

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

Multipurpose Center
202 Washington Ave. S, Orting, WA

July 13, 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 29, 2016
 - Payroll and Claims Warrants
- Motion:** *Move to approve Consent Agenda as prepared.*

C. PRESENTATIONS

1. AB16-62- Confirmation of Planning Commissioner

- **Mayor Pestinger**

Motion: *to approve the appointment by the Mayor and Consent by Council of Micheal L'Italient as Planning Commissioner*

2. AB 16-63- Interviews for Councilmember Position #3

- **Deputy Mayor Ford**

a. Executive Session- Recess to Executive Session to evaluate the qualifications of a candidate for appointment to elective office as authorized by RCW 42.30.110(h).

b. Reconvene the Council meeting.

c. Appointment of Councilmember.

- **Deputy Mayor Ford**

Motion: *to appoint (Candidate Name) to the Council Position #3.*

D. 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.*

E. COMMISSION REPORTS

- Parks Commission
- Planning Commission

F. COMMITTEE AND COUNCIL STANDING REPORTS

- Finance - **DM Ford**
- Public Works- **CM McDonald/CM Penner**
- Emergency Evacuation Bridge System • **CM Drennen**
- Mayor Report – **Mayor Pestinger**
- Miscellaneous activity reports, i.e. PSRC, special meetings, etc.

Americans with Disabilities Act – reasonable accommodations provided upon request (360) 893-2219

G. PUBLIC HEARINGS:

1. **AB16-64**– Closed Record Hearing –Bridgewater Preliminary Subdivision #PP015-01.
 - **JC Hungerford**
Motion: to approve the Preliminary Plat for the Bridgewater Subdivision #PP015-01.

H. OLD BUSINESS:

1. **AB16-65- Critical Areas Ordinance.**
 - **Roger Wagoner**
Motion: to approve second reading and approval of Ordinance No. 2016-985, Critical Areas Ordinance.
2. **AB 16-66- Fleet Maintenance Contract**
 - **Mark Bethune**
Motion: to authorize the Mayor to enter into a contract with Korum Ford for Fleet Maintenance..

I. NEW BUSINESS

1. **AB16-67- Generator Maintenance**
 - **CM McDonald/CM Penner**
Motion: to approve the low bidder for Generator Maintenance.
2. **AB16-68- Calistoga Project-Salmon Recovery Signage**
 - **JC Hungerford**
Motion: to approve the placement of the Calistoga Setback Levee Project Sign provided by the Salmon Recovery Funding Board.
3. **AB16-69- Contract for Real Estate Consultant Services**
 - **Mark Bethune**
Motion: to authorize the Mayor to enter into a contract with Attorney Joe Quinn for Real Estate Consultant Services.

J. EXECUTIVE SESSION

K. ADJOURNMENT

Motion: Move to Adjourn.

Upcoming Meetings:

Next Regular Meeting: July 27, 2016 (PSB)



ORTING CITY COUNCIL MEETING MINUTES

Orting Public Safety Building
401 Washington Ave. SE, Orting, WA 98360
June 29, 2016

Mayor Joachim Pestinger

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 Harman led the Pledge of Allegiance.

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

REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.

No Requests.

B. CONSENT AGENDA

- Minutes of June 8, 2016
 - Payroll and Claims Warrants
- Motion:** Move to approve Consent Agenda as prepared.

Councilmember Harman moved to approve the Consent Agenda as prepared. Second by Councilmember Ford. Motion carried (6-0).

C. PUBLIC COMMENTS

Tamborine Borrelli

Ms. Borrelli introduced herself to the Council and gave a brief biography. Ms. Borrelli is running for State Senate and she explained why she was and the basic tenants of her campaign. She provided her contact information on a card which she handed out to Council and Citizens at the meeting.

Tayvin Reiquam

Ms. Reiquam is a middle school student at Orting Middle School. She said that at the last Lehar Drill, she would not have made it out of the City in time, and she expressed her support for the Bridge for Kids Project.

Susan Rigley

Ms. Rigley works for the Pierce County Library System. She passed out a flyer which detailed upcoming Events at the Orting Library. She spoke briefly on the upcoming events and training that is scheduled for the future.

Graham Hunt

Mr. Hunt addressed the Council about the non-profit he started called "Restore America". He informed the Council that this year the 2nd year of the event to restore

The Soldiers Home Cemetery. The event is on August 27th, from 9am to noon. The event will be in the Park at the Gazebo. Mr. Hunt also introduced Bob McCaslin who is the State Representative for the 4th District in Spokane Valley.

D. PRESENTATIONS

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

Dennis Engel, WSDOT Olympic Region Planning Manager, introduced himself to the Council. He handed out a flyer on the SR 162 Sumner to Orting Corridor Study and the WSDOT Sumner to Orting Corridor Survey. Mr. Engel told the Council that WSDOT will be forming an Executive Committee composed of one staff member from each City to be part of the study. The survey will go out in mid-July. Discussion followed between Mr. Engel and the Council. Mr. Engel stated that he would get the survey results back to the City Clerk to distribute to the Council.

E. COMMITTEE AND COUNCIL STANDING REPORTS

Emergency Preparedness- *CM Drennen/CM Ford*

Councilmember Drennen briefed the Council on the following;

The last committee meeting;

- The Committee is establishing goals and is in a facts and finding mode;
- Looking to establish a resiliency plan and work on city preparedness.
- Peggy Legeford from Pierce County attended the meeting and her input was beneficial;
 - Segment community in hubs;
 - Establish a communication chain;
 - Break the community down in to small sections.

Councilmember Ford revealed that an individual from the School District who is an expert in the Planning process for emergency preparedness plans will be attending the next meeting in July, and will help with the City's plan.

Public Safety- *CM Gunther/CM Harmon*

Councilmember Gunther briefed on the following:

- River signs;
- Hot spots in the City relating to crime;
- Discretionary fund for Police Department/Community Policing;
- Records Management System;
- "Peace Officer" documentary;
- Definition of search & rescue;
- Painting of the Police search & rescue vehicle;
- A resolution coming in the future addressing community policing model.

Rules- *CM Harman/CM Drennen*

Councilmember Harman briefed the Council on the following;

- The Rules Committee are working on the following items;
 - Charity/Sponsorship;

- Council approval of expenditures;
- Council Rules/Order of business will be discussed later on in the agenda under G #1 regarding public comment time. This was discussed and brought forward by the Rules Committee.

Transportation- CM Penner/CM McDonald

Councilmember Penner briefed the Council on the following:

- Speeding on Eldridge Avenue;
- Chip Seal Program;
- Route 66 Two Way Left Turn Lane Project;
- Vegetation Planters being moved to Parks;
- Transportation Master Plan;
 - Pedestrian Walkways
 - Wants suggestions from Council;
- LED's in the City being replaced by PSE.

Mayor's Report – Mayor Pestinger

Mayor Pestinger reported on the following:

- Pierce County Regional Council Meeting;
- Vision 2040;
- Award for the City of Orting, Project of the Year;
- Annual AWC Conference;
- Orville Road Easement finalized.

F. PUBLIC HEARINGS

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

Mayor Pestinger opened the public hearing at 7:48 p.m.

Treasurer Scott Larson briefed the Council on the agenda item. He described the surplus process to Council. Because the vehicles were purchased with utility funds a hearing is required. Once approved for surplus the vehicles will be advertised in a sealed bid process.

Councilmember Drennen asked staff to provide him a list of vehicles purchased which line up with vehicles for surplus.

Councilmember McDonald made a motion to adopt Resolution No. 2016-22, declaring surplus property and authorizing disposal. Second by Councilmember Motion Passed (6-0)

G. OLD BUSINESS

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

Councilmember Drennen briefed on this agenda item. He informed the Council that the Committee is recommending that they stop the pilot program of an added citizen comment time at the end of the meeting and in the interest of a better flow of information and go back to Council rules. He stated that citizens speak at the

beginning of the meeting to items not on the agenda and also speak to each item on the agenda prior to a vote.

Councilmember Harman made a motion to end pilot period and return to City Council Rules of Procedure 4-1-E, Comments from Citizens. Second by Councilmember Drennen. Motion Passed (6-0)

H. NEW BUSINESS

1. AB16-57- Critical Areas Ordinance.

Consultant Roger Wagoner briefed the Council on the Critical Areas Ordinance and the Planning Commission recommendations.

Councilmember Drennen made a motion to approve the first reading of Ordinance No. 2016-985, Critical Areas Ordinance. Second by Councilmember Harman. Motion Passed (6-0)

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

Councilmember McDonald briefed the Council on this agenda item. The recommendation is to paint an 8 foot wide green strip with white edges at the crossing to improve safety. Discussion followed. Both Pioneer Village and the Foothill Trails Association approved this project. Discussion followed.

Councilmember McDonald made a motion to approve the expenditure of \$500 to paint the Trail Crossing at Pioneer Village. Second by Councilmember Penner. Motion Passed (6-0)

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

Councilmember Penner briefed on this agenda item. This is part of the City's Road preservation plan. This is the 4th year of the tab fee road maintenance program. Council was informed that Sierra Santa Fe is the low bidder for the chip sealing and the recommendation from Committee is to approve the low bidder.

Councilmember Penner made a motion to approve Sierra Santa Fe, as the low bidder for Chip Seal in the amount of \$111,792.55. Second by Councilmember McDonald. Passed (6-0)

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

Councilmember Penner briefed on this agenda item. He asked JC Hungerford to brief as well. JC pointed out that this was not currently on the 6 year TIB and he recommended moving it back to the Transportation Committee. Discussion followed about the value of the project and the consideration of other possible options such as dust abatement. Council consensus was to move this item back to the Transportation Committee and then come back to Council on the 27th of July.

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

City Administrator Bethune briefed the Council on this agenda item. He told Council that an applicant has asked for a concession to be allowed to phone in for the interview process. Councilmember Penner asked if the motion needed to be to suspend the Council Rules and the City Clerk said yes. Discussion followed. And various options were considered, and setting precedents and staying consistent. Councilmember Harman read an item from the Council rules in regard to the applicants being present at the interview.

City Attorney Charlotte Archer informed the Council that the rule on the agenda bill with respect to the process is Rule 8.1. She stated that the presence of the applicant is not required. Discussion followed. The meeting will take place on July 13, 2016.

Councilmember Penner made a motion to approve any applicants request to remotely participate. No second. Motion failed.

Discussion followed and Council agreed that the applicant could have a representative bring a statement on his behalf, and read it to the Council. This applicant will still be considered by the Council.

I. PUBLIC COMMENTS

Doug Bishop

Mr. Bishop expressed concerns about the curbing at the Post Office. He wanted to know if the City had looked in to the matter. Administrator Bethune responded that 300 feet and been replaced.

Graham Hunt

Mr. Hunt thanked the Council for considering his request for the interview concession. He stated that several times appointments had been made at the PSB. He made the request to be able to answer Council questions.

Councilmember discussion followed in regard to the process and procedure of the appointment of a Councilmember, and the process and procedure to appoint an Interim Deputy Mayor who is not a member of the City Council. Currently the Deputy Mayor is Administrator Mark Bethune.

City Attorney Archer reminded Council that no candidate materials should be discussed amongst the Council regarding the candidates outside of a public meeting. When the questions and materials would be distributed was also discussed.

Councilmember Ford volunteered to guide the process and assume the leadership role in accepting submissions of questions. Discussion followed.

Councilmember Penner made a motion to appoint Councilmember Ford as Interim Deputy Mayor. Second by Councilmember Gunther. Passed (6-0)

J. EXECUTIVE SESSION

Mayor Pestinger announced that there would be an executive session. The session is expected to last 30 minutes, and action will take place after they return. The executive session is in regard to the sale of real estate in accordance with RCW 42.30.110 (c) and in regard to Union Negotiations in accordance with RCW 42.30.110 (b) 40. (4)(e)

Mayor Pestinger recessed the meeting at 9:21 p.m. for a small break.

Mayor Pestinger reconvened the meeting at 9:28 p.m.

9:28 p.m. Mayor Pestinger adjourned the meeting to Executive session.

9:58 p.m. The Executive session was extended for 10 minutes.

10:08 p.m. The Executive session was extended for 5 minutes.

10:13 p.m. The Executive session was extended for 5 minutes.

Mayor Pestinger called the meeting back to order at 10:18 p.m.

Deputy Mayor Ford made a motion to enter into a MOU with the PW Union to remove animal control duties from the contract as soon as is practical. Second by Councilmember Penner. Passed (6-0)

Deputy Mayor Ford made a motion to authorize the Mayor to enter into a contract with Pierce County Animal Control until the end of 2016. Second by Councilmember Harman. Passed (6-0)

Councilmember Drennen made a motion to authorize consultant "Quinn" to negotiate the possible sale of the PSB in the future. Second by Deputy Mayor Ford. Passed (6-0)

K. ADJOURNMENT

Councilmember McDonald made a motion to adjourn the meeting. Second by Deputy Mayor Ford. Carried (6-0)

Meeting ended at 10:20 p.m.

ATTEST:

Joachim Pestinger, Mayor

Jane Montgomery, City Clerk,

CITY OF ORTING
VOUCHER/WARRANT REGISTER
FOR JULY 13, 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 #43681 THRU #43729
IN THE AMOUNT OF \$ 403,158.39

PAYROLL WARRANTS # 22533 THRU #22552
IN THE AMOUNT OF \$ 169,102.15

ARE APPROVED FOR PAYMENT ON JULY 13, 2016

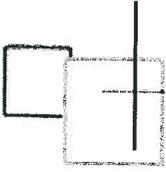
FINANCE COMMITTEE CHAIR _____

COUNCILPERSON _____

COUNCILPERSON _____

CITY CLERK _____

Fund Transaction Summary



Transaction Type: Invoice
Fiscal: 2016 - July 2016 - 1st Council
System Types: Financials

001	Current Expense	\$34,012.63
101	City Streets	\$188.04
104	Cemetery	\$70.44
105	Parks Department	\$5,542.98
320	Transportation Impact	\$56.79
401	Water	\$29,289.51
408	Wastewater	\$271,518.74
410	Stormwater	\$62,479.26
	Count: 8	\$403,158.39

Register

Fiscal: 2016
 Deposit Period: 2016 - July 2016
 Check Period: 2016 - July 2016 - 1st Council
 Bank Accounts: Key Bank - 2000073
 Register Types: Warrant
 Show Outstanding: All
 System Types: Financials
 Outstanding Date: 7/8/2016 12:41:43 PM
 Show Details: Hide

Key Bank	Check	2000073			
			1st Chance Towing & Recovery	7/13/2016	\$112.68
	43681		Alarm Center, Inc	7/13/2016	\$73.26
	43682		Arrow Lumber	7/13/2016	\$547.50
	43683		Big J'S Outdoor Store	7/13/2016	\$397.43
	43684		Blumenthal Uniforms & Equ	7/13/2016	\$142.34
	43685		Bratwear	7/13/2016	\$184.13
	43686		Butkus Consulting INC	7/13/2016	\$250.00
	43687		Ceccanti Inc.	7/13/2016	\$54,834.84
	43688		Centurylink	7/13/2016	\$2,586.29
	43689		CenturyLink/Qwest	7/13/2016	\$274.30
	43690		Columbia Bank	7/13/2016	\$2,641.37
	43691		Comcast	7/13/2016	\$482.34
	43692		Corliss Resources, Inc	7/13/2016	\$91.39
	43693		Corwin Ford Tri-Cities	7/13/2016	\$25,775.12
	43694		Dell Financial Services Payment	7/13/2016	\$1,235.41
	43695		Processing Services		
			Everson's Econo Vac	7/13/2016	\$1,560.00
	43696		Firestone Complete Auto Care	7/13/2016	\$1,022.00
	43697		Frank's Flag Store	7/13/2016	\$3,806.91
	43698		H D Fowler Company	7/13/2016	\$3,166.53
	43700		H D Supply Waterworks LTD	7/13/2016	\$19,976.78
	43701		Honey Bucket-NW Cascade Inc	7/13/2016	\$252.14
	43702		Lemay Mobile Shredding	7/13/2016	\$105.06
	43703		Lewis, Jennifer	7/13/2016	\$384.00
	43704		Nisqually Indian Tribe	7/13/2016	\$560.00
	43705		North Central Laboratorie	7/13/2016	\$412.80
	43706		Northwest Cascade INC	7/13/2016	\$245,973.04
	43707		Office Depot	7/13/2016	\$323.34
	43708		O'Reilly Auto Parts	7/13/2016	\$291.66
	43709		Orting Floral/greenhouse	7/13/2016	\$1,305.60

43710	Orting Valley Senior Cent	7/13/2016	\$1,083.33
43711	Pollard Water	7/13/2016	\$83.36
43712	Popular Networks, Lic	7/13/2016	\$4,057.03
43713	Puget Sound Energy	7/13/2016	\$815.62
43714	Schwab-Ellison Co, Inc	7/13/2016	\$14.77
43715	Scott, James	7/13/2016	\$347.94
43716	Smith, Jason	7/13/2016	\$212.00
43717	South Sound 911	7/13/2016	\$17,757.50
43718	Spectral Laboratories	7/13/2016	\$943.00
43719	Staples Advantage-Dept LA	7/13/2016	\$192.13
43720	Summer Lawn'h Saw	7/13/2016	\$804.15
43721	Sunnyside, City Of	7/13/2016	\$378.00
43722	Taser International	7/13/2016	\$230.93
43723	The Walls Law Firm	7/13/2016	\$1,833.33
43724	US Bank Equipment Finance	7/13/2016	\$326.54
43725	Verizon Wireless	7/13/2016	\$2,411.19
43726	Vision Forms LLC	7/13/2016	\$1,848.71
43727	Water Management Lab Inc.	7/13/2016	\$210.00
43728	Whitworth Pest Solutions, INC	7/13/2016	\$812.38
43729	Wild West International Lic	7/13/2016	\$28.22
	Total	Check	\$403,158.39
	Total	2000073	\$403,158.39
	Grand Total		\$403,158.39



Custom Council Report

Company Name	Account #	Invoice #	Invoice Date	Description	Amount
1st Chance Towing & Recovery	43681	7419	001-521-50-48-02	Towing of 06 Charger	\$112.68
				Total	\$112.68
Alarm Center, Inc	43682	1024980	001-521-20-31-06	PSB Alarm	\$73.26
				Total	\$73.26
Arrow Lumber	43683	600186-July2016	001-514-21-48-01	Light Bulb	\$2.71
			001-514-21-48-01	Gutter Screws	\$18.15
			001-521-50-48-02	Hose for Washing Cars	\$30.45
			001-521-50-48-04	Locks	\$69.59
			101-542-30-31-00	Redimix-Bridge Street Parking Sign	\$6.07
			101-542-64-49-00	Level-Redimix-Bridge Street Parking Sign	\$7.81
			105-576-80-48-00	Hillman Fasteners-Flag Pole	\$7.51
			105-576-80-48-00	Strainer	\$9.73
			105-576-80-48-00	Caution Tape-Flag Pole Repair	\$11.95
			105-576-80-48-00	Wand & Hose for Hanging Baskets	\$42.41
			408-535-10-31-00	Tie Wraps	\$2.38
			408-535-50-48-02	Tape	\$4.89
			408-535-50-48-02	Clog Blaster	\$16.31
			408-535-50-48-02	Husky Bags	\$20.66
			408-535-50-48-02	Drain Blaster	\$35.89
			408-535-50-48-03	Paint Supplies	\$12.03
			408-535-60-48-04	Zinc	\$4.34
			410-531-38-31-00	Ear Plugs	\$14.13
			410-531-38-48-00	Tie Wire Coil-Levee Gate	\$5.86
			410-531-38-48-00	Respirator	\$7.17
			410-531-38-48-00	Hillman Fasteners-Levee Gate	\$7.62
			410-531-38-48-00	Reflective Tape-Levee Gate	\$11.96
			410-531-38-48-00	Chain Oil	\$15.65
			410-531-38-48-00	Cement-River Levee Gate	\$18.26
			410-531-38-48-00	Tarp	\$21.71
			410-531-38-48-00	Gloves	\$21.74
			410-531-38-48-00	Gloves	\$21.74
410-531-38-48-00	Cement-River Levee Gate	\$36.51			
410-531-38-48-00	Cement-River Levee Gate	\$54.77			

Arrow Lumber	43683	600186-July2016	410-531-38-48-01	Sprayer	\$7.50
				Total	\$547.50
Big J'S Outdoor Store	43684	July2015-2016	001-521-20-31-01	Ammo	\$54.38
			001-521-20-31-01	Ammo	\$81.57
			105-576-80-31-00	Safety Glasses	\$17.62
			401-534-10-31-04	Jeans Ewing	\$54.39
			401-534-10-31-04	Boots Barfield	\$58.73
			408-535-10-31-05	Jeans Ewing	\$54.38
			408-535-10-31-05	Boots Barfield	\$58.74
			410-531-38-31-00	Safety Glasses	\$17.62
				Total	\$397.43
Blumenthal Uniforms & Equ	43685	5930202	001-521-20-31-01	Boots for Turner	\$142.34
				Total	\$142.34
Bratwear	43686	19058	001-521-20-31-01	Uniform Items for Gard	\$184.13
				Total	\$184.13
Butkus Consulting INC	43687	304	001-511-60-41-01	Council Workshop	\$250.00
				Total	\$250.00
Ceccanti Inc.	43688	Pay Request #14 Final - Calistoga Setback Levee	410-594-31-63-15	Calistoga Setback Levee Final Pay Request	\$54,834.84
				Total	\$54,834.84
Centurylink	43689	300549640-July2016	408-535-10-42-01	Sewer Phones	\$45.89
		300549818-July2016	001-514-23-42-00	City Phones	\$731.15
			001-521-50-42-00	City Phones	\$120.74
			001-522-20-42-01	City Phones	\$260.14
			001-524-20-42-00	City Phones	\$27.85
			320-595-30-63-01	City Phones	\$56.79
			401-534-10-42-01	City Phones	\$175.64
			408-535-10-42-01	City Phones	\$373.59
		300549906-July2016	401-534-10-42-01	Harman Springs	\$53.58
		300550216-July2016	408-535-10-42-01	Sewer Phones	\$177.23
		300550553-July2016	001-521-50-42-00	PD Phones	\$393.92
		300550592-July2016	001-512-50-42-00	Court Phones	\$99.79
		409178327-July2016	001-521-50-42-01	Repeater	\$69.98
				Total	\$2,586.29
CenturyLink/Qwest	43690	464B-July2016	001-521-20-45-02	Cell Connection	\$116.53
		465B-July2016	001-521-20-45-02	Cell Connection	\$81.50
		492B-July2016	001-521-20-45-02	Cell Connection	\$76.27
				Total	\$274.30

Columbia Bank	43691	Pay Request #14-Final Retainage Calistoga Setback Levee-7000752100	410-594-31-63-15	Pay Request #14- Final Retainage Calistoga Setback Levee-7000752100	\$2,641.37
				Total	\$2,641.37
Comcast	43692	0221105-July2016	001-514-23-42-00 001-524-20-31-00 401-534-10-42-01 408-535-10-42-01	City Hall Internet City Hall Internet City Hall Internet City Hall Internet	\$60.30 \$60.29 \$60.29 \$60.29
		0221113-Julu2016	001-521-50-42-00 001-522-20-42-01	PSB Internet PSB Internet	\$120.59 \$120.58
				Total	\$482.34
Corliss Resources, Inc	43693	15440	408-535-50-48-02	Bark for VG Sewer Break	\$91.39
				Total	\$91.39
Corwin Ford Tri- Cities	43694	1742-2016-3-159	401-594-34-64-60 408-594-35-64-56 410-594-31-67-10	New 2016 F250 3/4 Ton New 2016 F250 3/4 Ton New 2016 F250 3/4 Ton	\$6,443.78 \$16,753.82 \$2,577.52
				Total	\$25,775.12
Dell Financial Services Payment Processing Services	43695	78567422	001-594-12-41-01 001-594-14-41-02 001-594-21-41-01 001-594-24-41-01 001-594-76-41-01 101-594-42-41-01 105-594-76-41-01 401-594-34-42-02 408-594-35-64-44 410-594-31-41-41	PSB Server City Hall Server PSB Server City Hall Server	\$25.00 \$50.00 \$753.41 \$37.00 \$12.00 \$12.00 \$12.00 \$111.00 \$149.00 \$74.00
				Total	\$1,235.41
Everson's Econo Vac	43696	077560	408-535-50-51-07	Vac Truck for High Cedars	\$1,560.00
				Total	\$1,560.00
Firestone Complete Auto Care	43697	181794 181852	001-521-50-48-02 001-521-50-48-02	Tires for 08 Charger Tires & Alignment for 07 Tahoe	\$312.04 \$709.96
				Total	\$1,022.00
Frank's Flag Store	43698	6221601	105-576-80-48-00	Cutting of the Flag Pole in the Main Park	\$3,806.91
				Total	\$3,806.91

Vendor	Account	Invoice No	Invoice Date	Description	Amount
H D Fowler Company	43699	14242658-C389716	408-535-50-48-02	Parts for High Cedars F M	\$3,166.53
				Total	\$3,166.53
H D Supply Waterworks LTD	43700	F629000	401-534-50-48-01	New Meter Upgrades	\$19,976.78
				Total	\$19,976.78
Honey Bucket-NW Cascade Inc	43701	0550049518	408-535-60-48-04	Honey Bucket Service-Whitehawk	\$197.50
		0550049519	408-535-60-48-04	Honey Bucket Service-Cali & Van Scoyoc	\$54.64
				Total	\$252.14
Lemay Mobile Shredding	43702	4482102	001-521-20-31-06	PD Shredding	\$70.04
		4482247	001-514-23-31-02	City Hall Shredding	\$35.02
				Total	\$105.06
Lewis, Jennifer	43703	July2016-202	001-571-20-31-34	Dog Training Classes-June 2016	\$384.00
				Total	\$384.00
Nisqually Indian Tribe	43704	9819	001-523-60-41-00	Jail Services-April 2016	\$560.00
				Total	\$560.00
North Central Laboratorie	43705	374438	408-535-10-31-00	Lab Supplies	\$125.38
		374659	408-535-10-31-00	Lab Supplies	\$287.42
				Total	\$412.80
Northwest Cascade INC	43706	Pay Request #2-High Cedars Force Main	408-594-35-63-25	Pay Request 2-High Cedars Force Main Replacement	\$245,973.04
				Total	\$245,973.04
O'Reilly Auto Parts	43708	1265583-July2016	001-521-50-48-02	Wiring Tool-Terminal Kit	\$22.58
			001-521-50-48-02	Battery for 06 Explorer	\$102.95
			001-521-50-48-02	Battery for 08 Charger	\$129.17
			105-576-80-31-00	Rags	\$9.78
			105-576-80-48-00	Drill Bits-Flag Repair	\$27.18
				Total	\$291.66
Office Depot	43707	845246994001	001-512-50-31-00	Office Supplies	\$323.34
				Total	\$323.34
Orting Floral/greenhouse	43709	1362	105-594-76-64-04	Hanging Baskets	\$1,305.60
				Total	\$1,305.60

Customer	Account No.	Invoice Dates	Invoice No.	Description	Amount
Orting Valley Senior Cent	43710	July2016-200	001-571-20-31-06	Monthly Support-July 2016	\$1,083.33
				Total	\$1,083.33
Pollard Water	43711	0045844	401-534-50-35-00	Manual Hand Pump	\$83.36
				Total	\$83.36
Popular Networks, Llc	43712	18400	001-512-50-41-01	Computer Maintenance	\$15.37
			001-513-23-41-01	Computer Maintenance	\$76.87
			001-514-23-41-04	Computer Maintenance	\$199.86
			001-524-20-41-01	Computer Maintenance	\$153.74
			001-525-60-41-03	Disaster Recovery Backup-Server	\$824.40
			001-575-50-41-03	Computer Maintenance	\$138.36
			101-542-30-41-04	Computer Maintenance	\$76.87
			104-536-20-41-01	Computer Maintenance	\$30.74
			401-534-10-41-05	Computer Maintenance	\$322.84
			408-535-10-41-05	Computer Maintenance	\$322.84
			410-531-38-41-04	Computer Maintenance	\$199.86
	18412		001-521-50-41-01	Computer Maintenance-PD	\$1,672.26
			001-525-60-41-03	PSB Disaster Recovery Backup-Server	\$23.02
				Total	\$4,057.03
Puget Sound Energy	43713	200019646914-July2016	101-542-63-47-03	Street Lights	\$61.93
		200021064239-July2016	401-534-50-47-03	Well 1	\$713.30
		200021119249-July2016	401-534-50-47-02	Chlorinator	\$17.03
		220000846174-July2016	101-542-63-47-03	Street Lights	\$23.36
				Total	\$815.62
Schwab-Ellison Co, Inc	43714	40100161736	105-576-80-48-01	Tire Repair	\$14.77
				Total	\$14.77
Scott, James	43715	16-231	001-521-20-31-01	Motor Officer Pants	\$347.94
				Total	\$347.94
Smith, Jason	43716	July2016-201	001-571-20-31-33	Karate Instruction-June 2016	\$212.00
				Total	\$212.00
South Sound 911	43717	02083	001-521-50-51-00	3rd QRT Police Dispatch	\$17,757.50
				Total	\$17,757.50

Spectral Laboratories	43718	110285	408-535-10-41-03	Lab Testing	\$943.00
				Total	\$943.00
Staples Advantage- Dept LA	43719	3305791830	001-514-23-31-02	Supplies	\$41.10
			001-558-60-31-00	Supplies	\$27.73
			401-534-10-31-00	Supplies	\$41.10
			408-535-10-31-00	Supplies	\$41.10
			410-531-38-31-00	Supplies	\$41.10
				Total	\$192.13
Sumner Lawn'n Saw	43720	285350	105-576-80-48-01	Weedeater Parts	\$176.28
			401-534-50-48-02	Weedeater Parts	\$44.07
			408-535-50-48-02	Weedeater Parts	\$44.09
			410-531-38-48-01	Weedeater Parts	\$176.28
		285353	408-535-50-35-00	5000 PSI Guage	\$18.76
		285355	105-576-80-48-01	Chain Saw & Chain Loop	\$101.24
			410-531-38-48-01	Chain Saw & Chain Loop	\$101.24
		285615	410-531-38-35-00	Parts for Storm Ponds	\$125.12
		285616	410-531-38-35-00	Blade for Storm Pond	\$17.07
				Total	\$804.15
Sunnyside, City Of	43721	1139	001-523-60-41-00	Jail Fees-April 2016	\$378.00
				Total	\$378.00
Taser International	43722	SI1442239	001-521-50-48-04	Taser Batteries	\$230.93
				Total	\$230.93
The Walls Law Firm	43723	624	001-515-30-41-03	Prosecuting Attorney-June 2016	\$1,833.33
				Total	\$1,833.33
US Bank Equipment Finance	43724	307885897	001-594-14-75-00	City Hall Copier Lease	\$326.54
				Total	\$326.54
Verizon Wireless	43725	9767121607	001-514-23-42-00	Cell Phones	\$238.92
			001-524-20-42-00	Cell Phones	\$58.51
			104-536-20-42-00	Cell Phones	\$39.70
			401-534-10-42-01	Cell Phones	\$307.38
			408-535-10-42-01	Cell Phones	\$307.38
		9767121608	001-512-50-42-00	Cell Phones	\$58.51
			001-521-20-45-01	Cell Phones	\$760.63
			001-521-20-45-02	Cell Phones	\$640.16
				Total	\$2,411.19
Vision Forms LLC	43726	3644	401-534-10-31-00	Utility Bill Processing & Mailing	\$181.06
			401-534-10-42-00	Utility Bill Processing & Mailing	\$435.18

Vision Forms LLC	43726	3644	408-535-10-31-00	Utility Bill Processing & Mailing	\$181.05
			408-535-10-42-00	Utility Bill Processing & Mailing	\$435.18
			410-531-38-31-00	Utility Bill Processing & Mailing	\$181.06
			410-531-38-42-00	Utility Bill Processing & Mailing	\$435.18
			Total		\$1,848.71
Water Management Lab Inc.	43727	150518	401-534-10-41-03	Lab Testing	\$210.00
			Total		\$210.00
Whitworth Pest Solutions, INC	43728	312470	410-531-38-48-03	Storm Pond Monitor & Treatment	\$812.38
			Total		\$812.38
Wild West International Llc	43729	16858	001-521-40-49-00	Range Fees-Targets	\$28.22
			Total		\$28.22
Grand Total					\$403,158.39

Cash and Investment Activity

Period: 2016 - June 2016
 Period Totals

001	Current Expense	\$1,797,611.93	\$623,148.18	\$566,411.94	\$81,600.65	\$2,042,661.15	\$2,124,261.80
101	City Streets	\$279,502.54	\$74,442.04	\$45,103.77	\$15,575.29	\$294,242.19	\$309,817.48
104	Cemetery	\$7,010.75	\$7,460.64	\$11,969.62	\$49.15	\$5,813.24	\$5,862.39
105	Parks Department	\$268,681.73	\$39,049.83	\$22,595.84	\$65,009.77	\$268,746.45	\$333,756.22
107	Tourism Fund	\$5,357.29	\$39.25	\$32.50	\$0.00	\$5,389.79	\$5,389.79
108	TBD	\$88,086.13	\$22,444.87	\$11,238.07	\$13,821.12	\$99,324.20	\$113,145.32
120	Police Department Drug	\$2,354.61	\$0.84	\$0.84	\$523.07	\$2,355.45	\$2,878.52
201	Public Safety Bldg Ltgo Debt	\$8,470.04	\$8,586.35	\$3.01	\$29,471.03	\$8,473.05	\$37,944.08
320	Transportation Impact	\$462,652.21	\$63,219.72	\$53,574.98	\$157,895.61	\$512,755.12	\$670,650.73
401	Water	\$1,173,604.77	\$434,520.76	\$374,683.01	\$302,156.52	\$1,473,807.26	\$1,775,963.78
408	Wastewater	\$5,125,271.90	\$359,699.23	\$775,207.32	\$255,053.48	\$5,325,873.42	\$5,580,926.90
410	Stormwater	\$870,561.57	\$285,766.25	\$247,144.81	\$176,000.38	\$1,026,030.53	\$1,202,030.91
412	Utility Land Acquisition	\$1,086,927.43	\$7,866.71	\$155.76	\$36,827.17	\$1,087,083.19	\$1,123,910.36
631	Payroll Fund	\$0.00	\$162,255.35	\$153,915.72	\$45,293.16	\$0.00	\$45,293.16
632	Claims Fund	\$0.00	\$694,754.52	\$798,900.34	\$101,666.21	\$0.00	\$101,666.21
633	Treasurer's Trust	\$0.00	\$10,102.47	\$10,102.47	\$0.00	\$0.00	\$0.00
634	Customer Deposits	\$111,400.33	\$2,700.00	\$3,000.00	\$39,933.88	\$111,400.33	\$151,334.21
635	Transportation Benefit District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
701	Cemetery Perpetual Fund	\$495,837.09	\$1,990.52	\$1,184.03	\$0.00	\$497,021.12	\$497,021.12
704	Skinner Estate Fund	\$195.94	\$1,387.34	\$791.64	\$0.00	\$462,679.04	\$462,679.04
	Totals	\$12,200,609.59	\$1,775,607.50	\$2,051,769.73	\$1,320,876.49	\$13,223,655.53	\$14,544,532.02

Cash and Investment Activity

Period: 2016 - June 2016
Fiscal Totals

001	Current Expense	\$109,242.61	\$1,710,718.30	\$3,764,998.60	\$2,866,308.27	\$81,600.65	\$2,042,661.15	\$2,124,261.80
101	City Streets	\$32,886.91	\$261,199.48	\$307,054.72	\$244,048.46	\$15,575.29	\$294,242.19	\$309,817.48
104	Cemetery	\$4,448.58	\$6,999.15	\$19,660.74	\$24,060.17	\$49.15	\$5,813.24	\$5,862.39
105	Parks Department	\$49,422.15	\$281,315.31	\$125,348.49	\$109,760.87	\$65,009.77	\$268,746.45	\$333,756.22
107	Tourism Fund	\$0.00	\$5,349.96	\$1,451.22	\$725.73	\$0.00	\$5,389.79	\$5,389.79
108	TBD	\$0.00	\$0.00	\$266,252.25	\$153,227.40	\$13,821.12	\$99,324.20	\$113,145.32
120	Police Department Drug	\$51.07	\$2,350.71	\$476.74	\$4.74	\$523.07	\$2,355.45	\$2,878.52
201	Public Safety Bldg Ltgo Debt	\$667.24	\$8,456.02	\$51,517.07	\$22,713.28	\$29,471.03	\$8,473.05	\$37,944.08
320	Transportation Impact	\$77,417.64	\$488,043.13	\$188,774.05	\$58,296.08	\$157,895.61	\$512,755.12	\$670,650.73
401	Water	\$144,743.80	\$1,435,991.17	\$1,536,147.21	\$928,734.49	\$302,156.52	\$1,473,807.26	\$1,775,963.78
408	Wastewater	\$616,444.27	\$5,409,833.11	\$2,850,724.16	\$2,313,975.06	\$255,053.48	\$5,325,873.42	\$5,580,926.90
410	Stormwater	\$241,329.67	\$514,726.26	\$1,373,421.91	\$888,751.20	\$176,000.38	\$1,026,030.53	\$1,202,030.91
412	Utility Land Acquisition	\$45,893.91	\$1,033,911.81	\$251,815.86	\$130,882.60	\$36,827.17	\$1,087,083.19	\$1,123,910.36
631	Payroll Fund	\$144,816.96	\$0.00	\$836,275.78	\$935,799.58	\$45,293.16	\$0.00	\$45,293.16
632	Claims Fund	\$85,454.60	\$0.00	\$2,156,101.68	\$2,139,890.07	\$101,666.21	\$0.00	\$101,666.21
633	Treasurer's Trust	\$0.00	\$0.00	\$42,461.90	\$42,461.90	\$0.00	\$0.00	\$0.00
634	Customer Deposits	\$38,108.88	\$111,400.33	\$12,625.00	\$10,800.00	\$39,933.88	\$111,400.33	\$151,334.21
635	Transportation Benefit District	\$67,724.32	\$31,151.13	\$31,151.13	\$98,875.45	\$0.00	\$0.00	\$0.00
701	Cemetery Perpetual Fund	\$541.02	\$491,780.40	\$138,287.20	\$69,414.11	\$0.00	\$497,021.12	\$497,021.12
704	Skinner Estate Fund	\$1,640.96	\$459,539.33	\$124,552.14	\$63,096.55	\$0.00	\$462,679.04	\$462,679.04
		\$1,660,834.59	\$12,252,765.60	\$8,406,460.11	\$7,775,528.28	\$1,320,876.49	\$13,223,655.53	\$14,544,532.02

Cash Activity In

Period: 2016 - June 2016
 Period Totals: Period

001	Current Expense	\$269,613.43	\$378,399.16	\$0.00	\$0.00	\$648,012.59
101	City Streets	\$900.44	\$59,778.62	\$0.00	\$0.00	\$60,679.06
104	Cemetery	\$4,558.13	\$6,260.64	\$1,200.00	\$0.00	\$12,018.77
105	Parks Department	\$48,555.78	\$39,049.83	\$0.00	\$0.00	\$87,605.61
107	Tourism Fund	\$25.71	\$6.79	\$0.00	\$0.00	\$32.50
108	TBD	\$13,821.12	\$11,238.07	\$0.00	\$0.00	\$25,059.19
120	Police Department Drug	\$523.07	\$0.84	\$0.00	\$0.00	\$523.91
201	Public Safety Bldg Ltgo Debt	\$20,887.69	\$3.01	\$0.00	\$8,583.34	\$29,474.04
320	Transportation Impact	\$198,250.87	\$13,219.72	\$0.00	\$0.00	\$211,470.59
401	Water	\$542,318.77	\$134,520.76	\$0.00	\$0.00	\$676,839.53
408	Wastewater	\$870,561.57	\$159,699.23	\$0.00	\$0.00	\$1,030,260.80
410	Stormwater	\$337,378.94	\$85,766.25	\$0.00	\$0.00	\$423,145.19
412	Utility Land Acquisition	\$29,116.22	\$991.71	\$0.00	\$6,875.00	\$36,982.93
631	Payroll Fund	\$36,953.53	\$0.00	\$0.00	\$162,255.35	\$199,208.88
632	Claims Fund	\$205,812.03	\$0.00	\$0.00	\$694,754.52	\$900,566.55
633	Treasurer's Trust	\$0.00	\$10,102.47	\$0.00	\$0.00	\$10,102.47
634	Customer Deposits	\$40,233.88	\$2,700.00	\$0.00	\$0.00	\$42,933.88
635	Transportation Benefit District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
701	Cemetery Perpetual Fund	\$377.54	\$639.49	\$0.00	\$167.00	\$1,184.03
704	Skinner Estate Fund	\$195.94	\$595.70	\$0.00	\$0.00	\$791.64
		\$2,620,084.66	\$902,972.29	\$1,200.00	\$872,635.21	\$4,396,892.16

Cash Activity In

Period: 2016 - June 2016
 Period Totals: Fiscal

001	Current Expense	\$109,242.61	\$2,242,617.36	\$596,048.95	\$0.00	\$2,947,908.92
101	City Streets	\$32,886.91	\$179,035.15	\$47,701.69	\$0.00	\$259,623.75
104	Cemetery	\$4,448.58	\$18,460.74	\$1,200.00	\$0.00	\$24,109.32
105	Parks Department	\$49,422.15	\$112,412.91	\$12,935.58	\$0.00	\$174,770.64
107	Tourism Fund	\$0.00	\$39.83	\$685.90	\$0.00	\$725.73
108	TBD	\$0.00	\$68,173.07	\$0.00	\$98,875.45	\$167,048.52
120	Police Department Drug	\$51.07	\$476.74	\$0.00	\$0.00	\$527.81
201	Public Safety Bldg Ltgo Debt	\$667.24	\$17.03	\$0.00	\$51,500.04	\$52,184.31
320	Transportation Impact	\$77,417.64	\$112,902.89	\$25,871.16	\$0.00	\$216,191.69
401	Water	\$144,743.80	\$672,815.91	\$413,331.30	\$0.00	\$1,230,891.01
408	Wastewater	\$616,444.27	\$967,076.18	\$985,508.09	\$0.00	\$2,569,028.54
410	Stormwater	\$241,329.67	\$784,289.36	\$39,132.55	\$0.00	\$1,064,751.58
412	Utility Land Acquisition	\$45,893.91	\$2,854.64	\$77,711.22	\$41,250.00	\$167,709.77
631	Payroll Fund	\$144,816.96	\$0.00	\$0.00	\$836,275.78	\$981,092.74
632	Claims Fund	\$85,454.60	\$0.00	\$0.00	\$2,156,101.68	\$2,241,556.28
633	Treasurer's Trust	\$0.00	\$42,461.90	\$0.00	\$0.00	\$42,461.90
634	Customer Deposits	\$38,108.88	\$12,625.00	\$0.00	\$0.00	\$50,733.88
635	Transportation Benefit District	\$67,724.32	\$0.00	\$31,151.13	\$0.00	\$98,875.45
701	Cemetery Perpetual Fund	\$541.02	\$1,607.70	\$64,173.39	\$3,092.00	\$69,414.11
704	Skinner Estate Fund	\$1,640.96	\$1,498.75	\$59,956.84	\$0.00	\$63,096.55
		\$1,660,834.59	\$5,219,365.16	\$2,355,407.80	\$3,187,094.95	\$12,422,702.50

Cash Activity Out

Period: 2016 - June 2016
 Period Totals: Period

001	Current Expense	\$245,049.22	\$167,249.79	\$8,583.34	\$145,529.59	\$566,411.94	\$81,600.65
101	City Streets	\$14,739.65	\$28,208.72	\$417.00	\$1,738.40	\$45,103.77	\$15,575.29
104	Cemetery	\$2.49	\$10,919.82	\$167.00	\$880.31	\$11,969.62	\$49.15
105	Parks Department	\$64.72	\$20,129.53	\$208.00	\$2,193.59	\$22,595.84	\$65,009.77
107	Tourism Fund	\$32.50	\$0.00	\$0.00	\$0.00	\$32.50	\$0.00
108	TBD	\$11,238.07	\$0.00	\$0.00	\$0.00	\$11,238.07	\$13,821.12
120	Police Department Drug	\$0.84	\$0.00	\$0.00	\$0.00	\$0.84	\$523.07
201	Public Safety Bldg Ltgo Debt	\$3.01	\$0.00	\$0.00	\$0.00	\$3.01	\$29,471.03
320	Transportation Impact	\$50,102.91	\$3,472.07	\$0.00	\$0.00	\$53,574.98	\$157,895.61
401	Water	\$300,202.49	\$45,333.77	\$2,500.00	\$26,646.75	\$374,683.01	\$302,156.52
408	Wastewater	\$200,601.52	\$550,408.39	\$3,333.00	\$20,864.41	\$775,207.32	\$255,053.48
410	Stormwater	\$200,077.09	\$31,287.78	\$417.00	\$15,362.94	\$247,144.81	\$176,000.38
412	Utility Land Acquisition	\$155.76	\$0.00	\$0.00	\$0.00	\$155.76	\$36,827.17
631	Payroll Fund	\$0.00	\$0.00	\$0.00	\$153,915.72	\$153,915.72	\$45,293.16
632	Claims Fund	\$0.00	\$0.00	\$0.00	\$798,900.34	\$798,900.34	\$101,666.21
633	Treasurer's Trust	\$0.00	\$0.00	\$0.00	\$10,102.47	\$10,102.47	\$0.00
634	Customer Deposits	\$0.00	\$0.00	\$0.00	\$3,000.00	\$3,000.00	\$39,933.88
635	Transportation Benefit District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
701	Cemetery Perpetual Fund	\$1,184.03	\$0.00	\$0.00	\$0.00	\$1,184.03	\$0.00
704	Skinner Estate Fund	\$791.64	\$0.00	\$0.00	\$0.00	\$791.64	\$0.00
		\$1,024,245.94	\$857,009.87	\$15,625.34	\$1,179,134.52	\$3,076,015.67	\$1,320,876.49

Cash Activity Out

Period: 2016 - June 2016
 Period Totals: Fiscal

001	Current Expense	\$927,991.80	\$1,082,682.61	\$51,500.04	\$804,133.82	\$2,866,308.27	\$81,600.65
101	City Streets	\$80,744.40	\$149,127.35	\$2,502.00	\$11,674.71	\$244,048.46	\$15,575.29
104	Cemetery	\$14.09	\$17,301.32	\$3,092.00	\$3,652.76	\$24,060.17	\$49.15
105	Parks Department	\$366.72	\$91,587.41	\$1,248.00	\$16,558.74	\$109,760.87	\$65,009.77
107	Tourism Fund	\$725.73	\$0.00	\$0.00	\$0.00	\$725.73	\$0.00
108	TBD	\$99,324.20	\$53,903.20	\$0.00	\$0.00	\$153,227.40	\$13,821.12
120	Police Department Drug	\$4.74	\$0.00	\$0.00	\$0.00	\$4.74	\$523.07
201	Public Safety Bldg Ltgo Debt	\$17.03	\$0.00	\$0.00	\$22,696.25	\$22,713.28	\$29,471.03
320	Transportation Impact	\$50,583.15	\$7,712.93	\$0.00	\$0.00	\$58,296.08	\$157,895.61
401	Water	\$451,147.39	\$320,180.86	\$15,000.00	\$142,406.24	\$928,734.49	\$302,156.52
408	Wastewater	\$901,548.40	\$1,005,952.25	\$19,998.00	\$386,476.41	\$2,313,975.06	\$255,053.48
410	Stormwater	\$550,436.82	\$263,929.53	\$2,502.00	\$71,882.85	\$888,751.20	\$176,000.38
412	Utility Land Acquisition	\$130,882.60	\$0.00	\$0.00	\$0.00	\$130,882.60	\$36,827.17
631	Payroll Fund	\$0.00	\$0.00	\$0.00	\$935,799.58	\$935,799.58	\$45,293.16
632	Claims Fund	\$0.00	\$0.00	\$0.00	\$2,139,890.07	\$2,139,890.07	\$101,666.21
633	Treasurer's Trust	\$0.00	\$0.00	\$0.00	\$42,461.90	\$42,461.90	\$0.00
634	Customer Deposits	\$0.00	\$0.00	\$0.00	\$10,800.00	\$10,800.00	\$39,933.88
635	Transportation Benefit District	\$0.00	\$0.00	\$98,875.45	\$0.00	\$98,875.45	\$0.00
701	Cemetery Perpetual Fund	\$69,414.11	\$0.00	\$0.00	\$0.00	\$69,414.11	\$0.00
704	Skinner Estate Fund	\$63,096.55	\$0.00	\$0.00	\$0.00	\$63,096.55	\$0.00
		\$3,326,297.73	\$2,992,377.46	\$194,717.49	\$4,588,433.33	\$11,101,826.01	\$1,320,876.49

INVESTMENTS POOL FOR MONTH ENDING June 2016

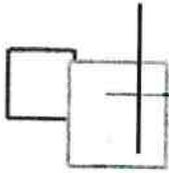
FUNDS:	001 GENERAL FUND	101 STREET FUND	104 CEMETERY FUND	105 PARIS FUND	107 TOURISM FUND	108 TBD FEES	120 POLICE DEPT DRUG FUND	201 FSB LTGO BOND FUND	320 TRAFFIC IMPACT	401 WATER FUND	408 WASTEWATER FUND	410 STORMWATER FUND	412 UTILITY FACILITY	634 CUSTOMER DEPOSIT	701 IRREDUCIBLE CEMETARY	704 SKINNER ESTATE	TOTAL
BEG. BAL.	\$734,284.17	\$214,718.52	\$7,002.75	\$182,303.03	\$123.45	\$86,086.13	\$2,354.41	\$8,470.04	\$289,894.82	\$970,382.41	\$1,694,415.73	\$217,143.16	\$438,753.00	\$111,400.33	\$0.00	\$0.00	\$4,559,340.15
Pool Interest	\$500.20	\$76.23	\$2.49	\$64.72	\$0.04	\$31.27	\$0.84	\$3.01	\$102.91	\$202.49	\$601.52	\$77.09	\$195.76	\$0.00	\$0.00	\$0.00	\$1,618.57
Invest Sale			(\$1,200.00)														(\$1,200.00)
Invest Sale 2																	
State Remit	\$95,557.15	\$14,653.42				\$11,206.80											\$0.00
Invest Purch (No LGIP)*	\$148,558.87				\$32.46				\$50,000.00	\$300,000.00	\$200,000.00	\$200,000.00			\$1,017.03	\$791.64	\$900,000.00
Invest Purch (No LGIP)*	\$1,033.00								\$339,997.73	\$870,884.90	\$1,895,017.25	\$417,220.25	\$438,908.76	\$111,400.33	\$1,184.03	\$791.64	\$1,200.00
Subtotal	\$979,333.39	\$229,468.17	\$5,813.24	\$182,367.75	\$155.95	\$99,324.20	\$2,395.45	\$8,473.05	\$172,787.39	\$603,223.36	\$3,430,856.17	\$608,810.28	\$648,174.43	\$0.00	\$499,837.09	\$461,887.40	\$7,641,269.44
US Bank	\$1,063,327.76	\$64,784.02	\$0.00	\$86,378.70	\$5,233.84	\$0.00	\$0.00	\$0.00	\$172,787.39	\$603,223.36	\$3,430,856.17	\$608,810.28	\$648,174.43	\$0.00	\$499,837.09	\$461,887.40	\$13,223,655.53
Invest Purchase	\$2,042,861.15	\$294,242.19	\$5,813.24	\$268,746.45	\$5,389.79	\$99,324.20	\$2,395.45	\$8,473.05	\$512,795.12	\$1,473,807.26	\$9,325,873.42	\$1,026,030.53	\$1,087,063.19	\$111,400.33	\$497,021.12	\$442,879.04	\$13,223,655.53
Invest Sale 1																	
Subtotal	\$1,063,327.76	\$64,784.02	\$0.00	\$86,378.70	\$5,233.84	\$0.00	\$0.00	\$0.00	\$172,787.39	\$603,223.36	\$3,430,856.17	\$608,810.28	\$648,174.43	\$0.00	\$499,837.09	\$461,887.40	\$7,641,269.44
END BAL.	\$2,042,861.15	\$294,242.19	\$5,813.24	\$268,746.45	\$5,389.79	\$99,324.20	\$2,395.45	\$8,473.05	\$512,795.12	\$1,473,807.26	\$9,325,873.42	\$1,026,030.53	\$1,087,063.19	\$111,400.33	\$497,021.12	\$442,879.04	\$13,223,655.53

NOTE: 635 Transportation Benefit District (TBD) Vehicle Fees was Fund 109; changed 1/21/15 per SAO retroactive to 1/1/14
 Fund titles changed to be consistent with OMC Ordinances; e.g., 701 was Investment Trust and Cemetery Perpetual
 108 Transportation Benefit District (TBD) was changed from 635 on 1/1/16

Investments Activity

Period: 2016 - June 2016
 Period Totals: Period

001	Current Expense	\$1,797,611.93	\$244,749.02	\$0.00	\$300.20	\$2,042,661.15
101	City Streets	\$279,502.54	\$14,663.42	\$0.00	\$76.23	\$294,242.19
104	Cemetery	\$7,010.75	\$0.00	\$1,200.00	\$2.49	\$5,813.24
105	Parks Department	\$268,681.73	\$0.00	\$0.00	\$64.72	\$268,746.45
107	Tourism Fund	\$5,357.29	\$32.46	\$0.00	\$0.04	\$5,389.79
108	TBD	\$88,086.13	\$11,206.80	\$0.00	\$31.27	\$99,324.20
120	Police Department Drug	\$2,354.61	\$0.00	\$0.00	\$0.84	\$2,355.45
201	Public Safety Bldg Ltgo Debt	\$8,470.04	\$0.00	\$0.00	\$3.01	\$8,473.05
320	Transportation Impact	\$462,652.21	\$50,000.00	\$0.00	\$102.91	\$512,755.12
401	Water	\$1,173,604.77	\$300,000.00	\$0.00	\$202.49	\$1,473,807.26
408	Wastewater	\$5,125,271.90	\$200,000.00	\$0.00	\$601.52	\$5,325,873.42
410	Stormwater	\$825,953.44	\$200,000.00	\$0.00	\$77.09	\$1,026,030.53
412	Utility Land Acquisition	\$1,086,927.43	\$0.00	\$0.00	\$155.76	\$1,087,083.19
631	Payroll Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
632	Claims Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
633	Treasurer's Trust	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
634	Customer Deposits	\$111,400.33	\$0.00	\$0.00	\$0.00	\$111,400.33
635	Transportation Benefit District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
701	Cemetery Perpetual Fund	\$495,837.09	\$1,184.03	\$0.00	\$0.00	\$497,021.12
704	Skinner Estate Fund	\$461,887.40	\$791.64	\$0.00	\$0.00	\$462,679.04
		\$12,200,609.59	\$1,022,627.37	\$1,200.00	\$1,618.57	\$13,223,655.53



Outstanding Warrants

Fiscal: 2016 - June 2016

Financials

010601	2010 - Conversion - Conversion Date	\$18.85
011005	2010 - Conversion - Conversion Date	\$140.16
011170	2010 - Conversion - Conversion Date	\$20.00
012920	2010 - Conversion - Conversion Date	\$150.00
013275	2010 - Conversion - Conversion Date	\$75.00
013779	2010 - Conversion - Conversion Date	\$119.68
015011	2010 - Conversion - Conversion Date	\$80.00
16713	2011 - January - 2 nd Council	\$120.00
16761	2011 - Febuary - 1st Council	\$10.00
16813	2011 - Febuary - 1st Council	\$10.00
16867	2011 - Febuary - 2 nd Council	\$51.03
17204	2011 - June - 1 st Council	\$25.27
17385	2011 - July - 2 nd Coucil	\$10.00
18106	2012 - January - 2nd Council	\$26.00
18230	2012 - February - 2nd Council	\$125.00
18695	2012 - June - 2nd Council	\$33.00
18848	2012 - August - 1st Council	\$360.00
19658	2013 - March 2013 - 2nd Council	\$66.00
20257	2013 - August 2013 - 1st Council	\$33.65
40376	2013 - December 2013 - 1st Council	\$200.00
40681	2014 - March 2014 - 2nd Council	\$100.00
41618	2014 - December 2014 - 1st Council	\$660.00
41976	2015 - March - 1st Council	\$272.00
42426	2015 - July - 2nd Council	\$397.43
43250	2016 - February 2016 - 2nd Council	\$44.84
43303	2016 - March 2016 - 1st Council	\$184.00
43458	2016 - April 2016 - 2nd Council	\$96.00
43495	2016 - May 2016 - 1st Council	\$1,833.33
43600	2016 - June 2016 - 1st Council	\$232.00
43613	2016 - June 2016 - 2nd Council	\$550.00
43638	2016 - June 2016 - 2nd Council	\$318.04
43644	2016 - June 2016 - 2nd Council	\$207.14
43647	2016 - June 2016 - 2nd Council	\$1,740.26
43648	2016 - June 2016 - 2nd Council	\$42.26
43649	2016 - June 2016 - 2nd Council	\$221.14
43650	2016 - June 2016 - 2nd Council	\$121.82
43651	2016 - June 2016 - 2nd Council	\$198.03
43652	2016 - June 2016 - 2nd Council	\$20.87
43653	2016 - June 2016 - 2nd Council	\$5.43
43654	2016 - June 2016 - 2nd Council	\$184.96
43655	2016 - June 2016 - 2nd Council	\$1,593.26
43656	2016 - June 2016 - 2nd Council	\$336.09
43657	2016 - June 2016 - 2nd Council	\$600.00
43658	2016 - June 2016 - 2nd Council	\$6,512.33
43659	2016 - June 2016 - 2nd Council	\$880.20
43660	2016 - June 2016 - 2nd Council	\$43.47
43661	2016 - June 2016 - 2nd Council	\$652.80

Financials

43662	2016 - June 2016 - 2nd Council	\$3,666.66
43663	2016 - June 2016 - 2nd Council	\$450.00
43664	2016 - June 2016 - 2nd Council	\$409.38
43665	2016 - June 2016 - 2nd Council	\$5.58
43666	2016 - June 2016 - 2nd Council	\$500.00
43667	2016 - June 2016 - 2nd Council	\$58,284.81
43668	2016 - June 2016 - 2nd Council	\$1,311.75
43669	2016 - June 2016 - 2nd Council	\$476.00
43670	2016 - June 2016 - 2nd Council	\$255.70
43671	2016 - June 2016 - 2nd Council	\$28.08
43672	2016 - June 2016 - 2nd Council	\$14,215.28
43673	2016 - June 2016 - 2nd Council	\$154.28
43674	2016 - June 2016 - 2nd Council	\$314.00
43675	2016 - June 2016 - 2nd Council	\$1,039.00
43676	2016 - June 2016 - 2nd Council	\$49.00
43677	2016 - June 2016 - 2nd Council	\$308.34
43678	2016 - June 2016 - 2nd Council	\$340.00
43679	2016 - June 2016 - 2nd Council	\$69.92
43680	2016 - June 2016 - 2nd Council	\$67.09
Totals for Financials		\$101,666.21

Payroll		
017343	2010 - Conversion - Conversion Date	\$940.04
017409	2010 - Conversion - Conversion Date	\$129.29
017776	2010 - Conversion - Conversion Date	\$2,198.38
018254	2010 - Conversion - Conversion Date	\$466.73
018952	2010 - Conversion - Conversion Date	\$427.17
019519	2010 - Conversion - Conversion Date	\$1,416.79
019941	2010 - Conversion - Conversion Date	\$92.35
21777	2014 - August 2014 - 1st Council	\$92.35
22445	2016 - April 2016 - 1st Council	\$3,742.95
22458	2016 - April 2016 - 2nd Council	\$3,506.89
22467	2016 - May 2016 - 1st Council	\$92.35
22478	2016 - May 2016 - 1st Council	\$3,417.66
22491	2016 - May 2016 - 2nd Council	\$3,330.48
22512	2016 - June 2016 - 1st Council	\$3,779.90
22523	2016 - June 2016 - 2nd Council	\$420.83
22524	2016 - June 2016 - 2nd Council	\$401.47
22525	2016 - June 2016 - 2nd Council	\$3,212.60
22527	2016 - June 2016 - 2nd Council	\$16,628.60
22529	2016 - June 2016 - 2nd Council	\$450.00
22530	2016 - June 2016 - 2nd Council	\$546.33
Totals for Payroll		\$45,293.16
Grand Totals		\$146,959.37

001-000-00-00-00	Current Expense	\$316,256.22	\$1,926,307.33	\$3,195,000.00	60.29%	\$1,268,692.67
101-000-00-00-00	City Streets	\$18,281.30	\$150,374.94	\$490,300.00	30.67%	\$339,925.06
104-000-00-00-00	Cemetery	\$9,953.33	\$21,979.78	\$38,100.00	57.69%	\$16,120.22
105-000-00-00-00	Parks Department	\$8,434.50	\$95,132.53	\$617,900.00	15.40%	\$522,767.47
107-000-00-00-00	Tourism Fund	\$0.00	\$0.00	\$5,100.00	0.00%	\$5,100.00
108-000-00-00-00	TBD	\$0.00	\$53,903.20	\$121,200.00	44.47%	\$67,296.80
120-000-00-00-00	Police Department Drug	\$0.00	\$0.00	\$1,300.00	0.00%	\$1,300.00
201-000-00-00-00	Public Safety Bldg Ligo Debt	\$0.00	\$22,696.25	\$95,700.00	23.72%	\$73,003.75
320-000-00-00-00	Transportation Impact	\$3,472.07	\$7,712.93	\$1,315,000.00	0.59%	\$1,307,287.07
401-000-00-00-00	Water	\$70,452.91	\$468,304.49	\$2,482,800.00	18.86%	\$2,014,495.51
408-000-00-00-00	Wastewater	\$570,578.19	\$1,408,031.55	\$4,923,000.00	28.60%	\$3,514,968.45
410-000-00-00-00	Stormwater	\$43,040.11	\$334,024.27	\$1,171,900.00	28.50%	\$837,875.73
412-000-00-00-00	Utility Land Acquisition	\$0.00	\$0.00	\$1,162,300.00	0.00%	\$1,162,300.00
631-000-00-00-00	Payroll Fund	\$0.00	\$0.00	\$0.00		\$0.00
632-000-00-00-00	Claims Fund	\$0.00	\$0.00	\$0.00		\$0.00
633-000-00-00-00	Treasurer's Trust	\$10,102.47	\$42,461.90	\$0.00		(\$42,461.90)
634-000-00-00-00	Customer Deposits	\$2,850.00	\$10,050.00	\$0.00		(\$10,050.00)
635-000-00-00-00	Transportation Benefit District	\$0.00	\$0.00	\$0.00		\$0.00
701-000-00-00-00	Cemetery Perpetual Fund	\$0.00	\$0.00	\$0.00		\$0.00
704-000-00-00-00	Skinner Estate Fund	\$0.00	\$0.00	\$4,000.00	0.00%	\$4,000.00
	Grand Totals	\$1,053,421.10	\$4,540,979.17	\$15,623,600.00	29.06%	\$11,082,620.83



**City Of Orting
Council Agenda Summary Sheet**

AB16-62 SUBJECT: Appointment of Planning Commissioner.	Agenda Item #:	AB16-62
	For Agenda of:	7/13/16
	Department:	Council
	Date Submitted:	7/6/16

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: <i>90 days from resignation</i>	
Finance Director, (Vacant)		BARS:	
Police Chief, Bill Drake		Fiscal Note: <i>N/A</i>	
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 checked="" type="checkbox"/> Councilmember <input type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: None
SUMMARY STATEMENT: <i>There is currently a vacancy on the Planning Commission.</i> <i>Per the City Code:</i> There is hereby created, in accordance with Revised Code of Washington 35A.63, a planning commission for the city which will consist of seven (7) members, two (2) of whom may be nonresident owners of real property within the city, to be appointed by the mayor with the consent of the council. (Ord. 783, 1-8-2004)
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: <i>N/A</i>
RECOMMENDED ACTION: Motion- to approve the appointment by the Mayor and Consent by Council of Micheal L'Italient as Planning Commissioner.

PLANNING COMMISSION VACANCY

The City of Orting is seeking applicants for the Planning Commission to fill an unexpired four-year term. The term for this position will commence when filled, and will expire December 31, 2018. Members are appointed by the Mayor and confirmed by the City Council.

The Planning Commission consists of seven (7) members. The Planning Commission's role is to promote and coordinate comprehensive long-range planning, growth-management, transportation, and environmental protection. The Planning Commission upholds and approves all Architectural Designs for various types of building and signage. Commission recommendations are on land use issues and Municipal Code changes and forwarded to the Council for its consideration, whether a recommendation to approve or deny.

If you are interested in volunteering to be on the City of Orting Planning Commission, please submit a Commission Application a resume and a letter of interest to City of Orting, Attn: City Clerk, 110 Train St. SE, PO Box 489, Orting, WA 98360; or by email to jmontgomery@cityoforting.org To be considered for this position applications need to be received by 4:00 p.m. on June 15, 2016.

Posted: May 26th

Letter of Interest

June 03, 2016

I, Micheal L'Italien, am interested in filling the vacancy with the City of Orting's planning commission. I am a resident of the City of Orting and a registered voter. I have attended planning commission meetings in the past and feel that I would fit well with the current members and could provide valuable input on the direction of this great city.

Currently, I work full time as a Physician Assistant with the Franciscan Medical Group. I have degrees in Kinesiology and Physician Assistant studies. I have also served 4 years in the United States Army where I made the rank of Sergeant and deployed in support of Operation Iraqi Freedom.

Thank you for taking the time to review my letter of interest.

Sincerely,

Micheal L'Italien

Micheal L'Italien

404 Factory St SE • Orting, WA 98360

Education

Emory University, School of Medicine, Atlanta, GA
Master of Medical Science, Physician Assistant Program

August 2013-December 2015

Arizona State University, School of Nutrition and Health Innovations, Tempe, AZ
Bachelor of Science, Kinesiology

May 2010 - May 2013

Work Experience

CHI Franciscan Medical Group – Tacoma, WA February 2016 – Present
Physician Assistant Internal Medicine

- Carries out and reviews patient's medical history
- Performs physical examination on patients and checks their health status
- Orders diagnostic tests, including blood tests and x-rays and interprets the results
- Establishes diagnoses for a patient's illness or injuries
- Provides treatment, including antibiotics, pain management and chronic disease management
- Provides counseling and education to patients and their families
- Prescribes needed medications
- Takes records of patient's progress and makes adjustments to care plan

United States Army - Fort Polk, LA/Iraq

September 2008 – May 2010

Healthcare Supervisor (Army Medical Sergeant)

- Maintained and supervised paraprofessional medical service activities.
- Provided emergency medical treatment and limited primary care.
- Assisted with inpatient and outpatient care and treatment for over 1,000 personnel assigned to organization.
- Ensured that 500,000 dollars in equipment assigned was operational according to medical maintenance regulations.
- Trained over 750 personnel in Basic Combat Life Support. Maintained accountability for the clinic and all narcotics.

United States Army - Fort Polk, LA/Iraq

June 2006 – September 2008

Healthcare Specialist (Army Combat Medic)

- Administered emergency medical treatment to battlefield casualties, assisted with patient care and treatment under the supervision of a primary care physician.
- Performed medical examinations, took and recorded vital signs, applied and removed dressings, prepared specimens for analysis, and administered immunizations.
- Triageed mass casualties to determine emergency treatment.
- Upheld immunization records and medical files for the 500 personnel assigned to the organization.

Certifications & Licensing

- Advanced Cardiac Life Support (Expires: 08/2016)
- American Heart Association CPR (Expires: 08/2016)

Computer Skills

- Proficient in Epic EMR, coding, computer charting and data entry, Microsoft Suite, and statistical software.

Professional Memberships

- American Academy of Physician Assistants, member since August 2013
- Washington Academy of Physician Assistants, member since January 2014

References Available Upon Request



Commission Application

City of Orting - Office of the City Clerk
PO Box 489-110 Train St., Orting, WA 98360
Phone: (360) 893-2219 - Fax: (360) 893-6809
www.cityoforting.org

FOR CITY CLERK USE ONLY:

RECEIVED

JUN 08 2016

CITY OF ORTING

Name: Michael L'Italian Date: 6/8/16

Mailing Address: PO Box 2111 Orting WA 98360

Phone: [REDACTED] Alt. Phone: [REDACTED]

Best time to contact you: 8a - 8p Email Address: [REDACTED]

How long at Residence: 2 months

Commission desired: 1.) Planning Commission
2.) [REDACTED]

Reason you are interested in serving: [REDACTED]

Very interested in local politics and city planning. I want input on the city in which I raise my children.

Previous community activities: [REDACTED]

None

Applicable education, occupational, and specialized experience: Masters degree of Physician Assistant Studies; Bachelors Science of Kinesiology; US Army SERGEANT

Commissions make recommendations regarding monetary expenditures and/or benefits to certain areas of the Community.

1.) Can you foresee possible conflicts of interest with any of your current employment or civic positions: NO

2.) When making these recommendations do you feel you could be impartial and base your decision on the overall need and benefit of the Community: Yes

Are there any days or evenings you are unavailable to meet?: There are 2 days that I would have to leave meeting early due to work schedule.

[Signature] 6/8/16
Signature of Applicant Date

Please return completed form and any additional information to:
City of Orting - Attn: City Clerk, 110 Train St. SE, PO Box 489, Orting, WA 98360
For more information, please call (360)893-2219

planning commission schedule



**City Of Orting
Council Agenda Summary Sheet**

AB16-63 SUBJECT: Selection of Candidate to fill the unexpired term of Council Position #3.	Agenda Item #:	AB16-63
	For Agenda of:	7/13/16
	Department:	Council
	Date Submitted:	7/6/16

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: 90 days from resignation of Councilmember	
Finance Director, (Vacant)		BARS:	
Police Chief, Bill Drake		Fiscal Note: N/A	
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 checked="" type="checkbox"/> Councilmember <input type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: None
<p>SUMMARY STATEMENT: Deputy Mayor William Birkes submitted his resignation to Mayor Pestinger on May 26, 2016.</p> <p><i>Per the City Council Rules of Procedure:</i></p> <p>8.1 Notice of Vacancy: If a Council vacancy occurs, the Deputy Mayor will take the lead with the assistances of two councilmembers and guide the Council through the procedures as outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available, until an election is held, the Council will widely distribute and publish a notice of the vacancy, procedure, deadline for applying for the position and the date of the interview.</p> <p><i>Deputy Mayor Ford is leading the process for the appointment to this position. Deputy Mayor Ford provided each Councilmember the applicant information, and each Councilmember will be asking applicants 2 questions.</i></p> <p><i>Deputy Mayor Ford provided Council the procedure that will be followed during the meeting and applicants were informed prior to the meeting of the interview process.</i></p>
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A
RECOMMENDED ACTION: Motion- Move to approve _____ as Councilmember to fill the unexpired term of position #3.

RCW 42.12.070

Filling nonpartisan vacancies.

A vacancy on an elected nonpartisan governing body of a special purpose district where property ownership is not a qualification to vote, a town, or a city other than a first-class city or a charter code city, shall be filled as follows unless the provisions of law relating to the special district, town, or city provide otherwise:

(1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.

(2) Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.

(3) If less than two members of a governing body remain in office, the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person or persons to the governing body until the governing body has two members.

(4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy.

(5) If the county legislative authority of the county fails to appoint a qualified person within one hundred eighty days of the occurrence of the vacancy, the county legislative authority or the remaining members of the governing body of the city, town, or special district may petition the governor to appoint a qualified person to fill the vacancy. The governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the governor fills the vacancy the county legislative authority has not appointed a qualified person to fill the vacancy.

(6) As provided in chapter 29A.24 RCW, each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.

[2013 c 11 § 89; 2011 c 349 § 28; 1994 c 223 § 1.]

COUNCIL RULES OF PROCEDURE

8. Filling Council Vacancies and Selecting Deputy Mayor

8.1 Notice of Vacancy: If a Council vacancy occurs, the Deputy Mayor will take the lead with the assistances of two councilmembers and guide the Council through the procedures as outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available, until an election is held, the Council will widely distribute and publish a notice of the vacancy, procedure, deadline for applying for the position and the date of the interview.

8.2 Application Procedure: Each applicant will submit a written request to the Deputy Mayor prior to the posted deadline.

8.3 Interview Process: All candidates who submit an application by the deadline will be interviewed by the Council during a regular or special Council meeting. The order of the interviews will be determined by a drawing of names. Applicants will be asked to answer questions posed by each Councilmember during the interview process. Each candidate will be allowed two minutes for opening and closing comments. Candidates may not make comments or responses about other applicants.

8.4 Selection of Councilmember: The Council may recess into executive session to discuss the qualifications of all candidates. Nominations via a motion, voting and selection of a person to fill the vacancy will be conducted during an open public meeting. If no motion is made, none of the candidates shall be selected.

The City Administrator will prepare the Oath of Office and swear in any newly-appointed Councilmember. The new Councilmember will immediately take his/her seat with the Council.

8.5 Selecting Deputy Mayor: The Deputy Mayor will be selected by a majority of the Councilmembers annually beginning in September and concluding in October. Outgoing Deputy Mayor will solicit two other councilmembers to nominate a candidate for his/her replacement for a full council vote.—See 3.9 B.



**City Of Orting
Council Agenda Summary Sheet**

AB16-64 1. SUBJECT: No. 2016-64- Preliminary Plat for the Bridgewater Subdivision	Agenda Item #:	AB16-64
	For Agenda of:	7/13/2016
	Department:	Public Works
	Date Submitted:	7/8/2016

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, Charlotte Archer		Unexpended Balance:	<u>\$0</u>
City Clerk, Jane Montgomery		Timeline:	
City Treasurer, Scott Larson			
Police Chief, Bill Drake		BARS:	
Public Works, Dean Kaelin		Fiscal Note:	
Recreation and Parks, Beckie Meek			
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford	X		
BHC Consultants, Roger Wagoner	X		
Agenda Placement: <input type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input checked="" type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator			

Attachments: Planning Commission Recommendation to City Council
SUMMARY STATEMENT: The proposed subdivision would create 35 lots for the construction of detached single family residences. The average lot size would be 6,619 square feet. Two tracts totaling 21,256 square feet in area would be private parks for homeowner use. One flag lot would be created. Access to the lots would be via a 50 foot wide public street looping and connecting to Calistoga Avenue. The street would feature sidewalks and all utilities. A Shoreline Variance is required to comply with the Orting Shoreline Master Program. The existing barn on the property is proposed to be demolished.
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Planning Commission Recommends Approval
RECOMMENDED ACTION: MOTION to approve the Preliminary Plat for the Bridgewater Subdivision

CITY OF ORTING
PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL
Bridgewater Preliminary Subdivision (PP2016-01)

Applicant/owner: American Concrete, Inc.
3106 A Sumner-Tapps Hwy. E
Lake Tapps, Washington 98391
ATTN: Eric Corliss, (253) 826-5003

Applicant Engineer: Apex Engineering, PLLC
2601 South 35th, Suite 200
Tacoma, Washington 98409
ATTN: Geoff Sherwin, P.E. (253) 473-4494

Property Location:

The subject property is located on the north side of Calistoga Avenue West, adjacent to the Puyallup River Calistoga Setback Levee at 801 Calistoga Avenue West. The tax parcel number is 0519311093. It is a portion of the NE ¼ of Section 31, Township 19N, Range 5E of the W.M.

Parcel Size:

The subject parcel size is 7.5 Acres.

Description of Proposal:

The proposed subdivision would create 35 lots for the construction of detached single family residences. The average lot size would be 6,619 square feet. Two tracts totaling 21,256 square feet in area would be private parks for homeowner use. One flag lot would be created. Access to the lots would be via a 50 foot wide public street looping and connecting to Calistoga Avenue. The street would feature sidewalks and all utilities. A Shoreline Variance is required to comply with the Orting Shoreline Master Program. The existing barn on the property is proposed to be demolished.

Zoning:

Residential Multi-Family (RMF)

Existing Use:

Vacant

Environmental Determination:

A SEPA Determination of Non-Significance (DNS) was issued on March 17th, 2016 and mailed to affected agencies based on the revised SEPA checklist and supporting documents submitted by the applicant February 26, 2016. A Notice of the DNS was published in the Puyallup Herald on March 19th, 2016.

Preliminary Plat Approval Criteria:

The application shall be reviewed in accordance with Orting Municipal Code (OMC) Title 12, Chapter 4 (Preliminary Subdivisions - Plats), Chapter 8 (General Requirements for Subdivision Approval) and Title 15 (Development Code Administration).

OMC 12-5-3(A) Conformity:

The proposed subdivision must conform to OMC 12-8 “General Requirements for Subdivision Approval”, and OMC Title 15 “Consolidated Application Process”.

OMC 12-8-1:

A. Land Use Controls:

The proposed subdivision conforms to applicable zoning ordinances and existing land use controls. Proposed lot sizes and setbacks meet the minimum requirement for the Residential Multi-Family (RMF) Zone and the Shoreline Master Program. An administrative approval of the Shoreline Variance will be made. The subdivision may be in conflict with the Comprehensive Plan POL T4: “Develop the local street system to ensure connectivity between adjacent developments, and provide connections to arterials from neighborhood collectors. The subdivision proposes one entrance/exit on Calistoga St. W but no east side connection with the future vacant property.

B. “Dedications; Generally”:

To be completed with final plat.

C. “Dedication of potential street access tract

At Final Plat approval.

D. “Release From Damages”:

Preliminary plat complies with this provision.

E. “Flood, Inundation Or Swamp Conditions”:

No portion of the project lies within the floodway. A portion of the project lies within the 100 year flood plain, and construction and infrastructure elevations shall be mitigated per City, state, and federal guidelines, and requirements in accordance with the Shoreline Variance approval to be completed. The City has consulted with the Washington State Department of Ecology regarding the existing conditions as modified by the recent construction of the Calistoga Set Back Levee. Ground disturbances, building setbacks and vegetation shall be in accordance with the Shoreline Master Program. Correspondence pertaining to that consultation is attached to this report.

F. "Bonds":

To be completed prior to recording of final plat.

OMC 12-8-2: "Certificate to Accompany Final Plat":

To be completed with final plat.

OMC 12-8-3: "General Requirements for Filing Plat":

To be completed with final plat.

OMC 12-8-4: "Compliance with Public Works Standards":

Complies, or will be addressed during the review of construction plans for infrastructure improvements.

OMC 15-4-1 "Procedures for Processing Permit Applications":

The proposal is a Type 4 process requiring a Planning Commission open record hearing and recommendation to the City Council, which will hold a closed record hearing prior to any approval action.

OMC 15-5-1 "Application"

Preliminary plat application complies with this provision.

OMC 15-5-2 "Pre-application Meetings":

Preliminary plat application complies with this provision. A Pre-application meeting was held on October 1, 2015, with follow up meetings on March 8, 2016, and April 21, 2016.

OMC 15-5-3 "Contents of Application":

Preliminary plat application complies with this provision. In addition to the SEPA checklist, the application included a Traffic Impact Analysis prepared by Heath & Associates, Inc. dated September 2015, and Geotechnical Engineering Report by South Sound Geotechnical Consulting, dated October 8, 2015.

OMC 15-5-4 "Letter of Completeness":

Preliminary plat application complies with this provision. Letter of Completeness was issued on March 15, 2016.

OMC 15-5-5 "Technical Review Committee":

Preliminary plat application complies with this provision. Technical review meeting was held on January 5, 2016. Attendees were: Mark Bethune, City Administrator; Rachel Pitzel, City Clerk; Dean Kaelin, Public Works Director; JC Hungerford, City Engineer; Roger Wagoner and Abby Webber, City Planners; Marci Shepard, Orting School District Superintendent; and Brian Harmon, Puget Sound Energy.

OMC 15-5-6 "Environmental Review":

Preliminary plat application complies with this provision. A DNS was issued on March 17, 2016.

OMC 15-6 "Impact Fees":

Traffic, School, and Park impact fees will be levied per City ordinance.

OMC 15-7-1 "Development Application":

Preliminary plat application complies with this provision. A Notice of Development Application was published in the The News Tribune on 6/16/16 and 6/23/16, and posted on the subject property and at City Hall. The notice was mailed to property owners within 500 feet of the parcel on 6/14/16. The notice complied with all provisions of OMC 15-7-1.

OMC 15-7-2 "Administrative Approval":

Administrative approval of the shoreline variance permit will be made in accordance with this section of the OMC.

OMC 15-7-3 "Public Hearing":

A Notice of Public Hearing will be published in the The News Tribune on 6/16/16 and posted on the subject property and at City Hall. Copies of the notice will be mailed to all property owners of record within 500 feet of the subject property on 6/14/16. The Planning Commission held the public hearing on July 7, 2016. Staff responded to Commission questions on the report. Updated design plans were submitted for the record. The applicant presented the proposal and engaged in a discussion with Commissioners regarding the staff report and Commissioners questions. A number of public comments were made regarding traffic and access, stormwater and flooding, the Whitehawk Southwest Extension, and shoreline management. Following the hearing, the Commission voted to recommend approval of the preliminary subdivision with the added recommendation that a "stub" road be extended to the north property line. Minutes of hearing are provided separately.

OMC 15-7-4 and 15-7-5:

Not applicable.

Conclusions and Recommendations:

A. Whitehawk Boulevard Extension

The subject site has been identified for the eventual extension of Whitehawk Boulevard from its current ending at Calistoga Avenue, in order to divert through-traffic from SR 162 (Washington Avenue) away from the downtown area. The alignment was selected after an extensive engineering analysis and information process in 2007 and 2008. Six alternatives were studied and the City Council selected the preferred alignment after a public hearing on November 25, 2008. Engineering design plans have been completed at the 90% level. The Whitehawk Extension is included in the Orting Transportation Plan, the Comprehensive Plan Transportation Element, and the Six-Year Transportation Improvement Plan (TIP). However, funding for the project has not been allocated. In response to this Bridgewater preliminary plat proposal, the City Council held a public hearing on the Whitehawk Extension on March 30, 2016, to obtain further public comments. Following that hearing, no further Council action was taken regarding the Whitehawk Extension and its current alignment. Consequently, approval of the Bridgewater Preliminary Subdivision application will result in City action to either change the Whitehawk Extension alignment away from this application site, or to initiate proceedings to acquire the necessary right-of-way for the Whitehawk Extension prior to construction of the Bridgewater subdivision, which would require the applicant to redesign the subdivision.

B. Planning Commission Recommendations

The following recommendations are made in conformance with existing federal and state laws, the Orting Municipal Code and other applicable codes, the City of Orting Comprehensive Plan and Shoreline Master Program, Pierce County Planning Policies, and technical input from consulting professionals and the City of Orting Staff. The staff has concluded that the proposed development meets the approval criteria for Preliminary Subdivisions (OMC 12-5-3) and recommends approval with the following conditions:

1. The applicant shall provide easements for conveyance of water and stormwater through the site as approved by the City Engineer.
2. The applicant shall provide stormwater management analysis and plans consistent with City and State standards during the design phase.
3. All erosion control, grading, street improvements, water, sanitary and storm sewer, and other public infrastructure designs shall be reviewed and approved by the City Engineer prior to the start of construction.
4. Streets dedicated to the city shall be a minimum 50' right-of-way with curb, gutter and sidewalks as specified by the City of Orting development standards.
5. The applicant shall provide traffic signs and street signs per City direction.
6. The applicant shall purchase and install street lights as approved by the City and enter into a service and maintenance agreement with Puget Sound Energy. The terms of this agreement shall be transferred to the City of Orting upon approval of the final plat documents and acceptance of the streets and utilities by bill of sale.
7. The applicant shall enter into a Developer Extension Agreement for water, sewer, and stormwater utilities subject to approval by the City attorney upon approval of the Preliminary Plat and prior to any review or construction activity associated thereof.
8. The applicant shall provide mailboxes or receptacles as specified by the Orting branch of the U.S. Post Office prior to final plat approval.
9. The applicant shall coordinate with all private utilities such as gas, power, phone, cable, etc. and shall complete underground installation thereof prior to final plat approval.
10. The applicant shall construct a six-foot wood fence along all perimeter property lines. Once the final plat is recorded, ownership and maintenance of said fence(s) shall become the responsibility of the respective lot owner(s).

11. The applicant shall pay all fees, General Facility Charges (GFCs), and any other appropriate charges prior to final plat approval.
12. School impact fees shall be paid to the Orting School District prior to issuance of any building permits.
13. Park impact fees shall be paid to the City of Orting prior to issuance of any building permits.
14. A stub road should be extended to the north property line.

OMC 12-5-3(C) Public Interest:

The proposed development will serve the public interest in the following ways:

1. "Bridgewater" will provide a natural extension of Orting's residential areas. The design of the project is consistent with existing development and amenities located in the City
2. The project is consistent with provisions of the City of Orting Comprehensive Plan except for the lack of connectivity to other future neighborhoods.
3. The stormwater management system will provide for surface water to be conveyed to an outfall into the Puyallup River through the Calistoga Levee.
4. The proposed lots and setbacks meet the minimum requirements of the Residential Multi-Family Zone, and are consistent with the goals and policies of the Comprehensive Plan.
5. The project will create no significant environmental impact beyond the temporary impacts associated with construction.

Exhibits:

1. Preliminary Plat Application
2. SEPA Environmental Checklist and Determination
3. Technical Review Committee meeting notes
4. Written public comments
5. Preliminary Plat Map with elevation and street cross sections

Planning Commission Co-Chair: _____

Date: 8 July 2016





July 7, 2016

Planning Commission Public Hearing
Bridgewater Preliminary Subdivision (PP2016-01)

Testimony Record

7:03pm – 8:03pm

Testimony given by:

Margaret & Jung San Wang – 507 Calistoga St W – letter and Mrs. Wang was present

Sam Colorossi – 404 Fairlane St SW

Teri Fischer – 608 Calistoga St W

John Fischer – 608 Calistoga St W

Frank Lindan – 801 Calistoga Ct SW

Doug Bishop – 702 Kansas St SW

Vicky Bishop – 702 Kansas St SW

Tia Hendrix – 306 Rushton Ave SW

Tracy Hart – 221 Fielding St NE

Testimony Summary:

0 Approval
0 Conditional Approval
9 Against

Comments:

(6) Traffic/ SW Connector off Whitehawk Blvd:

Wang letter; traffic is bad already, gets backed up down Calistoga and Kansas; has been a long term plan for Orting; bypass is in the Comprehensive Plan; where will the SW Connector go through to now; The connector was plan to reduce commuter and truck traffic, there will be now more traffic and the connector is really needed now; we need more access in/out of the city;

should have two (2) ways to get in/out; "I would choose safety first"; we not only have Orting residents on Calistoga, we have Graham and others who go through the city; if there is an emergency fire trucks will block the street(s) and leave no way in/out of the development; the traffic study that was done did not talk with residents who leave in the immediate area; there are no lights now and there are line-of-sight issues now at Kansas and Skinner; development impacts the traffic for the whole community; what about roundabouts.

(7) Drainage: As seen is the past new development negatively impacts drainage onto adjacent property; since the new levee, where will the flood waters be diverted? In the past, by using sand-bags, flood water were diverted to this property; Although Orting has the new levee set-back upstream there are still issues; Recommend including flood impacts to plan; sidewalks are already under water, who fixes that; we have problems now this will add to them.

(1) School Impact:

This will impact the Orting School District, have you talked to them; will there be a bus stop or a light.

(4) Barn:

Hate to see it go; Orting Historical Society does not have the funds to buy; the barn should be a historical building, fix the barn and make it a community center; the barn is cool keep it; barn is over 50 years old, part of Orting.

(1) Zoning:

Glad it is houses and not apartments.

City of Orting
Planning Commission
110 Train St. S.E.
P.O. Box 489
Orting, a 98360

July 7, 2016

Comments to the American Concrete Company Preliminary Plat

1. According to the map of the preliminary plat, submitted by the American Concrete Company, where is the proposed Southwest Connector (by-pass highway) going to be built?
2. As we all know, the reason for constructing the SW connector (by-pass highway) was to reduce the commuter and truck traffic through the City of Orting. The commuter and truck traffic presents a very high risk of accidents in residential neighborhoods and should be left at the original City Council approved location next to the levy and not through the American Concrete Co. and Wang properties. American Concrete can reconfigure their proposal to comply with the City Council Approved location.
3. The Orting City Administrator informed my wife that it is too expensive to buy the proposed planned housing property from American Concrete Co. for the SW Connector Highway (by-pass highway). What makes you think the Wang property will be any cheaper? What is the zoning of the two properties? If the two properties are zoned the same, then the square foot price of the Wang property is also too expensive.
4. We believe the American Concrete Co. had prior knowledge of the proposed highway construction, and therefore we strongly suggest the American Concrete Co. revise their proposed residential housing plat to comply with the original City Council Approved SW Corridor (by-pass) Highway.

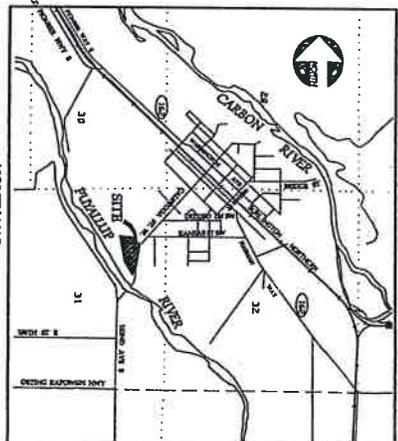
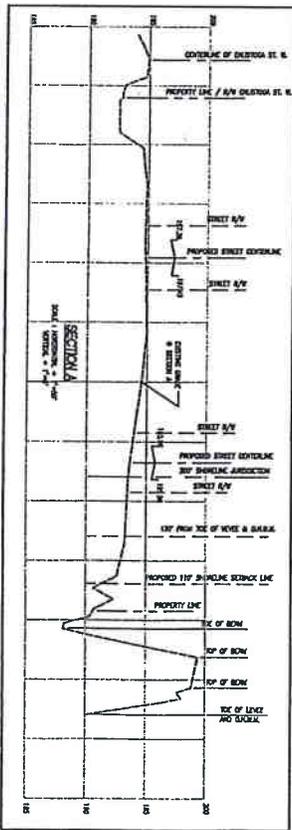
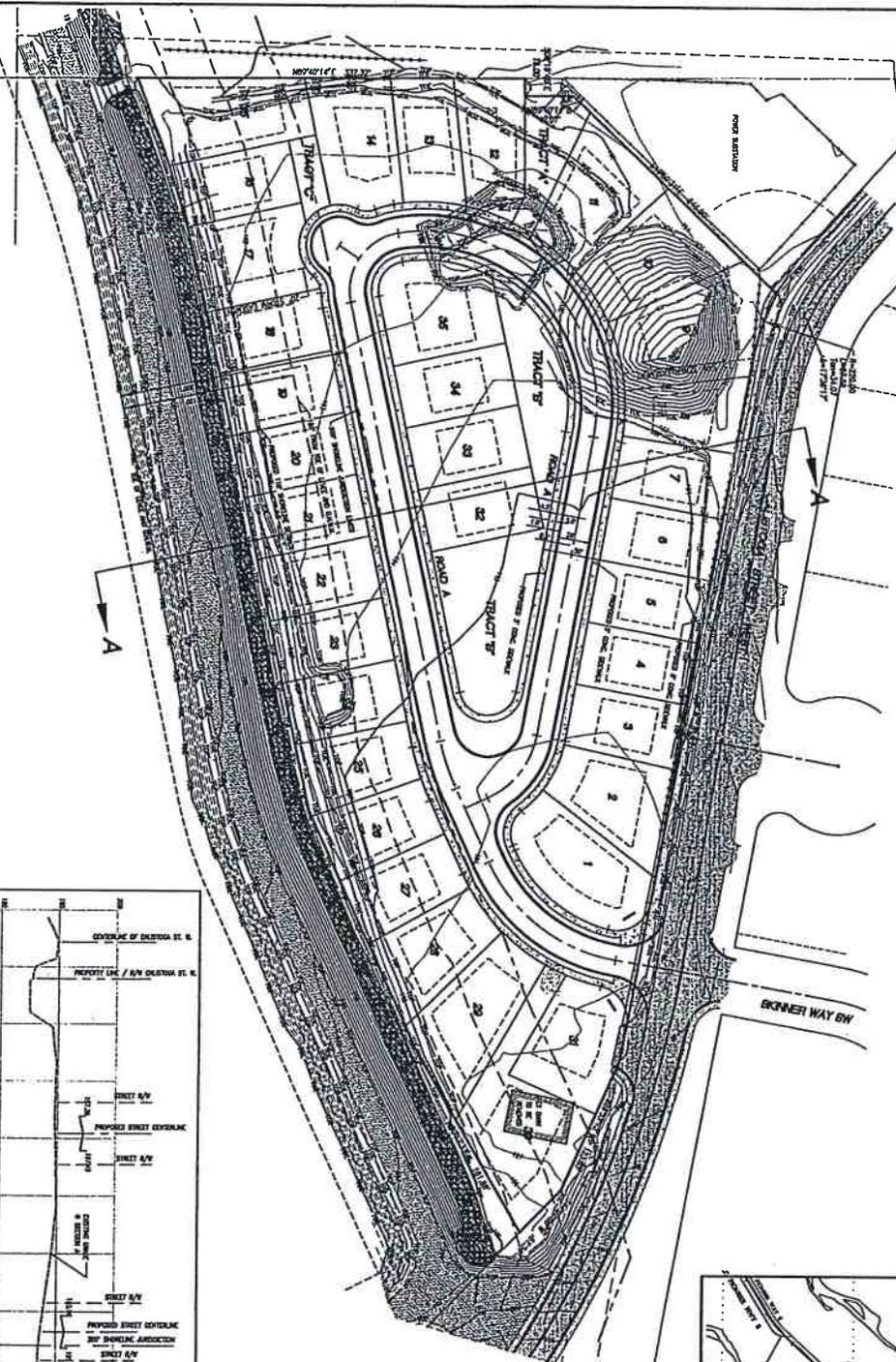
Margaret & Jung San Wang
507 Calistoga St W.
Orting, WA 360-83-2407

Jung San Wang

Margaret Wang



BRIDGEWATER
SUBSTANTIAL SHORELINE DEVELOPMENT PERMIT AND SHORELINE VARIANCE
 A PORTION OF THE SE 1/4 OF SECTION 21, TOWNSHIP 23 NORTH, RANGE 05 EAST, WAJ
 CITY OF ORTING, PENCE COUNTY, WASHINGTON



LEGAL DESCRIPTION
 THE PROPERTY DESCRIBED IN THIS PERMIT APPLICATION IS THE SE 1/4 OF SECTION 21, TOWNSHIP 23 NORTH, RANGE 05 EAST, WAJ, PENCE COUNTY, WASHINGTON. THE PROPERTY IS BEING DEVELOPED FOR RESIDENTIAL USE. THE PROPERTY IS BEING DEVELOPED IN ACCORDANCE WITH THE CITY OF ORTING, WASHINGTON SUBSTANTIAL SHORELINE DEVELOPMENT PERMIT AND SHORELINE VARIANCE.

DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
IN CHARGE	DATE
SCALE	DATE
SHEET 5 OF 5	
DATE: 12/28/08	
BY: [Signature]	

TITLE
 BRIDGEWATER
 SUBSTANTIAL SHORELINE DEVELOPMENT PERMIT
 AND SHORELINE VARIANCE

CLIENT
 AMERICAN CONCRETE, INC.
 300-A SUMNER-TAPPAN HWY E
 LAKE TAPPAN, WA 98001
 ATTN: MR ERIC COFFLES

Apex
 Engineering

2601 South 35th, Suite 200
 Tacoma, Washington 98409-7479
 (252) 473-4484 FAX: (252) 473-0599

REV. NO.	REVISION DESCRIPTION	DATE	BY



**City Of Orting
Council Agenda Summary Sheet**

AB16-65		Agenda Item #:	AB16-65
SUBJECT: Critical Areas Ordinance No. 2016-985		For Agenda of:	July 13, 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:	
City Treasurer, Scott Larson			
Police Chief, Bill Drake		BARS:	
Public Works, Dean Kaelin		Fiscal Note:	
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. First reading of the Ordinance took place on June 29, 2016.</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 Second Reading and adoption of 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

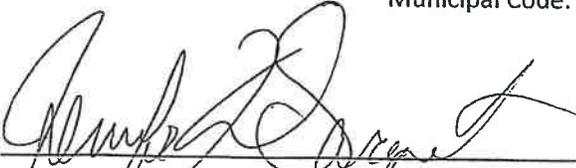
In response to previous concerns regarding the protection of wellhead buffers, wellheads are protected under the local Water System Plan and additional protection does not need to be integrated into the CAO. The existing critical aquifer recharge areas section is found to adequately designate and protect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

Geologically Hazardous Areas

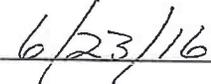
The existing geologically hazardous areas section is found to adequately designate and protect these areas.

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



Date

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2016-985**

AN ORDINANCE OF THE CITY COUNCIL 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.

FIRST READING AND APPROVAL ON JUNE 29TH, 2016

SECOND READING AND ADOPTION ON JULY 13TH, 2016.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ORTING AT A REGULAR MEETING THEREOF ON THE 13TH DAY OF JULY, 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: July 13, 2016
Ordinance No. 2016-985
Date of Publication: July 15, 2016
Effective Date: July 20, 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 habitat 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 or 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.

FF. 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. These 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 uses; 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.

**TABLE I
WETLAND BUFFER REQUIREMENTS**

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 § 15.21.010)~~

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>	16:1
<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 Department 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**

AB16-66 SUBJECT: Fleet Maintenance Contract	Agenda Item #:	AB16-66
	For Agenda of:	07/13/16
	Department:	PW and Police
	Date Submitted:	July 6, 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:	
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 type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Contract
SUMMARY STATEMENT:
<p>On November 18, 2015, the City Council made a motion for the City to move forward in the RFP process for Fleet Maintenance Services for Orting Police and the Public Works Department.</p> <p>The Schedule for the RFP was as follows:</p> <ul style="list-style-type: none"> • RFP Issued-1/5/16 • Deadline for submittals- 2/2/16 • Preliminary Selection of Vendor- 2/9/16 • Firm Notified- 2/10/16 <p><i>Korum Ford was chosen from the RFP process.</i></p> <p><i>The Contract is attached and to complete the process Council approval is required to authorize the Mayor to sign the contract with Korum Ford for Fleet Maintenance Services.</i></p>
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:
RECOMMENDED ACTION: MOTION: to authorize the Mayor to enter into a contract with Korum Ford for Fleet Maintenance Services.

B. No payment shall be made for any work rendered by the CONTRACTOR except for work identified and set forth in this Agreement.

C. The CITY shall pay the CONTRACTOR for work performed under this Agreement pursuant to Exhibit "C" of the accepted bid proposal (the bid proposal is attached hereto and by this reference incorporated herein).

D. The CONTRACTOR shall submit to the City Treasurer on forms approved by the City Treasurer, a voucher or invoice for services rendered during the pay period. The CITY shall initiate authorization for payment after receipt of said approved voucher or invoice and shall make payment to the CONTRACTOR within approximately thirty (30) days thereafter.

4. REPORTS AND INSPECTIONS.

A. The CONTRACTOR at such times and in such forms as the CITY may require, shall furnish to the CITY such statements, records, reports, data, and information as the CITY may request pertaining to matters covered by this Agreement. All of the reports, information data, and other related materials, prepared or assembled by the CONTRACTOR under this Agreement and any information relating to personal, medical and financial data will be treated as confidential insofar as is allowed by Washington State laws regarding disclosure of public information, Chapter 42.56.

B. The CONTRACTOR shall at any time during normal business hours and as often as the CITY or State Examiner may deem necessary, make available for examination all of its records and data with respect to all matters covered directly by this Agreement and shall permit the CITY or its designated authorized representative to audit and inspect other data relating to all matters covered by this Agreement. The CITY shall receive a copy of all audit reports made by the agency or firm as to the CONTRACTOR'S activities. The CITY may, at its discretion, conduct an audit at its expense, using its own or outside auditors, of the CONTRACTOR'S activities which relate directly to this Agreement.

5. INDEPENDENT CONTRACTOR RELATIONSHIP.

A. The parties intend that an independent CONTRACTOR/CITY relationship will be created by this Agreement. The CITY is interested primarily in the results to be achieved, subject to paragraphs herein, the implementation of work and/or services will lie solely with the discretion of the CONTRACTOR. No agent, employee, servant or representative of the CONTRACTOR shall be deemed to be an employee, agent, servant or representative of the CITY for any purpose, and the employees of the CONTRACTOR are not entitled to any of the benefits the CITY provides for its employees. The CONTRACTOR will be solely and entirely responsible for its acts and for the acts of its agents, employees, servants, subcontractors or representatives during the performance of this Agreement. The City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, including but not limited to FICA, FUTA, state industrial insurance, state workers compensation, or otherwise assuming the duties of an employer with respect to the CONTRACTOR or any employee of the CONTRACTOR.

B. In the performance of the work herein contemplated the CONTRACTOR is an independent contractor with the authority to control and direct the performance of the details of the work, however, the results of the work contemplated herein must meet the approval of the CITY and shall be subject to the CITY'S general rights of inspection and review to secure the satisfactory completion thereof.

6. CONTRACTOR EMPLOYEES/AGENTS

The CITY may in its sole discretion require the CONTRACTOR to remove an employee(s), agent(s) or servant(s) from employment on this Project. The CONTRACTOR may however employ that (those) individual(s) on other non-CITY related projects.

7. HOLD HARMLESS INDEMNIFICATION.

A. The CONTRACTOR shall indemnify and hold the CITY and its agents, employees, and/or officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the CITY arising out of, in connection with, or incident to the execution of this Agreement and/or the CONTRACTOR'S performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the CITY, its agents, employees, and/or officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the CONTRACTOR; and provided further, that nothing herein shall require the CONTRACTOR to hold harmless or defend the CITY, its agents, employees and/or officers from any claims arising from the sole negligence of the CITY, its agents, employees, and/or officers. The CONTRACTOR expressly agrees that the indemnification provided herein constitutes the CONTRACTOR'S waiver of immunity under Title 51 RCW. For the purposes of this Agreement. THIS WAIVER HAS BEEN MUTUALLY NEGOTIATED BY THE PARTIES. The provisions of this section shall survive the expiration or termination of this Agreement.

B. No liability shall attach to the CITY by reason of entering into this Agreement, except as expressly provided herein.

8. INSURANCE.

The CONTRACTOR shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the CONTRACTOR, their agents, representatives, employees or subcontractors.

The CONTRACTOR shall provide a Certificate of Insurance evidencing:

A. Automobile Liability insurance with limits no less than \$1,000,000 combined single limit per accident for bodily injury and property damage.

B. Commercial General Liability insurance written on an occurrence basis with limits no less than \$1,000,000 per occurrence and \$2,000,000 General Aggregate for personal injury, bodily injury and property damage.

C. Garage Liability insurance with a \$1,000,000 limit of liability and a \$3,000,000 General Aggregate for bodily injury, including personal injury or death and property damage.

D. Garage Keepers Legal Liability insurance with a limit of \$250,000.

The CITY shall be named as an additional insured on the insurance policy, with respect to work performed by or on behalf of the CONTRACTOR, and a copy of the endorsement naming the CITY as additional insured shall be attached to the Certificate of Insurance. The CITY reserves the right to request certified copies of any required policies.

The CONTRACTOR'S insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

Any payment of deductible or self-insured retention shall be the sole responsibility of the CONTRACTOR.

The CONTRACTOR shall provide the CITY with written notice of any policy cancellation within two business days of their receipt of such notice. The CONTRACTOR'S insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the CITY. Any Insurance, self-insurance, or self-insured pool coverage maintained by the CITY shall be excess of the CONTRACTOR'S insurance and shall not contribute with it.

Failure on the part of the CONTRACTOR to maintain the insurance as required shall constitute a material breach of contract, upon which the CITY may, after giving five business days' notice to the CONTRACTOR to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the CITY on demand, or at the sole discretion of the CITY, offset against funds due the CONTRACTOR from the CITY.

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

9. TREATMENT OF ASSETS.

Title to all property furnished by the CITY shall remain in the name of the CITY and the CITY shall become the owner of the work product and other documents. If any, prepared by the CONTRACTOR pursuant to this Agreement.

10. COMPLIANCE WITH LAWS.

A. The CONTRACTOR, in the performance of this Agreement, shall comply with all applicable federal, state, and local laws and ordinances, including regulations for licensing,

certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in this Agreement to assure quality of services.

B. The CONTRACTOR shall fully satisfy, and shall require any subcontractors to fully satisfy, any obligation to make industrial insurance premium payments related to the Project and required under RCW 51.12.050 and/or RCW 1.12.070.

11. NONDISCRIMINATION.

A. The CITY is an equal opportunity employer.

B. Nondiscrimination in Employment. In the performance of this Agreement, the CONTRACTOR will not discriminate against any employee or applicant for employment on the grounds of race, creed, color, national origin, sex, marital status, age or the presence of any sensory, mental or physical handicap; provided that the prohibition against discrimination in employment because of handicap shall not apply if the particular disability prevents the proper performance of the particular worker involved. The CONTRACTOR shall ensure that applicants are employed, and that employees are treated during employment without discrimination because of their race, creed, color, national origin, sex, marital status, age or the presence of any sensory, mental or physical handicap. Such action shall include, but not be limited to: employment, upgrading, demotion or transfers, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and programs for training including apprenticeships. The CONTRACTOR shall take such action with respect to this Agreement as may be required to ensure full compliance with local, state and federal laws prohibiting discrimination in employment.

C. Nondiscrimination in Services. The CONTRACTOR will not discriminate against any recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, color, national origin, sex, marital status, age, or the presence of any sensory, mental or physical handicap.

12. ASSIGNMENT / SUBCONTRACTING.

A. The CONTRACTOR shall not assign its performance under this Agreement or any portion of this Agreement without the written consent of the CITY, and it is further agreed that said consent must be sought in writing by the CONTRACTOR not less than thirty (30) days prior to the date of any proposed assignment. The CITY reserves the right to reject without cause any such assignment.

B. Any work or services assigned hereunder shall be subject to each provision of this Agreement and proper bidding procedures where applicable as set forth in local, state and/or federal statutes, ordinances and guidelines.

C. Any technical/professional service subcontract not listed in this Agreement must have express advance approval by the CITY.

13. CHANGES.

Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon the CITY unless such change or addition be in writing and signed by both parties. Such amendments shall be attached to and made part of this Agreement.

The CITY will have the right to make changes to the work provided for hereunder, within its general scope, and the contract time and for contract amount will be equitably adjusted to reflect the change. The CONTRACTOR will promptly commence and continue to perform the work as changed notwithstanding disagreement over the equitable adjustment owing therefore.

14. MAINTENANCE AND INSPECTION OF RECORDS.

A. The CONTRACTOR shall maintain books, records and documents, which sufficiently and properly reflect all direct and indirect costs related to the performance of this Agreement and shall maintain such accounting procedures and practices as may be necessary to assure proper accounting of all funds paid pursuant to this Agreement. These records shall be subject at all reasonable times to inspection, review, or audit, by the CITY, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.

B. The CONTRACTOR shall retain all books, records, documents and other material relevant to this Agreement, for six (6) years after its expiration. The CONTRACTOR agrees that the CITY or its designee shall have full access and right to examine any of said materials at all reasonable times during said period.

15. POLITICAL ACTIVITY PROHIBITED.

None of the funds, materials, property or services provided directly or indirectly under this Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.

16. PROHIBITED INTEREST.

No member, officer, or employee of the CITY shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

17. TERMINATION.

A. Termination for Convenience. The CITY may terminate this Agreement, in whole or in part, at any time, by written notice to the CONTRACTOR. In the event of termination for the convenience of the CITY, the CONTRACTOR shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The CONTRACTOR shall promptly submit a termination claim to the CITY. If the CONTRACTOR has any property in its possession belonging to the CITY, the CONTRACTOR will account for the same, and dispose of it in the manner directed by the CITY.

B. Termination for Cause. If the CONTRACTOR fails to perform in the manner called for in this Agreement, or if the CONTRACTOR fails to comply with any other provisions

of the Agreement and fails to correct such noncompliance within five (5) days written notice thereof, the CITY may terminate this Agreement for cause. Termination shall be effected by serving a notice of termination on the CONTRACTOR setting forth the manner in which the CONTRACTOR is in default. The CONTRACTOR will only be paid for services performed in accordance with the manner of performance set forth in this Agreement.

18. NOTICE.

Notice provided for in this Agreement shall be sent by certified mail to the addresses designated for the parties on the last page of this Agreement.

19. ATTORNEYS FEES AND COSTS.

If any legal proceeding is brought for the enforcement of this Agreement, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and other costs incurred in that action or proceeding.

20. JURISDICTION AND VENUE.

A. This Agreement has been and shall be construed as having been made and delivered with the State of Washington and it is agreed by each party hereto that this Agreement shall be governed by laws of the State of Washington, both as to interpretation and performance.

B. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement or any provisions thereof shall be instituted and maintained only in any of the courts of competent jurisdiction in Pierce County, Washington.

21. SEVERABILITY.

A. If, for any reason, any part, term or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

B. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Washington, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform to such statutory provisions.

22. ENTIRE AGREEMENT.

The parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination both parties recognize time is of the essence in the performance of the provisions of

this Agreement. It is also agreed by the parties that the forgiveness of the nonperformance of any provision of this Agreement does not constitute a waiver of the provisions of this Agreement.

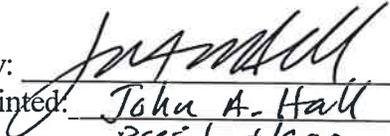
IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

CITY OF ORTING:

CONTRACTOR:

By: _____
Joachim Pestinger, Mayor

Date: _____

By: 
Printed: John A. Hall
 president/coo
Date: 6-28-16

Date: _____



**City Of Orting
Council Agenda Summary Sheet**

AB16-67 SUBJECT: Generator Maintenance: Low Bidder Approval	Agenda Item #:	AB16-67
	For Agenda of:	July 13, 2016
	Department:	Public Works
	Date Submitted:	July 7, 2016

Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger	X	Cost of Item:	<u>\$7,118.26</u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u>\$11,500</u>
City Attorney, Charlotte Archer		Unexpended Balance:	<u>\$4,381.74</u>
City Clerk, Jane Montgomery		Timeline:	
City Treasurer, Scott Larson			
Police Chief, Bill Drake		BARS: 401.534.60.48.02 , 408.535.50.48.07	
Public Works, Dean Kaelin	X	Fiscal Note: <i>enter Finance information here.</i>	
Recreation and Parks, Beckie Meek		401.534.60.48.02 – Generator Maint. budgeted for	
Municipal Court, Kaaren Woods		\$ 6,500	
Parametrix, JC Hungerford		408.535.50.48.07 – Generator Maint. budgeted for	
BHC Consultants, Roger Wagoner		\$ 5,500	
Agenda Placement: <input type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input checked="" type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Bid Sheet
SUMMARY STATEMENT:
<p>The City has 12 generators that are depended upon during power outages. They provide power to our sewer and water system as well as buildings.</p> <p>The intent of preventive generator maintenance will ensure optimum performance in the event of emergencies. The City requested bids from 5 vendors and only two made bids: Cummins NW and Pacific Power. The low bidder was Cummins NW.</p>
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Approved for recommendation by the Utility & Technology Committee July 6, 2016
RECOMMENDED ACTION: MOTION to approve the low bidder, Cummins NW, for Generator Maintenance.



City of Orting
City Council Staff Report

Date: July 7, 2016

Prepared By: Laura Hinds

Agenda Item: Generator Maintenance: Low Bidder Approval

Issue Synopsis: The City went out for bid for annual generator maintenance.

Background: The City has 12 generators that are depended upon during power outages. They provide power to our sewer and water system as well as buildings

Policy Options: Approve/deny

Analysis: The intent of preventive generator maintenance will ensure optimum performance in the event of emergencies. The City requested bids from 5 vendors and only two made bids: Cummins NW and Pacific Power. The low bidder was Cummins NW.

Fiscal Impact: Fund(s): 401.534.60.48.02 – Generator Maint. budgeted for \$ 6,500
408.535.50.48.07 – Generator Maint. budgeted for \$ 5,500

Expenditure Required: Lowest Responsible Bidder :
Cummins NW \$ 7,118.26

Amount Budgeted: \$ 11,500

Additional Appropriation Required: None

Policy Questions: N/A

Staff Recommendation: Recommend Approval

Committee Recommendation: Approved for recommendation by Utility & Technologies July 6, 2016

Attachments: *Bid Response Summary
*Generator List

**City of Orting
2016 Generator Maintenance**

Contractor	Schedule A (Loadbank Testing)	Schedule B (Annual Maintenance)	Total Schedules A + B
Pacific Power Gen	\$6,038.40	\$5,559.68	\$11,598.08
Cummins NW	\$702.00	\$5,840.52	\$6,542.52
Generator Services NW	No Response		
Tacoma Diesel	No Response		
Taurus Power	No Response		



**City Of Orting
Council Agenda Summary Sheet**

AB16-68 1. SUBJECT: No. 2016-68- A motion to Approve the placement of the Calistoga Setback Levee Project Sign provided by The Salmon Recovery Funding Board	Agenda Item #:	AB16-68
	For Agenda of:	7/13/2016
	Department:	Public Works
	Date Submitted:	7/7/2016

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, 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	X		
Municipal Court, Kaaren Woods			
Parametrix, JC Hungerford	X		
BHC Consultants, Roger Wagoner			
Agenda Placement: <input type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input checked="" type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator			

Attachments: Photos
SUMMARY STATEMENT: The Salmon Recovery Funding Board has offered to provide the City a project description sign for the Calistoga Setback Levee. This sign will be consistent with the attached photos and is proposed to be placed at the levee access gate in Calistoga Park. The exact location is shown on the attached aerial photo.
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: <i>The Utility Committee recommended approval on July 6, 2016. It was reviewed and recommended by the Parks Commission on July 6, 2016 and the Planning Commission on July 7, 2016.</i>
RECOMMENDED ACTION: MOTION to approve the placement of the Calistoga Setback Levee Project Sign provided by The Salmon Recovery Funding Board.

Greenwater River

Floodplain and Salmon Habitat Restoration Project

Salmon Recovery

Salmon are an iconic symbol of the Pacific Northwest, and their recovery is a top priority for the state and the nation. The Greenwater River Floodplain and Salmon Habitat Restoration Project is a multi-agency effort to restore the river's floodplain and improve salmon habitat. The project includes the construction of log jams, deep pools, and other habitat features. The project is a partnership between the Greenwater River Watershed Council, the Washington Department of Ecology, the Washington Department of Fish and Wildlife, and the Greenwater River Watershed Council. The project is a partnership between the Greenwater River Watershed Council, the Washington Department of Ecology, the Washington Department of Fish and Wildlife, and the Greenwater River Watershed Council.

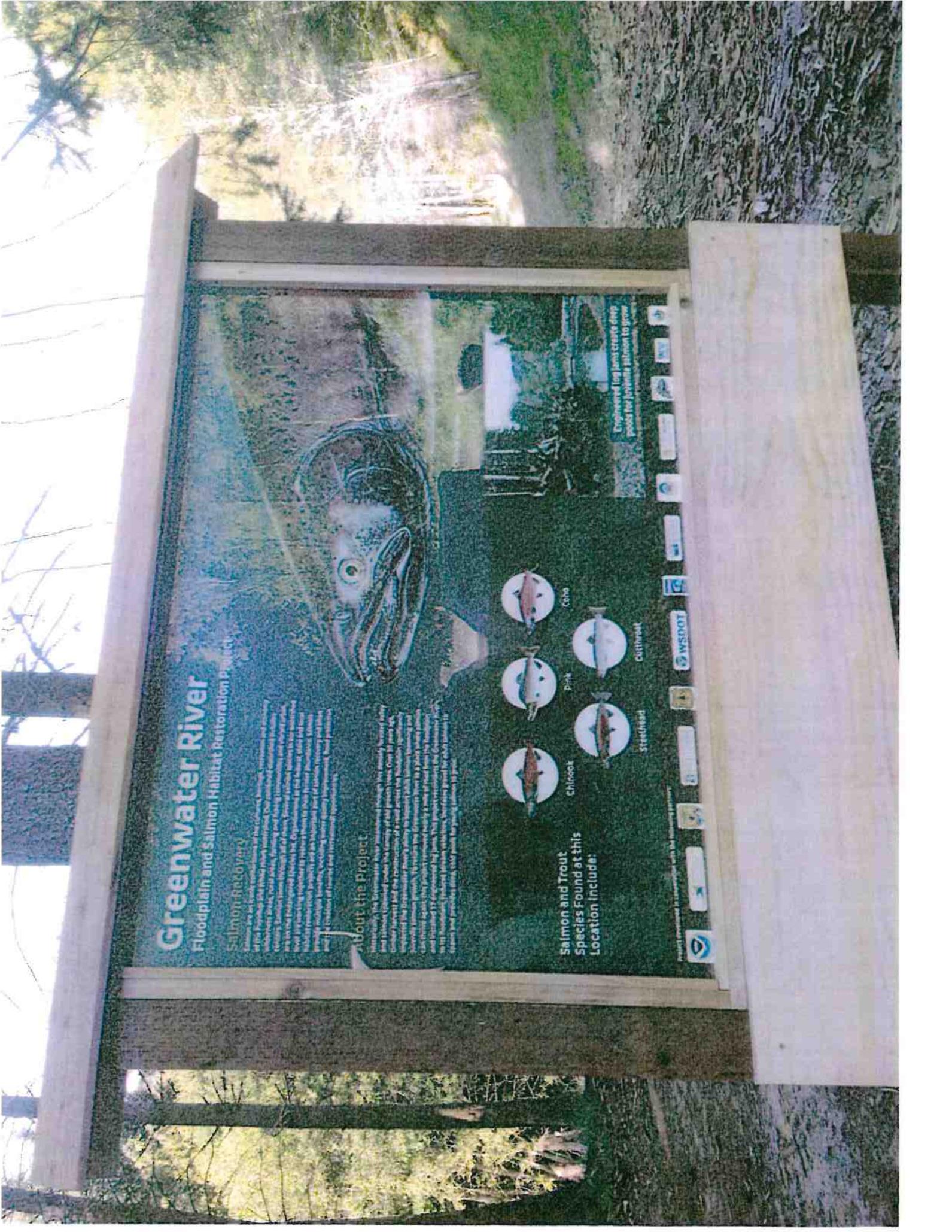
About the Project

The Greenwater River watershed has been severely impacted by logging and agriculture. The project is a partnership between the Greenwater River Watershed Council, the Washington Department of Ecology, the Washington Department of Fish and Wildlife, and the Greenwater River Watershed Council. The project is a partnership between the Greenwater River Watershed Council, the Washington Department of Ecology, the Washington Department of Fish and Wildlife, and the Greenwater River Watershed Council.

Salmon and Trout Species Found at this Location Include:



Engineered log jams create deep pools for juvenile salmon to grow









**City Of Orting
Council Agenda Summary Sheet**

AB16-69 SUBJECT: A motion to authorize the Mayor to execute a contract with attorney Joseph F. Quinn for real estate consulting services.	Agenda Item #:	AB16-69
	For Agenda of:	July 13, 2016
	Department:	Administration
	Date Submitted:	July 8, 2016

Orting Staff & Professional Representatives			
Mayor, Joachim Pestinger	X	Cost of Item:	<u>Up to \$7,200</u>
City Administrator, Mark Bethune	X	Amount Budgeted:	<u>\$35,000</u>
City Attorney, Charlotte Archer	X	Unexpended Balance:	<u>\$0</u>
City Clerk, Jane Montgomery		Timeline:	
City Treasurer, Scott Larson	X	BARS: 001.515.30.41.02	
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 type="checkbox"/> Mayor <input type="checkbox"/> Councilmember <input type="checkbox"/> Committee Chair <input checked="" type="checkbox"/> City Administrator			

Attachments: Contract SUMMARY STATEMENT: <i>The City has been approached by a potential buyer interested in purchasing the City's Public Safety Building. To effectuate an exploration of the possibility of said real estate transaction, the City intends to retain the services of attorney Joseph F. Quinn, P.S., who specializes in the negotiation and execution of real estate transactions on behalf of municipal corporations in Washington. Mr. Quinn has prepared a proposed contract, in the form of an engagement letter (attached hereto) and has estimated that his fee for this service would be \$3,600 to \$7,200.</i>
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: <i>State when item went to what committee/commission and their recommendation.</i>
RECOMMENDED ACTION: MOTION to authorize the Mayor to execute a contract with Joseph F. Quinn, P.S. for real estate consulting services in an amount up to \$7,200.

Joseph F. Quinn, P.S.

PROFESSIONAL SERVICE CORPORATION
ATTORNEY AT LAW

20 FOREST GLEN LN. SW
LAKEWOOD, WA 98498
(253) 858-3226

e-mail address: firelaw@comcast.net

Of Counsel:
Eric T.M. Quinn
Brian Snure

By email only

August 27, 2015

Honorable Mayor and City Council
City of Orting
110 Train St. SE
P.O. Box 489
Orting, WA 98360-0489

Re: Engagement Letter

This letter is to confirm our agreement to have the undersigned law firm provide legal services to the City of Orting.

First: Our representation of the client involves the following matter: Provide legal advice and counsel, including but not limited to negotiations, drafting necessary agreements or contracts, and related services pertaining to the City's Public Safety Building, between the City of Orting and Orting Valley Fire and Rescue (Pierce County Fire District 18).

Second: I will bill you monthly for legal services and costs advanced. You will be billed a reasonable charge for legal services, the principal component of which will be an hourly rate with time less than one hour calculated on a 1/10th of an hour basis. Other factors are considered in fee charges, such as the skills and experience required by the matter, the amount involved in the matter, and the time limitations imposed. You will also be billed for costs incurred such as filing fees, court reporter fees and costs, etc., if any, but not for expenses such as long distance telephone charges, bridge tolls, photocopies and fax charges, which are included in my overhead. All billings are payable upon receipt of the billing statement. I may charge the account a late payment charge of one percent (1%) per month on all amounts unpaid after thirty (30) days from the date of the statement.

Third: For services performed, my hourly time charges will be \$240.00 per hour. I review my hourly rates on at least an annual basis and these rates may be increased by a reasonable amount during the course of my representation. I do ordinarily notify clients in advance of changes in the standard rates. Some of the work may be done by one or

more of the "of counsel" attorneys who also assist me in my work. The hourly rate for Eric Quinn is currently \$175 per hour.

Fourth: Based on my discussions with City Administrator Mark Bethune, and past experience, it is difficult to estimate the fees for legal services necessary on a monthly basis as that depends on the number of documents reviewed, questions asked and any needed meetings in your area. Given the initial tasks assigned to me, my estimate is that the fees for this legal work could be approximately \$3600.00 to \$7200.00. No advance payment of fees or costs (retainer) will be necessary, due to the client's financial stability. As the work progresses, and monthly charges are incurred, we may have a better estimate of the total project cost, which may be less or more than the amounts estimated above. I will expect to be paid for the actual fees incurred and costs advanced which are necessary to complete the representation we discussed.

Fifth: The City has at all times the right to terminate my services upon written notice to that effect. I reserve the right at all times to terminate my services upon written notice. I will keep the City informed regularly of our progress in accomplishing the tasks set forth above, and if needed, I will attend Council meetings to provide my reports.

If you have any questions concerning the foregoing terms and conditions of my representation, please contact me so that we can resolve your concerns before you incur significant fees, costs or expenses.

If the foregoing terms and conditions accurately summarize and confirm your understanding of the attorney-client relationship, please indicate your approval and acceptance by dating, signing and returning an original of this letter.

Very truly yours,

Joseph F. Quinn

Approved and Accepted:

Joachim Pestinger, Mayor