



City of Cashmere

101 Woodring Street
Cashmere, WA 98815

Ph (509) 782-3513 Fax (509) 782-2840
Website www.cityofcashmere.org

CASHMERE CITY COUNCIL MEETING
MONDAY, JUNE 9, 2014 6:00 P.M., CITY HALL

AGENDA

CALL TO ORDER

FLAG SALUTE

EXCUSED ABSENCE

ANNOUNCEMENTS & INFORMATION

- May Financial Reports are on the website

PUBLIC COMMENT PERIOD (For Items Not on the Agenda)

APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of May 27, 2014 Regular Council Meeting
2. Payroll and Claims Packet Dated June 9, 2014
3. Schedule Public Hearing Monday, July 14, 2014 on the Transportation Improvement Program
4. Schedule Public Hearing Monday, June 23, 2014 on a development agreement between the City and the Washington Growers League

BUSINESS ITEMS

1. Tom Green and Jenny Cravens – 9/11 Memorial site and funding request
2. Ordinance No. 1229 Adopting City of Cashmere's Shoreline Master Program
3. Ordinance No. 1230 Amending Chapter 9.20 provisions related to alcoholic beverages in city parks
4. Supplemental Agreement #1 for services during construction on Railroad Avenue
5. Acceptance of 2014 City Chip Seal project – A & W Paving, Inc
6. Selection of lowest bid to purchase 2 dump trucks

PROGRESS REPORTS

ADJOURNMENT

TO ADDRESS THE COUNCIL, PLEASE BE RECOGNIZED BY THE MAYOR AND STATE YOUR NAME WHEN YOU BEGIN YOUR COMMENTS
Americans with Disabilities Act (ADA) accommodations provided upon request (48-hour notice required)

**MINUTES OF THE CASHMERE CITY COUNCIL MEETING
TUESDAY, MAY 27, 2014 AT CASHMERE CITY HALL**

OPENING

Mayor Jeff Gomes opened the regular city council meeting at 6:00 p.m. at City Hall. Clerk-Treasurer Kay Jones took minutes.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Mayor:	Jeff Gomes	
Council:	Skip Moore Jim Fletcher Dave Erickson Derek Knutsen David Sherman	
Staff:	Bob Schmidt, Director of Operations Kay Jones, Clerk-Treasurer Mark Botello, Director of Planning/Building	

FLAG SALUTE

ANNOUNCEMENTS & INFORMATION

Director Mark Botello informed the council that he received conditional approval from the Department of Ecology on the City's Shoreline Master Program update. The DOE had a list of recommended changes or clarifications and a list of required changes. All of the changes were minor. After the changes are made, the next step is to have the council adopt the Shoreline Master Program by ordinance.

The Wenatchee Valley Transportation Council sent out a request for Statements of Qualifications for the Highway 2 Corridor Study. Director Botello was a part of the review committee. After review of the SOQ's, the Lochner Group out of Bellevue was selected.

Director Botello announced that the Transportation Improvement Board is granting the City an additional \$40,000 for the Mission Street project. The project will be 95% grant funded. A&W paving will begin the Mission Street project on Monday.

The City requested bids using the small works roster, for reroofing and painting City Hall. Staff budgeted \$90,000 for the project. The three lowest bids were \$115,388, \$127,464 and \$132,000. Director Botello stated that if the council had no objections the Clerk-Treasurer would amend the project budget.

Mayor Gomes informed the Council that Jeff Wilkens will be drafting a new agreement for the RTPPO, which will include Chelan and Douglas Counties. Okanogan County will not be included.

Also, Gomes announced that he and the other mayors met with Kurt Lutz, Director of the Regional Jail. Mr. Lutz wanted to give the mayors an update on the jail.

APPROVAL OF AGENDA

Mayor Gomes amended the agenda by changing item #3 to authorize the Mayor to execute a Development Agreement with Washington Growers League and moving the Council training to item #4.

MOVED by Councilor Fletcher and seconded by Councilor Erickson to approve the agenda as amended. Motion carried.

CONSENT AGENDA

Minutes of May 12, 2014 Regular Council Meeting
Payroll and Claims Packet Dated May 27, 2014

Claim Check Nos. EFT 04/2014 and 34472 through 34496 totaling \$517,215.67

MOVED by Councilor Moore and seconded by Councilor Knutsen to approve the consent agenda. Motion carried.

TOM GREEN AND JENNY CRAVENS – 9-11 MEMORIAL SITE AND FUNDING REQUEST

Members of the Cashmere 9-11 Committee were present to discuss the proposed site and request funding for the Washington State's Spirit of America Memorial. Jenny Cravens explained that the committee will be submitting an application by June 15th to place the memorial in Cashmere. In the application they are required to have a designated site and committed funding. The cities of Wenatchee and Chelan are also applying for the memorial.

If the City of Cashmere is awarded the Memorial it has to be installed no later than 9/11/2015. The estimated cost of receiving and installing the memorial is \$31,052, which includes the remaining amount owed to the artist, removal of trees and site preparation, fill dirt and rock, brick paving, plantings and irrigation, lighting and a security camera, and signage. The committee is asking the City to contribute \$15,000 to the memorial. The remaining funds will be raised by donations.

The proposed site is behind Riverside Center where the Veterans memorial is located. The trees would have to be removed to open up and make the area visible. Removing the trees would also make the path to downtown visible, which would be a benefit to the downtown businesses.

The council voiced concern with possible restrictions with owning artwork that was granted to the City, the ongoing costs of maintaining and insuring the memorial, whether the proposed site is adequate and large enough, what happens if the remaining funds are not raised, and does the city's amount decrease if more donations are raised.

Some members were uncomfortable with making a decision at this time, without looking at and prioritizing other city projects. Other members knew that they definitely want the memorial in Cashmere and the details could be figured out later.

The consensus of the council was that they needed more information before taking action at the next meeting. The council asked for site dimensions to confirm if both memorials would fit on the site. The other request was to draft a project agreement, which would show the city's initial financial responsibility and any future responsibilities.

INTERAGENCY AGREEMENT FOR FIRE PROTECTION SERVICES

The proposed new Interagency Agreement between the City and Chelan County Fire Protection District No. 6 takes effect beginning July 1, 2014 and shall remain in full force and effect until terminated by either party with six months notification.

The annual amount for 2014 is \$36,500 and starting in 2015 an annual escalator of 1% shall be added for the life of the agreement.

MOVED by Councilor Fletcher and seconded by Councilor Moore to approve the Interagency Agreement for Fire Protection Services. Motion carried.

AUTHORIZE THE MAYOR TO SIGN THE WASHINGTON GROWERS LEAGUE DEVELOPMENT AGREEMENT

The Washington Growers League applied to the City for development of property located in the City. The Growers League and the City have negotiated the terms of mitigation of the proposed development project. The mitigation provisions include; constructing a chain link fence at least six feet in height, signage at the Sunset Highway entrance, irrigation and grass in all areas identified as lawn, improve the sight distance at the northwest side of the Sunset Highway entrance to the property, annually remove the noxious weeds from the wetland buffer area, and as a mitigation fee and in lieu of the payment of real property taxes, WGL will pay \$3,000 beginning August 1, 2015. Each year thereafter, the payment in lieu of taxes shall increase two percent over the amount paid in the previous year.

MOVED by Councilor Moore and seconded by Councilor Fletcher to authorize the Mayor to execute a Development Agreement with Washington Growers League in a form acceptable to the mayor and the City Director of Planning and Building for the development project proposed for Parcel #23-19-05-120-155. Motion carried.

REQUIRED TRAINING FOR ELECTED OFFICIALS: OPEN PUBLIC MEETING ACT, PUBLIC RECORDS ACT AND RECORDS MANAGEMENT

The Mayor, Council Members, Clerk-Treasurer, Director of Planning and Building and the Director of Operations watched the required training videos. All of the City's elected officials have completed the required training.

ADJOURNMENT

Mayor Gomes adjourned the meeting at 7:50 p.m.

Jeff Gomes, Mayor

Attest:

Kay Jones, Clerk-Treasurer



City of Cashmere

101 Woodring Street
Cashmere, WA 98815

Ph (509) 782-3513 Fax (509) 782-2840

Website www.cityofcashmere.org

CITY OF CASHMERE NOTICE OF PUBLIC HEARING TRANSPORTATION IMPROVEMENT PROGRAM

Whereas, pursuant to the requirements of Chapter 35.77.010 RCW, the City of Cashmere has prepared and revised a comprehensive transportation improvement program for the ensuing six years, and

Whereas, pursuant further to said law, a public hearing is required on said program, the City Council of the City of Cashmere will hold a public hearing on Monday, July 14, 2014 at 6:00 p.m. at the Cashmere City Hall, 101 Woodring Street. The public is invited to attend and make comment.

Kay Jones
City Clerk-Treasurer
CITY OF CASHMERE

Publish once on: Wednesday, July 2, 2014

**PUBLIC HEARING NOTICE
CASHMERE COUNCIL**

On June 23, 2014 beginning at 6:00 PM a public hearing will be held by the Cashmere City Council at City Hall, 101 Woodring Street, Cashmere, WA, to hear public comment on a development agreement between the City and the Washington Growers League relating to development of County Assessor's Parcel No. 23-19-05-120-155. Interested individuals are invited to attend and provide comment.

Kay Jones
City Clerk-Treasurer
CITY OF CASHMERE

Published in the Cashmere Valley Record on Wednesday, June 11, 2014.

REQUEST FOR CASHMERE CITY COUNCIL
from the Cashmere 9/11 Committee
JUNE 9, 2014

As discussed at the May 27, 2014 City Council Meeting, the Cashmere 9/11 Committee requests approval for the following three items:

1. **Approval to locate the *Washington State Spirit of America Memorial* on the back lawn of Riverside Center, adjacent to the existing Cashmere Veterans War Memorial, as illustrated and described in the Proposal Document distributed and discussed at May 27, 2014 meeting.**
2. **Approval to provide *back-up funding only* in an amount *up to but no greater than \$15,000* for preparation of the site and installation of the memorial in the summer of 2015.**
3. **Approval to store the Spirit of America Memorial on City property until it is installed in 2015.**

If Cashmere successfully wins its bid for the memorial, the Cashmere 9/11 Committee fully intends to fund all costs of the site preparation and memorial installment with *non-tax payer donations only* by embarking on an aggressive Fund Raising Campaign. The Committee is confident it will be able to meet its funding goal by Spring of 2015, so the present request for back-up funding is to demonstrate to the Spirit of America Foundation (the decision making body that will award the memorial to a city) that Cashmere's bid already has solid financial and municipal support, even before Cashmere's fund raising campaign has begun.

Once the fundraising goal has been reached, no funds will be required or requested from the city.

Thank you very much for your consideration.

Sincerely,

The Cashmere 9-11 Committee

Tom Green
Jenny Cravens

Jack and Nadine Pusel
Joan Baldwin

Keegan Furfaro
Ray Munsey

Staff Summary

Date: June 9, 2014

To: Cashmere City Council
Mayor Gomes

From: Mark Botello

RE: Ordinance 1229 Adopting City of Cashmere's Shoreline Master Program

Please see attached ordinance adopting City of Cashmere's Shoreline Master Program (SMP). Also, attached is the letter received from Ecology in regards to required and recommended changes. Staff reviewed the Ecology letter and proposed and recommended changes and agrees with the changes. Staff made the changes/edits within the SMP document.

Recommendation:

Staff recommends approval of City of Cashmere's Shoreline Master Program

ORDINANCE NO 1229

**AN ORDINANCE OF THE CITY OF CASHMERE, WASHINGTON
DECLARING THE COUNCIL'S APPROVAL AND ADOPTION OF THE
AMENDMENTS TO THE CITY OF CASHMERE'S SHORELINE MASTER
PROGRAM, CONTAINING A SEVERABILITY PROVISION, AND SETTING
AN EFFECTIVE DATE**

WHEREAS, the State of Washington Shoreline Management Act of 1971 (Chapter 90.58 RCW) requires that Counties and Cities incur certain duties, obligations and responsibilities with regard to implementation of said Act; and,

WHEREAS, the City Council of the City of Cashmere ("City") finds that certain revisions to the existing City Shoreline Master Program, referenced in Chapter 15.40 of the Cashmere Municipal Code, are necessary to comply with the provisions of Chapter 90.58 RCW, and that such revisions are in the best interest of the citizens of the City; and,

WHEREAS, the City Planning Commission held a public meeting soliciting comments on the proposed Shoreline Master Program amendments on May 7, 2012; and,

WHEREAS, comments on the proposed amendments were also solicited from federal, state, local, regional and tribal interests in accordance with Section 90.58.130 RCW; and

WHEREAS, the DRAFT amendments to the City's Shoreline Master Program were sent to the Department of Ecology ("DOE") for comment in accordance with WAC 173-26-100(5) on September 10, 2012, and responsive comments were received; and,

WHEREAS, the City Council held duly noticed public hearings on May 14, 2012, June 11, 2012, July 9, 2012, and January 28, 2013 to review the proposed Shoreline Master Program amendments and Ecology's comments; and,

WHEREAS, as a result of these meetings and hearings, revisions recommended by the Public, City Planning Commission, City Council, and commenting agencies, including the DOE, were incorporated into the proposed Shoreline Master Program amendments; and,

WHEREAS, pursuant to WAC 197-11-960, the City Planning Department prepared and submitted, to DOE, a SEPA Environmental Checklist, dated July 23, 2012, and determined that the proposed Shoreline Master Program amendments would not have a probable significant adverse impact on the environment resulting in issuance of a Determination of Nonsignificance on August 1, 2012; and

WHEREAS, the revised Shoreline Master Program was formally considered by the City Council during a public hearing held on January 28, 2013, as advertised in accordance with WAC 173-26-100; and

WHEREAS, following the public hearing, the City Council directed the Planning Director to send the proposed Shoreline Master Program amendments and supporting materials, consistent with the submittal requirements set forth in WAC 173-26-110, to DOE for its review and adoption; **NOW THEREFORE**,

**THE CITY COUNCIL OF THE CITY OF CASHMERE, WASHINGTON DO ORDAIN
AS FOLLOWS:**

Section 1. The City Council of the City of Cashmere hereby approves the Shoreline Master Program amendments that are attached to this Ordinance as exhibit "A" and incorporated herein by reference, with the understanding that, in accordance with RCW 90.58.190(3), the proposed Shoreline Master Program amendments will become effective locally immediately upon formal adoption by the Washington State Department of Ecology.

Section 2. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or the constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere, at an open public meeting this 9th day of June, 2014.

CITY OF CASHMERE

By:

Jeff Gomes, Mayor

Attest:

Kay Jones, City Clerk-Treasurer

Approved as to form:

Charles D. Zimmerman, City Attorney

Ordinance No: 1229

Passed by the City Council: 6/9/2014

Published in the Cashmere Valley Record: 6/18/2014

Effective date: Immediately upon formal State Department of Ecology adoption



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 15, 2014

The Honorable Jeff Gomes
City of Cashmere
101 Woodring Street
Cashmere, WA 98815

Re: City of Cashmere Comprehensive Shoreline Master Program Update – Conditional Approval, Resolution Number 01-2013

Dear Mayor Gomes:

I would like to take this opportunity to commend the city of Cashmere (City) for its efforts in developing the proposed comprehensive Shoreline Master Program (SMP) update. It is obvious that a significant effort was invested in this update by your staff and engaged community. The SMP will provide a framework to guide development and habitat restoration in the City's shoreline along Mission Creek and the Wenatchee River. We applaud the City's "pre-designation" of anticipated future annexation areas. This improves predictability for all concerned regarding future incorporation of these areas.

As we have already discussed with your staff, the Washington State Department of Ecology (Ecology) has identified specific changes necessary to make the proposal approvable. These changes are detailed in Attachment B. Recommended changes are proposed in Attachment C. Ecology's findings and conclusions related to the City's proposed SMP update are contained in Attachment A.

Pursuant to RCW 90.58.090 (2)(e), at this point, the City may:

- Agree to the proposed changes, or
- Submit an alternative proposal. Ecology will then review the alternative(s) submitted for consistency with the purpose and intent of the changes originally submitted by Ecology and with the Shoreline Management Act.

Final Ecology approval will occur when the City and Ecology agree on language that meets statutory and Guideline requirements.



The Honorable Jeff Gomes
April 15, 2014
Page 2

Please provide your written response within 30 days to the Director's Office at the following address:

WA State Department of Ecology
Attention: Director's Office
PO Box 47600
Olympia, WA 98504-6700

Ecology appreciates the dedicated work that you, the City Council, the Planning Commission, and City planning staff have put into the Shoreline Master Program update.

Thank you again for your efforts. We look forward to concluding the SMP update process in the near future. If you have any questions or would like to discuss the changes identified by Ecology, please contact our Regional Planner, Lennard Jordan, at Lennard.Jordan@ecy.wa.gov/(509) 457-7125.

Sincerely,



Maia D. Bellon
Director

Enclosures

By Certified Mail [7012 1010 0003 3028 2938]

cc: Mark Botello, City of Cashmere
Betty Renkor, Ecology
Lennard Jordan, Ecology

**ATTACHMENT A: FINDINGS AND CONCLUSIONS
FOR PROPOSED COMPREHENSIVE UPDATE TO THE CITY OF CASHMERE
SHORELINE MASTER PROGRAM**

SMP Submittal accepted July 23, 2013, Ordinance No. 01-2013
Prepared by Angela San Filippo on January 22, 2013

Brief Description of Proposed Amendment:

The city of Cashmere has submitted to Ecology for approval a comprehensive update to their Shoreline Master Program (SMP) to comply with Shoreline Management Act (SMA) and SMP Guidelines requirements. The updated master program submittal contains locally tailored shoreline management policies, regulations, environment designation maps, and administrative. Additional reports and supporting information and analyses, noted below, are included in the submittal.

FINDINGS OF FACT

Need for amendment. The proposed amendment is needed to comply with the statutory deadline for a comprehensive update of the City's local Shoreline Master Program pursuant to RCW 90.58.080 and 100. This amendment is also needed for compliance with the planning and procedural requirements of the SMP Guidelines contained in WAC 173-26 and 27. The City of Cashmere currently follows Chelan County's SMP, originally approved by Ecology in 1975 and last amended in 1979. The SMP has never been comprehensively updated. This SMP update is also needed to address land use changes that have occurred along the City's shorelines over the past 35 years and to provide consistency between the updated SMP and the environmental protection and land use management policies and practices provided by the City's Critical Areas Ordinance and Comprehensive Plan.

SMP provisions to be changed by the amendment as proposed:

This comprehensive SMP update is intended to entirely replace the City's existing SMP. This SMP will regulate approximately 4.5 miles of shorelines on the Wenatchee River (a shoreline of statewide significance) and approximately 1 mile of shoreline on Mission Creek. The updated SMP is a significant upgrade from the current 1975 SMP. Much has changed in Cashmere over the last 40 years including development pressures, state laws and guidance, and knowledge of best development and conservation practices. The proposed SMP contains locally tailored shoreline management policies, regulations, environment designation maps, and administrative provisions that have been updated to reflect these changes. Overall, the state SMP guidelines are more restrictive than they were for the 1975 SMP and this SMP update is consistent with the most current state guidelines.

The following four elements outline the key differences between Cashmere's proposed SMP and the existing 1975 SMP.

Environment Designations

Cashmere's existing SMP has four environment designations: Urban, Rural, Conservancy, and Natural Environments. The proposed SMP includes five environment designations: Urban Conservancy, Shoreline Residential, Shoreline Park/Public, High Intensity, and Aquatic (Section 3.2 Environment Designations). The proposed SMP includes a purpose statement, designation criteria, and management policies for each shoreline environment. In addition, the proposed shoreline environments are more descriptive, tailored to the City of Cashmere, and meet current state SMP guidelines.

Development Standards Matrix

In the existing SMP there is no development matrix provided. The proposed SMP provides a development standards matrix (Table 3.3-2) that includes setbacks, buffers, height limits, and lot frontage minimums for all upland shoreline environments.

Shoreline Uses and Modifications and Matrix

The existing SMP does not distinguish between water-oriented and non-water-oriented uses and does not provide a shoreline use and modification matrix.

The proposed SMP distinguishes between water-oriented and non-water-oriented uses for, commercial, industrial, institutional, and recreational uses. The proposed SMP includes a shoreline use and modification matrix (Table 3.2-1) that outlines categories and sub-categories of uses and modifications and identifies whether they are permitted, conditional, or prohibited uses and whether they are subject to use limitations. Through the text and the shoreline use and modifications matrix the proposed SMP contains detailed policies and regulations with more direction and detail for specific types of uses.

Amendment History, Review Process: The comprehensive SMP update process originated from a regional county-wide planning effort that, attributable to insurmountable challenges, was not able to be brought to completion. The regional effort included public workshops and an advisory team, but it is unclear how much this public participation reflected Cashmere's population, stakeholders, and local issues.

The City of Cashmere's local planning process began in May of 2012 with a draft of the regional SMP. Through public workshops and input from city staff, Planning Commission, and City Council, the SMP was tailored to reflect the City's shoreline conditions and meet the City's needs. The record shows that workshops open to the public were held on May 14, June 11, July 9 of 2012, and January 28, 2013 and a public hearing before the Planning Commission was held on January 28, 2013. Affidavits of publication provided by the City indicate notice of the hearing was published on January 9, 2013.

With passage of Resolution #01-2013, on January 28, 2013, the City authorized staff to forward the proposed amendments to Ecology for approval.

The proposed SMP amendments were received by Ecology for state review and verified as complete on July 23, 2013. Notice of the state comment period was distributed to state task force members and interested parties identified by the City on September 5, 2013, in compliance with the requirements of WAC 173-26-12, and as follows: The state comment period began on September 23, 2013 and continued through October 23, 2013. One Tribal agency submitted comments on the proposed amendments. Ecology sent the written comments it received to the City on October 28, 2013. On October 30, 2013, the City submitted to Ecology its responses to issues raised during the state comment period. Ecology's own responses to issues raised during the comment period are available as part of the SMP amendment process record.

Consistency with Chapter 90.58 RCW: The proposed amendment has been reviewed for consistency with the policy of RCW 90.58.020 and the approval criteria of RCW 90.58.090(3), (4) and (5). The City has also provided evidence of its compliance with SMA procedural requirements for amending their SMP contained in RCW 90.58.090(1) and (2).

Consistency with “applicable guidelines” (Chapter 173-26 WAC, Part III): The proposed amendment, including the policies, regulations and environment designations, has been reviewed for compliance with the requirements of the applicable Shoreline Master Program Guidelines (WAC 173-26-171 through 251 and 173-26-020 definitions). This included review of a SMP Submittal Checklist, which was completed by the City.

Consistency with SEPA Requirements: The City submitted evidence of SEPA compliance in the form of a SEPA checklist and issued a Determination of Non-Significance (DNS) for the proposed SMP amendments on August 1, 2012. Notice of the SEPA determination was published in the Cashmere Valley Record on August 1, 2012. Ecology did not comment on the DNS.

Other Studies or Analyses supporting the SMP update: Ecology also reviewed the following reports, studies, map portfolios and data prepared for the City in support of the SMP amendment:

These supporting documents include:

- July 2012 public participation plan,
- April 23, 2012 shoreline inventory and characterization,
- July 17, 2012 cumulative impacts analysis,
- July 17, 2012 shoreline use analysis (included in cumulative impacts analysis),
- July 17, 2012 No Net Loss Report (included in cumulative impacts analysis), and
- July 10, 2012 restoration plan

Summary of Issues Raised During The Public Review Process:

The City’s SMP amendment drafting/public review process did not generate much public comment. The City did not receive any comments. Ecology received one comment letter from a Tribal government stating they had no comments at this time but appreciate being kept up to date on the SMP amendment.

Summary of Issues Identified by Ecology as Relevant To Its Decision:

There appeared to be leftover language from the County-wide regional SMP planning effort. This language was modified to be specific to Cashmere. Ecology’s required changes delete regulations on the establishment of buffers in areas that are not applicable in the City of Cashmere, corrected the geographical region where the SMP applies, and also included some small editorial and formatting changes.

There was language within the SMP that non-regulatory sections could be amended without going through an SMP amendment process. Ecology’s required changes eliminate this language because the SMP is approved, adopted, and implemented as an entire document and changes to any portion of it will require a formal amendment.

A number of duplicate or slightly different definitions were found in the SMP and the Critical Areas Protection Standards found in Appendix B. Ecology reviewed each set of definitions, eliminated duplicates and ensured consistency between the existing definitions and those definitions provided in

WAC 173-22, WAC 173-26, WAC 173-27 and RCW 90.58. These are also included in the required changes.

CONCLUSIONS OF LAW

After review by Ecology of the complete record submitted and all comments received, Ecology concludes that the City's proposed comprehensive SMP update, subject to and including Ecology's required changes (itemized in Attachment B), is consistent with the policy and standards of RCW 90.58.020 and RCW 90.58.090 and the applicable SMP guidelines (WAC 173-26-171 through 251 and WAC 173-26-020 definitions). This includes a conclusion that approval of the proposed SMP, subject to required changes, contains sufficient policies and regulations to assure that no net loss of shoreline ecological and critical area functions will result from implementation of the new updated master program (WAC 173-26-201(2)(c)).

Ecology also concludes that a separate set of recommended changes to the submittal (identified during the review process and itemized in Attachment C) would be consistent with SMA policy and the guidelines and would be beneficial to SMP implementation. These changes are not required, but can, if accepted by the City, be included in Ecology's approved SMP amendments.

Ecology concludes that those SMP segments relating to shorelines of statewide significance provide for the optimum implementation of Shoreline Management Act policy (RCW 90.58.090(5)).

Ecology concludes that the City has complied with the requirements of RCW 90.58.100 regarding the SMP amendment process and contents.

Ecology concludes that the City has complied with the requirements of RCW 90.58.130 and WAC 173-26-090 regarding public and agency involvement in the SMP update and amendment process.

Ecology concludes that the City has complied with the purpose and intent of the local amendment process requirements contained in WAC 173-26-100, including conducting open houses and public hearings, notice, consultation with parties of interest and solicitation of comments from tribes, government agencies and Ecology.

Ecology concludes that the City has complied with requirements of Chapter 43.21C RCW, the State Environmental Policy Act.

Ecology concludes that the City's comprehensive SMP update submittal to Ecology was complete pursuant to the requirements of WAC 173-26-110 and WAC 173-26-201(3)(a) and (h) requiring a SMP Submittal Checklist.

Ecology concludes that it has complied with the procedural requirements for state review and approval of shoreline master program amendments as set forth in RCW 90.58.090 and WAC 173-26-120.

Ecology concludes that the City has chosen not to exercise its option pursuant to RCW 90.58.030(2)(d)(ii) to increase shoreline jurisdiction to include buffer areas of critical areas within shorelines of the state. Therefore, as required by RCW 36.70A.480(6), for those designated critical areas with buffers that extend beyond SMA jurisdiction, the critical area and its associated buffer shall continue to be regulated by the City's critical areas ordinance. In such cases, the updated SMP shall also continue to apply to the designated critical area, but not the portion of the buffer area that lies

outside of SMA jurisdiction. All remaining designated critical areas (with buffers NOT extending beyond SMA jurisdiction) and their buffer areas shall be regulated solely by the SMP.

DECISION AND EFFECTIVE DATE

Based on the preceding, Ecology has determined the proposed amendments comprehensively updating the SMP, are consistent with Shoreline Management Act policy, the applicable guidelines and implementing rules, once required changes set forth in Attachment B are approved by the City. Ecology approval of the proposed amendments with required changes is effective 14 days from Ecology's final action approving the amendment.

As provided in RCW 90.58.090(2)(e)(ii), the City may choose to submit an alternative to the changes required by Ecology. If Ecology determines that the alternative proposal is consistent with the purpose and intent of Ecology's original changes and with RCW 90.58, then the department shall approve the alternative proposal and that action shall be the final. Approval of the updated SMP and proposed alternative is effective 14 days from Ecology's final action approving the alternative.

ORDINANCE NO. . 1230

**AN ORDINANCE OF THE CITY OF CASHMERE, WASHINGTON,
AMENDING CHAPTER 9.20 OF THE CASHMERE MUNICIPAL CODE,
AMENDING PROVISIONS RELATING TO ALCOHOLIC BEVERAGES
IN CITY PARKS AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the Mayor and City staff have studied the current provisions in Chapter 9.20 of the Cashmere Municipal Code and determined that this Code should be revised as set forth in this Ordinance in order to enable the City to grant exceptions for special events on terms and conditions to be established by the Mayor and City staff; and

WHEREAS, the City Council has considered the recommendation of the Mayor and City staff concerning adoption of this Ordinance and determined that adoption of this Ordinance is in the interest of the public, health, safety and welfare of the citizens of the City and supports the recommendation of the Mayor and City staff; NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF CASHMERE, WASHINGTON DO
ORDAIN AS FOLLOWS:**

Section 1. Chapter 9.20 of the Cashmere Municipal Code is hereby amended to read as follows:

[The remainder of this page left blank intentionally]

Chapter 9.20

Alcoholic Beverages In City Parks

Sections:

9.20.010 Possession or Consumption Unlawful

9.20.020 Special Event Permits

9.20.010 Possession or Consumption Unlawful

Except as otherwise provided in this Chapter, it shall be unlawful to possess or consume alcoholic beverages within any park of the City. Any violation of this Section shall constitute a civil infraction and subject the violator to the monetary penalty set forth in Section 1.20.010 CMC.

9.20.020 Special Event Permits

The provisions of Section 9.20.010 shall not apply if the alcoholic beverages are consumed in the City park as part of a special event pursuant to the terms and conditions of a special event permit issued by the Mayor or his or her designee. The terms and conditions for issuance of special event permits authorizing the consumption of alcoholic beverages in City parks shall be developed by City staff and revised from time to time as approved by the Mayor or his or her designee. All applicants for special event permits shall comply with all state regulations associated with the consumption of alcoholic beverages and obtain and present to the City proof of compliance with State Liquor Control Board Regulations.

Section 2. References in this Ordinance to provisions of the Cashmere Municipal Code shall be interpreted as including references to those code provisions as the same exist now or the code provisions may hereafter be amended.

Section 3.

This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

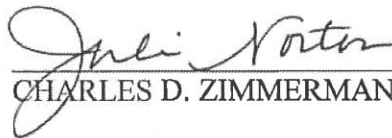
APPROVED:

MAYOR JEFF GOMES

ATTEST/AUTHENTICATED:

KAY JONES, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

BY: 
for _____
CHARLES D. ZIMMERMAN

FILED WITH THE CITY CLERK	:	_____
PASSED BY THE CITY COUNCIL	:	_____
PUBLISHED	:	_____
EFFECTIVE DATE	:	_____
ORDINANCE NO.	:	_____

Staff Summary

Date: June 9, 2014
To: Cashmere City Council
Mayor Gomes

From: Mark Botello
RE: Railroad Ave Supplemental Agreement #1 for Services during
Construction

Please see attached WSDOT Supplemental Agreement Number 1 for the Railroad Ave project. This supplemental agreement is for services during construction. The fee for services is \$34,385.73. The City budgeted \$42,000.

Recommendation:

Staff recommends approval of the Railroad Ave Supplemental Agreement # 1 for Services during Construction.



Supplemental Agreement Number 1 _____		Organization and Address RH2 Engineering, Inc. 300 Simon Street SE, Suite 5 East Wenatchee, WA, 98802	
Original Agreement Number		Phone: 509-886-2900	
Project Number STPR-04RM(001)	Execution Date	Completion Date 6/30/2015	
Project Title Railroad Avenue Improvements	New Maximum Amount Payable \$ 85,407.73		
Description of Work Provide professional services for Services During Construction. See Exhibit B-1.			

The Local Agency of City of Cashmere
desires to supplement the agreement entered into with RH2 Engineering, Inc.
and executed on 3/11/2013 and identified as Agreement No. _____
All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:

See Exhibit B-1

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: As indicated above.

III

Section V, PAYMENT, shall be amended as follows:

See Exhibit B-2 and B-3.

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: for Randy L. Asplund

By: _____

Randy L. Asplund
Consultant Signature

Approving Authority Signature

Date



Supplemental Agreement Number <u>1</u>		Organization and Address RH2 Engineering, Inc. 300 Simon Street SE, Suite 5 East Wenatchee, WA, 98802	
Original Agreement Number		Phone: 509-886-2900	
Project Number <u>STPR-04RM(001)</u>	Execution Date	Completion Date <u>6/30/2015</u>	
Project Title <u>Railroad Avenue Improvements</u>	New Maximum Amount Payable \$ 85,407.73		
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See Exhibit B-2 and B-3.

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: Randy L. Asplund

By: _____

Consultant Signature

Approving Authority Signature

Date

Exhibit "A"

Summary of Payments

	Basic Agreement	Supplement #1	Total
Direct Salary Cost	13,346.32	10,789.50	24,135.82
Overhead (Including Payroll Additives)	21,344.78	17,255.65	38,600.43
Direct Non-Salary Costs	12,327.00	3,103.73	15,430.73
Fixed Fee	4,003.90	3,236.85	7,240.75
Total	51,022.00	34,385.73	85,407.73

EXHIBIT B-1
Scope of Work
City of Cashmere
Railroad Avenue Improvements
Services During Construction
Supplement No. 1

May 2014

The following is a supplement to the Scope of Work for the Railroad Avenue Improvement Project. This supplement is intended to cover work to administer this project through construction and project closeout.

Task 1 – Services During Construction

Objective: This supplement will provide construction administration and inspection services for a forty-five (45) working-day (approximately two (2) month) contract. The construction activities are expected to be completed in the summer and fall of 2014. Additional tasks that may occur beyond what is scoped herein will need to be negotiated through an additional supplement.

Approach:

- 1.1 Project Management – Prepare paperwork for inspection and construction documentation. Set up construction files. Track, assemble, file and maintain construction documentation. Coordinate with staff and contractor, and administer request for sublets, lower tier subcontractor certification and statement of intents. Maintain project files.
- 1.2 Pre-construction Meeting – Prepare and provide an agenda for the pre-construction meeting. Attend the pre-construction meeting. Prepare and provide required plan sets to the contractor at the pre-construction meeting.
- 1.3 Materials Testing – Coordinate with a materials testing lab to facilitate testing of concrete for the sidewalks and asphalt. This estimate assumes no other materials testing will be necessary. Materials testing will be an on-call service to RH2.
- 1.4 Inspection – Provide one (1) inspector for an average of two (2) hours per day on-site for 45 working days.
- 1.5 Submittal Review – Review submittals for approximately twenty (20) work items (to include QPLs, RAM, manufacturer certificate of Compliance, Certificate of Material Origin, shop drawings, fabrication inspection, mix designs, Scaleman’s daily, scale check, and batch plant certification) in accordance with the project plans and specifications. Maintain record of materials on a weekly basis during construction. Coordinate with the testing lab to facilitate materials testing in accordance with the plans and specifications. Review materials testing data for compliance with the plans and specifications. Materials testing lab will be an on-call sub-consultant to RH2 Engineering, Inc.
- 1.6 Compliance with Federal Contract Provisions – Complete paperwork associated with federal requirements, including certified payrolls, wage rate interviews, EEO and trainee requirements, and DBE and ADA requirements.

- 1.7 Working Days – Provide a statement of weekly working days to the City of Cashmere (City) and the contractor.
- 1.8 Pay Estimates – Prepare one (1) pay estimate per month and one (1) final pay estimate for submittal to the City for processing.
- 1.9 Project Closeout – Assemble project records for project closeout and transfer to the City. Prepare completion letters as required. Organize and maintain project records for closeout and review by WSDOT Local Programs. Prepare notifications, final reports, materials certifications, review affidavits of wages paid and provide protection releases. Coordinate with WSDOT Local Programs during the closeout process and provide project documentation for WSDOT review.

Assumptions: *It is assumed the contract will be forty-five (45) working days and part-time inspection will be required. City staff will provide inspection services beyond what is provided by this Scope of Work.*

Provided by City of Cashmere:

- Additional inspection services required.

RH2 Deliverables:

- Pre-construction meeting agenda.
- Copies of reviewed submittals.
- Weekly statements of working days.
- Pay estimates.
- Project records.

EXHIBIT B-2

City of Cashmere

Railroad Avenue Improvements

Supplement No. 1 - Services During Construction

Estimate of Time and Expense

Task	Description	Project Manager	Staff Engineer	Engineering Technician	Total Hours	Total Labor	Subconsultant	Total Expense	Total Cost
		Professional V	Professional II	Technician I					
Task 1	Services During Construction								
1.1	Prepare paperwork and maintain files	8	4	4	16	\$2,140.00	\$0.00	\$18.00	\$2,158.00
1.2	Prepare for and attend pre-construction meeting	2	2	-	4	\$588.00	\$0.00	\$16.80	\$604.80
1.3	Coordinate materials testing services	2	-	-	2	\$324.00	\$2,030.63	\$0.00	\$2,354.63
1.4	Perform inspection services	20	135	-	155	\$21,060.00	\$0.00	\$756.00	\$21,816.00
1.5	Review contractor submittals	8	-	4	12	\$1,612.00	\$0.00	\$18.00	\$1,630.00
1.6	Prepare paperwork for compliance with Federal Contract Provisions	8	3	-	11	\$1,692.00	\$0.00	\$82.50	\$1,774.50
1.7	Prepare statements of working days	2	-	-	2	\$324.00	\$0.00	\$0.00	\$324.00
1.8	Prepare pay estimates	6	6	-	12	\$1,764.00	\$0.00	\$181.80	\$1,945.80
1.9	Assist with project closeout	10	-	2	12	\$1,778.00	\$0.00	\$0.00	\$1,778.00
	Subtotal	66	150	10	226	\$31,282.00	\$2,030.63	\$1,073.10	\$34,385.73
PROJECT TOTAL		66	150	10	226	\$31,282.00	\$2,030.63	\$1,073.10	\$34,385.73

Exhibit B-3

Consultant Fee Determination - Summary Sheet

Project: City of Cashmere
 Railroad Avenue Improvements
 Supplement No. 1 - Services During Construction

Negotiated Direct Salary Cost (DSC):

<u>Classifications</u>	<u>Labor Hours</u>	x	<u>Rate</u>	=	<u>Cost</u>
Professional IX	0.0		\$ 66.22		\$ -
Professional V	66.0		\$ 55.88		\$ 3,687.79
Professional V	0.0		\$ 55.88		\$ -
Professional II	150.0		\$ 45.53		\$ 6,829.23
Technician I	10.0		\$ 27.25		\$ 272.48
Professional V	0.0		\$ 55.88		\$ -
					<hr/>
Total Labor Hours=	226.0		Total DSC=		\$ 10,789.50

Overhead (OH Cost - - including Salary Additives):

OH Rate x DLC of: 159.930% x \$ 10,789.50 \$ 17,255.65

Fixed Fee (FF):

FF Rate x DLC of: 30.000% x \$ 10,789.50 \$ 3,236.85

Reimbursables:

CAD System Per Hour	9		\$ 27.50		\$ 247.50
CAD Plots Half Size	0		\$ 2.50		\$ -
CAD Plots Full Size	0		\$ 10.00		\$ -
In-house copies (each) 8.5" X 11" B&W	400		\$ 0.09		\$ 36.00
Mileage	1410		\$ 0.56		\$ 789.60
					<hr/>
					\$ 1,073.10

Subconsultant Costs:

\$ 2,030.63

Subconsultant Markup:

\$ -

Total Subconsultant:

\$ 2,030.63

Grand Total:

\$ 34,385.73

Prepared by:
 E. Howe

Exhibit G Subcontracted Work

The AGENCY permits subcontracts for the following portions of the work of this AGREEMENT:

CSI: Construction Special Inspection - Construction Materials Testing (see attached scope and fee)

EXHIBIT G CONTINUED



104 EAST NINTH STREET
 WENATCHEE, WA 98801
 www.csinw.com

Construction Special Inspection

TEL: 509.664.4843
 FAX: 509.663.8534
 CELL: 509-881-8049

April 28, 2014

RH2 Engineering
 Attn: Erik Howe

RE: Railroad Avenue Special Inspection

Erik,

CSI is pleased to provide you with the following cost estimate for special testing on your project. We understand the scope of work to include testing of soils, crushed rock, HMA and concrete. The following tables are a breakdown of the tests and time needed to complete the required inspections and tests. Times and cost may vary depending on contractors construction schedule.

Compaction and Coring

We estimate the need for multiple site inspections to test compaction of native soils, backfill, and utility trench backfill.

Compaction Testing				
Technician III HMA	16 hrs.	@	\$60	\$960

Laboratory Testing

The following table lists the projected number and types of tests that will be needed. The number of tests may vary depending on soil types encountered.

Sieve Analysis – CSTC	1	@	\$75 ea.	\$75
SE	1	@	\$50 ea.	\$50
Fracture	1	@	\$40 ea.	\$40
HMA Extraction Gradation Rice	2	@	\$175 ea.	\$350

Concrete Testing

The following table lists the projected number of concrete pours and time on site. The number of tests and time may vary depending on the contractors concrete placement schedule.

Concrete	3 hrs.	@	\$60	\$180
Concrete cylinder tests	6	@	\$15	\$90

EXHIBIT G CONTINUED`

Mileage and Travel Time:

Mileage will be charged at the rate of \$0.565 per mile. We estimate the round trip distance from Wenatchee to the job site 25 miles. We will share travel time and mileage whenever possible.

Mileage – 5 round trips @ 25 miles ea.				
125 miles	125	@	\$0.565	\$70.63
Travel Time 30 Min. Round Trip	1.5	@	\$60	\$90

Project Administration

These costs are associated with project management and document preparation, report review and technician scheduling. Reports and test results will be faxed or emailed on a daily basis as directed.

Secretarial	1 hrs.	@	\$45	\$45
Testing Manager	1 hrs.	@	\$80	\$80

Total Estimated Cost	\$2030.63			
-----------------------------	------------------	--	--	--

Thank you for the opportunity to provide you with this estimate. We look forward to working with you on this and future projects. Please call if you have any questions.

Sincerely,

CSI:

Construction Special Inspection



Jon Hills
President

The total fees may be more or less than the estimate depending on project schedule, changes in the scope of services, and unanticipated work effort. If it appears the fees will exceed the estimate, Client will be notified immediately and services will be suspended until receipt of written authorization to proceed.



104 EAST NINTH STREET
WENATCHEE, WA 98801
www.csinw.com

Construction Special Inspection

TEL 509.664.4843
FAX: 509.663.8534
CELL: 509-881-8049

May 6, 2014

Erik Howe
RH2 Engineering
300 Simon Street, Suite 5
East Wenatchee, WA 98802

RE: Hourly rate statement

Please accept this letter as our statement of rates from CSI. CSI is an 8 person firm with no calculated overhead rate. Our testing and inspection services are charged as an hourly fee that includes direct salary, overhead and fees.

Our hourly rates are our lowest offered for inspection services. All non-salary costs are invoiced without mark-up.

Classification	Hourly Billing Rate
Area Manager	\$80.00
Laboratory Manager	\$75.00
Technician III	\$75.00
Technician II	\$60.00
Administrative	\$45.00

Sincerely,

CSI

A handwritten signature in black ink, appearing to read 'Jon Hills'.

Jon Hills
President
(509) 664-4843

Staff Summary

Date: June 9, 2014
To: Cashmere City Council
Mayor Gomes
From: Mark Botello
RE: Acceptance of 2014 City Chip Seal Project-A & W Paving, Inc

A & W Paving completed the chip seal project on June 4, 2014. I have inspected the work and satisfied with the project results. I am asking Council to accept the project and release payment less retainage.

RECOMMENDATION:

Acceptance of 2014 Chip Seal project and release payment less retainage



Original
 Revised # _____

NOTICE OF COMPLETION OF PUBLIC WORKS CONTRACT

Date: June 5, 2-14 **Contractor's UBI Number:** 601345091

Name & Mailing Address of Public Agency
City of Cashmere 101 Woodring Street Cashmere, WA. 98815 UBI Number: 041 000 329

Department Use Only
Assigned to: _____
Date Assigned: _____

Notice is hereby given relative to the completion of contract or project described below

Project Name 2014 City of Cashmere Class "A" Chip Seal Project	Contract Number Same as project name	Job Order Contracting <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	--	---

Description of Work Done/Include Jobsite Address(es)
Class "A" Chip Seal on Ivy Street, Orchid Street, Laurel Street and Emerald Ave.

Federally funded transportation project? Yes No (if yes, provide Contract Bond Statement below)

Contractor's Name A & W Paving INC	E-mail Address g_ewing@frontier.com	Affidavit ID*
--	---	----------------------

Contractor Address 6210 Pioneer Ave, Cashmere, WA. 98815	Telephone # 509-782-4383
--	------------------------------------

If Retainage is not withheld, please select one of the following and List Surety's Name & Bond Number.
 Retainage Bond Contract/Payment bond (valid for federally funded transportation projects)

Name: _____ Bond Number: _____

Date Contract Awarded 05/12/2014	Date Work Commenced 06/02/2014	Date Work Completed 06/04/2014	Date Work Accepted 06/09/2014
--	--	--	---

Were Subcontractors used on this project? If so, please complete Addendum A. Yes No

Affidavit ID* - No L&I release will be granted until all affidavits are listed.

Contract Amount	\$	62,541.51			
Additions (+)	\$			Liquidated Damages \$	0.00
Reductions (-)	\$			Amount Disbursed \$	64,721.54
Sub-Total	\$	62,541.51		Amount Retained \$	3,406.46
Amount of Sales Tax <u>8.200%</u>					
(If various rates apply, please send a breakdown)	\$	5,586.49			
TOTAL	\$	68,128.00		TOTAL \$	68,128.00

NOTE: These two totals must be equal

Comments:

Tax included within Contract Amount.

Note: The Disbursing Officer must submit this completed notice immediately after acceptance of the work done under this contract.
 NO PAYMENT SHALL BE MADE FROM RETAINED FUNDS until receipt of all release certificates.
Submitting Form: Please submit the completed form by email to all three agencies below.

Contact Name: Mark Botello
 Email Address: Mark@cityofcashmere.org

Title: Planning Dir.
 Phone Number: 509-782-3513





Staff Summary

Date: 09 June 2014
To: City Council
From: Bob Schmidt, Director of Operations
RE: Acceptance of Bid and Permission to Purchase Two Used Dump Trucks w/plows and sanders

We advertised for bids for two used dump trucks on May 28 and had two requests for bid documents. Bids are due Friday June 6 at 2:00 PM so the results are not in this summary. I will give you the results at the Council meeting and if acceptable bids have been offered, will be asking council to approve the bids and give permission to purchase two used dump trucks.