COUNCIL AGENDA

1. Central Avenue – Two Way Street

The City Council is being asked to approve by motion the action to return the two-block portion of Central Avenue, adjacent to the Osborne Elementary site, between Birch Street and Evans Street, to a two-way street. In 2008, the City Council approved by motion, in agreement with the Cascade School District, to change the section of the street to one-way westbound to accommodate safer pick-up and drop-off of students attending school. With the recent completion of the new Alpine Lakes Elementary School and the completion of the remodel of Peshastin–Dryden Elementary, the Osborne School site will be vacated, and the one-way configuration is no longer deemed required. Cascade School District has provided a letter in support of returning the roadway to two-way traffic and has been included within the packet materials, along with a map showing the section of Central Avenue to be returned to two-way traffic.

Once approved by Council, City street crews will remove the one-way signage and reconfigure the appropriate signs and striping required for two-way traffic.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	✓
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

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

- Cascade School District Letter of Support
- Map of Central Avenue
- **MOTION:** *The Leavenworth City Council moves to approve the motion to return Central Avenue, between Birch Street and Evans Street, to two-way traffic.*

2. Annexation Request – Letter of Intent McDevitt

The City Council is being asked to consider the commencement of annexation proceedings and schedule the meeting with the property owner for the property being considered for annexation. The property owner, McDevitt Land Co. (Jordan McDevitt, Managing Member and Olivia McDevitt, Member), is requesting annexation for five properties located east of Ski Hill Drive and south of Village View Drive, legally described in the Notice of Intent.

McDevitt Land Co. (Jordan McDevitt, Managing Member and Olivia McDevitt, Member) submitted an intent letter on August 23, 2019, and is signed by the owner’s agent of not less than 10% in assessed value of the approximately 30 acres of property sought for annexation. Upon receipt of the requested annexation, the City Council must set a date within 60 days after having received such notice for a meeting with the initiating parties to determine:

- a) If the City will accept the annexation for processing;
- b) Whether the City will accept, reject, or geographically modify the proposed annexation;
- c) Whether it will require the simultaneous adoption of a proposed zoning regulation, if such a proposal has been prepared and filed (as provided for in RCW 35A.14.330 and RCW 35A.14.340);
- d) Whether it will require infrastructure improvements to complete (‘mirror’) the existing Pinegrass Street to adopted LMC standards;
- e) Whether it will require transfer of water rights (if any); and
- f) Whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed.

At the evening meeting, the Council will meet with the petitioner, and if the Council approves proceeding with the process, the Council expresses the above to the petitioner (or as modified), and the Council will record its action into the record.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

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

- Notice of Intention to Commence Annexation Proceedings
- Easement for Public Utilities Agreement, Auditor File Number 2182187
- **MOTION:** *The Leavenworth City Council moves to: 1.) consider the acceptance for annexation from the McDevitt Land Co. (Jordan McDevitt, Managing Member and Olivia McDevitt, Member) of five properties located east of Ski Hill Drive, known as Lots A, C, D, E and F of BLA 2018-164, and identified with parcel numbers 241701320060, 241701320064, 241701320062, 241701320050, and 241701320063; 2.) the annexed property will retain the existing zoning; 3.) the City will require transfer of water rights, if any; 4.) annexation and development will require compliance with the easement agreement recorded under Auditor File Number 2182187; and, 5.) the City will require the assumption of all or any portion of existing city indebtedness by the area to be annexed.*

3. Golf Course Lease Amendment

The City Council is being asked to review and consider approval of a lease amendment with the Leavenworth Golf Club. The Leavenworth Golf Club (LGC) currently operates the Leavenworth Golf Course, which is owned by the City of Leavenworth. The current lease with the Golf Club was written and agreed to in 2009. The lease at this time runs through April 30, 2028. The lease

that is currently in place allows for rent adjustment and negotiations every five years through the term of the lease.

In 2018, the City provided notice to the Golf Club that the City was interested in negotiating a rent adjustment and possibly other language within the current lease agreement. While there was some initial interest in reviewing the entirety of the lease agreement, the parties agreed to limiting the discussion to the adjustment of lease amount. Initially, a one-year lease addendum was agreed to by the parties while the negotiations took place regarding the five-year period through 2023. At this time, the Golf Club has agreed to a two thousand dollar per year increase for the next five years. The 2018 lease amount was \$32,000 per year plus the state required leasehold excise tax. The payments from 2019 – 2013 are provided below:

- The LGC payment for the 2019-2020 lease period, which begins on June 15, 2019 and runs through June 14, 2020 will be \$34,000 plus applicable leasehold excise taxes. The leasehold excise tax is \$4,365.60 or 12.84% of the total amount.
- The LGC payment for the 2020-2021 lease period, which begins on June 15, 2020 and runs through June 14, 2021 will be \$36,000 plus applicable leasehold excise taxes. The leasehold excise tax is \$4,622.40 or 12.84% of the total amount.
- The LGC payment for the 2021-2022 lease period, which begins on June 15, 2021 and runs through June 14, 2022 will be \$38,000 plus applicable leasehold excise taxes. The leasehold excise tax is \$4,879.20 or 12.84% of the total amount.
- The LGC payment for the 2022-2023 lease period, which begins on June 15, 2022 and runs through June 14, 2023 will be \$40,000 plus applicable leasehold excise taxes. The leasehold excise tax is \$5,136.00 or 12.84% of the total amount.
- The LGC payment for the 2023-2024 lease period, which begins on June 15, 2023 and runs through June 14, 2024 will be \$42,000 plus applicable leasehold excise taxes. The leasehold excise tax is \$5,392.80 or 12.84% of the total amount.

Payments are made in three installments throughout the season.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

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

- Lease Addendum Dated July 26, 2019
- Lease Addendum Dated May 16, 2019
- Golf Course Lease, 2009

- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the City Administrator to sign the lease addendum between the City of Leavenworth and the Leavenworth Golf Club*

4. Contract Approval – Permit Tracking System

Development Services sent out a request for proposals to provide a permit tracking system for the City of Leavenworth building, land use, and Public Works permits. There were three proposals submitted and reviewed. The highest scoring proposal was from Bitco, with PermitTrax web application software.

In addition to better access and more transparency, the permit tracking system is expected to save staff time and resources by providing the framework for permit management. It will reduce errors and stress and improve customer service. Currently, files are tracked on an excel spreadsheet with no system for monitoring each required process step or other department reviews and approvals – including Fire and Public Works.

COSTS

There are two options for purchasing Bitco Software. The first option requires placing the program on the City server and having the City maintain the program. The second option is a cloud-based program maintained by Bitco. The City could start with the cloud-based program and switch to the City server at a later date.

On Premise Installation	Software-as-a-Service (cloud)
City install PermitTrax on City server	PermitTrax is installed in the cloud
City maintained	Bitco maintained
\$10,000 per year	\$15,000 per year

RECOMMENDATION

Development Services is recommending the purchase of the Bitco permit tracking system using the cloud-based program to save staff time, improve record keeping and file management processes, and enhance transparency.

COUNCIL GOALS

Revenue & Fiscal Health	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
Infrastructure	Does the request/action support a safe and efficient infrastructure?	
Economic Development Growth and Vitality	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	✓
Transparency and Accountability	Does the request/action further public understanding and engagement?	✓
Community Building	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	✓

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

- Bitco Software Proposal, dated April 29, 2019
- Email correspondence, dated July 30, 2019
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign a contract for services with Bitco for a cloud-based permit tracking system.*

5. Leavenworth Area Promotions Appointment

The City Council is being asked to review and consider the appointment of Mr. Rich Cram to the Leavenworth Area Promotions (LAP) Committee as a Leavenworth Area Chamber Board Representative. The Committee is made up of two City Council members, three members representing the Lodging Association, and three members representing the Leavenworth Area Chamber of Commerce:

Chamber Representatives	Lodging Association	City of Leavenworth
Jesse Boyd	Brad Schmidt	Mia Bretz
Bill Forhan	Karl Reuther	Clint Strand
Rich Cram*	Martin Szuster	

*Consideration of appointment pending

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	✓
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

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

- Letter from Mr. Bill Forhan, Leavenworth Area Chamber of Commerce, Board President
- **MOTION:** *The Leavenworth City Council moves to approve and confirm the appointment of Mr. Rich Cram to the Leavenworth Area Promotions Committee.*

6. Pista Grit Removal / Replacement Project

The City Council is being asked to review the bid results for the Wastewater Treatment Plant Grit Removal System – Removal/Replacement Project. The City Council previously authorized the bidding of this project at the July 23, 2019 City Council meeting. The Call for Bids was advertised in the Seattle Daily Journal of Commerce and plans were made available at the Ridgeline Graphics Plan Center. Prior to the close of the bid period on August 16, 2019 at 2:00 PM, the City received two inquiries on the project; Award Construction, Inc. was the sole bidder on the project at the time of the bid opening. The bid proposal asked for a Base Bid amount and an Approved Alternate Equipment Bid amount. The bid results are shown in the following table:

Award Construction Inc.	
Base Bid	\$218,968 (including WA State Sales Tax)
Approved Alternate Bid	\$178,860 (including WA State Sales Tax)

The engineer's estimate for this project (Base Bid) was \$140,00 - \$175,000. Funding for the project will come from the Sewer Capital Reserve Fund.

The bid result has been reviewed by staff and the consulting engineer, Varela and Associates, and those findings and recommendations will be presented to the Council for review and discussion at the August 27, 2019 Study Session meeting. Discussion will include equipment comparisons and compatibilities, comparative costs, timing, and urgency.

There are three options that the Council may consider:

- A. Accept the Award Construction, Inc. Base Bid (PISTA Grit) in the amount (including sales tax) of \$218,968.
- B. Accept the Award Construction, Inc. Alternative Bid (Kusters equipment) in the amount of \$178,860 (including sales tax).
- C. Reject the Bid and Rebid the project.

The City Staff and Engineer’s recommendation is Option A.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	✓
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

The following items are included under **TAB 6**:

- Award Construction, Inc. Bid Packet
- Bid Tabulation
- **MOTION (a):** *The Leavenworth City Council moves to award the contract for the Wastewater Treatment Plant Grit Removal System – Removal/Replacement Project bid to Award Construction, Inc., in the Base Bid (PISTA Grit) amount of \$218,968 including Washington State Sales Tax.*
- **MOTION (b):** *The Leavenworth City Council moves to award the contract for the Wastewater Treatment Plant Grit Removal System – Removal/Replacement Project bid to Award Construction, Inc., in the Alternate Bid (Kusters) amount of \$178,860 including Washington State Sales Tax.*
- **MOTION (c):** *The Leavenworth City Council moves to reject the Wastewater Treatment Plant Grit Removal System – Removal/Replacement Project bid and rebid at a later date.*

7. Contract Amendment #1 – Gray & Osborne, Inc.

The City Council is being asked to review and consider for approval an amendment to the Professional Services Agreement (PSA) with Gray & Osborne, Inc., dated March 13, 2018, for the completion of the Water Treatment Plant (WTP) Assessment. This study was identified as one of

the top priorities for completion in the 2017 Water System Plan. The estimated cost of the original study was \$33,120. The Preliminary Assessment Study was completed in 2018 and presented to Council at Study Session on December 11, 2018. This assessment included several alternatives and improvement options for Council consideration. The amendment to the original agreement will increase the original amount by \$5,980 and take approximately 8 weeks to complete from Council approval and notice to proceed.

Department of Health Regional Engineer Jeff Johnson, PE, recently reviewed the original assessment with his staff, and in a follow up meeting with City Administrator Joel Walinski and Public Works Director Herb Amick, have recommended that another water filtering system (Slow Sand) be included by the City, for review and consideration, as an option by Council. Staff contacted Gray & Osborne, Inc. and requested an estimate to have this study added to the assessment. “Slow Sand” is a time-proven water filtering system and, if feasible at the Water Plant location, could considerably reduce costs in operation and maintenance labor as well as needed equipment and repair.

The original agreement, specifications, and estimate for the added study are included within the packet materials.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	✓
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

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

- Original Gray & Osborne, Inc. PSA
- PSA Amendment – Slow Sand
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Services Agreement Amendment to the original signed agreement with Gray & Osborne Inc., dated March 13, 2018, for an additional study request (Slow Sand) to be added to the Water Treatment Plant Assessment for a not to exceed cost of \$5,980.*

8. Front Street Restroom Redesign

The City Council is being asked to review and consider for approval a Professional Service Agreement (PSA) with Rolluda Architects for the Front Street Restroom and Stairway Access project. This project is divided into two initial phases, which are covered in the PSA. Phase One will include the assessment of the existing structure – plumbing, electrical, structural and the development of a new floor plan, which will include the expansion of the existing restrooms and the addition of a Family/Unisex restroom. Phase Two of this project is the development of architectural drawings for the building expansion. The City received a response to the Request for Qualifications from two architectural firms for this project. Rolluda was recommended by the

Downtown Steering Committee because of their experience and completing projects that were similar to the work being requested for this project.

A scope of work was developed that allows the City Council and Downtown Steering Committee to review a detailed assessment of the existing structure before expending funds on the architectural renderings of a new or expanded building and the development of a cost estimate. The scope of work includes presentations to the Downtown Steering Committee and a consultation with the Design Review Board. The estimated costs for Phase I and Phase II, with the included cost of sub-consultants, is Fifty-Four Thousand, Three Hundred and Seventy-Nine Dollars (\$54,379). Funding can be made available through the Lodging Tax Fund and City General Fund. In 2018, approximately \$163,000 had been allocated to this project. In the 2019 budget, those dollars were unallocated until a specific project could be identified. The timeline for this project would be to complete Phase I by November of this year.

COUNCIL GOALS

<i>Revenue & Fiscal Health</i>	Is the request/action (Ordinance/Resolution) consistent with the Financial Policy?	✓
<i>Infrastructure</i>	Does the request/action support a safe and efficient infrastructure?	✓
<i>Economic Development Growth and Vitality</i>	Is the request/action supportive of the Old-World Bavarian Theme or promote the diversification of the economic base?	✓
<i>Transparency and Accountability</i>	Does the request/action further public understanding and engagement?	✓
<i>Community Building</i>	Is the request/action supporting residential needs for housing, safety, transportation, affordable governmental services?	

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

- Professional Service Agreement Rolluda Architects
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Services Agreement with Rolluda Architects for the Front Street Park Restroom and Stairway Access project for a not to exceed amount of \$54,379.00.*