



# City of Leavenworth

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## MEETING LINKS VIA ZOOM CONFERENCING May 14, 2024 Pacific Time

**Study Session Begins at 5:30 PM**  
**Regular Evening Meeting Begins at 7:00 PM**

### Join Zoom Meeting

<https://zoom.us/j/98250477856?pwd=Lys0Q2tnWnRhMjVjRmxvb2x6Uk40UT09>

**Meeting ID: 982 5047 7856**  
**Passcode: 461035**

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

**(253) 215-8782**

**Or find your local number: <https://zoom.us/u/ajbgpmsbQ>**

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**LEAVENWORTH CITY COUNCIL AGENDA**  
**Leavenworth City Hall – Council Chambers**  
**May 14, 2024 – 7:00 PM**

**Call to Order**  
**Pledge of Allegiance**  
**Roll Call**

**Consent Agenda**

1. Approval of Agenda
2. 2024 Claims \$1,148,471.85
3. April 2024 Payroll \$438,519.42
4. PRSA Voucher Request \$110,000.00
5. Noise Variance – Alpine Lakes Elementary School
6. Right-of-Way Agreement Alley – 829 Front Street (Hotel Europa)
7. Proclamation National Public Works Week

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

8. **Public Hearing:** Flood Regulations on May 14, 2024 @ 7:00 PM

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

9. **Discussion:** Review of Code Consistencies in Preparation for Public Hearing on May 28, 2024
10. **Discussion:** Cemetery Burial Lot Size and Liner Discussion
11. **Action:** Ordinance 1692 – Flood Regulation Amendments
12. **Action:** Resolution 11-2024 – Rate & Fee Schedule
13. **Action:** Acceptance of Zelt Strasse Stormwater and Road Improvements & Dedication of Public Utility
14. **Action:** 2024 Street Maintenance Bid Award
15. **Action:** Professional Services Agreement – Pacific Security
  - Pacific Security for Parking Enforcement
  - Pacific Security for Downtown Patrol Services
16. **Action:** On-Call Dust Control Bid Award
17. **Action:** Professional Services Agreement – Ardurra Group, Inc. – 2024 On-Call Transportation Engineering
18. **Action:** Professional Services Agreement – RH2 Engineering, Inc. – 2024 On-Call Utility Engineering

**Council/Staff Reports**

**Information Items & Future Considerations**

19. April 2024 Public Works Department Report
20. Finance Committee Packet – Meeting on May 16, 2024 @ 3:00 PM

**Adjournment**

**(Next Ordinance is 1693 – Next Resolution is 12-2024)**

**1. City Council Meeting Agenda:**

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

**2. 2024 Claims:**

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

**3. April 2024 Payroll**

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

**4. PRSA Voucher Request**

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

**5. Noise Variance – Alpine Lakes Elementary School**

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

- Noise Variance for Alpine Lakes Elementary School

**6. Right-of-Way Agreement Alley – 829 Front Street (Hotel Europa)**

The Hotel Europa is in the process of completing building repairs. The repairs include replacing equipment located in the alley. This area is within the City’s right-of-way which necessitates a right-of-way use agreement. The property owner has requested a survey, to be done in May, to verify the right-of-way. The owner is also requesting issuance of the permit to continue with the repair work. By authorizing the mayor to sign the agreement, the permit may be issued. If the survey determines that the equipment is located on private property, the agreement will be terminated.



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

- Right-of-Way Agreement - Forchemer

**7. Proclamation – National Public Works Week**

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

- Mayor’s Proclamation for National Public Works Week

## PUBLIC HEARINGS

### **8. Public Hearing: Flood Regulations on May 14, 2024 @ 7:00 PM**

The Department of Ecology conducted a periodic review of the City's flood regulations and recommended several updates to the existing codes. The Planning Commission reviewed the draft changes at the January 2024 meeting and held a hearing March 13, 2024 on the proposed amendments. The Planning Commission recommended adopting the proposed amendments as presented within the staff report.

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

- Staff Report with Attachment

## SUPPLEMENTAL COUNCIL AGENDA

### **9. Discussion: Review of Code Consistencies in Preparation for Public Hearing on May 28, 2024**

This time is provided for continued discussion, from the February 13, 2024 Council Meeting, on code consistency amendments recommended by the Planning Commission for adoption. These amendments were proposed by staff with the intent to clarify various code requirements and add policies into code, such as the Traffic Impact Statement requirements.

Additionally, staff is had provided a memo requesting one additional amendment, moving Accessory Dwelling Unit requirement for water and sewer utilities from zoning regulations to Chapter 14.14 Street, Sidewalk, Water, Wastewater, Stormwater and Miscellaneous Utility Development Standards.

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

- Staff Report with amended attachment (numbering proposed amendments)
- Memo – Additional Amendment

### **10. Discussion: Cemetery Burial Lot Size and Liner Discussion**

This time is provided for the City Council to discuss a deviation from the 2022 Cemetery Master Plan largely driven by the need to create additional cemetery plots in an expedited manner. In terms of background, City staff facilitated the completion of a cemetery master plan in 2022. The recommendation at that time was to plat out new sections of the cemetery to accommodate pre-lined plots. The pre-lined plots are smaller than traditional full-size plots due to the liner being pre-installed. This allows for additional capacity; however, as of today, the City only has one (1) full-size plot remaining. The limiting factor associated with the pre-lined section option is cost. In the 2022 Cemetery Master Plan, the capital outlay required to pursue double burial pre-liners was \$1.54M

and single burial pre-liners were estimated at \$827,700. These cost estimates are two (2) years old; therefore, costs will be higher in today's market.

Due to the large General Fund capital outlay required to pursue a pre-lined section, the City is not able to proceed in a timely manner. Public Works Department staff recommends a more cost-effective short-term solution to increase the number of available cemetery plots by re-plating the previously recommended pre-lined sections with traditional 10' by 4' plots.

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

- 2022 Recommendation Memo and Cemetery Master Plan

### **11. Ordinance 1692 – Flood Regulation Amendments**

The City Council is being asked to adopt changes to the Flood regulations to ensure that they are consistent with the recommendation of the Department of Ecology and changes in State law. The Planning Commission is recommending adoption as presented in the Staff Report.

The following items are included under **TAB 11**.

- Ordinance 1692
  - **MOTION:** *The Leavenworth City Council moves to approve Ordinance 1692, amending the Flood Regulations and Definitions, as recommended by the Department of Ecology and the Planning Commission.*

### **12. Resolution 11-2024 – Rate & Fee Schedule**

The City Council is being asked to consider adopting Resolution 11-2024 which updates the City's Rate and Fee Schedule. Proposed changes are noted in the redline version provided in the packet materials. In summary, the proposed Rate and Fee Schedule changes add Kodiak bear-resistant tote and Bigbelly fees associated with garbage rates.

City Council received a Kodiak bear-resistant tote fee update at the April 9, 2024 Study Session. Since then, Public Works Department staff added fees associated with the Bigbelly self-compacting street cans. The Bigbelly fees are utilized for internal purposes only as Bigbelly street cans are intended for public use in the downtown core.

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

- Resolution 11-2024 Redlines
  - **MOTION:** *The Leavenworth City Council moves to approve Resolution 11-2024 – Rate & Fee Schedule.*

### **13. Acceptance of Zelt Strasse Stormwater and Road Improvements & Dedication of City Utility**

The City Council is being asked to accept improvements and dedication of Zelt Strasse stormwater infrastructure, as agreed to in the Developer extension Agreement, dated July 7, 2023. The applicant has completed all items identified in the agreement:

- a. Obtain approval and acceptance of the construction and installation of the proposed utility by the City.
- b. Pay for construction and installation of the proposed utility, engineering and legal services, administrative, out-of-pocket and other applicable fees and charges.
- c. Satisfy and release all liens and encumbrances for labor, materials and taxes related to the proposed utility.
- d. Convey the stormwater improvements to the City free of liens and encumbrances by warranty bill of sale substantially in the form of the Warranty Bill of Sale, as approved by the City.
- e. Convey NNA River Bend Drive (parcel 241806-820-186, as shown in the Development Extension Agreement).
- f. Deliver to the City a set of as-built plans for the utility line.

The following items are included under **TAB 13**.

- Developer Extension Agreement, AFN 2583724
- Bill of Sale – Zelt Strasse Road
- Bill of Sale – Zelt Strasse Stormwater
- Dedication
  - **MOTION:** *The Leavenworth City Council moves to accept the improvements in Zelt Strasse and associated Stormwater facilities, as denoted in the Bills of Sale.*
  - **MOTION:** *The Leavenworth City Council moves to accept and authorizes the Mayor to sign the dedication of land for the Zelt Strasse stormwater infrastructure.*

#### **14. 2024 Street Maintenance Bid Award**

The Leavenworth City Council is being asked to consider awarding the 2024 Street Maintenance construction contract. The bid opening for this project was held on Wednesday, May 1<sup>st</sup>, 2024. Three (3) bids were received ranging from \$141,693.68 to \$303,012.83. The engineer's estimate of probable construction costs is \$172,384.24. Central Paving, LLC was the lowest responsive bidder with a total bid amount of \$141,693.68.

The Transportation Improvement Board (TIB) awarded the City \$100,000 to complete the 2024 Street Maintenance project as part of TIB's Small City Maintenance program, with \$90,000 provided as grant funding from TIB and \$10,000 provided by the City's street fund. The purpose of this project is to address street maintenance needs that are not anticipated to be addressed by the 2024 Scrub Seal project. Maintenance activities included in this contract includes crack seal, pavement repair, and fog seal. City staff elected to include additional work in this contract beyond the initial scope of the TIB project. This includes fog sealing Front Street between US 2 and Division Street and adding additional streets that were not initially included. The additional work beyond the TIB grant amount will be paid for via the City's street fund.

The following items are included under **TAB 14**.

- 2024 Street Maintenance Bid Acceptance Recommendation Letter
- 2024 Street Maintenance Bid Tabs
- **MOTION:** *The Leavenworth City Council moves to accept the construction bid and authorize the Mayor to execute a contract with Central Paving, LLC for the 2024 Street Maintenance project in the amount of \$141,693.68, pending TIB approval.*

### **15. Professional Services Agreement – Pacific Security**

The City Council is being asked to review and approve two (2) Professional Services Agreements with Parker Corporate Services, Inc. DBA Pacific Security for parking enforcement and downtown patrol services for 2024 – 2025. Both agreements run from May – January 1st and are broken into high and low demand needs. The scope of work states that the City reserves the right to modify, add, or reduce contracted hours to accommodate the City's needs.

#### **Parking Enforcement:**

The contracted hours for the parking enforcement contract have been reduced from previous years, as the Parking Department currently employs two parking enforcement officers. This contract will allow for seven day per week parking enforcement by augmenting the City's parking staff with Pacific Security staff as follows:

1. May 25, 2024 – November 26, 2024 approximately 32 hours per week with one (1) uniformed officer at 8 hours per day, four (4) days per week.
2. November 28, 2024 – January 1, 2025 approximately 64 hours per week with two (2) uniformed officers at 8 hours per day, four (4) days per week.

The Professional Services Agreement and Scope of Work are included within the packet materials. The annual cost of the parking enforcement contract is \$51,139.24 and is paid from the Parking Fund.

#### **Security Patrols:**

The City began contracting with Pacific Security in 2012 to provide onsite security services for the Leavenworth downtown commercial areas, City parks, and surrounding residential areas. The security officers provide a public safety presence and also have access to the Chelan County Sheriff's Office in the event they witness a crime or observe suspicious activity. The scope of work in this contract also includes locking the City's public restrooms and a Saturday shift to work with the City's Code Enforcement staff. Security patrols will be scheduled as follows:

1. May 3, 2024 – November 24, 2024
  - a. One (1) uniformed officer on Friday and Saturday from 4:00 PM – 12:00 AM for a total of 8 hours per day per officer.
  - b. One (1) uniformed officer on Saturday from 10:00 AM – 6:00 PM for a total of 8 hours.
  - c. One (1) uniformed officer on a random 8-hour weekday shift.
2. November 28, 2024 – January 5, 2025
  - a. One (1) uniformed officer Wednesday, Thursday, and Sunday from 4:00 PM – 12:00 AM for a total of 8 hours per day per officer.
  - b. Two (2) uniformed officers on Friday and Saturday from 4:00 PM – 12:00 AM for a total of 8 hours per day per officer.
  - c. One (1) uniformed officer on Saturday from 10:00 AM – 6:00 PM for a total of 8 hours.

The Professional Services Agreement and Scope of Work are included within the packet materials. The annual cost of the security patrols contract is \$53,191.20 and is paid from the Lodging Tax Fund.

The following items are included under **TAB 15**.

- PSA – Pacific Security for Parking Enforcement
- PSA – Pacific Security for Security Patrols
- **MOTION:** *The Leavenworth City Council moves to approve and authorize the Mayor to sign the Professional Services Agreement with Pacific Security for Parking Enforcement for an amount not to exceed \$51,139.24.*
- **MOTION:** *The Leavenworth City Council moves to approve and authorize the Mayor to sign the Professional Services Agreement with Pacific Security for Security Patrols for an amount not to exceed \$53,191.20.*

### **16. On-Call Dust Control Bid Award**

The City Council is being asked to consider approving an on-call dust control contract to provide staff resources to control dust at the Waterfront Park parking lot and the East Leavenworth Road boat launch. Each year, the City receives several complaints regarding dust at the two (2) above-mentioned gravel parking areas during high-use times. To better manage dust, staff is recommending the use of contractors to apply lignin sulfonate to the gravel parking areas. Lignin sulfonate is a common non-toxic water-based polymer used as a dust suppression agent for unpaved surfaces.

Public Works Department staff solicited on-call dust control bids from five (5) contractors found on the City's MRSC Small Works Roster. By the April 22 deadline, the City received one (1) bid from Lyman Dust Control in the amount of \$53,346.10. This cost assumes dust control services are utilized three (3) times throughout the season. The estimated cost for these services determined prior to bid solicitation was \$48,000.

The following items are included under **TAB 16**.

- Lyman Dust Control Bid Proposal
- **MOTION:** *The Leavenworth City Council moves to accept the Lyman Dust Control Bid Proposal and authorize the Mayor to execute an On-Call Dust Control Services contract between the City of Leavenworth and Lyman Dust Control, INC in the amount of \$53,346.10.*

### **17. Professional Services Agreement – Ardurra Group, Inc. – 2024 On-Call Transportation Engineering**

The City Council is being asked to approve a professional service agreement with Ardurra Group, Inc. (Ardurra) of Wenatchee for on-call transportation engineering services. City staff published a request for qualifications (RFQ) for on-call transportation engineering services on February 7, 2024. Six (6) statements of qualifications (SOQs) were received, reviewed, and scored by a team composed of five (5) City staff members. The three (3) firms with the highest scoring SOQs were



interviewed by a team of four (4) City staff members. Ardurra received the highest interview score and therefore was selected as the most qualified consultant for on-call transportation engineering services.

The on-call contract with Ardurra will allow for transportation-related engineering services on multiple projects. In the RFQ, two (2) priority projects were identified as the first items for the on-call transportation engineer to begin working on. These are the Commercial Street – 3rd to 8th Sidewalk Safety Improvements and Waterfront Park Parking Lot Improvements projects. A project-specific Task Authorization will be executed by both Ardurra and the City for each task that Ardurra will work on. Each Task Authorization will include a specific scope of work and associated not to exceed cost. Because of this, the Professional Services Agreement before you does not have a specific not to exceed cost.

The 2024 Professional Services Agreement will expire on December 31, 2024. As was detailed in the RFQ, the City reserves the right to retain Ardurra for a term of one (1) year with the option, at the City's discretion, to renew annually for an additional three (3) years. The contract shall expire annually on December 31st. If the contract is renewed annually for the maximum allowable length, the contract will expire on December 31, 2027.

The following items are included under **TAB 17**.

- Professional Services Agreement – Ardurra Group, Inc. – 2024 On-Call Transportation Engineering
- **MOTION:** *The Leavenworth City Council moves to approve and authorize the Mayor to execute a Professional Services Agreement with Ardurra Group, Inc. for 2024 On-Call Transportation Engineering services.*

### **18. Professional Services Agreement – RH2 Engineering, Inc. – 2024 On-Call Utility Engineering**

The City Council is being asked to approve a professional service agreement with RH2 Engineering, Inc. (RH2) of East Wenatchee for on-call utility engineering services. City staff published a request for qualifications (RFQ) for on-call utility engineering services on February 7, 2024. Six (6) statements of qualifications (SOQs) were received, reviewed, and scored by a team composed of five (5) City staff members. The three (3) firms with the highest scoring SOQs were interviewed by a team of four (4) City staff members. RH2 received the highest interview score and therefore was selected as the most qualified consultant for on-call utility engineering services.

The on-call contract with RH2 will allow for utility-related engineering services on multiple projects. In the RFQ, three (3) priority projects were identified as the first items for the on-call utility engineer to begin working on. These are the Well Pump No. 3 Improvements, Well Field Pressure Transducer Improvements, and KOA Lift Station Improvements projects. A project-specific Task Authorization will be executed by both RH2 and the City for each task that RH2 will work on. Each Task Authorization will include a specific scope of work and associated not to exceed cost. Because of this, the Professional Services Agreement before you does not have a specific not to exceed cost.

The 2024 Professional Services Agreement will expire on December 31, 2024. As was detailed in the RFQ, the City reserves the right to retain RH2 for a term of one (1) year with the option, at the

City's discretion, to renew annually for an additional three (3) years. The contract shall expire annually on December 31st. If the contract is renewed annually for the maximum allowable length, the contract will expire on December 31, 2027.

The following items are included under **TAB 18**.

- Professional Services Agreement - RH2 Engineering – 2024 On-Call Utility Engineering
  - **MOTION:** *The Leavenworth City Council moves to approve and authorize the Mayor to execute a Professional Services Agreement with RH2 Engineering, Inc. for 2024 On-Call Utility Engineering services.*

## INFORMATION ITEMS & FUTURE CONSIDERATIONS

### **19. April 2024 Public Works Department Report**

The following item is included under **TAB 19**.

- April 2024 Public Works Dept. Report

### **20. Finance Committee Meeting on May 16, 2024 @ 3:00 PM**

The following items are included under **TAB 20**.

- Finance Committee Packet