

LEAVENWORTH CITY COUNCIL

**Study Session Agenda
City Hall - Council Chambers
June 14, 2011 9:00 a.m.**

9:00 – 9:20 Community Development Planning – Susan Driver / Joel Walinski

This discussion will be a review of the current planning projects that are currently underway by the City and how to move forward with accomplishing these initiatives with the departure of Ms. Connie Krueger on May 31, 2011. The City currently has three planning projects under development that do need to be completed in a timely manner: Critical Areas Ordinance, Park Plan Update, and Shoreline Master Program.

Ms. Susan Driver has been retained by the City at this time to provide contracted professional assistance to expedite the completion of these projects. Ms. Driver has a history of working with a number of other communities in Eastern Washington and Chelan County. She has recently completed both the Park Plan update and the initial draft of the Shoreline Master Plan for the City of Entiat. Working with the City, Ms. Driver has developed a scope and budget summary for completion of the Critical Areas Ordinance and the Park Plan Update. These are provided for your review in section six of the packet.

The Shoreline Master Plan (SMP) has yet to reach a point of completion to where a scope of work and budget summary can be developed for its completion. Currently issues exist with the initial work completed by the County's contracted consultant regarding the initial inventory and the completed draft language within the document. We will be requesting that the County and their contracted consultant provide the City with a corrected shoreline inventory and a completed Cumulative Efforts Measurement to assist the City in adopting the SMP. Included with the attachments is a memorandum to the County's Project Manager outlining the City's needs and process moving forward. The Leavenworth Shoreline Master Plan will be completed under the direction of Ms. Driver with City staff assistance and working with the City's Planning Commission, with final review and consideration of adoption by the City Council. Ms. Driver has agreed to do the initial work on a hourly basis until such time as we can develop a scope of work and budget summary. The County will also reimburse the City \$8,500 total for work previously completed by City staff. An invoice requesting this reimbursement has been developed and will be submitted to the County for payment.

This evening the Council will be asked to approve the agreement with Ms. Driver and the scope of work for completion of the Critical Areas Ordinance and the Park Plan Update.

9:20 – 9:35 Six Year Transportation Improvement Plans – Dave Schettler

The Council is being asked to review and then approve another amendment to the 2011-2016 Transportation Improvement Plan (TIP) and next year's 2012-2017 Transportation Improvement Plan that is regularly due for submittal to DOT in June. This amendment for the 2011-2016 TIP includes the Safe Route to School Project that was recently awarded a grant to the City. By

amending the TIP to include that sidewalk project if the City will be eligible to receive that grant award. The next year's 2012 – 2017 TIP reflects these past amendments and includes all of these projects identified in this last year's TIP so that it will maintain the City's eligibility for grant funding for those projects until they have been constructed. This TIP will be used to move forward on future grant opportunities and appropriation bills.

9:35 – 9:45 Engineering Consultant Reviews – Joel/Dave

This item is provided as an update on the Request for Proposal (RFP) for Engineering Services process the City has currently underway. The successful outcome of the RFP process is to identify a primary engineering consultant firm which will assist the City to complete the projects identified and funded in the Six Year Transportation Improvement Plan and those downtown projects funded by the PWTF loan to be designed to a 90% level. The selected firm may also be asked to provide civil development plan review when needed. City Staff and two members of the Public Works Committee interviewed five firms on June 9/10, 2011 and will be making a recommendation of the preferred firm. Although no City Council action is required at this time, staff will be working with the preferred firm to develop a contract and scope of work for individual projects which will be presented at a future Council meeting for consideration of approval.

9:45 – 9:55 URA Resolutions for Acceptance – Dave Schettler

As part of the requirements per LMC 14.04.100 for a utility reimbursement agreement (URA) the completed City infrastructure waterline improvements for both the DNR and the CMC utility reimbursement agreements need to be formally accepted by the City in order to move forward with the notifications to affected property owners and then finalizing these URAs. There are two separate resolutions for the formal acceptance of these waterline improvement projects.

9:55 – 10:00 Network Cable Installation Quote Exemption – Chantell Steiner

This resolution is located in section 5 of the packet and pertains to new installation of network cables for telephone and computer equipment located at City Hall. Over the last three years the City has upgraded many of the operating systems; however, cables running through the building to the server locations were never incorporated for replacement. This project will replace all current issues with the cables between phones, individual pc's and the two servers. Bid and Purchasing requires quotes to be obtained for this type of public works projects, however, due to the nature of the relationship with the City's network provider, Firefly, it has been recommended by Firefly to proceed with outsourcing this small project with Interwest Communications. The resolution formalizes the ability for the City to proceed with the firm for the work based on a custom-built network and a potential single source of supply.

10:00 – 10:15 Albert Dykes Encumbrance for Wellhead Protection – Dave Schettler

This item is a follow-up of a discussion item from the November 9, 2010 Council Study Session. Mr. Dyke's property is located immediately adjacent to the City's boat launch property on the south side of the Wenatchee River and next to East Leavenworth Road. His current property has

an existing water service connection with the City. Mr. Dykes had applied for water connection to the City for his short plat but was initially denied since the City ordinance states that those property owners outside the City limits and the Growth Management Area need to prove that they have either drilled a first and second well and was not able to gain water necessary for their property, or show similar hardship in getting water supply from a well. Mr. Dyke's had not provided documentation at that time of due diligence. At the November 9, 2010 meeting, Mr. Dyke's request was for the City to approve the 100 foot radius sanitary setback easement for a well for which this easement would extend onto the City's boat launch property. The proposed well that he intends to drill on the sub plat portion of the property for his short plat would be about 20 feet into his property from the City's property. The Council discussed the restrictive covenant for a 100 foot sanitary setback and at that time the Council requested staff to look into other alternatives.

Since that time, staff has spoken with Mr. Dyke's on several occasions and requested verification that another well location on the property was not an alternative. The only other locations would require a similar setback from his neighbor. At this time his neighbor has not responded to a certified mailed letter for this request. Given the lack of alternative solutions, the City Council is being asked to officially consider accepting a 100 foot sanitary setback onto the City's property. If the City Council approves this request, the City will move forward and grant Mr. Dyke's request for a water connection based on the hardship provision of the current LMC.

10:15 – 10:45 Warehouse Property Acquisition – Joel Walinski

This item is a follow-up discussion and update on the development of a Lease with Option to Purchase agreement with the Estate of Barbara J. Nelson for the purchase of the Fruit Warehouse Property.

The Letter of Intent with Option to Purchase was approved by the City Council on May 24, 2011 with the contingency that it be reviewed by the new City Attorney Mr. Thom Graafstra. The document was reviewed and language was added clarifying the non-binding nature of the agreement. A copy of the final agreement is included in the study session notes for your review.

A draft copy of a Lease with Option to Purchase agreement is currently being developed. An initial draft of the lease agreement was provided by the City Attorney and is currently being reviewed by the Nelson Trust Representatives. A copy of the draft agreement was also provided to the Council Members of the Finance Committee. As of Friday June 10, 2011 the City has not received comments back from the Nelson Group.

The Nelson Group has provided a Phase I Environmental Review completed by V Environmental, LLC which was completed in 2007. A copy of the executive summary of the report is included as an attachment. The summary findings are consistent with the age and design of the building and that some of the building construction materials potentially contains asbestos as well as a high likelihood that lead-based paints are present on the painted surfaces. The report also indicates that there is not a recorded history of fueling or storage of hazardous material at the facility.

City staff has also been working on developing a Financial Statement a summary of estimated revenues and expenses. The attached “Nelson Property Estimated Revenue and Expenses Summary begins to identify the Total Project Costs, implications of a 5-Year Lease Program, Potential Revenue Streams and options for a \$2.1 Million Bond and potential revenue stream for debt service payments.

The Study Session discussion will be a review of the current work completed and identification of additional information the Council may need for their decision making process.

10:45 – 11:00 Council Open Discussion

This time slot allows for Council discussion of items not on the agenda.