



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
October 27, 2020 Pacific Time (US and Canada)

Afternoon Committee Meetings 3:45 – 6:00 PM

Housing 3:45 – 4:30 PM * Public Safety 4:30 – 5:15 PM * Finance 5:15 – 6:00 PM

All Committee Meetings use the same zoom meeting link beginning at 3:45 PM
Councilmembers will attend based on their specific assignments.

Join Zoom Meeting

<https://us02web.zoom.us/j/88283981325?pwd=b2xoMDhERzd3TjI6N2ZrMnB1YjVJdz09>

Meeting ID: 882 8398 1325

Passcode: 581190

Regular Evening Meeting Begins at 6:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/89772013504?pwd=WWhGR3hpeHg1cm1INGhaUkIPMWJlQT09>

Meeting ID: 897 7201 3504

Passcode: 963366

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

+1 253 215 8782 US

Or find your local number: <https://us02web.zoom.us/j/kdrvPIXoAO>

PLEASE TAKE NOTICE, in consideration of the current COVID-19 pandemic, for the health and safety of the community, city staff, and councilmembers, City Hall is closed to the public.

We encourage all Councilmembers, Staff, and the public to utilize the Zoom Conferencing 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, October 26, 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, October 26, 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

October 27, 2020 – 6:30 PM

Call to Order

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of October 13, 2020 Study Session Minutes
3. Approval of October 13, 2020 Regular Meeting Minutes
4. 2020 Claims \$514,786.41
5. Set Public Hearing on 2021-2022 Preliminary Budget on November 10, 2020 at 6:45 PM
6. Set Public Hearing on 2021-2022 Final Budget on November 24, 2020 at 6:45 PM
7. Confirmation of Mayoral Appointments to the Leavenworth Area Promotions (LAP) Ad Hoc Committee

Council Committees – 4th Tuesday

Housing – 3:45 PM – 4:30 PM

Public Safety – 4:30 PM – 5:15 PM

Finance – 5:15 PM – 6:00 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

8. **Budget Presentation: Restricted and Enterprise Funds**
9. **Public Hearing on Ad Valorem (Property) Tax @ 6:45 PM**
10. **Public Hearing on Capital Facilities Element @ 6:45 PM**

Resolutions, Ordinances, Orders, and Other Business

11. Action: Ordinance 1619 Capital Facilities Element
12. Action: Chelan County Prosecution Services Agreement for 2021
13. Action: Resolution 18-2020 Legislative Priorities for 2021-2022
14. Discus: Request for Proposal – Osborn Property Facilitation
15. EXECUTIVE SESSION: RCW 42.30.110 (1)(i) Discussion of Legal Ramifications

Information Items & Future Considerations

16. Ad Valorem Tax Ordinance / Public Hearing Preliminary Budget on November 10, 2020
17. 2019 Upper Valley MEND Annual Report

Adjournment

(Next Ordinance is 1620 – Next Resolution is 19-2020)

CONSENT AGENDA

1. City Council Meeting Agenda

This item is included under **TAB 1.**

2. Study Session Minutes – 10/13/2020

This item is included under **TAB 2.**

3. Regular Meeting Minutes – 10/13/2020

This item is included under **TAB 3.**

4. 2020 Claims

This item is included under **TAB 4.**

5. Set Public Hearing on 2021-2022 Preliminary Budget on 11/10/2020 at 6:45 PM

This public hearing is the second in a series of public hearings for the passage of the biennial budget that will be finalized for Council approval on December 8, 2020. This hearing is specifically required by State law for the Mayor and/or City Administrator to present and take public comment on the City's preliminary budget for 2021-2022.

There are no items included under **TAB 5.**

6. Set Public Hearing on 2021-2022 Final Budget on 11/24/2020 at 6:45 PM

This is the third and final public hearing in a series of public hearings for the passage of the biennial budget that will be finalized for Council approval on December 8, 2020. This hearing is specifically required by State law for the Mayor and/or City Administrator to present and take public comment on the City's final budget for 2021-2022.

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

7. Confirmation of Mayoral Appointments to the Leavenworth Area Promotions Ad Hoc Committee

The City Council is being asked to confirm Mayor Florea's appointments to the Leavenworth Area Promotions (LAP) Ad Hoc Committee. There was a recent change in Committee membership and

Mayor Florea has requested that all LAP Committee members be appointed by the Mayor and confirmed by the City Council, as the LAP Committee is representative of the City’s interests. Previously, only the City Council members who represented the LAP Committee were appointed by the Mayor at the beginning of the year. The table below lists the current committee membership:

Leavenworth Area Promotions (LAP): 3rd Tuesday each month at 8:30 – 10:00 AM		
City Council Representatives: Mia Bretz Zeke Reister	Chamber Representatives: Rebecca Ryker – <i>ICCA</i> Rusty Gibbs – <i>Gibbs Graphics</i> Gavin Evans – <i>Stein</i>	Leavenworth Lodging Assoc Reps: Jesse Boyd – <i>Bavarian Lodge</i> Martin Szuster – <i>Hotel Pension Anna</i> Brad Schmidt – <i>Mount. Home Lodge</i>

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

- 2020 Leavenworth City Council Ad Hoc Committee Membership List

8. Budget Presentation

City Administrator Ana Cortez-Steiner will review this second presentation to the City Council and residents of the City focusing on Restricted and Enterprise Funds. Enterprise Funds are used to reflect activity for which a fee is charged to external users for goods or services. Restricted Funds are those where revenues have prescribed uses. The monies in these funds are allocated to specific uses. This presentation provides an overview of various funds aside from the General Fund.

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

- PowerPoint Presentation

9. Public Hearing on Ad Valorem (Property) Tax at 6:45 PM

This public hearing is the first in a series of public hearings required by State law in preparation of the 2021-2022 Biennial Budget. Finance Director Chantell Steiner will present the options available for the City Council in regard to property tax collections for the 2021 calendar year. Property taxes are adopted by Ordinance in each calendar year; therefore, only 2021 will be presented. Council will not be taking action this evening to allow for additional time to consider what option is preferred; Council will be presented with the Ordinance for adoption at the following council meeting on November 10, 2020.

The following item is included under **TAB 9:**

- 2021 Ad Valorem (Property) Tax PowerPoint Presentation

10. Public Hearing on Capital Facilities Element @ 6:45 PM

The City Council is holding a public hearing to review and to take comment on amendments to the Capital Facilities Element, which includes the Capital Improvement Plan. The Planning Commission hearing was held on October 7, 2020 with no public comment and a unanimous recommendation of approval based on the staff report, findings of fact, and conclusions of law.

The Capital Facilities Element functions as the heart of a Comprehensive Plan. It compiles a full picture from capital facility inventory, identification of needs and an estimate of costs, and timelines to address those needs. In this manner, the City can use information flowing from visioning, through planning to implementation, budgeting, and project development to evaluate success in providing capital facilities and services over time and at the desired level of service.

Capital facilities include roads, water, wastewater, stormwater, parks, solid waste, schools/libraries, City owned buildings, fire, law enforcement, and hospitals. The existing Capital Facilities Element lacked the project and funding component – a Capital Improvement Plan (CIP), which has been added. The CIP is a list of projects planned for the next six years, the funding source(s) and a budget analysis. By compiling projects and pairing those with adequate funding sources and timelines, the CIP, brings to life community goals in a tangible manner.

In addition to the new CIP, the amendments include:

1. Definition of capital facilities.
2. Updated inventory of capital facilities, organized by City Owned and Non-City Owned facilities.
3. Addition of Level of Service Standards. The LOS standards listed were compiled from other adopted plans. Some capital facilities, non-city owned, do not have an adopted LOS. Additionally, the LOS standards for parks were taken from the Shoreline Master Program and may be further refined for community park needs.
4. Consolidated Goals and Policies to make them more manageable and focused.

This year’s proposed amendments are part of the annual update of the Comprehensive Plan; however, future amendments to the CIP can be done outside of the annual update, as part of the budget review or during the Growth Management Act (GMA) review cycle of every eight years. The GMA makes special allowance for the Capital Improvement Plan to be adopted outside the Comprehensive Plan with a limit of once a year so that adoption of the budget and the CIP are consistent.

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

- Staff Report
- Public Comment
- Planning Commission Draft Hearing Minutes

SUPPLEMENTAL CITY COUNCIL MEETING AGENDA

11. Ordinance 1619 Capital Facilities Element

The City Council is being asked to amend the Capital Facilities Element, which includes the Capital Improvement Plan based on the Council’s public hearing findings and the Planning Commission recommendation of approval.

The following item is included under **TAB 11:**

- Ordinance 1619 Capital Facilities Element Amendment

- **MOTION:** *The Leavenworth City Council moves to adopt Ordinance 1619 approving an amendment to the Comprehensive Plan Capital Facilities Element, based on the findings of fact and conclusions of law within the file of record.*

12. Chelan County Prosecution Services Agreement for 2021

The City Council is being asked to approve the 2021 Chelan County Prosecution Service Agreement for prosecution services through the Chelan County Prosecuting Attorney. Through this agreement, the County Prosecuting Attorney will provide prosecution services for misdemeanors and gross misdemeanors filed in District Court for cases arising within the corporate City limits. The fee for the prosecution services will be calculated based on the rate of \$275.00 per case, which is an increase of \$25 per case. The total contract amount for 2021 is \$18,700, which is based on the 68 cases that were prosecuted during the 12-month period of September 1, 2019 through August 31, 2020. This results in a decrease of \$7,800 from the 2020 contract. See the table below for the history of annual contract costs and numbers of cases prosecuted.

Year	Per Case Fee	Number of Cases	Contract Cost
2021	\$275	68	\$18,700
2020	\$250	106	\$26,500
2019	\$250	79	\$19,750
2018	\$225	61	\$13,725
2017	\$225	54	\$12,150
2016	\$210	64	\$13,440
2015	\$210	50	\$10,500
2014	\$210	84	\$17,640
2013	\$210	69	\$14,490
2012	\$200	55	\$11,000
2011	\$200	58	\$11,600

Some of the history of fee changes per case for the Prosecution Service Contract is as follows:

1997 - \$100 per case	2003 - \$125 per case	2006 - \$175 per case
2010 - \$200 per case	2013 - \$210 per case	2017 - \$225 per case
2019 - \$250 per case	2021 - \$275 per case	

A copy of the agreement is provided as well as a list of misdemeanor crimes occurring within the corporate city limits as provided by the Chelan County Sheriff’s Office via RiverCom. The report provides the incident number, location of incident, location of arrest, the charges, and the date of the arrest.

The following items are included under **TAB 12:**

- Chelan County Prosecuting Attorney Cover Letter, October 9, 2020
- Prosecution Service Agreement
- Bookings by LV Incident Location 9/1/2019 – 8/31/2020
- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the 2021 Chelan County Prosecution Service Agreement in the amount of \$18,700.*

13. Resolution 18-2020 Legislative Priorities for 2021-2022

At its September and October Study Sessions, the Council has discussed the City's Legislative Agenda. This agenda is intended to reflect advocacy activities that the City Council and the Mayor will implement at the State and Federal levels. The Legislative Agenda is not intended to outline legislation that the City Council controls, but legislative actions controlled by others. Once the Legislative Agenda is set, the City Administrator will engage relevant parties to accomplish specific goals in Olympia and Washington D.C. The following areas were previously discussed with the Council; included in the outline are relevant advocacy positions adopted by the Association of Washington Cities (AWC).

MAYOR PRIORITIES

1. Funding for Housing – Governor's Office

- a. AWC – Create a tax increment financing (TIF) option for cities
- b. AWC – Continue to pursue new resources and policies to increase affordable housing, both at the state and local level
 - i. Examine feasibility of lodging tax as funding stream for workforce housing

2. COVID-19 / Economic Development Funding – FEMA and Governor's Office

- a. Secure resources to address revenue gaps for operations and economic development.

CITY COUNCIL PRIORITIES

3. Infrastructure Funding / Sales Tax Option – Governor's Office

- a. AWC- Fully fund the Public Works Trust Fund (PWTF)

JOINT MAYOR AND COUNCIL

1. Funding for Housing – Governor's Office

2. Fire Prevention and Mitigation

3. Apple Maggot Quarantine and Education

The following item is included under **TAB 13**:

- Resolution 18-2020 Legislative Priorities FY 2021-2022
- 2021 City Legislative Priorities from Association of WA Cities (AWC)
 - **MOTION:** *The Leavenworth City Council moves to approve Resolutions 18-2020 Legislative Priorities for years 2021-2022.*

14. Request for Proposal – Osborn Property Facilitation

The Residential Advisory Committee (RAC) approved the final version of the Request for Proposal (RFP) for Osborn Property Community Visioning Process and Facilitation and submits

to the Council for its review. Staff will release the RFP on October 28, 2020. This is an informational item.

The following item is included under **TAB 14:**

- Osborn Property Request for Proposal (RFP)

15. Executive Session RCW 42.30.110 (1)(i) Discussion of Legal Ramifications

There are no items included under **TAB 15.**

INFORMATION ITEMS & FOR FUTURE CONSIDERATION

16. Ad Valorem Tax Ordinance / Public Hearing Preliminary Budget on 11/10/2020

There are no items included under **TAB 16.**

17. 2019 Upper Valley MEND Annual Report

This item is included under **TAB 17.**