

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. John Kelly
3. Michelle Gehring
4. Joachim Pestinger
5. Nicola McDonald
6. Greg Hogan
7. Scott Drennen



Mayor Joshua Penner, Chair

ORTING CITY COUNCIL

Regular Business Meeting Agenda
Orting Multi-Purpose Center
202 Washington Ave. S, Orting, WA
August 14th, 2019
7 p.m.

- 1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL.
REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.**
- 2. 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. In the case of a question, the chair will refer the matter to the appropriate administrative staff member or committee.*
- 3. REQUEST FOR CONSENT AGENDA ITEMS TO BE PULLED FOR DISCUSSION.**
- 4. CONSENT AGENDA**
 1. Regular Meeting Minutes of July 31st, 2019.
 2. Payroll and Claims Warrants.

Motion: *Move to approve Consent Agenda as prepared.*
OR
Motion: *To approve Consent Agenda with the exception of agenda item(s) #_____.*
- 5. COMMISSION REPORTS**
 - Planning Commission
- 6. OLD BUSINESS**
 - A. AB19-52- New City Hall Construction Bids.**
 - **Mark Bethune**
Motion: *To authorize the Mayor to enter into contract with Pease Construction as the low bidder for the construction of the new city hall, police station, and council/court chambers for the amount of \$5,443,750.*
- 7. NEW BUSINESS**
 - A. AB19-51-Resolution No. 2019-16-** A Resolution of the City of Orting, Washington, Authorizing the Mayor to Execute an Interlocal Agreement with the City Of Bonney Lake for On-Call Building Inspection and Plan Review Services.
 - **CM McDonald/ CM Gehring / Mark Bethune**
Motion: *To Adopt Resolution No. 2019-16, Authorizing the Mayor to Execute the Interlocal Agreement with City of Bonney Lake for On-Call Building Inspection Services.*
- 8. CLOSED SESSION**

Pursuant To RCW 42.30.140 (4) (b) Collective Bargaining.
- 9. EXECUTIVE SESSION-**RCW 42.30.110(1)(i)(iii), to discuss with legal counsel legal risks of a proposed action that the agency has identified when public discussion of the legal risks is likely to result in an adverse legal or financial consequence to the agency.
- 10. ADJOURNMENT-** **Motion:** *Move to Adjourn* .

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ORTING CITY COUNCIL Regular Business Meeting Minutes

Orting Multi-Purpose Center
202 Washington Ave. S,
Orting, WA
July 31, 2019
7p.m.

Mayor Joshua Penner, Chair

1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL.

Mayor Penner called the meeting to order at 7:00pm. Councilmember Pestinger led the pledge of allegiance.

Councilmembers Present: Deputy Mayor Greg Hogan, Councilmembers Tod Gunther, John Kelly, Michelle Gehring, Joachim Pestinger, and Scott Drennen.

Absent: Councilmember Nicola McDonald.

Staff Present: Mark Bethune, City Administrator, Jane Montgomery, City Clerk, Scott Larson, Treasurer, Charlotte Archer, City Attorney, JC Hungerford, Engineer.

Councilmember Gehring made a motion to excuse Councilmember McDonald. Second by Councilmember Kelly. Motion passed (6-0).

REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.

None

2. EMPLOYEE RECOGNITION

The following employees were selected by their supervisors and were presented certificates of appreciation by Mayor Penner.

- Jane Helgelien- Finance- Scott Larson.
- Steve Canonica- Public Works-Greg Reed.
- Ed Turner- Police-Chief Gard.

3. PUBLIC COMMENTS- Specific comments are available on the City's website (www.cityoforting.org)

Richard Mordini

Mr. Mordini spoke about the mixed use town center north property. He is in favor of the Planning Commission's recommendation. He is opposed to 5 story buildings, overcrowding in our schools and roads which increase with high density and the additional people that would move here.

Steve Reiquam

Mr. Reiquam spoke about the mixed use town center north property- In favor of Planning Commission's recommendation. More people and five story buildings are of major concern. Wants moderation.

Monica Kenney

Ms. Kenney spoke about the development of the mixed use town center north property. She is in favor of Planning Commission's recommendation.

Jason Arbogast

Mr. Arbogast spoke about development. He is a disabled Ex- law enforcement Officer who moved here two years ago. Came to Orting for the small town feel. Opposes large multifamily and commercial development.

Jessica Rakos

Ms. Rakos spoke about the mixed use town center north property and the lack of recreational activities in the City of Orting. She presented her vision of possible recreational facilities. Would like senior housing only on the property.

Lucinda Jane Werley

Ms. Werley encouraged the Council to adhere to the Planning Commission recommendations. She does not want 5 story buildings and high density. Wants to keep the five acre park. Quoted the Orting vision statement from the comprehensive plan. Preserve small town character.

Marvin Abbott

Mr. Abbott left information for the Council about Paradise California, in relation to over building and dangers associated with that. In 2014, 86 people were killed in Paradise. The gridlock was identical to Orting's current situation. Asked the Council to read his handouts.

Lisa Johnson

Ms. Johnson is a member of the SR162 group. The Lahar is her biggest concern along with traffic and housing. Does not feel citizens will get out in a Lahar. She is also disappointed because of the tiny homes that are being developed at the Washington Soldiers Home. Asked the Council to take a longer look at Planning Commission's recommendations for the mixed use town center north property.

Stephanie Lathrop, Food Bank President

Ms. Lathrop spoke from her own and the perspective of the food bank. The number of Homeless due to family's being driven out are going up and she wants to see more affordable housing. She would like Orting to be a more welcoming and inclusive community.

Joann Tracy

Ms. Tracy taught school in Orting for the past 22 years. Ms. Tracy spoke about the mixed use town center north property. She has concerns about the prospect of development and the impact to the quality of life in Orting. She wants responsible growth, and feels the Council is going against what the citizens want.

Cindi Brown

Ms. Brown read a Tacoma News Tribune article related to growth and density issues. She would like the Council to follow the Planning Commission's recommendations regarding the mixed use town center north property. Ms. Brown is opposed to five story buildings, apartments and high density building projects.

Sandy Vankirk

Ms. VanKirk currently has a lovely view of the mixed use town center north property. She is opposed to five story apartments at that location, the impact of development to our schools and the possibility of opening up Daffodil Avenue to traffic which she feels will decrease the safety of the community.

Vicky Williams

Ms. Williams felt the Council did not appreciate the Planning Commission and the work they did on the mixed use town center north property. She read a statement made by Emily Terrell which spoke about representing the interests of developers. Her concern is whether or not the City should represent its citizens. She is opposed to 50 foot buildings. Please just listen to the citizens. Take time, we only get one chance.

Corinne Reiquam

Ms. Reiquam would like the City to listen to Planning Commission. Her major concern is children being able to get out of town in the event of a Lahar. Her sister who was a teacher, left Orting because could not stomach kids perishing in a lahar. Is very concerned about adding more children whose lives would be at risk in the event of a Lahar.

SGT Dwayne Wagner

Mr. Wagner spoke about the town of Adna during the flood of 2007. He also spoke about OSO, and the devastation from natural disasters. Has concerns about the roads in and out of Orting and the

ability to get out in the event of a Lahar. He is opposed to new development which will bring more people to the community who would be in harm's way.

Patti Justus

Ms. Justus stated she can't vote because she lives right out of town. All of her family lives and plays in Orting. Her husband works in Everett and has to commute. She asked the Council to consider all the comments regarding the mixed use town center north property.

John Goodman

Mr. Goodman spoke about adding value to the community. Adding value means adding infrastructure. Asked the Council to make sure they are adding value to Orting.

Paul Ambrose

Mr. Ambrose stated he understands the predicament the Council is in relating to the decisions about the mixed use town center north property. Asked the Council to consider all the comments made at the meeting when making their decisions.

Jenny McKinney

Ms. McKinney stated she spent the last year talking with WSDOT, and they have no plan through 2040 to do anything to SR162. She stated WSDOT does not care about our town and it is up to us to make our community better.

Mary Grover

Ms. Grover stated she has lived here since 1963. She stated she attended a Planning Commission meeting on April 1st. where she heard about the Engfer property. The Planning Commission issued a challenge to her stating that there were no citizens involved in the process. Ms. Grover worked to get citizens involved. She asked the Council to follow the recommendation of the Planning Commission and listen to the people who voted for them.

Danny Hall

Ms. Hall cautioned the Council saying that there are more citizens who will be showing up, so asked them to listen and take your time.

4. CONSENT AGENDA

- A. Regular Meeting Minutes of July 10th, 2019
- B. Study Session Minutes of July 17th, 2019.
- C. Payroll and Claims Warrants.
- D. AB19-47- To Approve Saybr Contractors Inc., As The Low Bidder To Install A New HVAC System For The MPC, And Authorizing The Mayor To Enter Into A Contract With Saybr, In The Amount Of \$34,485.24.

Deputy Mayor Hogan made a motion to approve Consent Agenda as prepared. Second by Councilmember Kelly. Motion passed (6-0).

5. NEW BUSINESS

A. AB19-48- Sidewalk Removal and Replacement Bids- PW Project 2019-01 Bids.

Councilmember Drennen briefed. This project includes the removal and replacement of combined sidewalks and ADA ramps as part of the 2019 TBD program. The low bidder is Serpanok Construction, Inc. Staff recommended approval of Serpanok Construction as the low bidder in the amount of \$79,926.72.

Councilmember Drennen made a motion to Approve Serpanok Construction, Inc., as the bid winner of the Sidewalk Removal and Replacement Bid- PW Project 2019-01, and authorize the Mayor to sign the contract in the amount of \$ 79,926.72. Second by Deputy Mayor Hogan. Motion passed (6-0).

B. AB19-49-2019 TBD Project for Chip Seal/Micro Coat- PW Project 2019-05.

Councilmember Drennen briefed. This project includes 2019 Chip Seal/Micro Coat as part of the 2019 TBD program. The low bidder is Sierra Santa Fe, but the bid was over bid. The bids came in high and the City is allowed to reject the bid. Staff is recommending that an award not be made this year and that the funds roll over to 2020. No motion necessary, Council by consensus rejected the bid and will roll funds over to 2020.

6. OLD BUSINESS

A. AB19-50- CIPP- Insta Pipe- Change Order.

Administrator Bethune briefed. Council originally approved Insta-Pipe a contract value of \$169,372.26. The City budgeted \$250,000 in 2019, leaving a balance of \$80,627.74. Staff asked Council to approve a change order. There is 1041 linear of feet on Mill Avenue SE and Hardefeldt ST SE that are a continuation of the project. The change order would add that work at a price of \$74,402.64.

Councilmember Drennen made a motion to approve the change order with Insta-Pipe and authorize the expenditure of \$74,402.64. Second by Councilmember Kelly. Motion passed (6-0).

B. Discussion- For and Against Committees/Statements for Fireworks Advisory Vote.

Deputy Mayor Hogan provided the Council the Committee member's names. Council is required to approve the Committee members. The deadline for the Committee form to be submitted is August 6th, and the deadline for the explanatory statements is August 8th.

Deputy Mayor Hogan made a motion to appoint Karen Wilson, Mark Shattuck, and Barbara Ford to the "Peace in Orting" Committee who support banning the discharge of all fireworks in Orting. Second by Councilmember Pestinger. Motion passed (6-0).

Deputy Mayor Hogan made a motion to appoint Matthew LaVergne, Andrew Gonzales, and Amanda Tyson to the "Save Orting Fireworks" Committee who support leaving the law as is. Second by Councilmember Pestinger. Motion passed (6-0).

7. CLOSED SESSION

No Closed Session

8. EXECUTIVE SESSION

No Executive Session

9. ADJOURNMENT

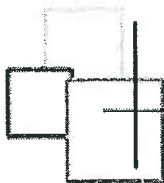
Councilmember Gunther made a motion to Adjourn. Second by Councilmember Gehring. Motion passed (6-0).

Mayor Penner adjourned the meeting at 8:20pm.

ATTEST:

Jane Montgomery, City Clerk, CMC

Joshua Penner, Mayor



Fund Transaction Summary

Transaction Type: Invoice
Fiscal: 2019 - AUGUST 2019 - 1st Council

Fund Number	Description	Amount
001	Current Expense	\$38,192.71
101	City Streets	\$2,647.38
104	Cemetery	\$13.64
105	Parks Department	\$11,144.93
303	Emergency Evacuation Bridge Fund	\$22,092.50
320	Transportation Impact	\$143.75
401	Water	\$9,628.00
408	Wastewater	\$31,652.67
410	Stormwater	\$6,344.40
412	Utility Land Acquisition	\$10,663.66
	Count: 10	\$132,523.64

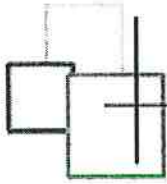


Register

Fiscal: 2019
Deposit Period: 2019 - AUGUST 2019
Check Period: 2019 - AUGUST 2019 - 1st Council

Number	Name	Print Date	Clearing Date	Amount
Key Bank	2000073			
Check				
<u>47574</u>	Anytime Fitness	8/14/2019		\$200.00
<u>47575</u>	Arrow Lumber	8/14/2019		\$572.29
<u>47576</u>	Associated Petroleum Products INC	8/14/2019		\$1,872.70
<u>47577</u>	Bethune, Mark	8/14/2019		\$52.20
<u>47578</u>	Brisco Inc.	8/14/2019		\$164.60
<u>47579</u>	Business Solutions Center	8/14/2019		\$86.33
<u>47580</u>	Cabot Dow Associates INC	8/14/2019		\$1,694.35
<u>47581</u>	Centurylink	8/14/2019		\$105.80
<u>47582</u>	CenturyLink/Qwest	8/14/2019		\$274.99
<u>47583</u>	Cintas Corporation #461	8/14/2019		\$220.08
<u>47584</u>	Comcast	8/14/2019		\$482.48
<u>47585</u>	Core & Main	8/14/2019		\$4,416.88
<u>47586</u>	Crystal & Sierra Springs	8/14/2019		\$31.27
<u>47587</u>	Culligan Seattle WA	8/14/2019		\$34.31
<u>47588</u>	Department of Retirement Systems	8/14/2019		\$1,322.52
<u>47589</u>	Drain-Pro INC	8/14/2019		\$197.32
<u>47590</u>	Enumclaw, City of	8/14/2019		\$1,625.00
<u>47591</u>	Fastenal Company	8/14/2019		\$350.83
<u>47592</u>	Ford Motor Credit Company LLC	8/14/2019		\$2,981.03
<u>47593</u>	Froehling, Antoni H	8/14/2019		\$150.00
<u>47594</u>	Frost Landscape	8/14/2019		\$5,570.20
<u>47595</u>	Inslee, Best, Doezie & Ryder, P>S	8/14/2019		\$12,134.90
<u>47596</u>	KCDA Purchasing Cooperative	8/14/2019		\$340.48
<u>47597</u>	Konica Minolta Business-Usa Inc	8/14/2019		\$187.41
<u>47598</u>	Korum Automotive Group	8/14/2019		\$278.14
<u>47599</u>	Law Offices of Matthew J Rusnak	8/14/2019		\$1,833.33
<u>47600</u>	Lewis, Jennifer	8/14/2019		\$1,360.00
<u>47601</u>	Logan Enterprises INC	8/14/2019		\$395.00
<u>47602</u>	Milo's Locksmith Company	8/14/2019		\$486.31
<u>47603</u>	Murphy-Brown, Mary	8/14/2019		\$600.00
<u>47604</u>	Nisqually Indian Tribe	8/14/2019		\$2,122.50
<u>47605</u>	North Central Laboratorie	8/14/2019		\$4,377.02
<u>47606</u>	Orting Floral/greenhouse	8/14/2019		\$90.18
<u>47607</u>	Orting Lions Community Park	8/14/2019		\$1,100.00
<u>47608</u>	P.c. Budget & Finance	8/14/2019		\$2,113.18
<u>47609</u>	Parametrix	8/14/2019		\$66,233.63

Number	Name	Print Date	Clearing Date	Amount
<u>47610</u>	Pestinger, Joachim	8/14/2019		\$19.44
<u>47611</u>	Pierce County Library System	8/14/2019		\$810.00
<u>47612</u>	Puget Sound Energy	8/14/2019		\$820.30
<u>47613</u>	Robbless's Total Security Inc.	8/14/2019		\$332.82
<u>47614</u>	SCORE	8/14/2019		\$1,980.00
<u>47615</u>	Sunnyside, City Of	8/14/2019		\$1,457.00
<u>47616</u>	The Walls Law Firm	8/14/2019		\$1,875.00
<u>47617</u>	UniFirst Corporation	8/14/2019		\$387.53
<u>47618</u>	US Bank Equipment Finance	8/14/2019		\$327.83
<u>47619</u>	Utilities Underground Location Center	8/14/2019		\$89.32
<u>47620</u>	Vermeer Northwest	8/14/2019		\$312.08
<u>47621</u>	Vision Forms LLC	8/14/2019		\$321.62
<u>47622</u>	WA Assoc of Sheriffs & Police Chief	8/14/2019		\$600.00
<u>47623</u>	Washington Bio Services INC	8/14/2019		\$275.25
<u>47624</u>	Washington Patriot Construction LLC	8/14/2019		\$6,604.28
<u>47625</u>	Water Management Lab Inc.	8/14/2019		\$161.00
<u>47626</u>	Wells Fargo Financial Leasing	8/14/2019		\$92.91
		Total	Check	\$132,523.64
		Total	2000073	\$132,523.64
		Grand Total		\$132,523.64



Custom Council Report

Vendor	Number	Invoice	Account Number	Notes	Amount
Anytime Fitness	47574	Aug2019-210	001-521-20-21-01	Gym Membership	\$200.00
				Total	\$200.00
Arrow Lumber	47575	600186-July 2019	001-514-21-48-01	HVAC Gate-Hemfir	\$6.00
			001-514-21-48-01	HVAC Gate	\$95.77
			001-575-50-48-00	Plunger-MPC	\$4.36
			101-542-30-31-00	Cable Ties-Banners	\$6.55
			101-542-30-31-02	Safety Galses	\$6.00
			101-542-30-31-02	Ear Plugs	\$14.20
			101-542-30-48-02	Propane-Crack Seal	\$9.36
			101-542-30-48-02	Sand-Crack Seal	\$80.77
			104-536-50-48-01	Hose Menders	\$13.64
			105-576-80-31-00	1/2 PVC Adapter	\$0.49
			105-576-80-31-00	Fly Ribbon-Old Shop	\$2.39
			105-576-80-31-00	Hillman Fasteners-Flower Pots	\$3.16
			105-576-80-31-00	Brass Nipple-Hose Fittings-Flower Pots	\$12.98
			105-576-80-31-00	Flexrite Hose	\$29.50
			105-576-80-31-00	Kitchen Faucet-Old Shop	\$32.78
			401-534-50-35-00	Rags-Hoe-Leaf Rake FA 1051	\$62.71
			401-534-50-48-02	Grass Seed-Well 1	\$9.28
			401-534-50-48-02	Park Irrigation	\$20.75
			401-534-50-48-02	Park Irrigation	\$26.66
			408-535-50-48-04	Valves for Reclaimed Water System	\$89.62
			408-535-60-48-04	Toilet Bplt Set-Main Park Restroom	\$3.81
			410-531-38-35-00	Staple Gun-FA 1069	\$41.51
				Total	\$572.29
Associated Petroleum Products INC	47576	1467637-IN	101-542-30-32-00	Fuel	\$173.50
			401-534-80-32-00	Fuel	\$693.96
			401-534-80-32-01	Fuel	\$62.00
			408-535-80-32-00	Fuel	\$693.96
			408-535-80-32-01	Fuel	\$13.78
			410-531-38-32-01	Fuel	\$173.50
			410-531-38-32-02	Fuel	\$62.00
				Total	\$1,872.70
Bethune, Mark	47577	Aug2019-212	001-525-60-41-04	Mileage for Hazard Mitigation Training	\$10.44

Vendor	Number	Invoice	Account Number	Notes	Amount
Bethune, Mark	47577	Aug2019-212	101-542-30-41-17	Mileage for WSDOT Training	\$41.76
				Total	\$52.20
Brisco Inc.	47578	Aug 2019-204	001-524-20-32-01	Fuel Buiding	\$50.00
			410-531-38-32-02	Fuel Storm	\$57.12
			410-531-38-32-02	Fuel Storm	\$57.48
				Total	\$164.60
Business Solutions Center	47579	107010	001-514-23-31-02	Business Cards-Buttz	\$38.24
		107062	401-534-10-31-00	Meter Reading Tickets	\$48.09
				Total	\$86.33
Cabot Dow Associates INC	47580	AFSCME-Negotiations	001-513-10-41-01	Labor Relations Services-AFSCME Contract Negotiations	\$406.64
			101-542-90-40-07	Labor Relations Services-AFSCME Contract Negotiations	\$33.89
			105-576-80-41-06	Labor Relations Services-AFSCME Contract Negotiations	\$33.89
			401-534-10-41-07	Labor Relations Services-AFSCME Contract Negotiations	\$406.65
			408-535-10-41-15	Labor Relations Services-AFSCME Contract Negotiations	\$406.64
			410-531-10-41-02	Labor Relations Services-AFSCME Contract Negotiations	\$406.64
				Total	\$1,694.35
Centurylink	47581	300550592-July 2019	001-512-50-42-00	Court Phones	\$105.80
				Total	\$105.80
CenturyLink/Qwest	47582	464B-Aug 2019	001-521-20-45-02	Cell Connection	\$116.86
		465B-Aug 2019	001-521-20-45-02	Cell Connection	\$81.86
		492B-Aug 2019	001-521-20-45-02	Cell Connection	\$76.27
				Total	\$274.99
Cintas Corporation #461	47583	4026306827	408-535-60-48-04	Cleaning of City Park Restrooms	\$220.08
				Total	\$220.08
Comcast	47584	0221105-Aug 2019	001-514-23-42-00	City Hall Internet	\$60.31
			001-524-20-31-00	City Hall Internet	\$60.31
			401-534-10-42-01	City Hall Internet	\$60.31
			408-535-10-42-01	City Hall Internet	\$60.31

Vendor	Number	Invoice	Account Number	Notes	Amount
Comcast	47584	0221113-Aug 2019	001-512-50-42-00	PSB Internet	\$48.25
			001-521-50-42-00	PSB Internet	\$192.99
				Total	\$482.48
Core & Main	47585	K808203 K968861	401-534-50-48-02	Meter Sets	\$2,717.26
			401-534-50-48-02	T10 2" CF Meter	\$1,699.62
				Total	\$4,416.88
Crystal & Sierra Springs	47586	16789927 072019	001-514-23-31-02	Water for City Hall	\$31.27
				Total	\$31.27
Culligan Seattle WA 47587		0495241	001-521-20-31-03	Water for PD	\$34.31
				Total	\$34.31
Department of Retirement Systems	47588	Non-Leoff Employer Compensation-SRO Boone	001-521-20-20-05	Non-Leoff Employer Compensation-SRO Boone	\$1,322.52
				Total	\$1,322.52
Drain-Pro INC	47589	57694 57695	408-535-60-48-04	Honey Bucket Service-Whitehawk Park	\$97.82
			408-535-60-48-04	Honey Bucket Rental-Big J'S	\$99.50
				Total	\$197.32
Enumclaw, City of	47590	05710	001-523-60-41-00	Jail Fees-July 2019	\$1,625.00
				Total	\$1,625.00
Fastenal Company	47591	WAPUY96482 WASUM57803	401-534-10-31-00	2.5" X 2" Locks	\$346.81
			408-535-50-35-00	Slot 6" Bit	\$4.02
				Total	\$350.83
Ford Motor Credit Company LLC	47592	1687221 Lease Payment #10 - 3-2018 Ford Interceptor-8487901	001-591-21-70-03	Lease Payment #10 - 3-2018 Ford Interceptor-P 8487901-1687221	\$2,341.04
			001-592-21-80-02	Lease Payment #10 - 3-2018 Ford Interceptor-I 8487901-1687221	\$639.99
				Total	\$2,981.03
Froehling, Antoni H	47593	9815-July	001-558-60-31-01	CUP 2018-1 Veterans Village Hearing	\$150.00
				Total	\$150.00
Frost Landscape	47594	12949	105-576-80-48-08	Landscape Services-July 2019	\$5,570.20
				Total	\$5,570.20
Inslee, Best, Doezie & Ryder, P>S	47595	248038	001-515-41-41-01	City Attorney Retainer	\$2,500.00
			001-515-41-41-02	City Attorney Service	\$1,611.06

Vendor	Number	Invoice	Account Number	Notes	Amount
Inslee, Best, Doezie & Ryder, P>S	47595	248038	001-515-41-41-02	City Attorney Service	\$4,256.05
			001-515-41-41-05	City Attorney Service	\$1,299.24
			001-515-41-41-06	City Attorney Service	\$779.54
			001-515-41-41-07	City Attorney Service	\$103.94
			001-521-20-41-02	City Attorney Service	\$727.57
			101-542-30-41-05	City Attorney Service	\$857.50
			Total		\$12,134.90
KCDA Purchasing Cooperative	47596	300408423	408-535-10-31-00	Trash Bags	\$340.48
			Total		\$340.48
Konica Minolta Business-Usa Inc	47597	260365235	001-521-10-40-06	Copier Lease PD	\$187.41
			Total		\$187.41
Korum Automotive Group	47598	6682674 6683186	001-521-50-48-02	Oil Change-Police Interceptor 17743	\$55.47
			001-521-50-48-02	Diagnose Electrical Issue-Speaker Repair 07 Tahoe 90423	\$222.67
			Total		\$278.14
Law Offices of Matthew J Rusnak	47599	244	001-512-50-49-01	Court Appointed Attorney -July 2019	\$1,833.33
			Total		\$1,833.33
Lewis, Jennifer	47600	AUG2019-200	001-571-20-31-34		\$1,360.00
			Total		\$1,360.00
Logan Enterprises INC	47601	17199	001-514-21-41-01	Monthly Janitorial-August	\$98.75
			001-524-20-49-02	Monthly Janitorial-August	\$19.75
			001-575-50-41-01	Monthly Janitorial-August	\$79.00
			401-534-10-31-00	Monthly Janitorial-August	\$79.00
			408-535-10-31-00	Monthly Janitorial-August	\$79.00
			410-531-38-31-00	Monthly Janitorial-August	\$39.50
			Total		\$395.00
Milo's Locksmith Company	47602	74832 74922	412-594-38-62-01	Keys for New PW Shop	\$376.41
			401-534-50-48-03	Keys	\$109.90
			Total		\$486.31
Murphy-Brown, Mary	47603	AUG2019-202	001-571-20-31-21	Dance Class-July - Aug 9th	\$600.00
			Total		\$600.00

Account	Number	Invoice	Account Number	Notes	Amount
Nisqually Indian Tribe	47604	16980	001-523-60-41-00	Jail Services-March 2019	\$1,667.50
		17238	001-523-60-41-00	Jail Services-April 2019	\$455.00
				Total	\$2,122.50
North Central Laboratorie	47605	426257	408-535-10-31-00	BOD Incubator	\$4,377.02
				Total	\$4,377.02
Orting Floral/greenhouse	47606	1476	001-571-20-31-21	Carnations for Dance Recital	\$90.18
				Total	\$90.18
Orting Lions Community Park	47607	AUG2019-201	001-571-20-31-17	Field Usage for Adult Softball	\$1,100.00
				Total	\$1,100.00
P.c. Budget & Finance	47608	CI-2726132 C-104188	001-554-30-50-01	Animal Control June 2019	\$2,113.18
				Total	\$2,113.18
Parametrix	47609	10999	001-522-50-41-03	File Review & Data Gap Assessment-	\$398.75
			001-558-60-41-01	City Hall Fuel Tanks General Development	\$608.75
			001-558-60-41-01	General Consulting	\$1,460.00
			101-542-30-41-01	General Consulting- Streets	\$680.00
			101-595-10-40-04	kansas St SW Preliminary Design- Engineering	\$680.00
			105-594-76-41-02	Calistoga Park- Project Management	\$203.75
			105-594-76-41-02	Calistoga Park-Plan Development	\$240.00
			105-594-76-41-02	Calistoga Park- Final Park Plan	\$1,812.50
			105-594-76-63-15	Gratzer Park Design-Permitting	\$1,506.25
			105-594-76-63-15	Gratzer Park Design-Design Plans & Specifications	\$1,667.50
			320-542-30-41-05	TWLTL- CM-Project Management	\$143.75
			401-534-10-41-01	General Consulting- Water	\$277.50
			401-534-10-41-16	Water System Plan Update-WSP Project Management	\$510.00
			401-534-10-41-19	General Consulting- Telemetry	\$170.00
			401-534-10-41-39	General Consulting- 178th Water Crossing	\$1,102.50
			408-535-10-41-01	General Consulting- Sewer	\$170.00
408-535-10-41-21	General Consulting- Telemetry	\$62.50			

Vendor	Number	Invoice	Account Number	Notes	Amount
Parametrix	47609	10999	408-594-35-41-15	Project Management-	\$482.50
			408-594-35-41-15	Puyallup Lift Station	
			408-594-35-41-15	Puyallup Lift Station-Permitting	\$2,648.16
			410-531-39-41-01	Puyallup Lift Station-Rehab	\$20,326.25
			410-594-31-41-43	General Consulting	\$2,642.50
			410-594-31-63-40	Calistoga ST West Improvements-Stormwater Report	\$2,027.50
			412-594-38-41-02	Kansas ST Outfall-Design	\$637.50
			412-594-38-41-02	New Public Works Building	\$612.50
			412-594-38-41-02	Advidiory - Management	\$3,070.47
			11000	303-595-10-40-01	Services PW Shop Emergency Evacuation Bridge-Preliminary Design
		Total	\$66,233.63		
Pestinger, Joachim	47610	Aug2019-211	001-511-60-41-01	Hotel Tax from AWC Conference	\$19.44
				Total	\$19.44
Pierce County Library System	47611	Invoice - 8/2/2019 2:10:45 PM	408-535-60-48-05	MPC/Library Janitorial-3rd QRT	\$810.00
				Total	\$810.00
Puget Sound Energy	47612	200019646914-Aug 2019	101-542-63-47-03	Street Lights	\$48.25
		400002466524-Aug 2019	401-534-50-47-07	New Light Pole Harman Springs	\$772.05
				Total	\$820.30
Robbless's Total Security Inc.	47613	29615	001-521-50-48-03	Repairs to PD Gate	\$332.82
				Total	\$332.82
SCORE	47614	3872	001-523-60-41-00	Jail Fees-June 2019	\$1,980.00
				Total	\$1,980.00
Sunnyside, City Of	47615	7134	001-523-60-41-00	Jail Fees-May 2019	\$1,457.00
				Total	\$1,457.00
The Walls Law Firm	47616	76-July 2019	001-515-41-41-03	Prosecuting Attorney-July 2019	\$1,875.00
				Total	\$1,875.00
UniFirst Corporation	47617	330 1545988	408-535-10-31-03	Uniform Item-Protective Services	\$147.25
		330 1550180	408-535-10-31-03	Uniform Item-Protective Services	\$159.60
		3301548088	408-535-10-31-03	Uniform Item-Protective Services	\$80.68
				Total	\$387.53

Vendor	Invoice Number	Invoice ID	Account Number	Notes	Amount
US Bank Equipment Finance	47618	391313277	001-594-14-41-04	City Hall Copier Lease	\$327.83
				Total	\$327.83
Utilities Underground Location Center	47619	9070210	401-534-60-41-00	Locates-July 2019	\$44.66
			408-535-60-41-00	Locates-July 2019	\$44.66
				Total	\$89.32
Vermeer Northwest	47620	W08539	101-542-30-48-04	Marker Lights Repair FA1078	\$15.60
			105-576-80-48-01	Marker Lights Repair FA1078	\$15.60
			401-534-50-48-04	Marker Lights Repair FA1078	\$93.62
			408-535-50-48-04	Marker Lights Repair FA1078	\$109.24
			410-531-38-48-01	Marker Lights Repair FA1078	\$78.02
				Total	\$312.08
Vision Forms LLC	47621	5486	401-534-10-31-00	Utility Bill Processing & Mailing	\$32.11
			401-534-10-42-00	Utility Bill Processing & Mailing	\$75.10
			408-535-10-31-00	Utility Bill Processing & Mailing	\$32.11
			408-535-10-42-00	Utility Bill Processing & Mailing	\$75.10
			410-531-38-31-00	Utility Bill Processing & Mailing	\$32.11
			410-531-38-42-00	Utility Bill Processing & Mailing	\$75.09
				Total	\$321.62
WA Assoc of Sheriffs & Police Chief	47622	INV028052	001-521-40-49-00	WASPC Conference	\$600.00
				Total	\$600.00
Washington Bio Services INC	47623	1044-Aug2019	001-521-50-48-02	Bio Hazard Cleaning for Police Car	\$275.25
				Total	\$275.25
Washington Patriot Construction LLC	47624	Pay Request #10 Public Works Building	412-594-38-62-01	Pay Request #10 Public Works Building	\$6,604.28
				Total	\$6,604.28

Vendor	Number	Invoice	Account Number	Notes	Amount
Water Management Lab Inc.	47625	177639	401-534-10-41-03	Lab Testing	\$161.00
				Total	\$161.00
Wells Fargo Financial Leasing	47626	5006623731	105-576-80-31-00	Public Works Copier	\$13.94
			401-534-10-31-00	Public Works Copier	\$46.46
			408-535-10-31-00	Public Works Copier	\$18.58
			410-531-38-31-00	Public Works Copier	\$13.93
				Total	\$92.91
				Grand Total	\$132,523.64



**City Of Orting
Council Agenda Summary Sheet**

Subject: New City Hall Construction Bids		Committee	Study Session	Council
	Agenda Item #:	N/A	AB19-52	AB19-52
	For Agenda of:		5.15.19	8.14.19
	Department:	Administration		
	Date Submitted:	8/2/19		
Cost of Item:		<u>\$ 5,443,750</u>		
Amount Budgeted:		<u>\$ 5,518,510</u>		
Unexpended Balance:		<u>\$ 74,760</u>		
Bars #:				
Timeline:				
Submitted By:		Bethune		
Fiscal Note:				
Attachments: Bid Recap, Budget, and Funding Forms				
SUMMARY STATEMENT:				
<p>The City received 8 bids to build the new City Hall, police station, and court/council chambers. The low bidder was Pease Construction for \$5,443,750. It is important for construction to begin as soon as possible to avoid fall rains and a rising water table.</p>				
RECOMMENDED ACTION: MOTION: To authorize the Mayor to enter into contract with Pease Construction as the low bidder for the construction of the new city hall, police station, and council/court chambers for the amount of \$5,443,750.				

POST BID RECAP

ORTING CITY HALL
CITY OF ORTING, WA

Project No. a18-021

Date: August 2, 2019

A total of Eight Bids were received for the project this morning. The following is a summary of the information received from each bidder. Alternate selection has yet to be determined. Documents provided will still need to be evaluated. Apparent low bidder is Pease Construction

1. <u>Pease Construction</u>	Base Bid with Tax:	\$5,443,750.00
	<u>Alternates</u>	
Alt. No. 1	\$xxx	
Alt. No. 2a	\$xx	
Alt. No. 2b	\$xx	
Alt. No. 3	\$xx	
Alt. No. 4a	\$xx	
Alt. No. 4b	\$xx	
	<u>Sub- Contractors</u>	
HVAC	xx	
Plumbing	xx	
Electrical	xx	
2. <u>Lincoln Construction</u>	Base Bid with Tax:	\$5,846,413.00
	<u>Alternates</u>	
Alt. No. 1	\$xxx	
Alt. No. 2a	\$xx	
Alt. No. 2b	\$xx	
Alt. No. 3	\$xx	
Alt. No. 4a	\$xx	
Alt. No. 4b	\$xx	
	<u>Sub- Contractors</u>	
HVAC	xx	
Plumbing	xx	
Electrical	xx	

3. Blew's Construction Base Bid with Tax: \$5,930,618.00

	<u>Alternates</u>
Alt. No. 1	\$xxx
Alt. No. 2a	\$xx
Alt. No. 2b	\$xx
Alt. No. 3	\$xx
Alt. No. 4a	\$xx
Alt. No. 4b	\$xx

	<u>Sub-Contractors</u>
HVAC	xx
Plumbing	xx
Electrical	xx

4. Neeley Construction Base Bid with Tax: \$6,283,657.00

	<u>Alternates</u>
Alt. No. 1	\$xxx
Alt. No. 2a	\$xx
Alt. No. 2b	\$xx
Alt. No. 3	\$xx
Alt. No. 4a	\$xx
Alt. No. 4b	\$xx

	<u>Sub-Contractors</u>
HVAC	xx
Plumbing	xx
Electrical	xx

5. Par-Tech Construction Base Bid with Tax: \$6,380,388.00

	<u>Alternates</u>
Alt. No. 1	\$xxx
Alt. No. 2a	\$xx
Alt. No. 2b	\$xx
Alt. No. 3	\$xx
Alt. No. 4a	\$xx
Alt. No. 4b	\$xx

	<u>Sub-Contractors</u>
HVAC	xx
Plumbing	xx
Electrical	xx

6. Hilger Construction Base Bid with Tax: \$6,391,240.00

Alternates

Alt. No. 1 \$xxx
Alt. No. 2a \$xx
Alt. No. 2b \$xx
Alt. No. 3 \$xx
Alt. No. 4a \$xx
Alt. No. 4b \$xx

Sub-Contractors

HVAC xx
Plumbing xx
Electrical xx

7. Sunset Pacific Construction Base Bid with Tax: \$6,426,389.00

Alternates

Alt. No. 1 \$xxx
Alt. No. 2a \$xx
Alt. No. 2b \$xx
Alt. No. 3 \$xx
Alt. No. 4a \$xx
Alt. No. 4b \$xx

Sub-Contractors

HVAC xx
Plumbing xx
Electrical xx

8. Patriot Construction Base Bid with Tax: \$7,291,278.34

Alternates

Alt. No. 1 \$xxx
Alt. No. 2a \$xx
Alt. No. 2b \$xx
Alt. No. 3 \$xx
Alt. No. 4a \$xx
Alt. No. 4b \$xx

Sub-Contractors

HVAC xx
Plumbing xx
Electrical xx

Construction of New City Hall

	<u>Revenue</u>	<u>Expenses</u>
Construction	-	5,443,750.00
Construction Contingency	-	250,000.00
City Other Costs	-	150,000.00
Architect	-	150,000.00
2019 Budget	5,500,000.00	-
Uncommitted Budget	(244,250.00)	-
2018 Architect Budget	150,000.00	
State Grant	<u>588,000.00</u>	-
Total	5,993,750.00	5,993,750.00

<u>Needed Cash Breakout</u>			
<u>Share</u>	<u>Fund</u>	<u>Cost</u>	<u>Budget</u>
60%	General	3,173,283.03	3,200,000.00
2%	Parks	99,165.09	200,000.00
2%	Streets	99,165.09	200,000.00
8%	Water	446,242.92	450,000.00
19%	Sewer	991,650.94	1,000,000.00
8%	Stormwater	<u>446,242.92</u>	<u>450,000.00</u>
100%		5,255,750.00	5,500,000.00

Construction of New City Hall

	<u>Revenue</u>	<u>Expenses</u>
Construction	-	5,443,750.00
Construction Contingency	-	250,000.00
City Other Costs	-	150,000.00
Architect	-	150,000.00
2019 Budget	5,500,000.00	-
Uncommitted Budget	(244,250.00)	-
2018 Architect Budget	150,000.00	-
State Grant	<u>588,000.00</u>	<u>-</u>
Total	5,993,750.00	5,993,750.00

60% General	3,173,283.03
2% Parks	99,165.09
2% Streets	99,165.09
8% Water	446,242.92
19% Sewer	991,650.94
8% Stormwater	446,242.92



**City Of Orting
Council Agenda Summary Sheet**

	Committee	Study Session	Council
Subject: Resolution No. 2019-16, Authorizing Mayor to Execute An Interlocal Agreement with City of Bonney Lake for On-Call Building Inspection Services	Agenda Item #:	AB19-51	AB19-51
	For Agenda of:	CGA 08.1.19	8.14.19
	Department:	City Administrator/Building Official	
	Date Submitted:	7/15/19	
	Cost of Item:		
Amount Budgeted:	<u>\$3,500.00</u>		
Unexpended Balance:	<u>None</u>		
Bars #: 001-524-20-49-00 001-524-20-49-01			
Timeline:	ASAP		
Submitted By:	City Administrator/Building Official		
Fiscal Note: This would provide the Building a back if he is out sick or if he is on vacation			
Attachments: Resolution No. 2019-16			
<p>SUMMARY STATEMENT: The City is in need of back-up Building Inspection and Plan Review Services. In the interest of contracting with another public agency for these services, the City negotiated an Interlocal Agreement with the City of Bonney Lake to assist in covering inspections and Plan reviews when needed (on-call). Enclosed is a copy of the negotiated ILA; this has not yet been approved by Bonney Lake’s City Council. The CGA Committee reviewed this at the August 1st, 2019 meeting and due to the urgency moved it on to the meeting on August 14th.</p> <p>By this Resolution, the City Council would authorize the Mayor to execute the Interlocal Agreement with the City of Bonney Lake for on-call Building Inspection and Plan Review Services.</p>			
<p>RECOMMENDED ACTION: MOTION: To Adopt Resolution No. 2019-16, Authorizing the Mayor to Execute the Interlocal Agreement with City of Bonney Lake for On-Call Building Inspection Services.</p>			

**CITY OF ORTING
WASHINGTON**

RESOLUTION NO. 2019-16

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, AUTHORIZING THE MAYOR TO
EXECUTE AN INTERLOCAL AGREEMENT WITH THE
CITY OF BONNEY LAKE FOR ON-CALL BUILDING
INSPECTION AND PLAN REVIEW SERVICES**

WHEREAS, Chapter 39.34 RCW, the Interlocal Cooperation Act, allows local governmental units to make the most efficient use of their powers by enabling them to cooperate and enter into agreements with each other for services; and

WHEREAS, the City Council for the City of Orting desires to provide the citizens with additional building inspection and plan review services through this interlocal agreement, so as to timely meet the existing demand; and

WHEREAS, the Cities of Bonney Lake and Orting mutually desire to establish a contractual relationship providing for the period use of the Bonney Lake Building Staff by the Orting on an as-needed basis; and

WHEREAS, the Orting City Council has determined to enter into an Interlocal Agreement as authorized and provided for by RCW 39.34.080 to effectuate this purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORTING AS FOLLOWS:

Section 1. Authorization. The Mayor is hereby authorized to enter into an interlocal agreement for building inspection and plan review services with the City of Bonney Lake, in the form attached hereto as Exhibit A and incorporated herein by this reference.

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

Section 3. Corrections. The City Clerk and the codifiers of this resolution are authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's errors, references, numbering, section/subsection numbers and any references thereto.

Section 4. Effective date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

**RESOLVED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE ____ DAY OF ____ 2019.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

Charlotte A. Archer
Inslee, Best, Doezie & Ryder, P.S.
City Attorney

INTERLOCAL COOPERATION AGREEMENT

Building Services

THIS INTERLOCAL AGREEMENT (“the Agreement”) is entered under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW, between the City of Orting, Washington (“Orting”) and the City of Bonney Lake, Washington (“Bonney Lake”), both municipal corporations organized under the laws of the State of Washington, to establish a contractual relationship under which Bonney Lake will avail the services of the Bonney Lake’s Building Official or Building Inspector (“Building Staff”) to the Orting on an as-needed basis.

Recitals

WHEREAS, both Orting and Bonney Lake (each a “Party” and collectively “the Parties”) are “public agencies” as defined by Chapter 39.34 RCW, and are authorized by that statute to cooperate on a basis of mutual advantage to provide for services and facilities; and

WHEREAS, the Parties mutually desire to establish a contractual relationship providing for the periodic use of Bonney Lake Building Staff by the Orting on an as-needed basis; and

WHEREAS, the Parties desire to execute this Agreement to define their respective rights, obligations, costs and liabilities;

NOW, THEREFORE, in consideration of the mutual benefits set forth herein, and other good and sufficient consideration, the receipt and sufficiency of which are mutually acknowledged, the Parties agree as follows:

Terms

Section 1. Authority and Purpose. This Agreement is executed pursuant to Chapter 39.34 RCW as a cooperative endeavor of the Parties. The purpose of this Agreement is to establish a contractual relationship providing for Orting use, on an as-needed basis, of the Bonney Lake’s Building Staff, and to set forth the Parties’ respective rights, obligations, costs and liabilities regarding this undertaking. This Agreement will be reasonably construed in furtherance of said purpose.

Section 2. Services. Bonney Lake will avail its Building Staff to provide services for and at the request and direction of Orting and within Orting’s regulatory jurisdiction subject to this section.

A. The services provided to and for Orting by Bonney Lake’s Building Staff include all responsibilities, tasks, duties and functions designated by the State Building Code (Chapter 19.27 RCW) and any applicable regulations, plans and policies of Orting, as well as any related services directed by Orting’s Mayor or his or her designee. Such services include without limitation the review and approval of project permit plans, site inspections, code enforcement, and

issuance of code interpretations. While performing said services, Building Staff shall take direction from Orting's City Administrator or authorized designee.

B. Bonney Lake represents and warrants that their Building Staff have the requisite licensing, certification, training, skill and experience necessary to provide the services offered under this Agreement. Bonney Lake's Building Staff will perform the services under this Agreement in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

C. In addition to any requirements set forth in applicable regulations, plans or policies, the following provisions apply to services for Orting:

(1) Requests for Services and Acceptance. Orting shall submit a written request to Bonney Lake for performance of services identified in this section, and Bonney Lake shall respond to a written request for said services after 3PM of the following business day of said request. The Parties agree that a written request and any response thereto may be provided via email. Requests shall be made by Orting's City Administrator or authorized designee, and any response shall be issued by Bonney Lake's City Administrator or authorized designee.

(2) Work Hours. Services performed for Orting will be those requested by Orting, subject to the availability of the Building Staff to perform such services, as determined at Bonney Lake's sole discretion. Services performed for Orting by the Building Staff, inclusive of travel time, will be during normal business hours (7:00 a.m. to 5:00 p.m.). The Parties acknowledge that the Building Staff's availability to perform services for Orting is dependent upon his or her availability, as the first priority remains with providing services to Bonney Lake.

(2) Office Space. When providing services to and for Orting, the Building Staff will operate primarily from Orting City's City Hall. Orting must provide access to an office workstation at Orting's City Hall for the Building Staff's reasonable use.

(3) Vehicle Use. To perform site inspections and other duties, the Building Staff will use a vehicle furnished and insured Orting, if available. The Building Staff must maintain a valid Washington State driver's license throughout the term of this Agreement.

(4) Tools and Equipment. Except as otherwise specified in this Agreement or as specifically authorized by Bonney Lake, the Building Staff will use Orting's tools and equipment to provide services to and for Orting.

(5) Insurance. Orting shall provide insurance, including Commercial General Liability, Auto Liability, and Workers Compensation or risk pool coverage providing same to the extent available, encompassing the Building Staff's performance of services for the Orting in the same manner as provided for Orting employees. Such coverage must commence when the Building Staff physically arrives at Orting's City Hall, must extend throughout the period of each day during which the Building Staff is providing services for Orting, and terminate at the end of the business day when the Building Staff physically departs the Orting's City Hall premises or other premises at which the Building Staff is providing services for Orting. Bonney Lake shall

provide insurance or risk pool coverage for the Building Staff encompassing all other times and activities, including without limitation the Building Staff's transportation to and from Orting.

Section 3. Costs and Payment. The services provided to Orting by the Building Staff shall be paid at the rates and in the manner set forth in this section.

A. Compensation. Orting shall reimburse Bonney Lake on a monthly basis for wages (salary plus employer-paid benefits) at the rates shown on Exhibit "A" attached hereto, plus ten-percent (10%) towards overhead for the actual hours worked.

B. Mileage Reimbursement. Separate from and additional to the compensation rates set forth in subsection (A), Orting will reimburse the Bonney Lake for the Building Staff's daily transportation between the Bonney Lake Justice and Municipal Center and the Orting City Hall at the then-current standard IRS mileage rate.

C. Invoice and Payment Procedure. Bonney Lake's Building Staff is responsible for tracking the hours worked for the Orting. Bonney Lake will submit monthly written invoices to Orting for services rendered during the preceding month. Each invoice will detail the services provided and any reimbursable mileage incurred. Orting will remit payment in full to Bonney Lake within thirty (30) days of receiving each invoice, or will be subject to the Bonney Lake's standard fees, interest and/or penalties.

D. Billing Disputes. In the event there is a dispute regarding an invoiced amount, the Parties shall make every effort to resolve such dispute by mutual agreement. In the event there is no resolution by mutual agreement, either Party may pursue any legal remedy available from a court of competent jurisdiction.

Section 4. Term. This Agreement shall be effective upon mutual execution by the Parties, and will remain effective until December 31, 2021, unless terminated earlier in accord with Section 5. The Parties may at their option renew this Agreement for one or more mutually agreed upon 1 or 2 year terms by a writing signed by both Parties.

Section 5. Termination. Either Party may terminate this Agreement with or without cause by providing the other Party with thirty (30) days written notice of its intent to terminate. Orting shall remit timely payment to Bonney Lake for all satisfactory services rendered by the Bonney Lake's Building Staff prior to the effective date of any termination or expiration of this Agreement.

Section 6. Modification. This Agreement may be modified by further written agreement approved by the legislative body of each City.

Section 7. Administration; No Separate Entity Created. The Orting Mayor and the Bonney Lake Mayor shall serve as joint administrators of this Agreement. No separate legal entity is formed hereby.

Section 8. Property Acquisition, Retention and Disposition. No joint acquisition of real or personal property is contemplated by this Agreement. Except as provided in this section, any

other real or personal property acquired by a Party will remain within the sole and exclusive ownership of that Party following the termination or expiration of this Agreement.

Section 9. Indemnification. Orting shall defend and indemnify Bonney Lake's Building Staff from and against any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the negligent performance of services pursuant to this Agreement at the request and direction of Orting by Bonney Lake's Building Staff. Such indemnity and defense shall be provided on the same terms and to the same extent as afforded to each Orting's own employees under Orting Municipal Code Chapter 1-14.

It is further specially and expressly understood that the indemnification provided herein constitutes each Party's waiver of immunity under industrial insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties.

Nothing contained in this section or this Agreement shall be construed to create a right in any third party to indemnification.

The provisions of this section shall survive the expiration or termination of this Agreement.

Section 10. Governing Law and Venue. This Agreement is governed by the laws of the State of Washington. The venue for any action arising out of this Agreement is the Superior Court for Pierce County, Washington.

Section 11. No Employment Relationship Created. The parties specifically agree that the Bonney Lake Building Staff remain Bonney Lake employees and are not employees of the Orting and as such Bonney Lake is exclusively responsible for providing all compensation, benefits, discipline and supervision with respect to the Building Staff except as expressly set forth in this Agreement.

Section 12. Notices. Notices to Orting must be sent to the following address:

**City of Orting
Attn: Mayor
PO Box 489
Orting, WA 98360**

Notices to Bonney Lake must be sent to the following address:

**City of Bonney Lake
Attn: Mayor
PO Box 7380
Bonney Lake, WA 98391**

Section 13. Duty to File Agreement with County Auditor. Prior to this Agreement's entry into force, Bonney Lake must, pursuant to RCW 39.34.040, (1) file this Agreement with the Pierce County Auditor's Office, or (2) list this Agreement by subject on Bonney Lake's internet web site.

Section 14. Integration. This document constitutes the entire agreement between the Parties, and, unless modified in writing by an amendment signed by the Parties, will be implemented exclusively as described above. All oral agreements and understandings related to the subject matter of this Agreement are superseded and null and void.

Section 15. No Third-Party Beneficiary Created. This Agreement is executed for the sole and exclusive benefit of the signatory Parties. Nothing in this Agreement, whether expressed or implied, is intended to confer any right, remedy or other entitlement upon any person other than the Parties, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third party, nor shall any provision herein give any third party any right of action against any party hereto.

Section 16. Signatory Warranty. Each signatory hereto warrants and represents that he/she has been authorized to execute this Agreement by appropriate action of the legislative body of his/her respective city.

Section 17. Execution in Counterparts. This Agreement may be executed in separate counterparts.

Section 18. Regulatory Authority Reserved. Nothing herein shall be construed as waiving, limiting or otherwise abridging in any manner regulatory authority or governmental powers of either party, which Orting and Bonney Lake hereby expressly reserve in full.

EXECUTED this 14TH day of AUGUST, 2019.

CITY OF Orting

CITY OF BONNEY LAKE

Joshua Penner, Mayor

Neil Johnson, Mayor

ATTEST/AUTHENTICATED

ATTEST/AUTHENTICATED

Jane Montgomery, City Clerk, CMC

Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM

APPROVED AS TO FORM

Charlotte A. Archer, Orting City Attorney

Kathleen Haggard, Bonney Lake City Attorney

Exhibit A Rate Schedule

City of Bonney Lake:

Position	Hourly Rate	Administrative Markup	Total Hourly Cost
Building Official	\$67.35	\$6.74	\$74.09
Building Inspector	\$45.00	\$4.50	\$49.50