

Councilmembers

Position No.

1. Tod Gunther
2. Barbara Ford
3. Vacant
4. Dave Harman
5. Nicola McDonald
6. Josh Penner
7. Scott Drennen



ORTING CITY COUNCIL

Regular Business Meeting Agenda

Orting Public Safety Building
401 Washington Ave. SE, Orting, WA

June 29, 2016
7 p.m.

Audience members are welcome to speak on any topic on the agenda after Councilmembers have finished their discussion.

Mayor Joachim Pestinger

A. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.

***REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.**

B. CONSENT AGENDA

- Minutes of June 8, 2016
- Payroll and Claims Warrants

Motion: *Move to approve Consent Agenda as prepared.*

C. PUBLIC COMMENTS

Persons wishing to address the City Council regarding items “that are not on the agenda” are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name and address for the record. Please limit your comments to 3 minutes. Thank you for attending.

D. PRESENTATIONS

1. WSDOT update about the SR162 Traffic Study – TJ Nedrow

E. COMMITTEE AND COUNCIL STANDING REPORTS

- Emergency Preparedness- **CM Drennen/CM Ford**
- Public Safety- **CM Gunther/CM Harmon**
- Rules- **CM Harman/CM Drennen**
- Transportation- **CM Penner/CM McDonald**
- Mayor’s Report – **Mayor Pestinger**
- Miscellaneous activity reports, i.e. PSRC, special meetings, etc.

F. PUBLIC HEARINGS

1. AB 16-55- Surplus of City Public Utility Vehicles.- Resolution No 2016-22

- **Scott Larson**

Motion: *Move to adopt Resolution NO. 2016-22, declaring surplus property and authorizing disposal.*

G. OLD BUSINESS

1. AB16-56- Discussion- Council Rules/Order of Business 4.1.E- Public Comment Time.

- **CM Harman**

Motion: *Move to end pilot period and return to City Council Rules of Procedure 4-1-E, Comments from Citizens.*

H. NEW BUSINESS

1. AB16-57- Critical Areas Ordinance.

- **Roger Wagoner**

Motion: to approve Ordinance No. 2016-985, Critical Areas Ordinance.

2. AB16-58- Trail Crossing At Pioneer Village.

- **CM Penner**

Motion: to approve the expenditure of \$500 to paint the Trail Crossing at Pioneer Village.

3. AB16-59- TBD Chip Seal Program, Approval of Low Bidder.

- **CM Penner**

Motion: to approve Sierra Santa Fe, as the low bidder for Chip Seal in the amount of \$111,792.55.

4. AB16-60- Chip Seal of Rocky Road.

- **CM Penner**

Motion: to approve the expenditure of \$7,000 to chip seal Rocky Road.

5. AB16-61- Council Position Applicant Request for Interview Concession.

- **Mark Bethune**

Motion: to approve/deny.

I. PUBLIC COMMENTS

Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name and address for the record. Please limit your comments to 3 minutes. Thank you for attending.

J. EXECUTIVE SESSION

K. ADJOURNMENT

Motion: Move to Adjourn.

Upcoming Meetings:

Next Regular Meeting: July 13, 2016 (PSB)



ORTING CITY COUNCIL MEETING MINUTES

Multi-Purpose Center, 202 Washington Ave. South

June 8, 2016

A. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

Mayor Joachim Pestinger called the meeting to order at 7:00 pm in the Orting Public Safety Building. Councilmember McDonald led the Pledge of Allegiance.

Present: Councilmembers Scott Drennen, Barbara Ford, Tod Gunther, Dave Harman and Nicola McDonald. **Absent:** Councilmember Josh Penner,

Councilmember Gunther made a motion to excuse Councilmember Penner. Second by Councilmember Harman. Motion carried (5-0)

City Employees

Jane Montgomery, City Clerk
Scott Larson, Treasurer
Mark Bethune, City Administrator

Professional Representatives

Charlotte Archer, Attorney- Kenyon Disend
JC Hungerford, Engineer – Parametrix

Visitors (signed in)

Corinne Reiquam	Patty Villa
Ann Fairall	Maira Wirth
Sandie Young	Karen Wilson
Peggy Ryals	Monnica McClung
Courtney Anthram	Chelsea Goldin

REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA

Councilmember Drennen made a motion to add an additional public comment time to the end of the agenda. Second by Councilmember Gunther. A roll call vote was taken and the Motion passed (5-0)

B. CONSENT AGENDA

- Minutes of May 22, 2016
- Minutes of May 25, 2016
- Payroll and Claims Warrants

Councilmember Harman moved to approve the consent agenda as prepared. Second by Councilmember Gunther. Motion passed (5-0)

C. PUBLIC COMMENTS

Corinne Reiquam

Ms. Reiquam expressed her concerns about continued development in the City of Orting and her concerns of how that may impact the ability for citizens to evacuate in the event of an emergency. She is concerned about the safety of her children.

Ann Fairall

Ms. Fairall addressed the recent Lahar Drill. She was not pleased with the results and expressed her support for a Bridge over the Puyallup or the Carbon River to be built. She is concerned about the safety of her children. She is also concerned about crosswalks not being visible.

Sandy Young

Ms. Young expressed that she was very dissatisfied with the recent Lahar Drill. She told the Mayor that she wants him to pursue funding for the Bridge for Kids project. She is concerned about the safety of her children.

Peggy Ryals

Ms. Wiles expressed no confidence in the City Evacuation Plan. She requested that the Mayor continue to seek funding for the Bridge for Kids Project.

Courtney Anthram

Ms. Anthram expressed her concerns about the recent Lahar Drill and feels that a real evacuation will not be successful. She is concerned about the safety of her children.

Patty Villa

Ms. Villa provided information about the opening of the Farmer's Market on June 10th. The Market will run through September 2nd and is from 3-7pm each Friday. She thanked the City for funding for the market.

Monnica McClung

Ms. McClung addressed the recent Lahar Drill. She was not pleased with the results and expressed her desire for funding for the Bridge for Kids Project. She wants to know which Co

Moira Wirth

Ms. Wirth is a new resident and was not aware of the Lahar prior to moving in. She is doing her best to come up with a family plan and is in support of the Bridge for Kids Project.

PRESENTATIONS

D. Kacie Nesby

Mayor Pestinger introduced Kacie Nesby and presented her and read a certificate from the City titled "Heroes among us". Mayor Pestinger asked if anyone in attendance would like to say a word. Rick Slater who worked alongside Ms. Nesby, talked about her dedication to the Teens in the Community. He stated that she was a beacon of faith, grit, and heart and would be greatly missed by the Community.

Mayor Pestinger recessed the meeting at 7:35pm to join in the celebration for Kacie Nesby. Mayor Pestinger called the meeting back to order at 7:44pm.

E. COMMISSION REPORTS

Parks Commission

Parks Chair Mike Dannat briefed the Council on the following:

- Playground Equipment;
- Fountain prices.

Planning Commission

Planning Co-Chair Brandon Hoyt briefed the Council on the status of the following:

- Critical Areas Ordinance;

- The Livestock Code;
- Sign Codes.

F. COMMITTEE AND COUNCIL STANDING REPORTS

Finance

Councilmember Ford briefed the Council on the following:

- Finance report;
- The general fund;
- Property tax revenues;
- “Booming” building department.

Public Works

Councilmember McDonald briefed the Council on the following:

- The June 1, 2016 Public Works meeting;
- Installation of grease traps;
- New public works facility.

Emergency Evacuation Bridge System

Councilmember Drennen spoke about his recent trip to Olympia on June 6th with Councilmember Gunther and JC Hungerford. Discretionary funding may be available. He told Council that the trip was encouraging and inspiring.

Councilmember Gunther shared his thoughts on the trip to Olympia as well. He was able to speak to House and Senate Representatives. He thanked the citizens for their comments in regard to the Bridge for Kids.

Mayor’s Report

Mayor Pestinger briefed Council on the following:

- Ribbon Cutting ceremony in Graham for the New American Credit Union, spoke about the possibility of a branch in Orting;
- PSE event at Lowes on June 11th to hand out smoke alarms;
- Pierce County Cities and Towns Association meeting, how to reduce waste;
- July 22nd Event at High Cedars, “Charlie’s Dinosaur” sponsored by the Police Department;
- Farmers Market June 10th start date;
- Car Show on June 18th.

G. NEW BUSINESS

1. Discussion- City Council Vacancy/Appointment of Deputy Mayor.

Mayor Pestinger briefed the Council on Deputy Mayor Birkes resignation, the process to advertise for a replacement for City Council position #3 and the appointment of a Deputy Mayor.

Councilmember Ford made a motion to accept Deputy Mayor Birkes resignation. Second by Councilmember McDonald. Motion Passed (5-0)

Councilmember Ford made a motion to authorize Mayor Pestinger to advertise the opening for vacant Council position #3 with a deadline of July 1st, and interviews to be held at the July 13, 2016 Council Meeting. Second by Councilmember Harman. Motion Passed (5-0)

Mayor Pestinger asked the Council what they wished to do about the Deputy Mayor appointment.

Councilmember Gunther made a motion to nominate Councilmember Drennen for the permanent appointment to Deputy Mayor. No second. Motion Failed.

Councilmember Gunther made a motion to nominate Councilmember Drennen to be the interim Deputy Mayor until a new vote can be made, after the vacant Council seat is filled. No second. Motion Failed.

Councilmember McDonald made a motion to nominate the Deputy Mayor after the vacant Council seat is filled and until then City Administrator Bethune to be the Interim Deputy Mayor. Second by Councilmember Ford. A roll call vote was taken and the Motion Passed (5-0)

2. AB16-51- River Signage.

Councilmember Gunther briefed the Council on this agenda item. He stressed the danger that the river and the importance of proper signage. Council was provided a picture of the proposed sign. Discussion followed.

Councilmember Gunther made a motion to approve up to \$1,200 for the purchase of 6 warning signs for the river. Second by Councilmember Harman. Motion Passed (5-0)

3. AB16-52 - Calistoga Setback Levee FEMA Operations and Maintenance Plan project.

JC Hungerford briefed the City Council on this agenda item. Construction is complete but the City of Orting has to do an operations and maintenance plan. Discussions followed.

Councilmember McDonald made a motion to approve the scope and budget for the Calistoga Setback Levee FEMA Operations and Maintenance Plan project. Second by Councilmember Harman. Motion Passed (5-0)

4. AB16-53- Maintenance of Calistoga Setback Levee

JC Hungerford briefed the Council on this agenda item. The City is required to maintain bark mulch around the plants to prevent weeds. This is a requirement of the mitigation plan associated with the project. The City plans to use this funding for the next 1-5 years for placement and maintenance of bark rings. This cost is reimbursable. Discussions followed. The subject of storm water ponds was also discussed.

Councilmember McDonald made a motion to approve the expenditure of up to \$25,000 for the purchase of bark mulch for the maintenance of the Calistoga Setback Levee. Second by Councilmember Ford. Motion Passed (5-0)

5. AB16-54- Flag Pole Repair

Councilmember Gunther briefed the Council on the need to repair the Flag Pole. The Pulley system has failed. The City received 2 bids and the request to Council is to approve the low bidder for the repair which is Franks Flag Pole. The plan is to repair and shorten the current pole which is 90 feet tall. Standard height is currently 70 feet. Discussion followed.

Councilmember Gunther made a motion to approve the low bid of \$3,806.91 by Frank's Flag Pole Store for the repair and shortening of the City Park flag pole. Second by Councilmember Ford. Motion Passed (5-0)

H. PUBLIC COMMENTS

Brandon Hoyt

Mr. Hoyt spoke about contacting fungi perfecta to inoculate the bark that the City purchases so the community might be able to go out and pick mushrooms. He offered to contact this company if Council would consider this.

Chris Hopfauf

Mr. Hopfauf spoke about safety concerns/traffic on Eldridge Avenue SW. He read an email that he had sent to the City regarding speeding particularly at the time that High School is dismissed and by 3 specific vehicles. He asked for help from the City to possibly install speed bumps. He also stated he feels he is being targeted by the parents of the students driving these vehicles and by the City.

I. EXECUTIVE SESSION

Mayor Pestinger announced that there would be an executive session. The session is expected to last 15 minutes, and no action is anticipated to take place after they return. The Executive session is in accordance with RCW. 42.30.140. (4) (e) in regard to Union Negotiations.

8:45 p.m. Mayor Pestinger adjourned the meeting to Executive session.

9:00 p.m. The Executive session was extended for 5 minutes.

Mayor Pestinger called the meeting back to order at 9:05 p.m.

J. ADJOURNMENT

Councilmember Harman made a motion to adjourn the meeting. Second by Councilmember Ford. Motion Carried (5-0)

ATTEST

Joachim Pestinger, Mayor

Jane Montgomery, City Clerk

CITY OF ORTING
VOUCHER/WARRANT REGISTER
FOR JUNE 29, 2016 COUNCIL

CLAIMS/PAYROLL VOUCHER APPROVAL

CITY OF ORTING

WE, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF ORTING, AND THAT WE ARE AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

CLAIMS WARRANTS #43606 THRU #43680
IN THE AMOUNT OF \$ 174,219.62

PAYROLL WARRANTS # 22521 THRU #22532
IN THE AMOUNT OF \$ 125,832.44

ARE APPROVED FOR PAYMENT ON JUNE 29, 2016

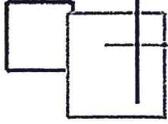
FINANCE COMMITTEE CHAIR _____

COUNCILPERSON _____

COUNCILPERSON _____

CITY CLERK _____

Fund Transaction Summary



Transaction Type: Invoice
Fiscal: 2016 - June 2016 - 2nd Council
System Types: Financials

Fund Number	Description	Amount
001	Current Expense	\$55,326.35
101	City Streets	\$19,002.15
104	Cemetery	\$9,583.93
105	Parks Department	\$16,154.51
320	Transportation Impact	\$1,620.07
401	Water	\$12,165.87
408	Wastewater	\$44,834.96
410	Stormwater	\$15,531.78
	Count: 8	\$174,219.62

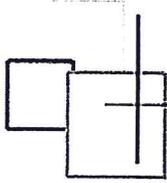
Register

Fiscal: 2016
 Deposit Period: 2016 - June 2016
 Check Period: 2016 - June 2016 - 2nd Council
 Bank Accounts: Key Bank - 2000073
 Register Types: Warrant
 Show Outstanding: All
 System Types: Financials
 Outstanding Date: 6/22/2016 2:03:18 PM
 Show Details: Hide

Number	Name	Print Date	Clearing Date	Amount
Key Bank	2000073			
Check	ACRnet CBS Branch	6/15/2016		\$44.00
<u>43606</u>	Association of Wash. Citi	6/15/2016		\$25.00
<u>43607</u>	Bhc Consultants	6/15/2016		\$8,944.99
<u>43608</u>	Capital One Commercial	6/15/2016		\$293.14
<u>43609</u>	Cintas Corporation #461	6/15/2016		\$151.31
<u>43610</u>	Crystal & Sierra Springs	6/15/2016		\$161.66
<u>43611</u>	Enviro-Clean Equipment, Inc.	6/15/2016		\$331.86
<u>43612</u>	John E Reid & Associates INC	6/15/2016		\$550.00
<u>43613</u>	KCDA Purchasing Cooperative	6/15/2016		\$195.76
<u>43614</u>	Kenyon Disend PLLC	6/15/2016		\$5,901.59
<u>43615</u>	Keybank	6/15/2016		\$9,984.64
<u>43616</u>	Konica Minolta Business Solutions	6/15/2016		\$331.54
<u>43617</u>	Korum Automotive Group	6/15/2016		\$780.86
<u>43618</u>	Lemay Mobile Shredding	6/15/2016		\$35.02
<u>43619</u>	Mortimer, Thomas D, JR	6/15/2016		\$225.00
<u>43620</u>	Orca Pacific, Inc	6/15/2016		\$753.98
<u>43621</u>	O'Reilly Auto Parts	6/15/2016		\$277.30
<u>43622</u>	Pcrd (landfill)	6/15/2016		\$308.86
<u>43623</u>	Pierce County	6/15/2016		\$3,098.25
<u>43624</u>	Puget Sound Energy	6/15/2016		\$11,325.05
<u>43625</u>	Robbless's Total Security Inc.	6/15/2016		\$240.45
<u>43626</u>	Sarco Supply	6/15/2016		\$127.49
<u>43627</u>	Sound Business Systems, Inc	6/15/2016		\$216.01
<u>43628</u>	Spectral Laboratories	6/15/2016		\$1,102.00
<u>43629</u>	Staples Advantage-Dept LA	6/15/2016		\$254.42
<u>43630</u>	Sunnyside, City Of	6/15/2016		\$1,100.17
<u>43631</u>	Systems For Public Safety Inc	6/15/2016		\$936.79
<u>43632</u>	The Humane Society Tac/p.	6/15/2016		\$315.00
<u>43633</u>	The News Tribune	6/15/2016		\$593.86
<u>43634</u>	The Tactical Tailor Inc.	6/15/2016		\$235.90
<u>43635</u>				

Account	Name	Term	Balance
43636	UniFirst Corporation	6/15/2016	\$346.83
43637	US Bank Equipment Finance	6/15/2016	\$326.54
43638	Vision Forms LLC	6/15/2016	\$318.04
43639	WA Assoc of Sheriffs & Police Chief	6/15/2016	\$300.00
43640	Washington State Patrol-Budget And Fiscal Services	6/15/2016	\$36.00
43641	Water Management Lab Inc.	6/15/2016	\$407.00
43642	Whitworth Pest Solutions, INC	6/15/2016	\$812.38
43643	Witt Company	6/15/2016	\$1,013.93
43644	Zumar Industries Inc	6/15/2016	\$207.14
43645	Corwin Ford Tri-Cities	6/21/2016	\$23,836.61
43646	Wex Bank	6/21/2016	\$2,675.46
43647	Associated Petroleum Products INC	6/29/2016	\$1,740.26
43648	Blumenthal Uniforms & Equ	6/29/2016	\$42.26
43649	Brisco Inc.	6/29/2016	\$221.14
43650	Business Solutions Center	6/29/2016	\$121.82
43651	CenturyLink/Qwest	6/29/2016	\$198.03
43652	Comcast	6/29/2016	\$20.87
43653	Cope's Orting Pharmacy (C	6/29/2016	\$5.43
43654	Custom Electric & Controls	6/29/2016	\$184.96
43655	Dept of Transportation	6/29/2016	\$1,593.26
43656	Diesel Services Northwest INC	6/29/2016	\$336.09
43657	Enumclaw, City of	6/29/2016	\$600.00
43658	Frost Landscape	6/29/2016	\$6,512.33
43659	H D Supply Waterworks LTD	6/29/2016	\$880.20
43660	Heritage Quest Press	6/29/2016	\$43.47
43661	JTS INC	6/29/2016	\$652.80
43662	Law Offices of Matthew J Rusnak	6/29/2016	\$3,666.66
43663	Lincoln, Tim	6/29/2016	\$450.00
43664	Mitel Leasing	6/29/2016	\$409.38
43665	Orting Auto Parts	6/29/2016	\$5.58
43666	Orting Historical Society	6/29/2016	\$500.00
43667	Parametrix	6/29/2016	\$58,284.81
43668	Pierce County	6/29/2016	\$1,311.75
43669	Pitney Bowes Purchase Power	6/29/2016	\$476.00
43670	Pollard Water	6/29/2016	\$255.70
43671	Praxair Distribution Inc	6/29/2016	\$28.08
43672	Puget Sound Energy	6/29/2016	\$14,215.28
43673	Sarco Supply	6/29/2016	\$154.28
43674	SCORE	6/29/2016	\$314.00
43675	Spectral Laboratories	6/29/2016	\$1,039.00
43676	State of Washington Dept of Ecology	6/29/2016	\$49.00
43677	Sumner Lawn'n Saw	6/29/2016	\$308.34
43678	Veitex Services	6/29/2016	\$340.00
43679	Washington Rock Quarries,	6/29/2016	\$69.92

43680
Zumar Industries Inc
6/29/2016
Total
Total
Grand Total
Check
2000073
\$67.09
\$174,219.62
\$174,219.62
\$174,219.62



Custom Council Report

Vendor	Invoice #	Invoice	Account Number	Notes	Amount
ACRnet CBS Branch	43606	1605133	001-518-10-41-01	Background Check-Montgomery	\$44.00
				Total	\$44.00
Associated Petroleum Products INC	43647	0928024-IN	101-542-30-32-00	Fuel	\$147.50
			401-534-80-32-00	Fuel	\$663.73
			401-534-80-32-01	Fuel	\$119.38
			408-535-80-32-00	Fuel	\$589.98
			408-535-80-32-01	Fuel	\$119.38
			410-531-38-32-01	Fuel	\$73.74
			410-531-38-32-02	Fuel	\$26.55
				Total	\$1,740.26
Association of Wash. Citi	43607	43322	001-513-10-31-03	Fee-Well City	\$25.00
				Total	\$25.00
Bhc Consultants	43608	0007823	001-558-60-41-02	Planning Consultant	\$7,457.60
			105-576-80-41-03	Planning Consultant	\$1,487.39
				Total	\$8,944.99
Blumenthal Uniforms & Equ	43648	005509622	001-521-20-31-01	Uniform Items for Gard	\$42.26
				Total	\$42.26
Brisco Inc.	43649	June2016-403	001-524-20-32-01	Fuel	\$108.16
			401-534-80-32-00	Fuel	\$68.19
			410-531-38-32-02	Fuel	\$44.79
				Total	\$221.14
Business Solutions Center	43650	352-June 2016	001-512-50-31-00	Forms for Court	\$76.16
			001-571-20-44-00	Colored Paper	\$45.66
				Total	\$121.82
Capital One Commercial	43609	10399690	001-521-20-31-03	Copy Paper & Water	\$293.14
				Total	\$293.14
CenturyLink/Qwest	43651	464B	001-521-20-45-02	Cell Connection	\$116.53
		465B	001-521-20-45-02	Cell Connection	\$81.50
				Total	\$198.03

Vendor	Account #	Invoice	Account Number	Notes	Amount
Cintas Corporation #461	43610	461797209	408-535-60-48-04	Park Restroom Cleaning	\$151.31
				Total	\$151.31
Comcast	43652	5839-June2016	001-514-23-42-00	City Hall Equipment	\$6.96
			401-534-10-42-01	City Hall Equipment	\$6.95
			408-535-10-42-01	City Hall Equipment	\$6.96
				Total	\$20.87
Cope's Orting Pharmacy (C)	43653	14903	408-535-10-31-00	White-Out	\$5.43
				Total	\$5.43
Corwin Ford Tri-Cities	43645	1743-2016 F250	101-594-44-61-04	New-2016 F250 Truck	\$2,383.66
			104-594-36-64-10	New-2016 F250 Truck	\$9,534.64
			105-594-76-63-41	New-2016 F250 Truck	\$7,150.98
			401-594-34-64-60	New-2016 F250 Truck	\$1,191.83
			408-594-35-64-56	New-2016 F250 Truck	\$2,383.66
			410-594-31-67-10	New-2016 F250 Truck	\$1,191.84
				Total	\$23,836.61
Crystal & Sierra Springs	43611	5225720 052816	401-534-10-31-00	Water for Public Works	\$100.75
			408-535-10-31-00	Water for Public Works	\$60.91
				Total	\$161.66
Custom Electric & Controls	43654	18103	408-535-50-48-04	Repair Circuit-Newell LaBolle @ WWTP	\$184.96
				Total	\$184.96
Dept of Transportation	43655	RE-131-STB60614118	320-595-30-63-06	Two Way Left Turn Lane-Project Management	\$1,593.26
				Total	\$1,593.26
Diesel Services Northwest INC	43656	1139	101-542-30-48-04	Replaced Hydraulic Hose for Man Lift FA-1029	\$117.63
			105-576-80-48-02	Replaced Hydraulic Hose for Man Lift FA-1029	\$168.06
			401-534-50-48-06	Replaced Hydraulic Hose for Man Lift FA-1029	\$16.80
			408-535-50-48-08	Replaced Hydraulic Hose for Man Lift FA-1029	\$16.80

Vendor	Supplier	Invoice	Account Number	Notes	Amount
Diesel Services Northwest INC	43656	1139	410-531-38-48-01	Replaced Hydraulic Hose for Man Lift FA-1029	\$16.80
				Total	\$336.09
Enumclaw, City of	43657	04743	001-523-60-41-00	Jail Fees-May 2016	\$600.00
				Total	\$600.00
Enviro-Clean Equipment, Inc.	43612	S16-052505	101-542-30-48-04	Segment Broom for Street Sweeper	\$165.93
			410-531-38-48-01	Segment Broom for Street Sweeper	\$165.93
				Total	\$331.86
Frost Landscape	43658	2416	105-576-80-48-08	Landscape Services-May 2016	\$6,512.33
				Total	\$6,512.33
H D Supply Waterworks LTD	43659	F621419	408-535-50-48-02	6" Flex CPLG	\$328.20
		F622096	401-534-50-48-02	Supplies	\$490.73
		F623954	401-534-50-48-02	Hydrant Oil	\$61.27
				Total	\$880.20
Heritage Quest Press	43660	476328	001-514-23-31-02	City Letterhead	\$43.47
				Total	\$43.47
John E Reid & Associates INC	43613	168070	001-521-40-49-00	Interview & Interrogation Techniques Training-Boone	\$550.00
				Total	\$550.00
JTS INC	43661	PW-CO-06	410-531-38-48-00	Remove Tree-1008 & 1402 Daffodill Ave NE	\$652.80
				Total	\$652.80
KCDA Purchasing Cooperative	43614	300035728	401-534-10-31-00	Trash Liners	\$97.88
			408-535-10-31-00	Trash Liners	\$97.88
				Total	\$195.76
Kenyon Disend PLLC	43615	184120	001-515-30-41-01	Attorney Retainer	\$3,500.00
			001-515-30-41-02	City Attorney Services	\$1,954.05
			401-534-10-41-04	City Attorney Services	\$447.54
				Total	\$5,901.59
Keybank	43616	4412-June2016 PD	001-521-20-31-06	Coffee for The Lahar Drill	\$48.80
			001-521-40-49-00	Traing	\$1,770.00

Vendor	Account Number	Invoice	Account Number	Notes	Amount
Keybank	43616	4412-June2016 PD	001-521-50-48-02	Batteries for Car	\$15.80
			001-521-50-48-02	Fobs	
			001-521-50-48-02	Car Maintenance	\$81.52
			001-521-50-48-02	Supplies	
			001-521-50-48-02	Cleaning Supplies	\$249.01
			001-521-50-48-02	Repairs on 2008	\$2,636.42
			001-521-50-48-03	Charger-Cassatt	
			001-521-50-48-03	Cleaning Supplies	\$29.33
			001-521-50-48-03	Carpet Cleaning	\$458.00
			001-594-21-64-37	Yakima Bike Hitch	\$381.23
			001-594-21-64-37	Rack	
			001-594-21-64-37	Light Bar	\$520.35
	4461-June2016 City		001-511-60-31-01	Food for Council	\$152.26
			001-511-60-31-01	Retreat	
			001-513-10-31-00	Food for Managers	\$48.51
			001-513-10-31-00	Meeting	
			001-514-23-31-02	Bank Stamp	\$4.60
			001-514-23-31-02	File Cabinets	\$108.90
			001-524-20-31-00	Custom Stamp & Ink	\$85.93
			001-524-20-31-00	Uniform Items	\$138.03
			001-524-20-31-00	Boots for Wolfe	\$235.00
			001-524-20-48-01	Wipers	\$29.40
			001-554-30-31-00	Dog Food for Kennel	\$25.56
			001-571-20-31-01	Park & Rec Storage	\$160.00
			001-571-20-31-01	Unit-July	
			001-571-20-31-01	Park & Rec Storage	\$160.00
			001-571-20-31-01	Unit-May	
			001-571-20-31-01	Park & Rec Storage	\$160.00
			001-571-20-31-01	Unit-June	
			001-571-20-31-22	Gifts for Dance	\$71.26
			001-571-20-31-22	Team	
			001-571-20-31-23	Metal for Soccer	\$121.32
			001-571-20-31-25	Metals for Baseball	\$660.76
			105-576-80-31-00	Weigh in for New	\$10.39
			105-576-80-31-00	F350-2015	
			105-576-80-31-00	Licensing for New	\$49.75
			105-576-80-31-00	F350-2015	
			105-576-80-31-00	Chalk for Fields	\$88.13
			105-576-80-48-00	Banner Rods & Pins	\$175.75
			105-576-80-48-01	Pitchers Plate	\$65.26
			105-576-80-48-01	Motor for Line	\$106.64
			105-576-80-48-01	Painting Machine	
			401-534-10-31-00	Bank Stamp	\$4.60
			401-534-10-31-00	Vinegar for Well 1	\$38.32
			401-534-10-31-00	Chair	\$61.65
			401-534-10-31-00	Toner/Laminating	\$77.60
			401-534-10-31-00	Supplies	
			401-534-10-31-00	Office Supplies	\$125.65
			408-535-10-31-00	Bank Stamp	\$4.60
			408-535-10-31-00	Printer Tape	\$43.75
			408-535-10-31-00	Chair	\$61.65
			408-535-10-31-00	Toner/Laminating	\$77.60
			408-535-10-31-00	Supplies	
			408-535-10-31-00	Office Supplies	\$125.65
			408-535-50-48-02	WWTP-Supplies	\$235.64
			410-531-38-31-00	Bank Stamp	\$4.60
			410-531-38-31-00	Platic Bags	\$10.52
			410-531-38-31-00	Chair	\$61.65
			410-531-38-31-00	Toner/Laminating	\$77.60
			410-531-38-31-00	Supplies	
			410-531-38-31-00	Office Supplies	\$125.65

Vendor	Account Number	Invoice Number	Account Number	Description	Amount
Total					\$9,984.64
Konica Minolta Business Solutions	43617	00281681	001-594-21-75-00	PD Copier Lease	\$331.54
Total					\$331.54
Korum Automotive Group	43618	6591060	101-542-30-48-04	Alignment/Fluid Leak Power Steering FA1051	\$39.04
			401-534-50-48-06	Alignment/Fluid Leak Power Steering FA1051	\$390.44
			408-535-50-48-08	Alignment/Fluid Leak Power Steering FA1051	\$273.30
			410-531-38-48-01	Alignment/Fluid Leak Power Steering FA1051	\$78.08
			Total		
Law Offices of Matthew J Rusnak	43662	102	001-512-50-49-01	Court Appointed Attorney -May & June 2016	\$3,666.66
				Total	
Lemay Mobile Shredding	43619	4478572	001-521-20-31-06	PD Shredding	\$35.02
				Total	
Lincoln, Tim	43663	1062-June 2016	001-524-20-49-01	Contracted Building Inspector-June 13-15 2016	\$450.00
				Total	
Mitel Leasing	43664	1378389	001-594-12-41-02	PSB Phone Lease	\$23.07
			001-594-21-41-03	PSB Phone Lease	\$103.81
			001-594-22-41-01	PSB Phone Lease	\$103.80
		1378391	001-594-14-41-03	City Hall Phone Lease	\$44.68
			001-594-24-41-02	City Hall Phone Lease	\$8.93
			001-594-76-41-02	City Hall Phone Lease	\$8.94
			101-594-42-41-02	City Hall Phone Lease	\$8.93
			401-594-34-42-03	City Hall Phone Lease	\$50.04
			408-594-35-64-55	City Hall Phone Lease	\$48.25
			410-594-31-41-42	City Hall Phone Lease	\$8.93
			Total		
Mortimer, Thomas D, JR	43620	3290	408-535-10-41-04	Professional Services	\$225.00
				Total	
O'Reilly Auto Parts	43622	1265583-June2016	001-521-50-48-02	Bit Set	\$13.05
			001-521-50-48-02	Wiper Blades	\$22.25
			001-521-50-48-02	HeadLights	\$31.86

Vendor	Number	Invoice	Account Number	Notes	Amount	
O'Reilly Auto Parts	43622	1265583-June2016	001-521-50-48-02	Mini-Buld & Can of Air Conditioner Fluid	\$45.03	
			001-521-50-48-02	HeadLights	\$91.37	
			001-521-50-48-04	USB Charger	\$28.28	
			408-535-50-48-08	Return of Motor Oil	(\$13.36)	
			408-535-50-48-08	Motor Oil & Filter 09 F150 FA1051	\$58.82	
			Total	\$277.30		
Orca Pacific, Inc	43621	21586	401-534-10-31-01	Sodium Hypochlorite	\$753.98	
				Total	\$753.98	
Orting Auto Parts	43665	1000-June2016	101-542-64-49-00	Hex Tool	\$5.58	
				Total	\$5.58	
Orting Historical Society	43666	June2016-400	001-571-20-31-11	Yearly Grant	\$500.00	
				Total	\$500.00	
Parametrix	43667	01-77061	401-534-10-41-29	Orville Water Main Replacement-Easement	\$26.74	
			401-534-10-41-29	Orville Rd Water Main	\$103.95	
			401-594-34-63-35	Rainier Lane SE Construction Services-Project Management-Water Biosolids Removal-QA-QC	\$32.36	
			408-594-35-41-01	Rainier Lane SE Construction Services-Project Management-Sewer	\$261.24	
			408-594-35-63-30	2011 Calistoga Setback Levee Grants	\$32.37	
			410-531-31-41-21	Rainier Lane SE Construction Services-Project Management-Storm	\$174.16	
			410-594-31-63-28	VG DIV 7-Design Review	\$22.17	
			01-77062	001-524-20-41-02	VG DIV 7-Construction Services	\$531.40
			01-77062	001-524-20-41-02	SR162 TWLT Project Mangement Fixed Fees -101	\$4,851.34
			01-77063	101-595-30-41-02	SR162 TWLT-Project Management	\$187.55
			01-77063	101-595-30-41-02	SR162 TWLT R/W Acquisition	\$212.92
			01-77063	101-595-30-41-02	SR162 TWLT Final Design	\$751.95
			01-77063	101-595-30-41-02	SR162 TWLT Final Design	\$6,860.89
			01-77064	410-594-31-63-24	Construction Admin Assistance-Construction Eng	\$110.25
			01-77064	410-594-31-63-24	Additional Services-Project Management	\$190.00

Vendor	Account	Invoice	Account Number	Notes	Amount
Parametrix	43667	01-77064	410-594-31-63-24	Construction Admin Assistance-Construction Observation	\$1,102.50
			410-594-31-63-24	Additional Services-Mitigation Plan Revisions	\$5,990.00
		01-77065	001-524-20-41-02	General Development	\$850.00
			001-525-60-41-00	General Consulting	\$4,295.00
			101-542-30-41-01	General Consulting	\$1,275.00
			101-542-30-41-13	Transportation Plan Update-Non Motorized Element	\$180.00
			101-542-30-41-13	Transportation Plan Update-Project Management	\$196.25
			101-595-10-40-01	Emergency Evac Bridge System-Project Management	\$410.00
			401-534-10-41-01	General Consulting	\$805.00
			401-534-10-41-16	Water System Plan Update-WSP Production	\$220.00
			401-534-10-41-16	Water System Plan Update-WSP Project Mgt	\$1,105.00
			408-535-10-41-01	General Consulting	\$340.00
			408-594-35-41-01	Biosolids Pre-Design-Eng Report	\$6,199.04
			408-594-35-41-13	Eldredge Ave NW SS Rehab-Design Bidding Assistance	(\$82.50)
			408-594-35-41-13	Eldredge Ave NW SS Rehab-Design Project Mgt	\$255.00
			408-594-35-63-25	HC Forcemain & LS Project	\$363.00
			408-594-35-63-25	HC Forcemain & LS Construction Services-Const Staking	\$1,101.89
			408-594-35-63-25	HC Forcemain & LS Construction Services-Construction Observation	\$3,666.75
			408-594-35-63-25	HC Forcemain & LS Construction Services-Office Eng	\$4,960.50
			408-594-35-63-26	HC Forcemain & LS Project	\$242.00
			408-594-35-63-26	HC Forcemain & LS Construction Services-Const Staking	\$734.59
			408-594-35-63-26	HC Forcemain & LS Construction Services-Construction Observation	\$2,444.50
			408-594-35-63-26	HC Forcemain & LS Construction Services-Office Eng	\$3,307.00
			410-531-39-41-01	General Consulting	\$1,190.00

Vendor	Account Number	Invoice Date	Approval Number	Notes	Amount	
Parametrix	43667	01-77065	410-594-31-63-40	Kansas St Outfall-Project Management	\$170.00	
			410-594-31-63-40	Kansas St Outfall-Design	\$637.50	
			410-594-31-63-40	Kansas St Outfall-Topographic Survey	\$1,700.00	
		01-77066	001-524-20-41-02	VG Div 8-Construction Services	\$277.50	
		Total				\$58,284.81
Pcrod (landfill)	43623	5564	410-531-38-48-05	Street Sweeping Waste	\$308.86	
				Total	\$308.86	
Pierce County	43668	CI-217259	C-104188	001-522-20-48-04	Fire Investigation	\$1,311.75
	43624	CI-217266		001-525-10-51-00	Emergency Management Services-July-December 2016	\$3,098.25
				Total	\$4,410.00	
Pitney Bowes Purchase Power	43669	8000-9090-0050-3685 June 2016	001-512-50-31-01	Monthly Postage	\$119.89	
			001-513-10-31-01	Monthly Postage	\$41.24	
			001-514-23-31-01	Monthly Postage	\$186.59	
			001-521-20-31-07	Monthly Postage	\$10.99	
			001-521-20-31-07	Monthly Postage	\$20.00	
			001-524-20-31-02	Monthly Postage	\$13.40	
			001-575-50-31-02	Monthly Postage	\$1.37	
			001-575-50-31-02	Monthly Postage	\$2.75	
			401-534-10-42-00	Monthly Postage	\$8.47	
			401-534-10-42-00	Monthly Postage	\$23.76	
			408-535-10-42-00	Monthly Postage	\$23.77	
			410-531-38-42-00	Monthly Postage	\$23.77	
					Total	\$476.00
Pollard Water	43670	0045841	401-534-50-35-00	Tools	\$255.70	
				Total	\$255.70	
Praxair Distribution Inc	43671	55279550	408-535-50-48-02	Oxygen	\$28.08	
				Total	\$28.08	
Puget Sound Energy	43672	200001247812-June2016	320-595-30-63-01	SR 162 Signal	\$26.81	
		200001248034-June2016	401-534-50-47-07	Harman Springs	\$29.20	
		200001248190-June2016	105-576-80-47-01	North Park	\$10.80	
		200001248372-June2016	401-534-50-47-08	Well 3	\$224.72	
		200001248539-June2016	001-525-50-47-01	Lahar Siren	\$10.89	
		200001532189-June2016	105-576-80-47-02	Main Park	\$139.80	
			105-576-80-47-03	Bell Tower	\$59.87	
		200002708986-June2016	408-535-50-47-05	VG Lift Station	\$204.67	
		200003766280-June2016	001-514-21-32-01	City Hall-City Shop @ City Hall	\$17.46	
			001-514-21-47-01	City Hall-City Shop @ City Hall	\$86.77	
			001-524-20-32-05	City Hall-City Shop @ City Hall	\$86.77	

Vendor	Invoice Number	Invoice Date	Account Number	Notes	Amount		
Puget Sound Energy	43672	200003766280-June2016	401-534-50-47-01	City Hall-City Shop @ City Hall	\$86.77		
			401-534-50-47-09	City Hall-City Shop @ City Hall	\$17.46		
			408-535-50-47-01	City Hall-City Shop @ City Hall	\$86.77		
			408-535-50-47-08	City Hall-City Shop @ City Hall	\$17.46		
			200005438367-June2016	401-534-50-47-05	Wingate Pump	\$549.30	
			200009717931-June2016	401-534-50-47-04	Well 2	\$27.42	
			200010396329-June2016	001-521-50-47-00	PSB	\$643.87	
				001-522-50-47-00	PSB	\$643.87	
			200010396543-June2016	105-576-80-47-01	North Park	\$93.36	
			200010396733-June2016	401-534-50-47-11	Well 4	\$3,150.09	
			200010629349-June2016	101-542-63-47-01	City Shop	\$10.96	
				104-536-50-47-01	City Shop	\$8.77	
				401-534-50-47-01	City Shop	\$13.15	
				408-535-50-47-01	City Shop	\$10.96	
			200013874264-June2016	408-535-50-47-04	WWTP	\$7,027.40	
			43625	200013874264-June2016	408-535-50-47-04	WWTP	\$5,585.88
			43672	200014994137-June2016	410-531-38-47-00	VG Storm	\$48.84
				200015669910-June2016	401-534-50-47-02	Wingate Chlorinator	\$109.88
				200019613294-June2016	104-536-50-47-02	Cemetery Shop	\$40.52
			43625	200019646914-June2016	101-542-63-47-03	Street Lights	\$61.93
			43672	200021141250-June2016	408-535-50-47-03	Lift Station 2	\$84.03
				200021421298-June2016	408-535-50-47-06	Rainier Meadows	\$26.81
				200022934653-June2016	001-575-50-47-01	MPC Library	\$531.86
	200024404523-June2016	408-535-50-47-02	Lift Station 1	\$87.97			
43625	220000846174-June2016	101-542-63-47-03	Street Lights	\$23.36			
	300000002406-June2016	101-542-63-47-03	Street Lights	\$5,653.88			
			Total	\$25,540.33			
Robbless's Total Security Inc.	43626	19717	001-521-50-48-04	Repair to PD Gate	\$240.45		
				Total	\$240.45		
Sarco Supply	43627 43673	1094942 1095139	001-575-50-31-01	Paper Supplies MPC	\$127.49		
			001-512-50-31-00	Court-Bathroom & Cleaning Supplies-40%	\$61.71		
			001-513-10-31-00	Council-Bathroom & Cleaning Supplies-20%	\$30.86		
			001-521-20-31-03	Police-Bathroom & Cleaning Supplies-40%	\$61.71		
				Total	\$281.77		
SCORE	43674	1980	001-523-60-41-00	Jail Fees-May 2016	\$314.00		
				Total	\$314.00		
Sound Business Systems, Inc	43628	145946	001-512-50-31-00	File Folders-Court	\$216.01		
				Total	\$216.01		
Spectral Laboratories	43629	109564	408-535-10-41-03	Lab Testing	\$183.00		
		109602	408-535-10-41-03	Lab Testing	\$919.00		

Vendor	Account Number	Invoice Number	Account Number	Notes	Amount
Spectral Laboratories	43675	109971	408-535-10-41-03	Lab Testing	\$1,039.00
				Total	\$2,141.00
Staples Advantage- Dept LA	43630	3302306659	001-511-60-31-01	Office Supplies	\$28.56
			001-513-10-31-00	Office Supplies	\$7.81
			001-514-23-31-02	Office Supplies	\$28.56
			001-571-20-31-01	Office Supplies	\$28.56
			401-534-10-31-00	Office Supplies	\$28.56
			408-535-10-31-00	Office Supplies	\$28.56
			410-531-38-31-00	Office Supplies	\$28.56
		3303383104	001-513-10-31-00	Printer Ink	\$64.24
			001-514-23-31-02	Office Supplies	\$11.01
				Total	\$254.42
State of Washington Dept of Ecology	43676	274000026	408-535-50-51-06	2015 Hazardous Waste Generation Fee	\$49.00
				Total	\$49.00
Sumner Lawn'n Saw	43677	285300	410-531-38-35-00	Chain Loop-Oil-Blade	\$308.34
				Total	\$308.34
Sunnyside, City Of	43631	1314	001-523-60-41-00	Jail Fees-May 2016	\$588.00
		1322	001-523-60-41-00	Jail Fees	\$512.17
				Total	\$1,100.17
Systems For Public Safety Inc	43632	28364	001-521-50-48-02	Various Repairs/Service-206 Ford Explorer-41422D	\$936.79
				Total	\$936.79
The Humane Society Tac/p.	43633	IVC0001651	001-554-30-31-00	Animal Control	\$315.00
				Total	\$315.00
The News Tribune	43634	257635-June 2016	001-511-60-49-03	ORD 2016-984	\$85.98
			001-511-60-49-03	ORD 2016-983	\$130.50
			001-558-60-31-03	Meeting Publications	\$82.26
			001-558-60-31-03	Meeting Publications	\$97.17
			001-558-60-31-03	Meeting Publications	\$197.95
				Total	\$593.86
The Tactical Tailor Inc.	43635	RT112151	001-521-20-31-01	Uniform Items	\$235.90
				Total	\$235.90

Vendor	Invoice Number	Invoice Date	Account Number	Invoice Description	Amount	
UniFirst Corporation 43636	3301194222-3301196336-3301198412-3301200534-3301202651		408-535-10-31-03	Supplies	\$346.83	
				Total	\$346.83	
US Bank Equipment Finance 43637	305659112		001-594-14-75-00	City Hall Copier Lease	\$326.54	
				Total	\$326.54	
Veltex Services 43678	June2016-402		001-514-21-41-01	Monthly Janitorial Services-May 2016	\$136.00	
			001-524-20-49-02	Monthly Janitorial Services-May 2016	\$34.00	
			401-534-10-31-00	Monthly Janitorial Services-May 2016	\$68.00	
			408-535-10-31-00	Monthly Janitorial Services-May 2016	\$68.00	
			410-531-38-31-00	Monthly Janitorial Services-May 2016	\$34.00	
				Total	\$340.00	
Vision Forms LLC 43638	3599		401-534-10-31-00	Utility Bill Processing & Mailing	\$30.66	
			401-534-10-42-00	Utility Bill Processing & Mailing	\$75.35	
			408-535-10-31-00	Utility Bill Processing & Mailing	\$30.66	
			408-535-10-42-00	Utility Bill Processing & Mailing	\$75.36	
			410-531-38-31-00	Utility Bill Processing & Mailing	\$30.66	
			410-531-38-42-00	Utility Bill Processing & Mailing	\$75.35	
	Total	\$318.04				
WA Assoc of Sheriffs & Police Chief 43639	INV027054		001-521-40-49-00	Conference Fee for Drake	\$300.00	
				Total	\$300.00	
Washington Rock Quarries, 43679	65527		101-542-30-48-02	Concrete Mix	\$34.96	
			410-531-38-48-00	Concrete Mix	\$34.96	
				Total	\$69.92	
Washington State Patrol-Budget And Fiscal Services 43640	I16008406		105-576-80-48-08	Background Check	\$36.00	
				Total	\$36.00	
Water Management Lab Inc. 43641	149814		401-534-10-41-03	Lab Testing	\$218.00	
			150111	401-534-10-41-03	Lab Testing	\$189.00
				Total	\$407.00	

Vendor	Account	Invoice	Project	Item	Amount
Wex Bank	43646	45870424	001-521-20-32-00	Fuel-PD	\$2,675.46
				Total	\$2,675.46
Whitworth Pest Solutions, INC	43642	310791	410-531-38-48-03	Storm Pond Treatment	\$812.38
				Total	\$812.38
Witt Company	43643	448826	001-594-14-75-00	City Hall Copier Lease	\$1,013.93
				Total	\$1,013.93
Zumar Industries Inc	43680	0182831	101-542-64-49-00	Street Signs	\$67.09
	43644	0812189	101-542-64-49-00	Street Signs	\$207.14
				Total	\$274.23
				Grand Total	\$174,219.62



**City Of Orting
Council Agenda Summary Sheet**

AB16-55 SUBJECT: Resolution No. 2016-22, declaring surplus property and authorizing its disposal.	Agenda Item #:	AB16-55
	For Agenda of:	6/29/16
	Department:	Public Works
	Date Submitted:	6/24/16

Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger		Cost of Item:	<u> \$0 </u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u> \$0 </u>
City Attorney, Margaret Archer		Unexpended Balance:	<u> </u>
City Clerk, Jane Montgomery		Timeline: <i>To be commenced in July 2016</i>	
City Treasurer, Scott Larson		BARS:	
Police Chief, Bill Drake		Fiscal Note: <i>enter Finance information here if you want to embellish on fiscal impact and fund source.</i>	
Public Works, Dean Kaelin	x		
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford			
BHC Consultants, Roger Wagoner			
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Resolution, Exhibit A, Surplus and Blue Book Value Forms
SUMMARY STATEMENT: Exhibit A lists several vehicles originally acquired for public utility purposes. The City has decided that due to the increasing cost of maintaining the vehicles, the City's policy of replacing vehicles after 15 years or 150,000 miles, and having already purchased their replacements; these vehicles are no longer required to provide continued public utility service. RCW 35.94.040 also requires that the legislative authority hold a public hearing before any resolution to surplus these vehicles can be passed. To dispose of these vehicles, the City Administrator will advertise these vehicles are for sale, and that the City is accepting sealed bids for a period to be determined by the City Administrator. If no bids are received, or no bids meet the minimum price half of fair market value as indicated in Exhibit A, the City Administrator may dispose of the items in any legal way that maximizes the benefit the City receives for the disposal of the vehicles.
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:
RECOMMENDED ACTION: MOTION to approve resolution No. 2016-22 approving the surplus of the vehicles shown in Exhibit A.

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2016-22**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING THE PROPERTY
DESCRIBED IN EXHIBIT "A" AS SURPLUS PROPERTY
AND AUTHORIZING DISPOSAL**

WHEREAS, it has been determined that the City has no further use of certain item(s) listed in attached Exhibit "A"; and that such items are surplus to the needs of the City; and

WHEREAS, the fair market value of the surplus property, if any, shall be determined and its sale or disposal will be for the common benefit; and

WHEREAS, at time of sale or disposal of the surplus item(s), any monies derived from the same will be allocated back to the appropriate department; and

WHEREAS, the City Administrator will oversee the sale of these item(s), or other method of disposal, including destruction, in the event the City Administrator determines that the surplus property has no fair market value or the cost of disposal will exceed the fair market value;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING,
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. The items described in Exhibit "A" attached hereto and incorporated herein by this reference are surplus to the needs of the City and the City Administrator is hereby authorized to dispose of such items at auction or a public sale through a sealed bid process that complies with applicable law; provided that, those items that have been determined to have no market value or the value of which will exceed the cost of disposal may be donated for charitable purposes or otherwise lawfully disposed of.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 29th DAY OF JUNE, 2016.**

CITY OF ORTING

Joachim Pestinger, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

Charlotte Archer, City Attorney

Filed with the City Clerk: June 24, 2016
Passed by the City Council: June 29, 2016
Resolution No. 2016-22
Date Posted: June 30, 2016

EXHIBIT A

(List of Surplus Items)

The following vehicles are listed for surplus:

Type	Year	Vehicle Description	VIN #	Dept.	Fair Market Value
Heavy Truck	2001	Chevy CIPU/C1500	1GCEC14V31E197713	PW	\$2,100
Light Truck	1992	Chevy PU Truck ½ Ton	NE182182	Utilities	\$650
Light Truck	1996	Ford Flatbed Truck	A49809	PW	\$3,200

- Blue Book Value/Rating does not have a provision for vehicles in poor condition. The City estimates "Poor " condition Blue Book value to be half of the "fair" value.

**CITY OF ORTING
DISPOSAL OF SURPLUS PROPERTY**

Department: Public Works Contact Person: Dean Kaelin

Description of Item: 1992 Chevy P-U 1/2 ton

Location of Item: WWTP 902 Rocky Rd E, Orting

Asset Tag # 1024 Number of like items if more than one: _____

Make: Chevy Model: Silverado Serial No: _____

For Vehicles Only: Year: 1992 Make: Chevy Model: Silverado 1/2 ton

Mileage: 109,626 VIN No: 2GCD C1425NE182182

Condition: Excellent _____ Good _____ Poor X (check one)

Current estimated value: None _____ \$1-10,000 X Over \$10,000 _____ (check one)

Suggested method of disposal? sealed bid / scrap

<input type="checkbox"/>	Sell/Transfer to another governmental agency	<input type="checkbox"/>	Trade in for replacement	<input checked="" type="checkbox"/>	Sell as scrap
<input type="checkbox"/>	Auction	<input type="checkbox"/>	Buy Back Program	<input type="checkbox"/>	Donate
<input checked="" type="checkbox"/>	Sealed Bid	<input type="checkbox"/>	State Surplus	<input type="checkbox"/>	Discard

DISCLAIMER OF WARRANTIES: The material sold under this agreement is sold as used or surplus material and is sold "as is - where is" with all faults, latent and patent. The City of Orting makes no warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose or warranty against patent, trade mark, copyright, or trade secret infringement. The City makes no promises, guarantees, representations, or warranties, implied or otherwise, from the sale as to the safe condition, functionality, or operability of the equipment, or of any of its parts, or of any work previously performed on the equipment, including repair, modification, and maintenance work. The City assumes no liability for any loss, damage, or injury to any person or property that occur subsequent to the sale, nor for liability of any other kind on matters related to or arising from the equipment.

Purchaser/Receiver

Date

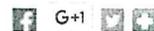
If the item/s are donated to a non-profit that serves or benefits the low income persons or persons with Disabilities the organization must provide a receipt, proof of their non-profit status and confirmation that they do not discriminate in provision of services on the basis of any basis prohibited by Chapter 49.60 RCW, prior to receiving the donated items.

The item/s listed above were disposed of in the manner indicated on _____ (date).

Employee



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Chevrolet 1500 Regular Cab 1992 Go

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Show Used Car Prices Print report



1992 Chevrolet 1500 Regular Cab

Style: Long Bed

Mileage: 109626 Change

Edit options | Check specs

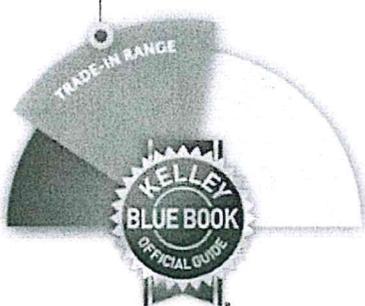
Trade In to a Dealer

Get an Instant Cash Offer

Sell to a Private Party

Trade-in Range \$1,142 - \$1,541

Trade-in Value \$1,342



Value Definitions

Track this car's values

Based on Fair Condition

Info valid for your area through 5/19/2016

Write a review on your 1992 Chevrolet



Here's your private offer

Get \$500 allowance on a new 2016 MAZDA6

Offer details

Limited-time offer from Mazda.

Next Step: Find a Car

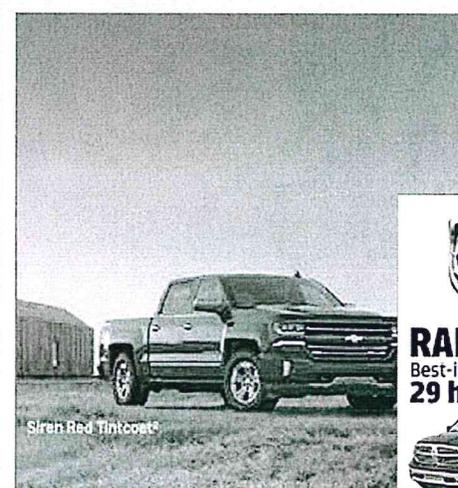
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Instant Cash Offer

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Start your offer



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RAM 1500 Best-in-Class up to 29 hwy mpg



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See what dealers and private sellers in

See listings

Recently Viewed Cars | My Saved Cars Save car



**CITY OF ORTING
DISPOSAL OF SURPLUS PROPERTY**

Department: Public Works Contact Person: Dean Kaelin

Description of Item: 2001 Chevy P-U 3/4 ton

Location of Item: WWTP 902 Rocky Rd E, Orting

Asset Tag # 1021 Number of like items if more than one: _____

Make: _____ Model: _____ Serial No: _____

For Vehicles Only: Year: 2001 Make: Chevy Model: Silverado 3/4 ton

Mileage: 152,255 VIN No: 1GCHK29V71E200750

Condition: Excellent _____ Good _____ Poor X (check one)

Current estimated value: None _____ \$1-10,000 X Over \$10,000 _____ (check one)

Suggested method of disposal? _____

<input type="checkbox"/>	Sell/Transfer to another governmental agency	<input type="checkbox"/>	Trade in for replacement	<input checked="" type="checkbox"/>	Sell as scrap
<input type="checkbox"/>	Auction	<input type="checkbox"/>	Buy Back Program	<input type="checkbox"/>	Donate
<input checked="" type="checkbox"/>	Sealed Bid	<input type="checkbox"/>	State Surplus	<input type="checkbox"/>	Discard

DISCLAIMER OF WARRANTIES: The material sold under this agreement is sold as used or surplus material and is sold "as is - where is" with all faults, latent and patent. The City of Orting makes no warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose or warranty against patent, trade mark, copyright, or trade secret infringement. The City makes no promises, guarantees, representations, or warranties, implied or otherwise, from the sale as to the safe condition, functionality, or operability of the equipment, or of any of its parts, or of any work previously performed on the equipment, including repair, modification, and maintenance work. The City assumes no liability for any loss, damage, or injury to any person or property that occur subsequent to the sale, nor for liability of any other kind on matters related to or arising from the equipment.

Purchaser/Receiver

Date

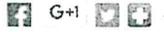
If the item/s are donated to a non-profit that serves or benefits the low income persons or persons with Disabilities the organization must provide a receipt, proof of their non-profit status and confirmation that they do not discriminate in provision of services on the basis of any basis prohibited by Chapter 49.60 RCW, prior to receiving the donated items.

The item/s listed above were disposed of in the manner indicated on _____ (date).

Employee



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2001 Chevrolet Silverado 2500 Extended Cab

Style:
 Mileage:

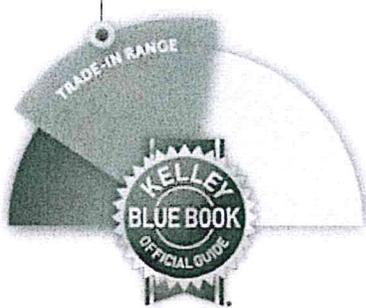
[Edit options](#) | [Check specs](#)

Trade In
to a Dealer

Get an Instant
Cash Offer

Sell to a
Private Party

Trade-in Range
\$3,211 - \$5,250
Trade-in Value
\$4,231



Value
Definitions

Track this
car's values

Based on

Info valid for your area through 5/19/2016

Write a review on your 2001 Chevrolet

Here's your private offer

Get \$500 allowance on a new 2016 MAZDA6

Limited-time offer from Mazda.

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Ends May 31

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**CITY OF ORTING
DISPOSAL OF SURPLUS PROPERTY**

Department: Public Works Contact Person: Dean Kaelin

Description of Item: Ford F350 Flatbed truck

Location of Item: WWTP 902 Rocky Rd. E, Orting

Asset Tag # 1027 Number of like items if more than one: _____

Make: _____ Model: _____ Serial No: _____

For Vehicles Only: Year: 1996 Make: Ford Model: F350

Mileage: 102730 VIN No: 2FDKF37HOTCA49809

Condition: Excellent _____ Good _____ Poor X (check one)

Current estimated value: None _____ \$1-10,000 X Over \$10,000 _____ (check one)

Suggested method of disposal? _____

<input type="checkbox"/>	Sell/Transfer to another governmental agency	<input type="checkbox"/>	Trade in for replacement	<input checked="" type="checkbox"/>	Sell as scrap
<input type="checkbox"/>	Auction	<input type="checkbox"/>	Buy Back Program	<input type="checkbox"/>	Donate
<input checked="" type="checkbox"/>	Sealed Bid	<input type="checkbox"/>	State Surplus	<input type="checkbox"/>	Discard

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Purchaser/Receiver _____
Date

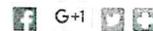
If the item/s are donated to a non-profit that serves or benefits the low income persons or persons with Disabilities the organization must provide a receipt, proof of their non-profit status and confirmation that they do not discriminate in provision of services on the basis of any basis prohibited by Chapter 49.60 RCW, prior to receiving the donated items.

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Employee



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Show Used Car Prices Print report



1996 Ford F350 Regular Cab

Style: **Long Bed** ▼

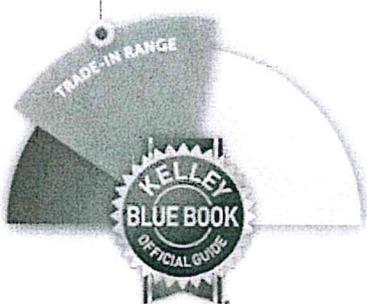
Mileage: **102730** [Change](#)

[Edit options](#) | [Check specs](#)

- Trade In to a Dealer
- Get an Instant Cash Offer
- Sell to a Private Party

Trade-in Range
\$2,635 - \$3,562

Trade-in Value
\$3,099



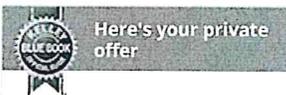
Value Definitions

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Next Step: Find a Car

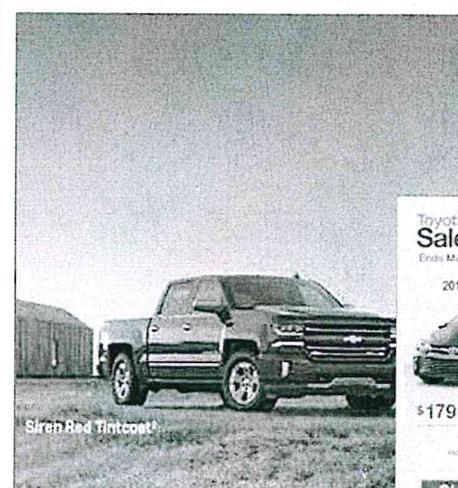
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**City Of Orting
Council Agenda Summary Sheet**

AB16-56		Agenda Item #:	AB16-56
SUBJECT: Council Rules /Order of Business		For Agenda of:	06/29/2016
4.1.E. Public Comment Time for Items Not On The Agenda.		Department:	Administration
		Date Submitted:	06/21/2016
Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger	X	Cost of Item:	<u> \$0 </u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u> \$0 </u>
City Attorney, Charlotte Archer		Unexpended Balance:	<u> \$0 </u>
City Clerk, Jane Montgomery		Timeline: N/A	
City Treasurer, Scott Larson		BARS:	
Police Chief, Bill Drake		Fiscal Note:	
Public Works, Dean Kaelin			
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford			
BHC Consultants, Roger Wagoner			
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input checked="" type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			
Attachments: Current Council Rules 4.1.E Order of Business			
<p>SUMMARY STATEMENT: <i>Current Council Rules call for one Citizen Comment time which is for items not on the Agenda. Mayor Pestinger implemented a pilot period and added an additional comment time to the end of the meeting agenda. It is generally agreed upon by both Administration and the Council that adding the extra comment time has caused meeting times to be excessively lengthy. The goal of the agenda is to provide a smooth flow of information to the Council which in turn makes the entire operation of government run more smoothly and saves a great deal of valuable time.</i></p> <p>MRSC states the following: <i>“While it is not mandatory, the agenda typically provides an opportunity for citizens to address the council on items not on the agenda. Occasionally, city councils are criticized for limiting the time allotted for public comments during council meetings, but it should be remembered that the council meeting is a business meeting to conduct the City’s business and not a public forum. Limiting the public comment period is not a violation of the First Amendment.”</i></p> <p><i>Citizens are still allowed to comment on items on the agenda at the time they are discussed during the meeting. Typically, after Council and staff have discussed an item, but before voting.</i></p>			
<p>COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The order of the Agenda was discussed in the Rules Committee on May 9th and June 13th. Committee recommendation is to return to the current Council Procedure of one Comment time for items not on the agenda. <i>It is currently placed at the beginning of the agenda as a courtesy to the public, who typically do not wish to wait to the end of a meeting to speak.</i></p>			
<p>RECOMMENDED ACTION: MOTION to end pilot period and return to City Council Rules of Procedure 4.1.E , one citizen comment time for items not on the agenda.</p>			

Order of Business and Agenda

4.1 Order of Business: The order of business for all regular meetings shall be transacted as follows unless the Council, by a majority vote of the members present, suspends the rules and changes the order:

- (A) Call to Order: The Mayor calls the meeting to order.
- (B) Pledge of Allegiance
- (C) Roll Call: The Mayor requests a roll call of Councilmembers and indicates whether an absent Councilmember has requested an excused absence. Excused absences will be handled as stated in Section 1.3 of this document.
- (D) Consent Agenda: The Consent Agenda contains items which are of a routine and non-controversial nature which may include, but are not limited to, the following: meeting minutes, payroll, and claims. Any item on the Consent Agenda may be removed and considered separately as an agenda item at the request of any Councilmember.
- (E) Comments from Citizens: Members of the audience may comment on items relating to any matter not already on the agenda. Comments are limited to three minutes, or for a person speaking on behalf of a group or organization, comments are limited to five minutes. No speaker may convey or donate his or her time for speaking to another speaker. Persons addressing the Council will be requested to step to the podium and give their name and address for the record.
- (F) Announcements & Presentations: The Mayor makes announcements of upcoming meetings and events. Other special presentations may also be scheduled at this time.
- (G) Commission Reports
- (H) Public Hearings: See Section 6.
- (I) Old Business
- (J) New Business
- (K) Committee Reports
- (L) Executive Session
- (M) Adjournment



**City Of Orting
Council Agenda Summary Sheet**

AB16-57 SUBJECT: Critical Areas Ordinance No. 2016-985		Agenda Item #:	AB16-57
		For Agenda of:	June 29, 2016
		Department:	Planning
		Date Submitted:	June 21, 2016
Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger	X	Cost of Item:	<u> \$0 </u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u> \$0 </u>
City Attorney, Charlotte Archer		Unexpended Balance:	<u> \$0 </u>
City Clerk, Jane Montgomery		Timeline: <i>enter a timeline if applicable</i>	
City Treasurer, Scott Larson		BARS:	
Police Chief, Bill Drake		Fiscal Note:	
Public Works, Dean Kaelin			
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford	X		
BHC Consultants, Roger Wagoner	X		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			
Attachments: Planning Commission Recommendation, proposed ordinance			
<p>The City of Orting proposes to adopt amendments to the Critical Areas Ordinance (CAO). The amendments were prepared in compliance with the state Growth Management Act (GMA). The GMA requires cities and counties to designate and classify critical areas, and to adopt policies and regulations to identify, designate and protect the functions and values of critical areas. There are five critical areas identified, which include: Wetlands, Fish and wildlife habitat conservation areas, Critical aquifer recharge areas, Geologically hazardous areas, and Frequently flooded areas</p> <p>The CAO has been updated to ensure it contains GMA-required information and are consistent with state agency guidance and best available science (BAS). The CAO is used to guide environmental review of land use actions and development activity within the City. The existing CAO is codified in Orting Municipal Code (OMC) Title 11 – Critical Areas and Shoreline Management. The draft amended CAO is included as an attachment to this memo. The adoption of the amended CAO completes the GMA periodic update.</p>			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: <i>The proposed amendments were prepared for review by state agencies. Comments from the Department of Ecology were received and appropriate revisions were made. SEPA review was completed and a Declaration of Non-Significance was issued. The Planning Commission held a public hearing and then moved to recommend Council adoption. The draft ordinance contains further details.</i>			
RECOMMENDED ACTION: MOTION to approve Critical Areas Ordinance No. 2016-985.			

City of Orting
PLANNING COMMISSION RECOMMENDATION
2016 CRITICAL AREAS ORDINANCE (CAO) UPDATE

ATTACHMENTS:

- Proposed amendments

I. BACKGROUND

The City of Orting proposes to adopt amendments to the Critical Areas Ordinance (CAO). The amendments were prepared in compliance with the state Growth Management Act (GMA). The GMA requires cities and counties to designate and classify critical areas, and to adopt policies and regulations to identify, designate and protect the functions and values of critical areas. There are five critical areas identified, which include:

- Wetlands,
- Fish and wildlife habitat conservation areas,
- Critical aquifer recharge areas,
- Geologically hazardous areas, and
- Frequently flooded areas

The CAO has been updated to ensure it contains GMA-required information and are consistent with state agency guidance and best available science (BAS). The CAO is used to guide environmental review of land use actions and development activity within the City.

The existing CAO is codified in Orting Municipal Code (OMC) Title 11 – Critical Areas and Shoreline Management. The draft amended CAO is included as an attachment to this memo. The adoption of the amended CAO completes the GMA periodic update.

II. PROCESS

DECISION PROCEDURE: In accordance with OMC 15-4-1, code amendments are a Type 5 decision subject to recommendation by Planning Commission and final decision by City Council.

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION: An Open Record Public Hearing before the Planning Commission was conducted June 6, 2016. No testimony was received. Following the Public Hearing, the Planning Commission voted to recommend that the City Council adopt the proposed amendments as summarized below and included in the draft ordinance.

STATE REVIEW: The City submitted the draft CAO amendments to the Department of Commerce for expedited review on May 20, 2016. Comments were received from the Department of Ecology on May 25, 2016. Those comments were acknowledged and incorporated into the proposed revisions.

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA) REVIEW

This proposal was determined through SEPA review to not have a significant adverse impact upon the environment; a Determination of Non-Significance (DNS) was issued by the City, dated May 20, 2016.

V. PROPOSED AMENDMENTS

The GMA requires cities to use the best available scientific information, known as best available science or BAS, in the development of policies and regulations (RCW 36.70A.172(1); WAC 365-195-900). Note that the GMA does not require communities to conduct new scientific studies, but to include the best science that is available. Communities may refer to compilations of scientific information to locate locally appropriate science. To address the GMA requirement, publications, guidance and recommendations of the state departments of Fish and Wildlife and Ecology were reviewed in order to conduct a narrow review of the existing CAO for consistency with BAS. The Commerce CAO Checklist was the initial tool used to evaluate the scope of the update, and the Ecology Wetlands and CAO Updates: Guidance for Small Cities (Western WA Version) was heavily relied upon to identify required wetlands-related updates. Communication with Ecology representatives further guided the development of CAO amendments. A discussion of the recommended CAO amendments follows.

General

The existing CAO provided the City Administrator with the option to waive study requirements, OMC 11-2-2. This was found by Ecology to not be consistent with BAS and the intent of the GMA. Furthermore, there are no known examples of other jurisdictions having an option to waive study requirements. The section has been removed in proposed CAO. Several definitions have been updated for consistency with BAS and the GMA.

Wetlands

Updates to the wetlands sections were prepared in accordance with Ecology recommendations, and the Ecology Publication Wetlands and CAO Updates: Guidance for Small Cities and model wetlands chapter. Wetlands regulations were updated for consistency with the SMP.

Small Wetlands Exemption- Language was included addressing the exemption of small wetlands meeting specific criteria. The proposed language is consistent with BAS, and has been incorporated from the Ecology model wetlands ordinance.

References

The proposed CAO amendments include updated references to the appropriate federal wetlands delineation manual and regional supplements, in accordance with WAC 173.22.035, and to the Ecology rating system found in the Washington State Wetland Rating System for Western Washington (Ecology Publication #14-06-029, or as revised).

Classification

Wetlands are classified into categories that are reflective of each wetland's function and value. The existing CAO classified wetlands into three categories, but the CAO also required any Wetlands Special Studies to classify wetlands according to the adopted Washington State Wetland Rating System for Western Washington in addition to the City system. The existing three category system was found by Ecology to not be consistent with BAS.

The amended CAO classifies wetlands into four categories, as recommended by Ecology and consistent with the Orting SMP, Washington State Wetland Rating System for Western Washington, Pierce County and neighboring jurisdictions.

Buffers

Buffers are necessary to protect wetland functions and values. The existing wetland buffer widths are based on the three category wetland classification system; this is not consistent with BAS. Based on Ecology recommendation and review of neighboring jurisdictions, the buffers have been revised to reflect the four category classification system, and are based on habitat functions and intensity of land uses.

The proposed amendments are consistent with Ecology Small Cities Guidance and model wetlands chapter, and BAS. Additionally, in the review of buffer requirements of neighboring jurisdictions, the proposed amendments are consistent with Pierce County, City of Puyallup and City of Bonney Lake buffer widths. Furthermore, the proposed buffer widths provide consistency with the wetland buffer requirements of the Orting SMP.

Buffer Averaging

Existing language regarding buffer averaging was updated for clarity.

Mitigation Ratios

The mitigation ratios were amended in response to the expanded buffer categories. The proposed ratios are consistent with Ecology Small Cities Guidance and model wetlands chapter, and BAS.

Mitigation Alternatives

There are various mitigation alternatives available, in addition to the traditional on-site option. These options include using third-party mitigation providers, such as wetland mitigation banks or in-lieu fee (ILF) programs. These options allow for wetlands mitigation that is consistent with sound ecological principles and beneficial to the greater watershed, or service area, but are located outside City limits.

A mitigation bank is a site where wetlands, streams, or other aquatic resource areas have been restored, established, enhanced, or preserved for the purpose of providing compensation for unavoidable impacts to aquatic resources. Banks typically involve the consolidation of many small wetland mitigation projects into a larger, potentially more ecologically valuable site. The bank sells its credits to permittees who are required to compensate for wetland impacts. Mitigation banks allow a permittee to simply write a check for their mitigation obligation. It is the bank owner who is responsible for the mitigation success, not the City or permittee.

With ILF programs a permittee pays a fee to a third party in lieu of conducting project-specific mitigation or buying credits from a mitigation bank. ILF mitigation is used mainly to compensate for impacts to wetlands when better approaches to compensation are not available or practicable, or when the use of an ILF is in the best interest of the environment. An ILF represents the expected costs to a third party of replacing the wetland functions lost or degraded as a result of the permittee's project. Fees are typically held in trust until sufficient funds have been collected to finance a mitigation project.

Permittees are restricted to use of mitigation banks and in-lieu fee programs that includes Orting in their service area, or drainage basin. At this time, there is a mitigation bank being established in Tacoma that would serve the Puyallup and Carbon River drainage basins. It is currently under review for approval by Ecology. While there is not currently an in-lieu fee program which includes the Orting area, Ecology recommends including ILF code language in the CAO for the time when a program is established within the service area. These programs minimize the on-going administrative and monitoring efforts by City staff that are associated with wetland mitigation.

Fish and Wildlife Habitat Conservation Areas

The existing CAO referred inconsistently to critical habitat areas or wildlife habitat areas. The CAO has been amended to refer consistently to "fish and wildlife habitat conservation areas", this terminology is also consistent

with the GMA. Several definitions and minimum standards associated with fish and wildlife habitat conservation areas have been updated or added in response to changes to WAC 365-190, which contains the minimum standards local governments must consider when designating critical areas. Additional revisions to these sections were drafted using guidance from the state Department of Fish and Wildlife.

Classification

The fish and wildlife habitat conservation areas was revised and expanded to include state priority habitats and associated areas; habitats and species of local importance; and lakes, ponds, streams and rivers planted with game fish.

Anadromous Fish

The GMA requires that the CAO give special consideration to conservation of protection measures necessary to preserve or enhance anadromous fisheries (WAC 365-195-925). The fish and wildlife habitat conservation areas section was amended to include performance standards for activities, uses and alterations proposed to be located in water bodies used by anadromous fish.

Critical Aquifer Recharge Areas

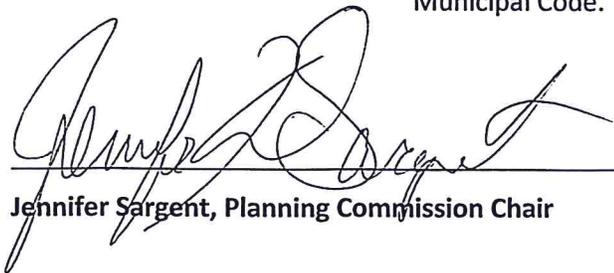
In response to previous concerns regarding the protection of wellhead buffers, wellheads are protected under the local Water System Plan and additional protection does not need to be integrated into the CAO. The existing critical aquifer recharge areas section is found to adequately designate and protect these areas.

Geologically Hazardous Areas

The existing geologically hazardous areas section is found to adequately designate and protect these areas.

Frequently Flooded Areas

Regulation of frequently flooded areas as required by the GMA is provided for through the SMP and to the requirements of Title 14, Chapter 1, "Flood Planning Management and Flood Damage Prevention", of the Orting Municipal Code.



Jennifer Sargent, Planning Commission Chair

6/23/16

Date

CITY OF ORTING
WASHINGTON
ORDINANCE NO. 985

AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, AMENDING ORTING MUNICIPAL CODE SECTIONS 11-1-1 (PURPOSE AND INTENT), 11-1-2 (DEFINITIONS), 11-1-4 (EXEMPTIONS), 11-2-3 (EXCEPTIONS TO STUDY REQUIREMENTS), 11-2-4 (CONTENTS OF SPECIAL STUDY), 11-3-2 (WETLANDS CLASSIFICATION), 11-3-4 (WILDLIFE HABITAT CLASSIFICATION), 11-4-1 (WETLANDS), 11-4-6 (CRITICAL HABITAT AREAS); REPEALING 11-2-2 (WAIVERS FROM STUDY REQUIREMENTS); REGARDING CRITICAL AREAS AND SHORELINE MANAGEMENT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and subject to the Growth Management Act, Title 36.70A RCW; and

WHEREAS, the Growth Management Act mandates that the City adopt development regulations to protect the functions and values of five (5) types of critical areas: wetlands, critical aquifer recharge areas, fish and wildlife habitat areas, frequently flooded areas, and geologically hazardous areas; and

WHEREAS, Orting Municipal Code (OMC) Title 11 contains the City's development regulations pertaining to the protection of critical areas located within the City; and

WHEREAS, pursuant to RCW 36.70A.130, the City is required to periodically review and, if needed, revise its development regulations, including its critical areas regulations, to ensure its regulations comply with the goals and requirements of the Growth Management Act; and

WHEREAS, the last periodic review for OMC Title 11 was in 2005, with Ordinance 806 enacting necessary revisions; and

WHEREAS, RCW 36.70A.172 requires that when reviewing its Critical Areas Ordinance the City must consider and include Best Available Science, to protect the functions and values of critical areas and to give special consideration to conservation and protection measures necessary to preserve or enhance critical areas; and

WHEREAS, in performing this periodic review, the City did extensive research in regards to the standards and requirements for regulating critical areas, has considered guidance available from state agencies, including the Department of Commerce and the Department of Ecology, has consulted with experts in the disciplines covered by these regulations, and has considered various sources of Best Available Science and included it in revising its Critical Areas Ordinance; and

WHEREAS, in developing this Critical Areas Ordinance, the City provided for early and continuous public participation through a variety of means as demonstrated by the public record; and

WHEREAS, the City of Orting Planning Commission has considered the proposed Critical Areas Ordinance amendments at several properly noticed public meetings and held a properly noticed public hearing on June 6, 2016 so as to receive public testimony; and

WHEREAS, at the conclusion of June 6, 2016 public hearing, the Planning Commission voted to recommend approval of the proposed amendment; and

WHEREAS, on June 29, 2016 the City Council discussed the proposed Critical Areas Ordinance amendments at properly noticed open public meetings; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with notice of its intent to adopt the amendment(s) to its Unified Development Code; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, the Best Available Science, and the Planning Commission's recommendation; and

WHEREAS, the City Council has determined that the proposed amendments are in accord with the Comprehensive Plan, will not adversely affect the public health, safety, or general welfare, and are in the best interest of the citizens of the City; and

WHEREAS, the City Council has determined that the proposed amendments are necessary to ensure compliance with the goals and requirements of the Growth Management Act;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. OMC 11-1-1, Purpose and Intent, Amended. Orting Municipal Code Section 11-1-1 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 2. OMC 11-1-2, Definitions, Amended. Orting Municipal Code Section 11-1-2 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 3. OMC 11-1-4, Exemptions, Amended. Orting Municipal Code Section 11-1-4 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 4. OMC 11-2-3, Exceptions to Study Requirements, Amended. Orting Municipal Code Section 11-2-3 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 5. OMC 11-2-4, Contents of Special Study, Amended. Orting Municipal Code Section 11-2-4 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 6. OMC 11-3-2, Wetlands Classification, Amended. Orting Municipal Code Section 11-3-2 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 7. OMC 11-3-4, Wildlife Habitat Classification, Amended. Orting Municipal Code Section 11-3-4 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 8. OMC 11-4-1, Wetlands, Amended. Orting Municipal Code Section 11-4-1 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 9. OMC 11-4-6, Critical Habitat Areas, Amended. Orting Municipal Code Section 11-4-6 is hereby amended as set forth in Exhibit A to this Ordinance.

Section 10. OMC 11-2-2, Waivers from Study Requirements, Repealed. Orting Municipal Code Section 11-2-2 is hereby repealed in its entirety.

Section 11. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 12. Codification of Amendments. The City Council authorizes the City Clerk to correct any non-substantive errors in Exhibit A, codify the amendments, and publish the amended code.

Section 13. Effective Date. This Ordinance shall take effect and be in full force five (5) days after the date of adoption.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 29TH DAY OF JUNE, 2016.

CITY OF ORTING

Joachim Pestinger, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

Charlotte A. Archer
Kenyon Disend PLLC
City Attorney

Filed with the City Clerk: June 20, 2016
Passed by the City Council: June 29, 2016
Ordinance No. 2016-985
Date of Publication: July 1, 2016
Effective Date: July 5, 2016

Title 11
CRITICAL AREAS AND SHORELINE MANAGEMENT

Chapter 1
GENERAL PROVISIONS; DEFINITIONS

11-1-1: PURPOSE AND INTENT:

The purpose of this ~~interim critical areas~~ title is to ~~identify designate and protect the functions and values of ecologically sensitive and hazardous areas environmentally critical areas and to protect these areas~~ without violating any citizen's constitutional rights. Landslide, erosion, volcanic, and seismic hazards, wetlands, aquifer recharge areas, ~~critical fish and wildlife~~ habitats conservation areas, and flood hazard areas constitute critical areas that are of special concern to Orting. The city finds that these critical areas perform a variety of valuable and beneficial biological and physical functions that benefit the city and its residents; certain critical areas may also pose a threat to human safety or to public and private property. By limiting development and alteration of these critical areas, this chapter seeks to:

- A. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to flooding, erosion, volcanic eruptions, landslides, seismic events, or steep slope failures;
- B. Protect unique, fragile and valuable elements of the environment, including wildlife and its habitat;
- C. Mitigate unavoidable impacts to environmentally critical areas by regulating alterations in and adjacent to critical areas;
- D. Prevent cumulative adverse environmental impacts to water quality and wetlands;
- E. Meet the requirements of the Washington growth management act¹ with regard to the protection of critical area lands;
- F. Coordinate environmental review and permitting of proposals to avoid duplication and delay.

11-1-2: DEFINITIONS:

ALTERATION: Any human induced activity that changes the existing condition of a critical area. Alterations include, but are not limited to: grading; filling; dredging; draining; channelizing; clearing or removing vegetation; discharging pollutants; paving; construction; demolition; or any other human activity that changes the existing landforms, vegetation, hydrology, wildlife, or wildlife habitat of a critical area.

ANADROMOUS FISH: Species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to fresh water rivers and streams to procreate.

APPLICANT: The person, party, firm, corporation, or other entity that proposes any activity that could affect a critical area.

AQUIFER: A saturated geologic formation that will yield a sufficient quantity of water to serve as a private or public water supply.

AQUIFER RECHARGE AREAS: Areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute significantly to the replenishment of potable ground water. Aquifer recharge areas are classified as follows:

A. High Significance Aquifer Recharge Areas: Areas with slopes of less than fifteen percent (15%) that are underlain by coarse alluvium or sand and gravel.

B. Moderate Significance Aquifer Recharge Areas:

1. Areas with slopes of less than fifteen percent (15%) that are underlain by fine alluvium, silt, clay, glacial till, or deposits from the electron mudflow; and

2. Areas with slopes of fifteen percent (15%) to thirty percent (30%) that are underlain by sand and gravel.

C. Low Significance Aquifer Recharge Areas:

1. Areas with slopes of fifteen percent (15%) to thirty percent (30%) that are underlain by silt, clay, or glacial till; and

2. Areas with slopes greater than thirty percent (30%).

BASE FLOOD: A flood having a one percent (1%) chance of being equaled or exceeded in any given year, also referred to as the 100-year flood.

BOG: A wetland with limited drainage generally characterized by extensive peat deposits and acidic waters. Vegetation includes sedges, sphagnum moss, shrubs and trees.

BUFFER OR BUFFER AREA: A naturally vegetated and undisturbed or revegetated zone surrounding a critical area that protects the critical area from adverse impacts to its integrity and value, or is an integral part of the resource's ecosystem.

CITY: The city of Orting.

CITY ADMINISTRATOR: The city administrator of the city of Orting or any other city official appointed by the mayor to administer this title.

CLEARING: The removal of timber, brush, grass, ground cover, or other vegetative matter from a site that exposes the earth's surface of the site or any actions that disturb the existing ground surface.

CRITICAL AREAS: Include wetlands, fish and wildlife habitat conservation areas~~critical habitat areas~~, moderate and high erosion hazard areas, high seismic hazard areas, moderate and high landslide hazard areas, moderate and high volcanic hazard areas, aquifer recharge areas of moderate and high significance, and flood hazard areas.

CRITICAL GEOLOGIC HAZARD AREAS: Lands or areas subject to high or severe risks of geologic hazard.

CRITICAL HABITAT: Critical habitats are those habitat areas which meet any of the following criteria:

- A. The documented presence of species listed by the federal government or state of Washington as endangered, threatened, or critical.
- B. Those streams identified as "shorelines of the state" under the city of Orting shoreline master program.
- C. Those wetlands identified as class I wetlands, as defined in this chapter.

CRITICAL SPECIES: All animal and plant species listed by the state or federal government as threatened or endangered.

DEVELOPMENT RIGHT: Any specific right to use real property which inures to an owner of real property through the common law, statutory law of real property, the United States and Washington constitutions and as further defined and delineated herein.

EPICENTER: The location on the surface of the earth directly above the place where an earthquake originates.

EROSION: A process whereby wind, rain, water, and other natural agents mobilize and transport soil particles.

EROSION HAZARD AREAS: Those lands susceptible to the wearing away of their surface by water, wind or gravitational creep. Erosion hazard areas are classified as low, moderate or high risk based on slope inclination and soil types as identified by the U.S. department of agriculture soil conservation service (SCS):

- A. Low: All sites classified with soil types designated by SCS as having no or slight erosion hazard.
- B. Moderate: All sites classified with soil types designated as moderate hazard.
- C. High: All sites classified with soil types designated as severe or very severe erosion hazard.

EXISTING AND ONGOING AGRICULTURE: Those activities conducted on lands defined in Revised Code of Washington 84.34.020(2), and those existing activities involved in the production of crops or livestock. Activities may include the operation and maintenance of farm and stock ponds or drainage ditches; operation and maintenance of existing ditches or irrigation

systems; changes from one type of agricultural activity to another agricultural activity; and normal maintenance, repair, and operation of existing serviceable structures, facilities, or improved areas. Activities which bring a nonagricultural area into agricultural use are not part of an ongoing operation. An operation ceases to be ongoing when the area on which it is conducted is converted to a nonagricultural use or has lain idle for more than five (5) years.

FACULTATIVE WETLAND PLANTS: Plants that occur usually (estimated probability > 67 percent to 99 percent) in wetlands, but also occur (estimated probability 1 percent to 33 percent) in non-wetlands.

FISH AND WILDLIFE HABITAT CONSERVATION AREAS: Areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness. Counties and cities may also designate locally important habitats and species.

FISH AND WILDLIFE HABITAT CONSERVATION: Land management for maintaining populations of species in suitable habitats within their natural geographic distribution so that the habitat available is sufficient to support viable populations over the long term and isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean not degrading or reducing populations or habitats so that they are no longer viable over the long term. Counties and cities should engage in cooperative planning and coordination to help assure long term population viability.

Fish and wildlife habitat conservation areas contribute to the state's biodiversity and occur on both publicly and privately owned lands. Designating these areas is an important part of land use planning for appropriate development densities, urban growth area boundaries, open space corridors, and incentive-based land conservation and stewardship programs.

FISH HABITAT: Habitat that is used by fish at any life stage at any time of the year, including potential habitat likely to be used by fish that could be recovered by restoration or management and includes off-channel habitat.

FLOOD HAZARD AREAS: Those areas subject to inundation by the base flood. These areas consist of the following components, as determined by the city:

- A. Floodplain: The total area subject to inundation by the base flood.
- B. Flood Fringe: That portion of the floodplain outside the floodway which is generally covered by floodwaters during the base flood. It is generally associated with standing water rather than rapidly flowing water.
- C. Floodway: The channel of the stream and that portion of the adjoining floodplain that is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot (1').

FORESTED WETLAND: A wetland with at least twenty percent (20%) of the surface area covered by woody vegetation greater than twenty feet (20') in height.

GEOLOGIC HAZARD AREAS: Lands or areas characterized by geologic, hydrologic, and topographic conditions that render them susceptible to potentially significant or severe risk of landslides, erosion, or volcanic or seismic activity.

GRADING: Any excavating, filling, clearing, leveling, or contouring of the ground surface by human or mechanical means.

GROUND WATER: All water found beneath the ground surface, including slow moving subsurface water present in aquifers and recharge areas.

HABITATS OF LOCAL IMPORTANCE: “Habitats of local importance” designated as fish and wildlife habitat conservation areas include those areas found to be locally important by counties and cities.

HAZARDOUS SUBSTANCE(S): Any liquid, solid, gas or sludge, including any materials, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics of hazardous waste; and including waste oil and petroleum products.

HAZARDOUS SUBSTANCE PROCESSING OR HANDLING: The use, storage, manufacture or other land use activity involving hazardous substances, but does not include individually packaged household consumer products or quantities of hazardous substances of less than five (5) gallons in volume per container.

HAZARDOUS WASTE: All dangerous waste and extremely hazardous waste as designated pursuant to chapter 70.105 Revised Code of Washington, chapter 173-303, WAC.

A. "Dangerous waste" means any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

1. Have short lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
2. Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.

B. "Extremely hazardous waste" means any waste which:

1. Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environment hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of humans or wildlife, and

2. Is disposed of at a disposal site in such quantities as would present an extreme hazard to humans or the environment.

HAZARDOUS WASTE TREATMENT AND STORAGE FACILITY: A facility that treats and stores hazardous waste and is authorized pursuant to chapter 70.105 Revised Code of Washington, chapter 173-303 WAC. It includes all contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of hazardous waste.

HYDRIC SOILS: A soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined by the following methods described in the approved federal wetland delineation manual and applicable regional supplements. ~~Soil that is wet long enough to periodically produce anaerobic conditions, thereby influencing the biota.~~

HYDROPHYTE: Any plant growing in water or on a substrate that is at least periodically deficient in oxygen during some part of the growing season, from April 1 to September 30, as a result of excessive water content.

HYDROPHYTIC VEGETATION: Any plant growing in water or on a substrate that is at least periodically deficient in oxygen during some part of the growing season as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements. ~~A site may be considered to have hydrophytic vegetation when more than fifty percent (50%) of the dominant plant species on the site are obligate or facultative wetland plants.~~

IMPERVIOUS SURFACE: Any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land. Impervious surfaces include, but are not limited to, roofs and streets, sidewalks and parking lots paved with asphalt, concrete, compacted rock, compacted sand, limerock or clay.

LAHARS: Mudflows and debris flows originating from the slopes of a volcano.

LANDSLIDE: Episodic downslope movement of a mass of soil or rock.

LANDSLIDE HAZARD AREAS: Areas that, due to a combination of slope inclination, relative soil permeability and hydrologic factors, are susceptible to varying risks of landsliding. Landslide hazards are classified as classes I-III based on the degree of risk as follows:

A. Class I/High: Areas of greater than thirty percent (30%) slope with soils designated by SCS as moderate, severe or very severe erosion hazard.

B. Class II/Moderate: Areas of fifteen percent (15%) to thirty percent (30%) slopes with soils designated by the SCS as moderate or severe erosion hazard.

C. Class III/Low: Areas with slopes less than fifteen percent (15%).

LIQUEFACTION: A process by which a water saturated granular (sandy) soil layer loses strength because of ground shaking commonly caused by an earthquake.

LOT SLOPE: A measurement by which the average slope of the lot is calculated as a percentage. The lowest elevation of the lot is subtracted from the highest elevation, and the resulting number is divided by the horizontal distance between these two (2) points. The resulting product is multiplied by one hundred (100).

MAGNITUDE: A quantity characteristic of the total energy released by an earthquake. Commonly, earthquakes are recorded with magnitudes from zero to eight (0 - 8).

MITIGATION: Avoiding, minimizing, reducing, rectifying, eliminating, or compensating for adverse impacts.

NATIVE VEGETATION: Plant species that are indigenous and naturalized to the Orting region and which can be expected to naturally occur on a site. Native vegetation does not include noxious weeds.

NOXIOUS WEED²: Any plant which, when established, is highly destructive, competitive, or difficult to control by cultural or chemical practices. The state noxious weed list in chapter 16-750 is the officially adopted list of noxious weeds by the state noxious weed control board.

OBLIGATIVE WETLAND PLANTS: Plants that occur almost always (estimated probability > 99 percent) in wetlands under natural conditions, but which may also occur rarely (estimated probability < 1 percent) in nonwetlands.

PRIORITY HABITAT: A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

- Comparatively high fish and wildlife density;
- Comparatively high fish and wildlife species diversity;
- Important fish and wildlife breeding habitat;
- Important fish and wildlife seasonal ranges;
- Important fish and wildlife movement corridors;
- Limited availability;
- High vulnerability to habitat alteration; or
- Unique or dependent species.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as, oak woodlands, eelgrass meadows). A

priority habitat may also be described by a successional stage (such as, old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as, consolidated marine/estuarine shorelines, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife. Priority habitats are listed by the state Department of Fish and Wildlife.

PRIORITY SPECIES: Fish and wildlife species requiring protective measures and/or management guidelines to ensure their perpetuation. Priority species are those that meet any of the criteria listed below.

- Criterion 1: State-listed or state candidate species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12011), or sensitive (WAC 232-12-011). State candidate species are those fish and wildlife species that will be reviewed by the department of Fish and Wildlife (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12297. Federal candidate species are evaluated individually to determine their status in Washington and whether inclusion as a priority species is justified.
- Criterion 2: Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or state-wide, by virtue of their inclination to congregate. Examples include heron rookeries, seabird concentrations, marine mammal haulouts, shellfish beds, and fish spawning and rearing areas.
- Criterion 3: Species of recreational, commercial and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.
- Criterion 4: Species listed under the Endangered Species Act as either threatened or endangered.

~~QUALIFIED WETLANDS BIOLOGIST: A person that is certified as a professional wetland scientist or a noncertified professional wetland scientist with at least two (2) years of full time work experience as a wetlands professional including experience delineating wetlands using the state or federal manuals, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans. The person should be familiar with the "Washington State Wetlands Identification And Delineation Manual" (publication #96-94), March 1997. The person must be listed on the Pierce County roster of qualified wetlands biologists, as updated by the city from time to time.~~

QUALIFIED PROFESSIONAL: A person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology or related field, and a minimum of two years of related work experience.

1. A qualified professional for habitats or wetlands must be certified as a professional wetland scientist or a noncertified professional wetland scientist with at least two (2) years of full time work experience as a wetlands professional including experience delineating wetlands using the state or federal manuals, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans. The person should be familiar with the approved federal wetland delineation manual and applicable regional supplements.

2. A qualified professional for a geological hazard must be a professional engineer or geologist, licensed in the state of Washington.

3. A qualified professional for aquifer recharge areas must be a hydrogeologist, geologist, engineer, or other scientist with experience in preparing hydrogeologic assessments.

RECEIVING PARCEL: A parcel of land on which a development right is used.

RECESSIONAL OUTWASH GEOLOGIC UNIT: Sand and gravel materials deposited by melt water streams from receding glaciers.

SALMONID FISH USE: Those waters used by salmonid or anadromous fish for spawning, rearing or migration. If salmonid fish use has not been determined, salmonid fish use shall be presumed for waters having the following characteristics:

1. Stream segments having a defined channel of 2 feet or greater within the bankfull width and having a gradient of 16 percent or less.

2. Stream segments having a defined channel or 2 feet or greater within the bankfull, and having a gradient greater than 16 percent and less than or equal to 20 percent, and having greater than 50 acres in contributing basin size in, based on hydrographic boundaries;

3. Ponds or impoundments having a surface area of less than 1 acre at seasonal low water and having an outlet to a fish stream;

4. Ponds of impoundments having a surface area greater than 0.5 acre at seasonal low water.

The City may waive or modify the characteristics of this definition where:

1. Waters have confirmed, long term, naturally occurring conditions that make them incapable of supporting fish; or

2. Sufficient information is available to support a departure from the characteristics of this subsection, as determined in consultation with the Department of Fish and Wildlife, affected tribes and interested parties.

SEISMIC HAZARD AREAS: Areas that, due to a combination of soil and ground water conditions, are subject to severe risk of ground shaking, subsidence, or liquefaction of soils during earthquakes. These areas are typically underlain by soft or loose saturated soils (such as alluvium), have a shallow ground water table and are typically located on the floors of river

valleys. Geologic material is weighted most heavily in the following classification of seismic risk:

A. Class I/High: All areas with lands designated as alluvium and recessional outwash surficial geologic units (as identified in "Groundwater Occurrence And Stratigraphy Of Unconsolidated Deposits, Central Pierce County, WA, Water Supply Bulletin #22, Plates One And Two, U.S. Dept. Of Interior, Geological Survey, Water Resources Division"), or high risk slopes.

B. Class II/Low: All other sites with a lower risk geological classification.

SENDING PARCEL: A parcel of land from which a development right has been severed, in accordance with this chapter.

SEVER: The removal or separation of some specified right or use from the "bundle of rights" possessed by an owner of real property. The term connotes a removal or separation in perpetuity as distinguished from a restriction or limitation which may be overridden, deleted or subject to a time limitation.

SLOPE: An inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

SLUDGE: A semisolid substance consisting of settled solids combined with varying amounts of water and dissolved materials generated from a wastewater treatment plant or system or other sources, including septage sludge, sewage sludge, or industrial sludge.

SLUDGE LAND APPLICATION SITE: A site where stabilized sludge, septage, and other organic wastes are applied to the surface of the land in accordance with established agronomic rates for fertilization or soil conditioning.

SPECIES: Any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

SPECIES, ENDANGERED: Any fish or wildlife species that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.

SPECIES OF LOCAL IMPORTANCE: Those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

SPECIES, PRIORITY: Any fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the Department of Fish and Wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

SPECIES, THREATENED: Any fish or wildlife species that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

TEMPORARY EROSION CONTROL: On site and off site control measures that are needed to control conveyance or deposition of earth, turbidity, or pollutants during development, construction, or restoration.

UTILITY LINE: Pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, communications and sanitary sewers.

VOLCANIC HAZARD AREAS: Areas that are subject to pyroclastic flows, lava flows, and inundation by debris flows, mudflows, or related flooding resulting from geologic and volcanic activity on Mount Rainier. Areas at risk to volcanic hazards from Mount Rainier are classified as follows:

A. High: Valley floor areas in which there could be a high degree of danger from mudflows of similar magnitude to the electron mudflow (as identified in "Map Showing Potential Hazards From Future Eruptions Of Mount Rainier, WA, USGS").

B. Moderate: Valley floor areas which could be covered by a mudflow as large as the electron mudflow, in valleys in which mudflows have been relatively frequent (as identified in "Map Showing Potential Hazards From Future Eruptions Of Mount Rainier, WA, USGS").

C. Low: Valley floor areas which could be covered by a mudflow of similar magnitude to the electron mudflow, in valleys where mudflows have been relatively infrequent, and areas in the other valleys which might be subject to flooding (as identified in "Map Showing Potential Hazards From Future Eruptions Of Mount Rainier, WA, USGS").

WETLAND: Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, ~~shallow open waters~~, and similar areas. Wetlands do not include those artificial wetlands ~~purposefully and~~ intentionally created from nonwetland sites ~~by human actions~~, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

11-1-4: EXEMPTIONS:

The following activities shall be exempt from the provisions of this chapter:

A. Agricultural Activities: Existing and ongoing agricultural activities, provided no alteration of flood storage capacity or conveyance occurs.

B. Damaged Structures: Remodeling of structures in existence on the effective date hereof. When such structures are damaged by fire, explosion, or other unforeseen circumstances, they

may be reconstructed or replaced within one year; provided, that the new construction or related activity does not further intrude into a critical area or established buffer and is subject to flood hazard areas reconstruction restrictions.

C. New Accessory Structures And Additions: New accessory structures and additions to structures provided that the lot coverage does not exceed a cumulative additional seven hundred fifty (750) square feet of impervious surface after the effective date hereof; provided, that the new construction or related activity does not further intrude into a critical area or established buffer and is subject to flood hazard areas reconstruction restrictions.

D. Artificially Created Wetlands: Activities involving artificially created wetlands or streams intentionally created from nonwetland sites, including, but not limited to, grass lined swales, irrigation and drainage ditches, detention facilities, and landscape features, except wetlands, streams, or swales that provide critical habitat for anadromous fish, and artificial wetlands created as part of a mitigation requirement.

E. Small Wetlands: The following wetlands may be exempt from the requirement to avoid impacts and they may be filled if the impacts are fully mitigated. If available, impacts should be mitigated through the purchase of credits from an in-lieu fee program or mitigation bank, consistent with the terms and conditions of the program or bank. In order to verify the following conditions, a critical area report for wetlands must be submitted.

1. All isolated Category IV wetlands less than 4,000 square feet that:

a. Are not associated with riparian areas or their buffers;

b. Are not associated with shorelines of the state or their associated buffers;

c. Are not part of a wetland mosaic;

d. Do not score 5 or more points for habitat function based on the Washington State Wetland Rating System for Western Washington (Ecology Publication #14-06-029, or as revised).

e. Do not contain a Priority Habitat or a Priority Area for a Priority Species identified by the Washington Department of Fish and Wildlife, do not contain federally listed species or their critical habitat, or species of local importance.

2. Wetlands less than 1,000 square feet that meet the above criteria and do not contain federally listed species or their critical habitat are exempt from the buffer provisions contained in this Chapter.

~~EF~~. Existing Roads: Maintenance, operation and reconstruction of existing roads, streets, utilities and associated structures.

~~FG~~. Emergency Activities: Emergency activities necessary to prevent an immediate threat to public health, safety, or property.

Chapter 2 CRITICAL AREA DETERMINATIONS

~~11-2-2: WAIVERS FROM STUDY REQUIREMENTS:~~

~~The city administrator or the administrator's designee, may waive the requirement for a special study if there is substantial proof showing that:~~

- ~~A. There will be no alteration of the critical areas or required buffer; and~~
- ~~B. The alteration proposal will not impact the critical area in a manner contrary to the purpose, intent and requirements of this chapter; and~~
- ~~C. The minimum standards required by this chapter are met.~~

~~11-2-32: EXCEPTIONS TO STUDY REQUIREMENTS:~~

No special study is required for the following alteration proposals:

- A. Alterations that are exempt from the provisions of this chapter as set forth in section 11-1-4 of this title; and
- B. A residential building permit for a lot that was subject to a previous special study of critical areas; provided, that the previous special study adequately identified the impacts associated with the current alteration proposal. (1973 Code § 15.16.030)

~~11-2-43: CONTENTS OF SPECIAL STUDY:~~

- A. Wetlands Special Study: Required wetland studies shall be conducted by a qualified wetlands biologist.
 1. A map, of a scale no smaller than one inch equals two hundred feet (1" = 200'), of the surveyed wetland boundary as determined by following the methods described in the approved federal wetland delineation manual and applicable regional supplements.~~"Washington State Wetlands Identification And Delineation Manual" (publication #96-94), March 1997.~~
 2. The site plan for the proposed activity at the same scale as the wetland map, showing the extent of the proposed activity in relationship to the surveyed wetland.
 3. A written analysis of the existing wetland type/classification including existing vegetation, soils, and hydrology (source of water in the system, relative water quality, seasonality of presence of water, if applicable). The existing wetland shall be classified according to section 11-3-2 of this title. The written analysis must also classify wetlands according to the Washington State Wetland Rating System for Western Washington (Ecology Publication #14-06-029, or as revised).~~adopted ecology's "Washington State Wetland Rating System For Western Washington-~~

~~Revised" (ecology publication #04-06-025), August 2004, in addition to the city system. (Ord. 806, 6-30-2005)~~

B. Landslide Hazard Special Study: Required landslide hazard studies shall be prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering.

1. A contour map of the proposed site, at a scale no smaller than one inch equals two hundred feet (1" = 200'). The site and the extent of the critical landslide hazard area as determined by the city's landslide hazard map and the criteria in section 11-3-3 of this title shall be clearly delineated.

2. A discussion of surface and subsurface geologic conditions of the site.

3. Review of site history regarding landslides.

4. A description of how the proposed development will or will not impact each of the following on the subject area and adjoining property:

a. Slope stability;

b. Drainage;

c. Springs or seeps or any other surface water;

d. Existing vegetation.

5. Recommended surface water management controls during construction.

C. Critical Erosion Hazard Area Special Studies: Required critical erosion hazard studies shall be prepared by a professional engineer licensed by the state of Washington.

1. A map, of a scale no smaller than one inch equals two hundred feet (1" = 200'), of the site and the extent of the critical erosion hazard area as determined by the city's erosion hazard map and the criteria in section 11-3-3 of this title.

2. Review site history regarding erosion.

3. Identification of surface water management, erosion, and sediment controls appropriate to the site and proposal.

D. Seismic Hazard Area Special Studies: Required critical seismic hazard studies shall be prepared by a professional engineer licensed by the state of Washington.

1. A map, of a scale no smaller than one inch equals two hundred feet (1" = 200'), of the site and the extent of the seismic hazard area as determined by the city's seismic hazard map and the criteria in section 11-3-3 of this title.

2. Discussion of the potential impacts from the proposed development, and specific measures designed to mitigate any potential adverse impacts of the proposal.

E. ~~Critical-Fish and Wildlife~~ Habitat Conservations Area Special Studies:

1. Required ~~critical habitat~~fish and wildlife habitat conservation area studies shall be prepared by a qualified biologist with expertise in fish and wildlife habitats.

2. A map of a scale no smaller than one inch equals two hundred feet (1" = 200'), of the site and the extent of the ~~critical habitat~~fish and wildlife habitat conservation area as determined by the city's priority habitat map and the criteria in section 11-3-4 of this title.

F. Aquifer Recharge Area Special Studies:

1. Required critical aquifer recharge area studies shall be prepared by a geologist or individual with experience preparing hydrogeologic assessments.

2. A map of a scale no smaller than one inch equals two hundred feet (1" = 200'), of the site and the extent of the high significance aquifer recharge area as determined by the city's aquifer recharge map and the criteria in section 11-3-5 of this title. (1973 Code § 15.16.040)

Chapter 3
CRITICAL AREA CLASSIFICATIONS

11-3-2: WETLANDS CLASSIFICATION:

Wetlands shall be rated (classified) as either Category I, Category II, Category III, or Category IV according to the criteria found in the Washington State Wetland Rating System for Western Washington (Ecology Publication #14-06-029, or as revised). Wetland rating categories shall not change due to illegal modifications.

~~Wetlands shall be designated class I, class II, and class III according to the criteria in this section.~~

~~A. Class I Wetlands: Class I wetlands means wetlands that meet any of the following criteria:~~

~~1. The presence of species listed by the federal government or state as endangered, threatened, or the presence of actual habitat for those species; or~~

~~2. Wetlands having forty percent (40%) to sixty percent (60%) permanent open water in dispersed patches with two (2) or more classes of hydrophytic vegetation; or~~

~~3. Contiguous wetlands equal to or greater than ten (10) acres in size and having three (3) or more wetlands classes, as defined in subsection D of this section, one of which is open water; or~~

~~4. The presence of plant associations of infrequent occurrence in the Orting region. These include, but are not limited to, mature forested communities and bog systems.~~

~~B. Class II Wetlands: Class II wetlands means any wetlands which meet any of the following criteria:~~

~~1. Contiguous wetlands greater than one acre in size that do not meet the criteria for a class I wetland; or~~

~~2. Contiguous wetlands between one acre and two thousand five hundred (2,500) square feet in size, and having three (3) or more wetland classes, as defined in subsection D of this section; or~~

~~3. Contiguous wetlands between one acre and two thousand five hundred (2,500) square feet that have a forested wetland class.~~

~~C. Class III Wetlands: Class III wetlands are wetlands that do not meet the criteria of class I or II wetlands.~~

~~D. Wetland Classes: For the purposes of this section, the U.S. fish and wildlife services classification of wetlands and deepwater habitats of the United States, FWS/OBS-79/31 (Cowardin, et al., 1979) contains a description of wetland classes and subclasses according to wetland vegetation communities. (1973 Code § 15.20.020)~~

11-3-4: FISH AND WILDLIFE HABITAT CONSERVATION AREAS
CLASSIFICATION:

All of the following habitat areas are classified critical areas:

A. Areas with which state or federally designated endangered, threatened, and sensitive species have a primary association.

B. State priority habitats and areas associated with state priority species, including, but limited to, riparian areas associated with water ways.

C. Habitats and species of local importance. Habitats and species of local importance are those designated by the City, including those habitats and species that, due to their population status or sensitivity to habitat manipulation, warrant protection through possible retention or recovery of connectivity of habitat features.

D. Waters of the state. Waters of the state includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington, as classified in WAC 222-16-031.

E. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.

~~Wildlife habitat areas shall be classified as critical or secondary according to the criteria in this section. Critical habitats are those habitat areas which meet any of the following criteria:~~

~~A. The documented presence of species listed by the federal government or state of Washington as endangered, threatened, or critical.~~

~~B. Those streams identified as "shorelines of the state" under the city shoreline master program.~~

~~C. Those wetlands identified as class I wetlands, as defined in this chapter. (1973 Code § 15.20.040)~~

Chapter 4
PERFORMANCE STANDARDS FOR CRITICAL AREAS

11-4-1: WETLANDS:

A. Allowed Activities Within Wetlands: The following uses shall be allowed within a wetland, provided they are conducted using best management practices:

1. Outdoor recreational activities, including fishing, birdwatching, hiking, swimming, and canoeing.
2. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops.
3. Existing and ongoing agricultural activities, as defined in this chapter.
4. The maintenance of drainage ditches. (1973 Code § 15.24.010)
5. Nature trails. Trails in wetlands or buffers should be limited to permeable surfaces no more than five feet (5') in width for pedestrian use only. Trails should be located only in the outer twenty five percent (25%) of a wetland buffer, and should be located to avoid removal of significant trees. (Ord. 806, 6-30-2005)
6. Utility lines.

B. Allowed Activities Within Wetland Buffers: In addition to those activities allowed in subsection A of this section, the following activities are allowed within wetland buffers; provided, that buffer impacts are minimized and that disturbed areas are immediately restored:

1. Normal maintenance and repair of existing serviceable structures or improved areas. Maintenance and repair does not include modifications that change the character, scope or size of the original structure or improved area. (1973 Code § 15.24.010)
2. Stormwater management facilities, limited to stormwater dispersion outfalls and bioswales. Vegetation lined swales designed for storm water management; provided, that they are placed may be allowed within the outer twenty five percent (25%) of the buffer of category III and IV wetlands; only, provided that no other location is feasible and facilities do not degrade the function and values of such wetlands. (Ord. 806, 6-30-2005)

C. Required Buffers:

1. Buffer Requirements: The following table establishes the standard buffer width that shall apply to each wetland category, depending on the intensity of the potential land use on the upland side of the buffer and the habitat score of the wetland as determined on the 2014 Western Washington Ration Form, or as revised, completed by a qualified professional. The following buffers shall be required for wetlands based on the class of wetland as outlined in section 11-3-2 of this title. The city may allow buffer averaging as set forth in subsection C3 of this section.

<u>Wetland Buffer Requirements</u>				
<u>Overall Wetland Rating</u>	<u>Wetland Characteristics</u>	<u>Intensity land use on the upland side of the buffer</u>		
		<u>High¹</u>	<u>Moderate²</u>	<u>Low³</u>
<u>Category I</u>	<u>Habitat score of 8 – 9 points</u>	<u>300 feet</u>	<u>225 feet</u>	<u>150 feet</u>
<u>Category I</u>	<u>Habitat score of 5 – 7 points</u>	<u>150 feet</u>	<u>110 feet</u>	<u>75 feet</u>
<u>Category I</u>	<u>Water quality score of 8 – 9 points and a habitat score of less than 5 points</u>	<u>100 feet</u>	<u>75 feet</u>	<u>50 feet</u>
<u>Category I</u>	<u>Wetlands that do not meet the characteristics described above for Category I wetlands</u>	<u>100 feet</u>	<u>75 feet</u>	<u>50 feet</u>
<u>Category II</u>	<u>Habitat score of 8 – 9 points</u>	<u>300 feet</u>	<u>225 feet</u>	<u>150 feet</u>
<u>Category II</u>	<u>Habitat score of 5 – 7 points</u>	<u>150 feet</u>	<u>110 feet</u>	<u>75 feet</u>
<u>Category II</u>	<u>Water quality score of 8 – 9 points and a habitat score of less than 5 points</u>	<u>100 feet</u>	<u>75 feet</u>	<u>50 feet</u>
<u>Category II</u>	<u>Wetlands that do not meet the characteristics described above for Category II wetlands</u>	<u>100 feet</u>	<u>75 feet</u>	<u>50 feet</u>
<u>Category III</u>	<u>Habitat score of 8 – 9 points</u>	<u>300 feet</u>	<u>225 feet</u>	<u>150 feet</u>
<u>Category III</u>	<u>Habitat score of 5 – 7 points</u>	<u>150 feet</u>	<u>110 feet</u>	<u>75 feet</u>
<u>Category III</u>	<u>Habitat score of 3 – 4 points</u>	<u>80 feet</u>	<u>60 feet</u>	<u>40 feet</u>
<u>Category IV</u>	<u>Scores for all 3 basic functions are less than 16 points</u>	<u>50 feet</u>	<u>40 feet</u>	<u>25 feet</u>

¹ High intensity land uses include commercial, industrial, and retail developments; institutional use; residential developments at more than one unit per acre; high intensity recreation areas (golf course, ball fields, etc.); and hobby farms.

² Moderate intensity land uses include residential developments at less than one unit per acre; moderate intensity open space (parks with biking, jogging, etc.); and paved trails and utility corridors with maintenance roads.

³ Low intensity land uses include low intensity open space (hiking, birdwatching, preservation of natural resources, etc.); and unpaved trails and utility corridors without maintenance roads.

Wetland Class	Required Buffer Width
Class I	150 feet
Class II	50 feet
Class III	25 feet

2. **Removal Of Vegetation Within The Buffer:** Removal or alteration of existing vegetation in the buffer areas shall be prohibited or limited as necessary to preserve the wetland. Any disturbance of the buffer area shall be replanted with a diverse plant community of native vegetation appropriate for the site and approved by the city.

3. **Buffer Averaging:** The City Administrator may allow modification of the standard wetland buffer width in accordance with an approved critical area report and the best available science on a case-by-case basis by averaging buffer widths. Averaging of buffer widths may only be allowed where a qualified wetlands professional demonstrates that:

- a. It will not reduce wetland functions or values;
- b. The wetland contains variations in sensitivity due to existing physical characteristics or the character of the buffer varies in slope, soils, or vegetation, and the wetland would benefit from a wider buffer in places and would not be adversely impacted by a narrower buffer in other places;
- c. The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer; and
- d. The buffer width is not reduced to less than seventy-five percent (75%) of the standard width.

~~a. Buffer width averaging may be allowed where the applicant demonstrates to the city that the wetland contains variations in sensitivity due to existing physical characteristics, that lower intensity land uses would be located adjacent to areas where the buffer width is reduced, and/or that the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.~~

~~b. Buffer width may be reduced by up to twenty five percent (25%) if an applicant undertakes measures approved by the city to enhance the buffer, including, but not limited to, planting of native trees and shrubs or increasing the diversity of plant cover types. (1973 Code § 15.24.010)~~

D. Wetland Mitigation And Restoration:

1. Mitigation: All adverse impacts to wetlands shall be mitigated to the extent feasible and reasonable. Mitigation actions by an applicant or property owner shall occur in the following preferred sequence:

- a. Avoiding the impact altogether by not taking certain actions or parts of actions;
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- e. Compensating for the impact by replacing or providing substitute resources or environments; and/or
- f. Monitoring the impact and taking appropriate corrective measures.

2. Monitoring Program And Contingency Plan: A monitoring program shall be implemented by the applicant to determine the success of the mitigation project and any necessary corrective actions. This program shall determine if the original goals and objectives are being met.

a. A contingency plan shall be established for indemnity in the event that the mitigation project is inadequate or fails. A performance and maintenance bond or other acceptable security device financial guarantee is required to ensure the applicant's compliance with the terms of the mitigation agreement. The amount of the performance and maintenance bond shall equal one hundred twenty five percent (125%) of the cost of the mitigation project for a minimum of five (5) years. The bond may be reduced in proportion to work successfully completed over the period of the bond. The bonding period shall coincide with the monitoring period.

b. Monitoring programs prepared to comply with this section shall reflect the following guidelines:

- (1) Scientific procedures shall be used to establish the success or failure of the project.
- (2) For vegetation determinations, permanent sampling points shall be established.

- (3) Vegetative success shall, at a minimum, equal eighty percent (80%) survival of planted trees and shrubs and eighty percent (80%) cover of desirable understory or emergent plant species at the end of the required monitoring period. Additional standards for vegetative success, including, but not limited to, minimum survival standards following the first growing season, may be required after consideration of a report prepared by a qualified consultant.
- (4) Monitoring reports on the current status of the mitigation project shall be submitted to the city.
- (5) The reports are to be prepared by a qualified consultant and reviewed by the city or a consultant retained by the city and should include monitoring information on wildlife, vegetation, water quality, water flow, storm water storage and conveyance, and existing or potential degradation, as applicable, and shall be produced on the following schedule: at the time of construction; thirty (30) days after planting; early in the growing season of the first year; at the end of the growing season of the first year; twice during the second year; and annually thereafter.
- (6) Monitoring programs shall be established for a minimum of five (5) years.
- (7) If necessary, failures in the mitigation project shall be corrected.
- (8) Dead or undesirable vegetation shall be replaced with appropriate plantings.
- (9) Damage caused by erosion, settling, or other geomorphological processes shall be repaired.
- (10) The mitigation project shall be redesigned (if necessary) and the new design shall be implemented and monitored.

3. Mitigation Ratios:

- a. Equivalent Areas: Where wetland alterations are permitted by the city, the applicant shall create or enhance wetland areas to compensate for wetland losses. Equivalent areas shall be determined according to acreage, function, type, location, timing factors and projected success of restoration or creation.
- b. Acreage Replacement Ratio: When creating or enhancing wetlands, the following acreage replacement ratios shall be used where the first number specifies the acreage of replacement wetlands and the second number specifies the acreage of wetlands altered:

Wetland Type	Wetland Creation Replacement Ratio (Area)	<u>Rehabilitation</u>	Wetland Enhancement Ratio (Area)
<u>Category I: Bogs, Natural Heritage Site</u>	<u>Not considered possible</u>	<u>Case by case</u>	<u>Case by Case</u>

Category I: <u>Mature Forested</u>	6:1	<u>12:1</u>	16 <u>24</u> :1
<u>Category I: Based on Functions</u>	<u>4:1</u>	<u>8:1</u>	<u>16:1</u>
Category II	3:1	<u>6:1</u>	12:1
Category III	2:1	<u>4:1</u>	8:1
<u>Category IV</u>	<u>1.5:1</u>	<u>3:1</u>	<u>6:1</u>

c. Increased Replacement Ratios: The city administrator may increase the ratios under the following circumstances:

- (1) Uncertainty exists as to the probable success of the proposed restoration or creation;
- (2) A significant period of time will elapse between impact and replication of wetland functions;
- (3) Proposed mitigation will result in a lower category wetland or reduced functions relative to the wetland being impacted;
- (4) The impact was an unauthorized impact; or
- (5) Where mitigation is to occur off site.

4. Restoration: Restoration is required when a wetland or its buffer has been altered in violation of this title. The following minimum performance standards shall be met for the restoration of a wetland, provided that if it can be demonstrated by the applicant that greater functional and habitat values can be obtained, these standards may be modified:

- a. The original wetland configuration should be replicated including depth, width, and length at the original location;
- b. The original soil types and configuration shall be replicated;
- c. The wetland and buffer areas shall be replanted with native vegetation which replicates the original in species, sizes and densities; and
- d. The original functional values shall be restored, including water quality and wildlife habitat functions. (Ord. 806, 6-30-2005)

5. Mitigation shall be in the same drainage basin as the altered wetland. Wetland mitigation actions shall be conducted in the same sub-basin unless a higher level of ecological functioning would result from an alternate approach.

6. Wetland Mitigation Banks:

a. Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands when:

i. The bank is certified under state rules;

ii. The Administrator determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and

iii. The proposed use of credits is consistent with the terms and conditions of the certified bank instrument.

b. Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the certified bank instrument.

c. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the certified bank instrument. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.

7. In-Lieu Fee. To aid in the implementation of off-site mitigation, the City may develop an in-lieu fee program. This program shall be developed and approved through a public process and be consistent with federal rules, state policy on in-lieu fee mitigation, and state water quality regulations. An approved in-lieu fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor, a governmental or non-profit natural resource management entity. Credits from an approved in-lieu fee program may be used when paragraphs 1-6 below apply:

a. The approval authority determines that it would provide environmentally appropriate compensation for the proposed impacts.

b. The mitigation will occur on a site identified using the site selection and prioritization process in the approved in-lieu fee program instrument.

c. The proposed use of credits is consistent with the terms and conditions of the approved in-lieu fee program instrument.

d. Land acquisition and initial physical and biological improvements of the mitigation site must be completed within three years of the credit sale.

e. Projects using in-lieu fee credits shall have debits associated with the proposed impacts calculated by the applicant's qualified wetland scientist using the method consistent with the credit assessment method specified in the approved instrument for the in-lieu fee program.

f. Credits from an approved in-lieu fee program may be used to compensate for impacts located within the service area specified in the approved in-lieu-fee instrument.

E. Transfer Of Development Rights: If a site contains a regulated wetland and/or buffer, a property owner may transfer residential development rights from the regulated wetland and/or buffer to another site or sites within the city. The transfer of development rights (TDR) shall meet the following criteria:

1. The idea of transfer of development rights is based upon the legal concept of property law that the right to develop real estate is one of the "bundle of rights" included in fee simple ownership of land. Fee simple ownership of real estate allows the owner to sell, lease, or trade any one or all of the "bundle of rights" to his property which includes the right to use, lease, sell, or abandon the property or any of its components of ownership not retained by a previous owner such as mineral, oil, gas, air, and/or development rights. These rights of ownership are subject to the limitation and legislative powers of the local government.
2. A development right is a simple extension of the rights normally associated with land ownership. When legally established, a development right has value separate from the land itself. It can be subject to reasonable regulation by local government under the police power. The development right can be transferred by the owner, by means of gift or sale, to another property. The landowner may sell the development rights and still retain the title to the land and the right to use the surface of the land on a limited basis.
3. The planning commission shall consider the request for TDR at the public hearing for the land use proposal for the receiving parcel.
4. To assure that the sending parcel is adequately protected, a restriction shall be placed on the deed which expressly prohibits all regulated activities within the wetland and/or buffer. This restriction shall be required regardless of the number of dwelling units for which the development rights are transferred. A memorandum of agreement (MOA) between the applicant and the city shall be recorded with the city clerk. The MOA shall refer to all deed restrictions related to the property.
5. If the wetland and/or buffer is degraded as a result of human or agricultural activity, the applicant may be required to enhance the wetland and/or buffer according to an enhancement plan approved by the planning commission.
6. Except for required enhancement, the buffer and wetland shall remain in a natural condition. This shall be indicated by a note on the face of any final plat, final site plan, or other final approval for activity on the sending site. In the case of a formal subdivision, the wetland and buffer shall be placed in a separate tract.
7. TDR shall not exceed the number of dwelling units which would be allowed on the sending parcel according to the zoning designation of the sending parcel, if there were no development restrictions tied to wetland areas. This number of dwelling units shall be equal to the number of dwelling units that could be produced on the wetland and/or buffer if the sending parcel were subdivided in terms of the minimum requirements of the underlying zone as evidenced by a preliminary plan sketch.

8. TDR may go to more than one receiving parcel; however, this shall not increase the total number of transferred dwelling units which are allowed.
9. The increased number of dwelling units on the receiving parcel shall not be more than twenty five percent (25%) above the number of dwelling units allowed according to the zoning designation on the receiving parcel(s).
10. TDR shall be allowed only if the land use proposal on the receiving parcel(s) is designed in such a way that the increased density:
 - a. Is consistent with any land use plan associated with the receiving parcel and with goals, purposes, and intents of the zoning designation of the receiving parcel; and
 - b. Is compatible with the existing and likely future developments in the vicinity; and
 - c. Adequately addresses infrastructure, natural and other constraints, and does not result in significant environmental impacts.
11. TDR shall not be approved until final plat approval or other final approval for the receiving parcel is granted by the city council.

11-4-6: CRITICAL-FISH AND WILDLIFE HABITAT CONSERVATION AREAS:

- A. All development sites containing wetlands shall conform to the wetland development performance standards set forth in section 11-4-1 of this chapter. (1973 Code § 15.24.060)
- B. All development sites adjacent to the Puyallup or Carbon Rivers shall retain a one hundred fifty foot (150') buffer of native vegetation measured from the ordinary high water mark of the river. (Ord. 806, 6-30-2005)
- C. Where nonfish species have been ~~identified that are~~ classified as endangered or threatened ~~by the Department of Fish and Wildlife or applicable state or federal agency by the federal government or department of wildlife~~, the applicant shall provide a special study identifying the required habitat and recommending appropriate buffers based on the state ~~D~~epartment of Fish and Wildlife priority habitat and species management recommendations. ~~(1973 Code § 15.24.060)~~
- D. Anadromous Fish.
 1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards:
 - a. Activities shall be timed to occur only during the allowable work window as designated by the Department of Fish and Wildlife for the applicable species;

b. An alternative alignment or location for the activity is not feasible;

c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas;

d. Shoreline erosion control measures shall be designed to use bioengineering methods or soft armoring techniques according to an approved critical area report, and;

e. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.

2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish.

3. Fills, when authorized by the adopted shoreline master program, shall not adversely impact anadromous fish or their habitat or shall mitigate any unavoidable impacts, and shall only be allowed for a water-dependent use.

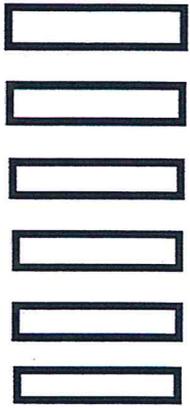


**City Of Orting
Council Agenda Summary Sheet**

AB16-58 SUBJECT: Trail Crossing at Pioneer Village, approval of Expenditure.	Agenda Item #:	AB16-58
	For Agenda of:	06/29/2016
	Department:	Public Works
	Date Submitted:	06/23/2016

Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger	X	Cost of Item:	<u>\$500</u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u>\$1,500</u>
City Attorney, Charlotte Archer		Unexpended Balance:	<u>\$1,000</u>
City Clerk, Jane Montgomery		Timeline: N/A	
City Treasurer, Scott Larson			
Police Chief, Bill Drake		BARS: 101.542.66.49.01	
Public Works, Dean Kaelin		Fiscal Note: <i>enter Finance information here if you want to embellish on fiscal impact and fund source.</i>	
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford			
BHC Consultants, Roger Wagoner			
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input checked="" type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Picture
<p>SUMMARY STATEMENT: <i>The Transportation Committee proposed projects to improve safety for Trail Crossings. The City Council approved and budgeted \$1,500 for this purpose.</i></p> <p><i>The first designated project is the Trail Crossing at Pioneer Village by McDonalds. An 8ft. wide green strip with white edges is proposed, (see attached photo).</i></p> <p><i>This has been approved by the owner of Pioneer Village and the Foothills Trails Association.</i></p>
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Reviewed and recommended by the Transportation Committee.
RECOMMENDED ACTION: MOTION to adopt/approve the expenditure of \$500 to paint the trail crossing at Pioneer Village.



Original Crosswalk



18" Existing Stop Bar

4'



4'

6"

Existing Trail



18"

Not to Scale



**City Of Orting
Council Agenda Summary Sheet**

AB16-59 SUBJECT: TBD Chip Seal Program- Approve Low Bidder,	Agenda Item #:	AB16-59
	For Agenda of:	06/29/2016
	Department:	Public Works
	Date Submitted:	06/22/2016

Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger		Cost of Item:	<u>\$ 111,792.55</u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u>\$ 120,000</u>
City Attorney, Charlotte Archer		Unexpended Balance:	<u>\$ 8,207.45</u>
City Clerk, Jane Montgomery		Timeline:	
City Treasurer, Scott Larson			
Police Chief, Bill Drake		BARS: 109.317.60.00.00	
Public Works, Dean Kaelin	X	Fiscal Note: <i>enter Finance information here if you want to embellish on fiscal impact and fund source.</i>	
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford			
BHC Consultants, Roger Wagoner			
Agenda Placement: <input type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input checked="" type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Bid Summary
<p>SUMMARY STATEMENT:</p> <p>The City has a road preservation plan that includes chip-sealing and road resurfacing. The program is paid for by the \$20 vehicle tab fee. This is the 4th year of the tab fee road maintenance program</p> <p>The city budgeted \$120,000 for chip-sealing and resurfacing for 2016. The project had a bidding process for chip sealing requesting bids from seven different companies of which two companies submitted bids. A bid was submitted by Doolittle Construction LLC for \$165,993.30.</p> <p>The Low Bidder for chip-sealing is Sierra Santa Fe Corporation at \$104,992.55. Overall project expense will include \$4,700 for street preparation and \$2,100 for administration costs for a total of \$111,792.55.</p>
<p>COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: <i>State when item went to what committee/commission and their recommendation.</i></p>
<p>RECOMMENDED ACTION: MOTION: Approve the low bidder for chip-sealing, Sierra Santa Fe Corporation, for a total cost of \$111,792.55.</p>

City of Orting
2016 TBD Chip Seal Program-Maintenance

Contractor	ChipSeal/MicroCoat	Cost of Estimate
Sierra Santa Fe	Chipseal & MicoCoat	\$ 104,992.55 / Includes Tax
Doolittle	ChipSeal / MicroCoat Equivalent will be applied by a manually controlled seal coat buggy.	\$ 165,993.30 / Includes Tax
Active Construction	No Response	
Central Paving	No Response	
Granit Construction	No Response	
NW Asphalt	No Response	
Puget Paving	No Response	

Work Locations	Block Number
Whitehawk Blvd	100,200,300,
Orting Ave NW	400, 500
Skinner Way	500, 600
McMahon Lane SW	100
Beckett Ln SW	100
Washington Av SE	600, 700



**City Of Orting
Council Agenda Summary Sheet**

AB16-60 SUBJECT: TBD -Chip Seal For Rocky Road.	Agenda Item #:	AB16-60
	For Agenda of:	06/29/2016
	Department:	Public Works
	Date Submitted:	06/22/2016

Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger	X	Cost of Item:	<u>\$ 7,000</u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u>\$ 120,000</u>
City Attorney, Charlotte Archer		Unexpended Balance:	<u>\$ 8,207.45</u>
City Clerk, Jane Montgomery		Timeline: N/A	
City Treasurer, Scott Larson			
Police Chief, Bill Drake		BARS: 109.317.60.00.00	
Public Works, Dean Kaelin	X	Fiscal Note: <i>enter Finance information here if you want to embellish on fiscal impact and fund source.</i>	
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford			
BHC Consultants, Roger Wagoner			
Agenda Placement: <input type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input checked="" type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Staff Report
SUMMARY STATEMENT: The City has a road preservation plan that includes chip-sealing and road resurfacing. The program is paid for by the \$20 vehicle tab fee. This is the 4 th year of the tab fee road maintenance program. The city budgeted \$120,000 for chip-sealing and resurfacing for 2016. If the City Council approved the Low Bid from Sierra Santa Fe for Chip Sealing of \$ 111,792.55, the remaining unexpended balance will be \$8,207.45. The Transportation Committee recommended at its Monday June 20, 2016 meeting to chip seal Rocky Rd NE. A staff report is attached to go to council for approval, to Chip Seal 1,058 Sq. Yards on Rocky Road to reduce dust for neighboring developments and provide smoother surface for vehicle use.
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Recommendation comes from the Transportation Committee who met on June 20, 2016.
RECOMMENDED ACTION: MOTION: To approve the expenditure of \$7,000 to Chip Seal Rocky Road.



City of Orting
City Council Staff Report

Date: June 29, 2016

Prepared By: Laura Hinds
Agenda Item: TBD Chip Seal for Rocky Rd NE

Issue Synopsis:	Chip Seal 1,058 SqYd to reduce dust for neighboring developments and provide smoother surface for vehicle use.
Background:	Provided by the TBD vehicle tab fees
Policy Options:	Update 6-year TIP
Analysis:	Low Bidder: Sierra Santa Fe
Fiscal Impact:	BARS number: 109.317.60.00.00 Expenditure Required: \$ 7,000 Amount Budgeted: \$ 120,000.00 (\$8,200 after City Street project) Additional Appropriation Required: N/A
Policy Questions:	N/A
Staff Recommendation:	Recommend Approval
Committee Recommendation:	N/A
Attachments:	



**City Of Orting
Council Agenda Summary Sheet**

AB15-16-61 SUBJECT- Council Position Applicant Request for Interview Concession.	Agenda Item #:	AB16-61
	For Agenda of:	06/29/16
	Department:	Administration
	Date Submitted:	06/21/16

Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger	x	Cost of Item:	<u> \$0 </u>
City Administrator, Mark Bethune	x	Amount Budgeted:	<u> \$0 </u>
City Attorney, Charlotte Archer		Unexpended Balance:	<u> \$0 </u>
City Clerk, Jane Montgomery		Timeline:	
City Treasurer, Scott Larson			
Police Chief, Bill Drake		BARS: N/A	
Public Works, Dean Kaelin		Fiscal Note: N/A	
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford			
BHC Consultants, Roger Wagoner			
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Email Request, Council Rules
SUMMARY STATEMENT: <i>Per the City Council Rules of Procedure, Council Rule 4.7 Council Confirmation of Mayoral Appointments, applicants are required to answer questions posed by the City Council at an open public meeting. The Meeting to interview Council applicants is scheduled for July 13, 2016.</i>
<i>Mr. Graham Hunt sent an email to the City Administrator asking for a concession to the rules because he is unable to attend the July 13, 2016 Meeting. He has asked if the Council will allow suspend Council rules and allow him to call in for the interview process.</i>
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A
RECOMMENDED ACTION:
Motion: Approve/Deny City Council Position Applicant's request for an interview concession.

4.7 Council Confirmation of Mayoral Appointments: In addition to select Councilmember participation in any Mayoral-defined hiring process, the Council will, per Ordinance 961, confirm the appointment of certain mayoral appointments prior to final hiring actions.

Currently the appointment of the City Administrator, City Treasurer, Police Chief, City Attorney, Public Work Director, Building Inspector/Official, and Parks and Recreation Director are subject to Council confirmation. The confirmation of the Municipal Judge is provided pursuant to OMC Chapter 1-10.

The confirmation process, if circumstances allow, should be scheduled for televised meetings. These meetings should be broadly advertised via the official publication, reader boards, City website, social media pages, etc. to allow maximum public notification. The Mayor may request a Special Meeting if pressing and extenuating hiring circumstances exist.

The confirmation process is as follows:

- (A) Prior to the meeting, the Council will be provided a copy of the Employment Application and/or resume (with personal information redacted) for review in the Council Packet. Staff may provide other pertinent information as appropriate.
- (B) During the Confirmation agenda item of the Council meeting the:
 1. Mayor or City Administrator will introduce the nominated individual and briefly recap the process that resulted in the nominee being selected for the position,
 2. Individual (if available to attend) will introduce themselves and provide a brief background of their qualifications and goals,
 3. Council will have a question and answer opportunity with the applicant and/or staff to last up to 30 minutes (time may be extended upon majority Council consent), and
 4. Public Testimony will be taken with each speaker given a maximum of three minutes to provide comments. All comments must be directed toward the Chair and limited to the confirmation discussion. Two-way discussions are discouraged.
- (C) An Executive Session in accordance with RCW 42.30.110(g) may be requested by any Councilmember to “evaluate the qualifications of an applicant for public employment or to review the performance of a public employee” if questions or concerns arise that should not be discussed in a public forum. Final actions must take place in an open meeting.
- (D) After the question and answer session, upon resumption of the regular meeting after an Executive Session (if requested), and upon a motion, the Council will vote to confirm the hire/nomination on a simple majority vote of the present Council quorum.

From: [Mark Bethune](#)
To: [Jane Montgomery](#)
Subject: FW: City Council Vacancy
Date: Wednesday, June 15, 2016 4:13:11 PM

fyi

From: graham@grahamhunt.org [mailto:Graham@GrahamHunt.org]
Sent: Wednesday, June 15, 2016 10:22 AM
To: Mark Bethune
Subject: RE: City Council Vacancy

Hi Mark,

Thank you for the confirmation email. The Council has set the interview date for the meeting that will take place on July 13, 2016 and unfortunately I will be out of town from July 12 – 23rd. I would like to have the opportunity to answer any questions that the Council may have of the potential applicants and would humbly request the opportunity to do so via Skype or a conference call. I could also have somebody present to read a prepared statement answering their questions if the Council would like to provide those sooner and doesn't want to have a video/phone conference call.

Warm regards,

Graham Hunt

From: Mark Bethune [<mailto:MBethune@cityoforting.org>]
Sent: Wednesday, June 15, 2016 8:58 AM
To: 'graham@grahamhunt.org' <Graham@GrahamHunt.org>
Subject: RE: City Council Vacancy

Your application is complete. Not sure how to handle your request for special consideration at the Council meeting for interviews July 13th. I have the request on the next Council agenda for 6/29. Maybe you could email me your specific request.

I would like to express my interest in being considered for the appointment to the vacant council position. I have attached a copy of my resume, please let me know if any further documentation is needed.

Warm regards,

Graham Hunt