



## City of Leavenworth

700 Highway 2 / Post Office Box 287  
Leavenworth, Washington 98826  
(509) 548-5275 / Fax: (509) 548-6429  
Web: [www.cityofleavenworth.com](http://www.cityofleavenworth.com)

**City Council**  
Carl J. Florea - *Mayor*  
Sharon Waters  
Clint Strand  
Jason Lundgren  
Anne Hessburg - *Mayor Pro Tem*  
Zeke Reister  
Marco Aurilio  
Tibor Lak

Matthew "Selby" - City Administrator

### MEETING LINKS VIA ZOOM CONFERENCING January 10, 2023 Pacific Time

#### Morning Study Session Begins at 8:30 AM

##### Join Zoom Meeting

<https://zoom.us/j/94464910255?pwd=NzVCZVVURDU5Q2tWVW4yZ0RwRDdFUT09>

**Meeting ID: 944 6491 0255**

**Passcode: 419494**

#### Afternoon Committee Meetings Begins at 3:45 PM

Economic Development 3:45 – 4:30 PM \* Parks 4:30 – 5:15 PM \* Public Works 5:15 – 6:00 PM

Councilmembers will attend based on their specific assignments.

<https://zoom.us/j/97843817777?pwd=Tm9qK3ZRMUEXOVdpU3NFNmtXVThEQT09>

**Meeting ID: 978 4381 7777**

**Passcode: 876951**

#### Regular Evening Meeting Begins at 6:30 PM

##### Join Zoom Meeting

<https://zoom.us/j/93851497294?pwd=a2JrTDBTLzQyQTVBNFNzUDZuc3Zpdz09>

**Meeting ID: 938 5149 7294**

**Passcode: 583834**

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://zoom.us/u/adrJv5kBtT>

**LEAVENWORTH CITY COUNCIL AGENDA**  
**Leavenworth City Hall – Council Chambers**  
**January 10, 2023 – 6:30 PM**

**Call to Order**

**Flag Salute**

**Roll Call**

**Council Committees – 2<sup>nd</sup> Tuesday**

Economic Development 3:45 PM  
Parks 4:30 PM  
Public Works 5:15 PM

**Consent Agenda**

1. Approval of Agenda
2. Approval of the December 13, 2022 Study Session Minutes
3. Approval of December 13, 2022 Regular Meeting Minutes
4. December 2022 Payroll \$368,816.22
5. 2022 Claims \$998,154.93
6. 2023 Claims \$563,944.04
7. Partnership Agreement – WA State Autumn Leaf Festival 2023

**Comments from the Public on Items Not on the Agenda**

**8. Presentation: RH2 Engineering Pine Street Phase II: Preliminary Draft Review**

**Resolutions, Ordinances, Orders, and Other Business**

9. Action: Motion to Elect Mayor Pro Tempore
10. Action: RH2 Engineering Supplemental Agreement No. 2
11. Action: Motion to approve the purchase of a new 2022 CAT 938M loader and surplus an existing 2003 CAT 938 Loader

**Councilmember and Committee Reports**

**Mayor / Administration Reports**

**Information Items & Future Considerations**

12. Economic Development Committee Agenda Items
13. Parks Committee Agenda Items
14. Public Works Committee Agenda Items
15. Community Development December 2022 Report
16. Hearing Examiner 2022 Report
17. Reminder: Community Engagement Night on January 31, 2023 at the Festhalle from 5:00-8:00 PM

**Executive Session: RCW 42.30.110 (1)(i)(i) Threatened Litigation**

**Adjournment**

**(Next Ordinance is 1666 – Next Resolution is 1-2023)**

**1. City Council Meeting Agenda:**

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

**2. Study Session Meeting Minutes – 12/13/2022:**

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

**3. Regular Meeting Minutes – 12/13/2022**

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

**4. December 2022 Payroll:**

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

**5. 2022 Claims:**

This item is included under **TAB 5**.

**6. 2023 Claims:**

This item is included under **TAB 6**.

**7. Partnership Agreement – WA State Autumn Leaf Festival 2023**

The City Council is being asked to review and consider approval of a Partnership Funding Agreement with the WA State Autumn Leaf Festival organization. The agreement is for the City to provide \$30,300, which will be used to promote the “Old World Bavarian Alpine Theme” of Leavenworth, WA throughout the Pacific Northwest and Canada through their participation at a number of annual festivals. The Autumn Leaf Festival organization entered into a partnership agreement beginning in 2020; this is an annual agreement for the calendar year 2023.

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

- Partnership Agreement between the City of Leavenworth and WA State Autumn Leaf Festival

**8. Presentation: RH2 Engineering Pine Street Phase II: Preliminary Draft Review**

This time is provided for the Council to review a presentation provided by RH2 Engineering regarding the Pine Street Phase II Study. The objective of RH2’s presentation is to provide the Council with a summary of the draft design report and obtain a Council preferred alternative.

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

- Pine Street Study Phase II: Project Overview and Study Findings Presentation Slides

- Pine Street Study Phase II: Draft Traffic Study

## SUPPLEMENTAL COUNCIL AGENDA

### 9. **Motion to Elect Mayor Pro Tempore**

The Council is being asked to consider the appointment and designation of a Mayor Pro Tempore. The action could be the confirmation of the standing Mayor Pro Tempore or the selection and confirmation of another sitting councilmember.

The duties of the Mayor Pro Tempore include the recommendation of councilmembers to standing committees with the appointments approved by the City Council, and to serve as the presiding officer at the Council Meetings in the Mayor's absence.

At this time, the following procedure is recommended:

- Mayor: Nominations are now in order for the office of Mayor Pro Tempore.
- Nominations taken from the floor.
- Mayor calls for any further nominations - if none, announces nominations are closed.
- Election then occurs by show of hands in support of each nominee.
- A full majority of four (4) is needed for the confirmation.

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

- RCW 35A.12.065 Pro Tempore Appointments
- RCW 35.27.160 Mayor – Duties – Powers – Mayor Pro Tempore
  - **MOTION:** *The Leavenworth City Council moves to nominate and appoint Councilmember \_\_\_\_\_ as Mayor Pro Tempore.*

### 10. **RH2 Engineering Supplemental Agreement No. 2 for Additional Environmental Permitting and Electrical Work Associated with the Waterfront Restroom Force Main Relocation Project**

The original Professional Services Agreement (PSA) with RH2 Engineering, Inc. (RH2) for the Waterfront Restroom Force Main Relocation project was approved by the Council on April 26, 2022 with a not to exceed amount of \$99,850. The original PSA had a completion date of December 31, 2022. Due to the project construction schedule extending into the spring of 2023, Supplemental Agreement No. 1 was executed on December 2, 2022 to extend the PSA completion date through December 31, 2023 with no change in dollar amount.

Due to both environmental permitting and electrical design exceeding the originally anticipated scope of work, RH2 has requested an increase in the consultant fee as reimbursement. More specifically, there was an assumption the environmental permitting would be handled through a shoreline exemption process; however, following contract execution, it was determined that a full environmental review was required. Regarding the electrical work, during project scoping, it was assumed we could relocate the existing electrical service. Following initial coordination with Chelan PUD, it was determined a new service and

transformer was required. Supplemental Agreement No. 2 increases the PSA not to exceed amount by an additional \$20,912 to a revised total of \$120,762.

The following item is included under **TAB 10:**

- PSA Supplemental Agreement #2 for RH2 Engineering, Inc.
  - **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign Professional Services Agreement Supplemental Agreement No. 2 with RH2 Engineering, Inc. in the amount of \$20,912, updating the overall not to exceed amount to \$120,762.*

### **11. 2022 CAT 938M Loader Purchase**

The Council is being asked to consider approving the purchase of a new 2022 CAT 938M loader. This loader purchase is associated with a scheduled replacement of an existing 2003 CAT 938 loader used for Public Work activities, including snow removal. The new 2022 CAT 938M loader is procured through Sourcewell. Sourcewell is a government cooperative purchasing entity that fulfills competitive bid requirements; therefore, the City can purchase equipment directly from Sourcewell contracts.

This particular CAT 938M loader was procured in 2022; therefore, has a 2022 price of \$264,933.44 (sales tax included). The reason for being able to purchase a new 2022 model is a result of an agency backing out of taking delivery of this unit. As such, we have a one-time opportunity to purchase this particular loader and, if approved, we are able to take delivery immediately. If we were to decline this opportunity, a 2023 CAT 938M loader would take approximately six (6) months to procure and cost an additional \$53,000 (\$317,000 total).

We have an approved 2023 budget of \$128,700 for the purchase of a replacement loader. In order to purchase the proposed 2022 CAT 938M loader, an additional appropriation of \$136,234 is needed. Please note, the revenue from surplus of the existing 2003 CAT 938 loader, if approved, will offset the additional appropriation.

With regard to the existing 2003 CAT 938 loader, as indicated above, staff is asking Council to consider surplus of this machine. Once formally surplus, the 2003 CAT loader can be either sold through a public auction or traded in to offset the purchase price of the new loader. If traded in, the 2003 CAT 938 loader would be formally appraised prior to establishing a trade-in value to ensure the City is obtaining a fair value.

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

- CAT 938M Loader Specification Sheet
  - **MOTION:** *The Leavenworth City Council moves to approve the purchase of the 2022 CAT 938M Loader in the amount of \$264,944.44.*
  - **MOTION:** The Leavenworth City Council moves to surplus the 2003 CAT 938 loader, Serial No. CRD00327.

**12. Economic Development Committee Agenda Items**

This item is included under TAB 12.

**13. Parks Committee Agenda Items**

This item is included under TAB 13.

**14. Public Works Committee Agenda Items**

This item is included under TAB 14.

**15. Community Development December 2022 Report**

This item is included under TAB 15.

**16. Hearing Examiner 2022 Report**

This item is included under TAB 16.

**17. Reminder: Community Engagement Night on January 31, 2023 at the Festhalle from 5:00-8:00 PM**

There are no items included under TAB 17.