

COUNCILMEMBERS

Position No.

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



**Deputy Mayor Greg Hogan,
Chair**

ORTING CITY COUNCIL

Study Session Agenda

Orting Multi-Purpose Center
202 Washington Ave. S, Orting, WA
September 18th, 2019
6pm

1. CALL MEETING TO ORDER, ROLL CALL AND PLEDGE

2. COMMITTEE REPORTS

Public Works

✚ *CM Drennen & CM Gunther*

Public Safety

✚ *CM Kelly & CM Pestinger*

Community and Government Affairs

✚ *CM McDonald & CM Gehring*

3. STAFF REPORTS

4. AGENDA ITEMS

A. AB19-46- Ordinance No. 2019-1040, an Ordinance of the City Of Orting, Washington, Relating To Land Use and Zoning; Adopting Amendments to the Comprehensive Plan.

✚ *Mark Bethune/ Roger Wagoner*

B. Discussion-Term Limits.

✚ *CM McDonald/CM Gehring*

C. AB19-58-Grant Requests.

✚ *CM McDonald/ CM Gehring*

- Chamber of Commerce/Orting Community Float
- Farmers Market
- Food Bank
- Opportunity Center, DBA The Haven
- Senior Center
- Tacoma/Orting Recovery Café

D. AB19-60- Resolution No. 2019-25, A Resolution of the City of Orting, WA, Amending The Contract With Pease Construction To Authorize A Contingency; Authorizing The Mayor and or his designee to Execute Change Orders.

✚ *Scott Larson*

E. AB19-61- Ordinance No. 2019-1050, Amending Ordinance No. 2018-1037 And Ordinance 2019-1048, Adopting The City Of Orting 2019 Budget; Providing For Appropriation And Expenditure Of Funds Received In Excess Of Estimated Revenues.

✚ *Scott Larson*

F. AB19-62- Ordinance 2019-1049, Adopting Interim Wireless Communication Facility Design Standards.

✚ *Mark Bethune*

G. AB19-63- Resolution No. 2019-17, Declaring property as surplus and authorizing disposal.

✚ *Mark Bethune*

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

Upcoming Meeting: Next Regular Meeting: September 25th, 2019, 7pm, (MPC)

H. AB19-65- Cemetery Land Surplus- Boundary Line Adjustment.

 *Mark Bethune*

I. AB19-66- Whitehawk Extension- Design and Engineering Scope and Budget.

 *CM Drennen/CM Gunther*

J. AB19-64-Appointment of Deputy Mayor – Committee Formation.

 *DM Hogan*

5. ADJOURNMENT- *Motion:* *To Adjourn.*



City of Orting Council Agenda Summary Sheet

Subject: Public Hearing on Ordinance No. 2019-1040, An Ordinance Of The City Of Orting, Washington, Relating To Land Use And Zoning; Adopting Amendments To The Comprehensive Plan.		Committee	Study Session	Council
	Agenda Item #:	N/A	AB19-46	AB19-46
	For Agenda of:		7.17.19 9.18.19	9.11.19 9.25.19
	Department:	Planning/Administration		
Date Submitted:	07/02/2019 [Revision submitted 9/6/19]			
Cost of Item:	N/A			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:	N/A			
Submitted By:	Mark Bethune, City Administrator; Roger Wagoner, Interim City Planner; Charlotte A. Archer, City Attorney			

Fiscal Note:

Attachments:

- Ex. A - Ord. No. 2019-1040 (without its attachments, as described herein);
- Ex. B: Docket Requests Received by City (from outside sources);
- Ex. C: Transportation Improvement Program Update by Parametrix;
- Ex. D: Updated Land Use and Zoning Map to re-designate the RU-L zone to RU;
- Ex. E: Planning Commission Recommendations on Comprehensive Plan Amendment Docket and corresponding Zoning Code Amendments:
 - Ex. E.1: Planning Commission’s Recommended Changes to Comprehensive Plan Text;
 - Ex. E.2: Planning Commission’s Recommended Changes to Zoning Code text;
 - Ex. E.3: Comments Received by Planning Commission from the Public on the aforementioned items.(Previously Provided)
- Ex. F: Staff Recommendations on Zoning Code Amendments;
 - Ex. F.1: M. Bethune 8.22.19
 - Ex. F.2: Public Comments Received by City Council- (Previously Provided)
- Ex. G: SEPA Checklist and other related documents

SUMMARY STATEMENT: Before the City Council for consideration are proposed amendments to the City’s Comprehensive Plan and related amendments to the zoning code, OMC Title 13.

The results of this work are Ordinance No. 2019-1040, and its attachments which are:

- (1) Transportation Improvement Program Update by Parametrix;**
- (2) Updated Land Use and Zoning Map to re-designate the RU-L zone to RU;**
- (3) Amendments to Comprehensive Plan text; and**
- (4) Amendments to OMC Title 13, zoning code.**

The Planning Commission and staff are in agreement as to 1, 2, and 3, but differ on the text of item 4.

Background: In late 2018 and early 2019, the City received requests from DR Horton and the Wang family for amendments to the City's Comprehensive Plan; the former focused on amendments to the Comprehensive Plan provisions governing the Mixed Use Town Center North zone while the latter focused on the Transportation Element to the Comprehensive Plan (copies of those requests at Ex. A hereto). Staff also proposed amendments to the Comprehensive Plan, including the Transportation Improvement Program and Land Use and Zoning, for this process.

The City has undertaken a public involvement process and provided for early and continuous public participation opportunities on the proposed amendments, including multiple Planning Commission workshops from December 2018 to July 2019 including public meetings on the Comprehensive Plan amendments on December 3, 2018, January 7, 2019, January 22, 2019, February 14, 2019, March 4, 2019, March 21, 2019, April 1, 2019 and May 6, 2019, and June 3, 2019; July 1, 2019; a public open house on April 26, 2019; a joint meeting with the Orting City Council on April 20, 2019 and a public hearing on June 18, 2019 before the Planning Commission. An environmental review of the proposed Comprehensive Plan amendments has been conducted in accordance with the requirements of the State Environmental Policy Act ("SEPA"), and a SEPA threshold determination of non-significance was issued on July 1, 2019. In accordance with WAC 365-196-630, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Commerce and to other state agencies with acknowledgement by the Department on July 2, 2019, to allow for a 60-day review and comment period.

Process for Consideration: At OMC 15-12-5, the City Council adopted the standards by which an amendment to the City's Comprehensive Plan may be made:

Comprehensive plan amendments may include, but are not limited to, policy changes; land use designation changes; level of service standard changes; addition of new analyses; addition of new elements; or other changes that are mandated by state law or determined to be in the interest of the city.

A. Initiation Of Amendment: An amendment to the comprehensive plan may be initiated by:

1. The city council requesting the planning commission to set the matter for hearing and recommendations.
2. The planning commission.
3. One or more property owners or residents by petition to the city.
4. Citizen advisory committees or organizations through a petition to the city.

B. Docketing Process: The comprehensive plan shall be amended no more frequently than annually, except that subarea plans may be adopted as amendments at any time. Amendment proposals shall be processed as follows:

1. The city shall advertise the comprehensive plan amendment docketing process, inviting the public to propose amendments. Docketing proposals shall be in the form of a letter simply stating the proposed changes. The notice shall specify the deadline for submitting proposals. The notice shall also state that the city council shall decide which proposed amendments will be carried forward during the current cycle.
2. At the close of the proposal period, the submittals shall be reviewed by the planning commission and the proposals recommended for further processing sent to the city council. This list will include proposals submitted by city departments, and boards and commissions as well as private parties.
3. The city council shall adopt a resolution directing the administrator to proceed with the selected amendments for the current cycle. Proposed amendments that are eliminated from further consideration may be resubmitted in the next cycle.

D. Staff Report: The administrator shall prepare a written report on each amendment pending before the planning commission. The report shall be transmitted to the planning commission and to the applicant before the public hearing. Each report shall contain:

1. Any factual findings pertaining to the amendment.
2. Any comments from city departments or other agencies with jurisdiction.
3. The environmental assessment, SEPA determination and/or final environmental impact statement.
4. The staff's recommendation.

E. Public Hearing By Planning Commission: The planning commission shall hold a public hearing prior to the recommendation for adoption or amendment of any comprehensive plan amendment to the city council.

F. Adoption By City Council: Amendments to the comprehensive plan shall be adopted by the city council by ordinance after a public hearing on the planning commission's recommendation.

Standards for Consideration of Proposed Amendments: Generally, in order to approve a proposed comprehensive plan amendment (if proposed by the public, staff or council), the city council shall find all of the following:

A. The amendment conforms to the requirements of the GMA, is internally consistent with the comprehensive plan, is consistent with the county-wide planning policies and is consistent with any interlocal planning agreements;

B. There is a demonstrable need for the amendment supported either by changed conditions or by new information developed by the director or the proponent;

C. The public interest will be served if the amendment is approved.

D. The amendment does not include nor facilitate illegal zoning.

Planning Commission's Recommendations:

The Planning Commission recommended approval of the following iteration of the 2019 Comprehensive Plan Amendment Docket, including the following:

1. The Transportation Improvement Program Update by Parametrix, as well as the Transportation Element of the Comprehensive Plan (attached as Ex. B) ;
2. Approval of the updated Land Use and Zoning Map to re-designate the RU-L zone to RU (attached as Ex. C);
3. Approval, with conditions, of the requested amendments to the Comprehensive Plan text and maps with respect to the MUTCN zone (attached as Exhibit E.1); and
4. Amendments to the corresponding zoning code text for the MUTCN zone (attached as Exhibit E.2).

The Planning Commission approved, with conditions, the request for consideration of a plan amendment from DR Horton, as reflected in Exhibits E.1 and E.2 hereto. The Planning Commission denied the request for consideration of a plan amendment from the Wangs, with the following caveat: the Planning Commission recommends the City Council continue to pursue the extension of Whitehawk Boulevard through to Kansas Street (the SW Connector) and asks that the City make all reasonable efforts to minimize the impact on the Wang Property.

Staff Recommendations:

Staff proposes no changes to the Planning Commission's recommendations as to:

1. The Transportation Improvement Program Update by Parametrix, as well as the Transportation Element of the Comprehensive Plan (again, attached as Ex. B) ;
2. Approval of the updated Land Use and Zoning Map to re-designate the RU-L zone to RU (again, attached as Ex. C);
3. Approval, with conditions, of the requested amendments to the Comprehensive Plan text and maps with respect to the MUTCN zone (attached as Exhibit E.1); and

Staff proposes modifications the Planning Commission's recommendations, on the following, based on the information attached hereto and for the reasons expressed therein:

4. Amendments to the corresponding zoning code text for the MUTCN zone (attached as Exhibits F.1).

The Council, within the above referenced guidelines, will consider the proposed amendments.

RECOMMENDED ACTION: Hold a public hearing on Staff's recommendations (which differ from those proposed by the Planning Commission).

FUTURE MOTION: To Adopt Ordinance 2019-1040, An Ordinance Of The City Of Orting, Washington, Adopting Amendments To The Comprehensive Plan And Corresponding Zoning Code, Adopting A Corrected Land Use Map, And Adopting The 2019 Transportation Improvement Plan.

NOTE: Per Staff's Recommendation, the Council will consider two separate Ordinances at the Study Session on 9/18 – Ordinance 2019-1040, Amending the Comprehensive Plan; and Ordinance No. 2019-XXXX, Amending OMC Title 13 (the City's Zoning Code).

Exhibit A

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2019-1040**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO LAND USE AND ZONING;
ADOPTING AMENDMENTS TO THE COMPREHENSIVE
PLAN; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, as required by the Growth Management Act (Chapter 36.70A RCW), the City adopted a comprehensive plan for the community on November 29, 2004, (the “Comprehensive Plan”), which is updated frequently; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan shall be subject to continuing evaluation and review, and amendments to the Comprehensive Plan shall be considered no more frequently than once every year; and

WHEREAS, the City Council on December 13, 2017, adopted Ordinance No.2017-1019 including amendments to the Comprehensive Plan and development regulations pursuant to state of Washington periodic review requirements; and

WHEREAS, in December 2018, the City initiated a review of the Comprehensive Plan to address plan elements that require updating, and requested amendment proposals from citizens; and

WHEREAS, in July 2018, the City determined that the adopted Land Use Map in the Comprehensive Plan contained an error in which a Residential – Low Urban Zone was depicted where none exists; and

WHEREAS, the RU-L zoned properties are property characterized as Residential Urban zoned; and

WHEREAS, as part of the 2019 Comprehensive Plan amendment process, the City prepared a detailed Transportation Improvement Plan which is a component of the proposed amended Comprehensive Plan; and

WHEREAS, DR Horton company requested a comprehensive review of the Mixed Use Town Center North zoning with a request to amend both the Comprehensive Plan Land Use Element text and the corresponding implementing zoning code: and

WHEREAS, the City has undertaken a public involvement process and provided for early and continuous public participation opportunities including multiple Planning Commission workshops from December 2018 to June 2019 including public meetings on the Comprehensive

Plan amendments on December 3, 2018, January 7, 2019, January 22, 2019, February 14, 2019, March 4, 2019, March 21, 2019, April 1, 2019 and May 6, 2019, and June 3, 2019; July 1, 2019; a public open house on April 26, 2019; a joint meeting with the Orting City Council on April 20, 2019 and a public hearing on June 18, 2019 before the Planning Commission; and

WHEREAS, in accordance with WAC 365-196-630, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Commerce and to other state agencies with acknowledgement by the Department on July 2, 2019, to allow for a 60-day review and comment period; and

WHEREAS, an environmental review of the proposed Comprehensive Plan amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (“SEPA”), and a SEPA threshold determination of non-significance was issued on July 1, 2019; and

WHEREAS, the full text of the amendments was provided to the Planning Commission, posted on the City website, and described at the aforementioned public workshops; and

WHEREAS, on July 1, 2019 the Planning Commission, after considering the public comments received and other information presented at the aforementioned public hearings and public meetings, voted to recommend the adoption of the proposed amendments to the Comprehensive Plan summarized in Exhibit A to this Ordinance to the City Council; and

WHEREAS, on July 17th, 2019 and August 21st, 2019, the City Council reviewed the Planning Commission’s recommendation; and

WHEREAS, On August 28th, held a second public hearing to take public testimony regarding the proposed amendments to the Comprehensive Plan; and

WHEREAS, having considered, among other things, the public testimony, the minutes of the Planning Commission meetings, the preliminary and final staff reports, and the Planning Commission recommendations, the City Council finds that the proposed amendments to the Comprehensive Plan are consistent with and would serve to further implement the planning goals of the adopted Comprehensive Plan and the Growth Management Act, bear a substantial relation to the public health, safety or welfare, and promote the best long term interests of the Orting community;

NOW, THEREFORE, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. Incorporation of Recitals. The above stated recitals are incorporated as though fully set forth herein.

Section 2. Adoption of Amendments to Comprehensive Plan. The City Council adopts the proposed 2019 text amendments to the Comprehensive Plan, “Exhibit A”, which is incorporated by reference herein.

Section 3. Adoption of Amendments to the Zoning Code (OMC 13-3-2 and OMC 13-3-3). The City Council adopts the proposed 2019 amendments to the Orting Zoning Code (OMC 13-3-2 and 13-3-3), “Exhibit B”, which is incorporated by reference herein.

Section 4. Adoption of a Corrected Land Use Map, Figure LU-1 2019. The City Council adopts the corrected land use map, Figure LU-1 2019, “Exhibit C”, which is incorporated by reference herein.

Section 5. Adoption of the Orting 2040 Transportation Plan. The City Council adopts the Orting 2040 Transportation Plan, “Exhibit D”, which is incorporated by reference herein. Section 7.1 of the Future Transportation Plan is amended as follows to add the following paragraph:

Within the MUTCN Zone, development shall include an extension of Daffodil Avenue as a city street with a connection to intersect with Whitehawk Boulevard and into the Orting School District Property.

Section 6. 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 7. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

FIRST READING BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 11TH, DAY OF SEPTEMBER, 2019.

ADOPTED 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

Filed with the City Clerk: 7.02.19
Passed by the City Council:
Ordinance No.2019-1040
Date of Publication:
Effective Date:

Exhibit B



11241 Slater Avenue NE, Suite 200, Kirkland, WA 98033 • Phone 425-821-3400 •

November 16, 2018

Mr. Mark Bethune
City Administrator
City of Orting
110 Train Street SE
Orting, WA 98360

Re: Mixed Use Town Center North – Comprehensive Plan Amendment Docket Request

Mr. Bethune,

D.R. Horton, on behalf of Ameri-Orting Development LLC and C&D Industrial LLC, hereby requests the City add an amendment to the Mixed Use Town Center North Comprehensive Plan Designation to the current docket request. Specifically, we are requesting the following changes to the Mixed Use Town Center North designation:

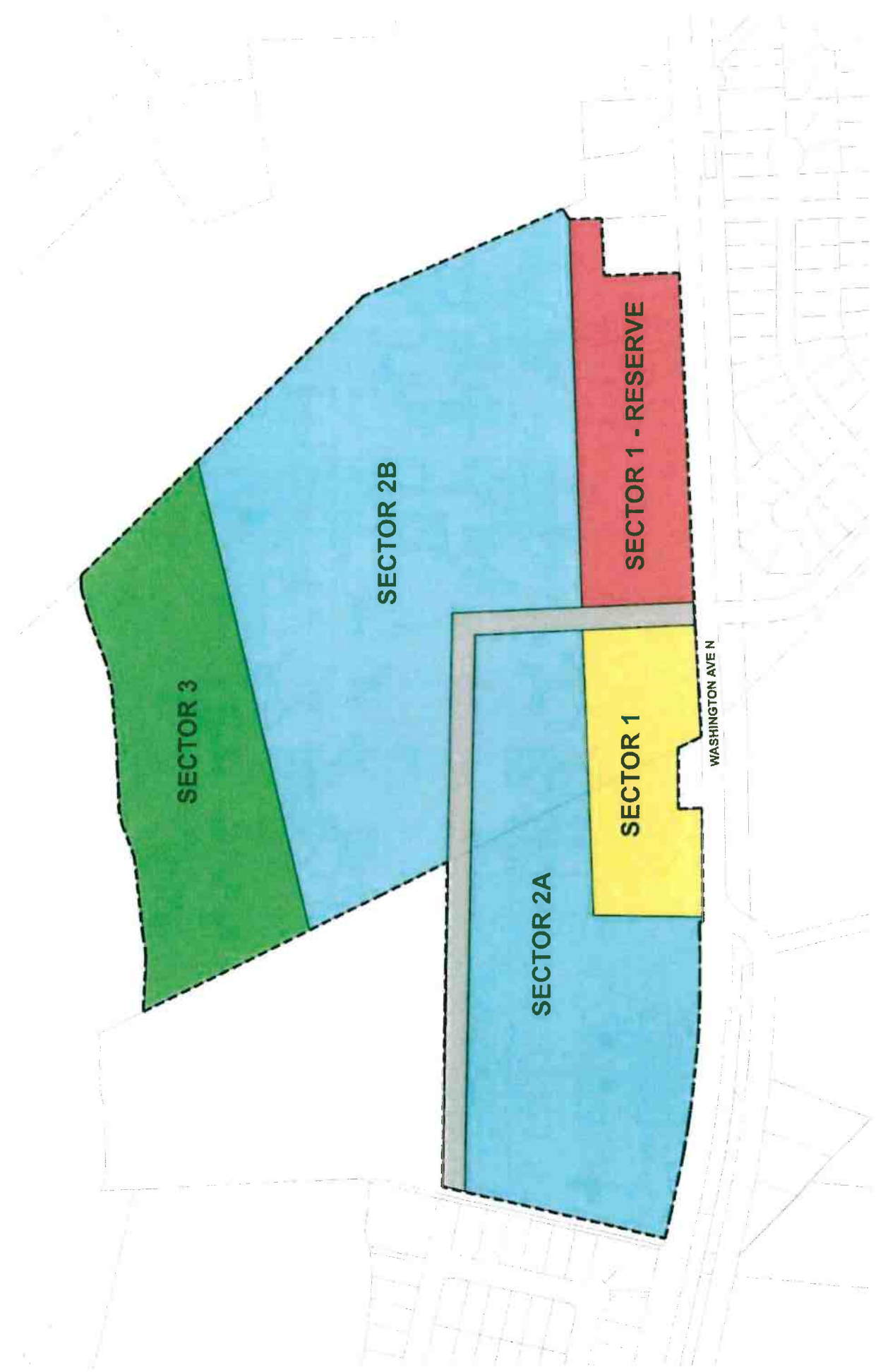
1. Allow credit for construction of the City street grid within the site against traffic mitigation fees – specifically Daffodil Avenue and Whitehawk Road.
2. Remove requirements for connection to and improvements associated with Rocky Road and High School Road.
3. Allow all other internal roadways, other than Daffodil Avenue and Whitehawk Road, to remain private.
4. Maximum allowable dwelling units shall be based on 10 units per gross acre.
5. Reduce the portion of the site allocated Zone 1 to approximately 5 acres with 25,000 sf of commercial/retail/office uses with pedestrian orientation to Highway 162.
6. Creation of a Zone 1 Reserve designation on approximately 5 acres with up to an additional 50,000 sf of commercial/retail/office/self storage facility which can be converted to Zone 2 based on market demand for commercial/retail/office/self storage uses. This Zone 1 Reserve designation would require a corresponding zoning code text amendment to allow self storage uses.
7. Creation of a Zone 2A designation of approximately 15 acres of multi-family uses at a maximum density of 20 units per gross acre.
8. Creation of a Zone 2B designation of approximately 29 acres for single family, cottage, townhome, and age restricted housing at a maximum density of 12 units per gross acre.
9. Reduce the portion of the site allocated Zone 3 to approximately 11 acres.

Attached hereto, is a proposed Comprehensive Plan Map depicting the docket request outlined above.

Should you have any questions regarding this request, please feel free to contact me.

Regards,

Katherine E. Orni
Forward Planning Manager



SECTOR 3

SECTOR 2B

SECTOR 2A

SECTOR 1

SECTOR 1 - RESERVE

WASHINGTON AVE N

August 15, 2018

Mr. Mark Bethune
City Administrator
City of Orting
110 Train Street S.E.
Orting, WA 98360

Dear Mr. Bethune,

We, Jung-San and Margaret Wang, own the property at 507 W. Calistoga Avenue and the adjoining parcel that would be affected by the proposed Whitehawk Boulevard NW Extension that appears in the 2015 Comprehensive Plan. We request that the city amend the plan to restore the proposed route to Alternative 3 that is described and recommended in the planning commission's November 18, 2008, facts and findings. (The Orting City Council adopted the planning commission's recommendation in December 2008.) Alternative 3 would make the Whitehawk Extension emerge to intersect with Calistoga Street at Skinner Way S.W.

In 2008, the planning commission found that Alternative 3:

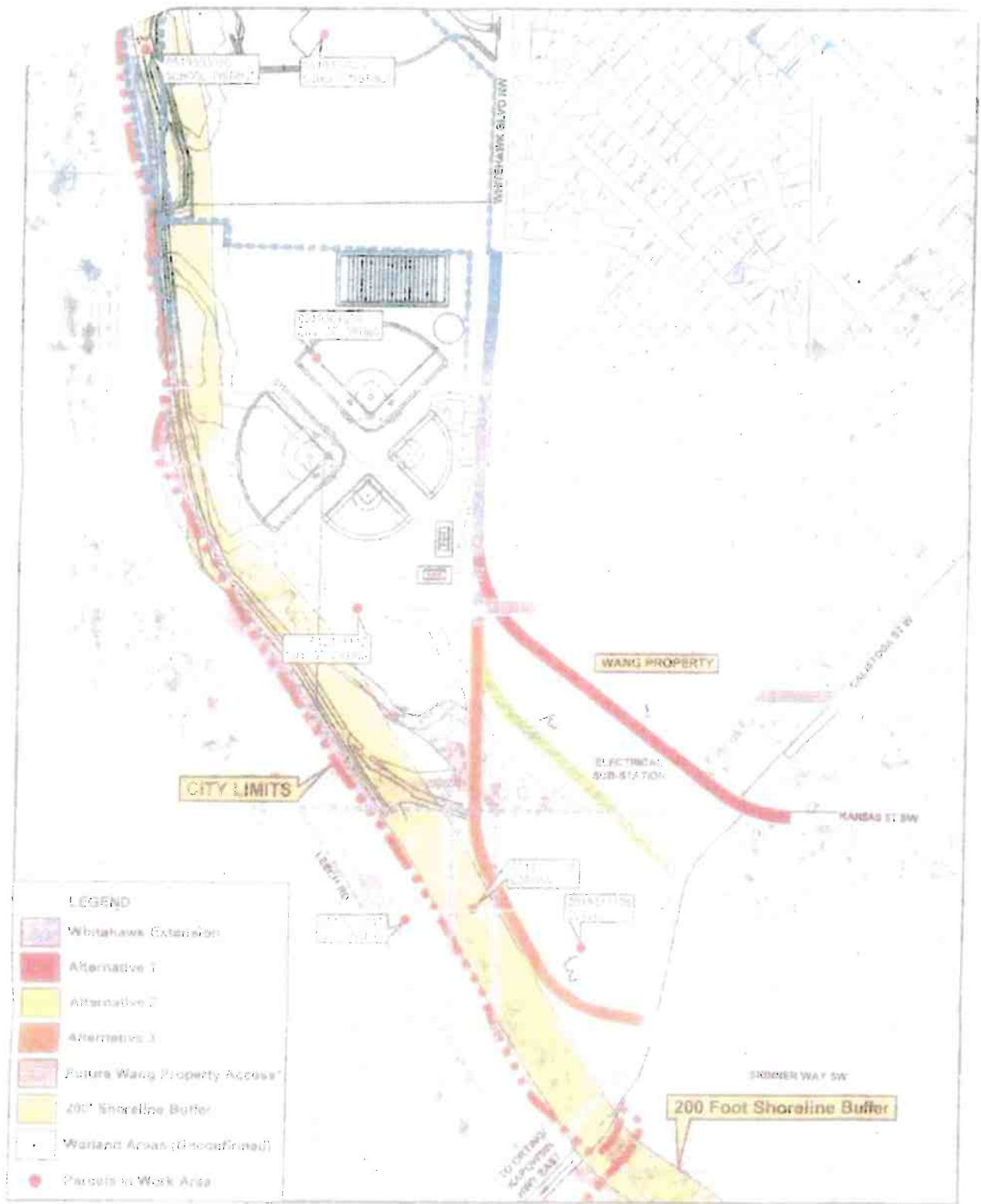
- Resulted in "the highest rating for traffic mobility because it gives the quickest, most direct route to move commuters through Orting while maintaining the sovereignty of our existing neighborhoods";
- Would "give commuters and citizens more alternatives to move inside the city, reducing the impact for residents on Calistoga Av. W.";
- Would remove only "one stand-alone older farm house and should not impact other home sites"; and
- "[W]as the favored alignment of the citizens who gave testimony."

In stark contrast, the planning commission found that the proposed routing that appears in the 2015 Comprehensive Plan—described as Alternative 1 in the planning commission's facts and findings and intersecting with Calistoga Street at Kansas Street—would (A) "create an "unfriendly corridor through a residential neighborhood, possibly making the lots less desirable as home sites" and (B) "reduce the number of lots for development from 91 to 84[,] which would "reduce revenues collected by the City from building impact fees and cause possible devaluation of the Wang family property."

We respectfully request that, in the comprehensive plan, the City return the proposed routing for the Whitehawk Extension to the Alternative 3 routing, which is clearly superior and was supported by citizens, the planning commission and the city council.

Jung San & Margaret Wang
c/o Carol Wang
2520 N. 55th Street
Omaha NE 68104
817-723-3279 cell

Enclosures



Parametrix



Note: Implementation of either Alternative 2 or 3 will require 2 points of connection (one at Calistoga street west & one to the SW Connector) for Wang property access when the property is developed.

Figure 1
 Southwest Connector
 Calistoga Street Corridor Stud
 City of Orting, Washington

CITY OF ORTING FACTS & FINDINGS
PLANNING COMMISSION PUBLIC HEARING
SW CONNECTOR – CALISTOGA ST. WEST CORRIDOR STUDY

The Planning Commission held a public hearing on November 18, 2008 regarding the Southwest Connector Calistoga St. West Corridor Study. Parametrix Engineer, Devin Wolf gave a brief overview of the three proposed alternative routes; weighing both the pros and cons of each. The Commission received letters from Jung-San & Margaret Wang and Dianna Kent. The Commission also received two conception layouts of the Wang Parcel provided by staff. After much discussion and public testimony the Planning Commission makes the following **FINDING OF FACTS:**

- The intent of the Whitehawk connector is to filter traffic from SR 162 to Cemetery Hill on toward the Graham area. Alternative 3, juncturing in at Skinner Way SW would keep traffic to the intended use, thereby keeping safety at a maximum and noise at a minimum.
- The intent of the Whitehawk connector is to allow the citizens of Orting alternatives to travel inside the city.
- The Commission is concerned that traffic safety could become a problem and suggested that restriction of oversize trucks may be necessary at some point.
- Alternative 1 will increase traffic on Kansas St. SW, creating more safety concerns. Currently South Prairie commuters use SR 162 all the way through town. With a connector alignment on Kansas St. SW those commuters will bypass the downtown and now travel on a residential street.
- Alternative 1, in regards to the Wang Property, will create an unfriendly corridor through a residential neighborhood, possibly making the lots less desirable as home sites.
- Alternative 1 as shown in the concept Wang Parcel Layout will reduce the number of lots for development from 91 to 84. This will reduce revenues collected by the City from building impact fees and cause possible devaluation of the Wang family property.
- Alternative 1 will cause the T. Park property to become an island between the connector and the Puget Sound Energy power facility.
- Alternative 1 would impact the Calistoga neighborhood by the loss of two homes and the possible devaluation of several others.
- Alternative 1 was soundly rejected by five of the seven citizens that gave testimony.
- Alternative 2 will make a major intersection too close to the Kansas St. SW and Skinner Way SW intersections, possibly causing a mobility problem.
- Alternative 2 does not address the needs of the city or her citizens.
- Alternative 3 has the highest rating for traffic mobility because it gives the quickest, most direct route to move commuters through Orting while maintaining the sovereignty of our existing neighborhoods.
- Alternative 3 will give commuters and citizens more alternatives to move inside the city, reducing the impact for residents on Calistoga Av. W.
- Alternative 3 removes one stand-alone older farm house and should not impact other home sites.
- Alternative 3 was the favored alignment of the citizens who gave testimony.
- If Alternative 3 is constructed in tandem with the proposed setback levee project, it will have a beneficial impact to threatened and endangered fish species in the Puyallup River. There is also a possibility of additional funding if the projects were coordinated.

From the forgoing findings of facts the Planning Commission hereby makes the following Conclusion and Recommendation to Council:

The Planning Commission recommends to the City Council Alternative #3 for the Southwest Connector. This alignment will make only a nominal impact to the surrounding neighborhoods and best achieves the intended use of the corridor.

PREPARED BY: Kim Whitlock, November 19th, 2008

*Ordinance City Council passed this resolution 11/19/08
and will be in effect on 11/26/08*

Exhibit C

Orting 2040 Transportation Plan

Prepared for
City of Orting



March 2019

Prepared by
Parametrix

Orting 2040 Transportation Plan

Prepared for

City of Orting
110 Train Street SE
Orting, WA 98360

Prepared by

Parametrix
719 2nd Avenue, Suite 200
Seattle, WA 98104
T. 206.394.3700 F. 1.855.542.6353
www.parametrix.com

CITATION

Parametrix. 2019. Orting 2040 Transportation Plan.
Prepared by Parametrix, Seattle, WA. March 2019.

CERTIFICATION

The technical material and data contained in this document were prepared under the supervision and direction of the undersigned, whose seal, as a professional engineer licensed to practice as such, is affixed below.

Prepared by Erinn Ellig

Checked by Ryan LeProwse

Approved by JC Hungerford

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ACRONYMS AND ABBREVIATIONS

ADA	Americans with Disabilities Act
BLOS	Bicycle Level of Stress
City	City of Orting
FAST	Fixing America’s Surface Transportation
FGTS	Freight and Goods Transportation System
FHWA	Federal Highway Administration
GMA	Washington State Growth Management Act
LOS	level of service
mph	miles per hour
NMTP	Non-Motorized Transportation Plan
PLOS	Pedestrian Level of Stress
PSRC	Puget Sound Regional Council
RTCC	Rural Town Centers and Corridors
Sound Transit	Central Puget Sound Regional Transit Authority
SR	State Route
STIP	Statewide Transportation Improvement Program
TDM	Transportation Demand Management
TIP	Transportation Improvement Program
WSDOT	Washington State Department of Transportation

1. INTRODUCTION

The Orting 2040 Transportation Plan defines the existing and future transportation vision for Orting and will inform updates to the 2015 Transportation Element and Appendix from the Orting Comprehensive Plan published in June 2015. This transportation plan contains a description of existing transportation conditions, travel forecasts, service standards and analysis, and transportation recommendations. The following analysis and conclusions will inform the City of Orting 2040 Comprehensive Plan.

The City of Orting has a unique configuration with respect to transportation. The community lies in the Orting Valley between the Carbon and Puyallup Rivers. State Route (SR) 162 runs between the two rivers and links Orting with Sumner and Buckley. Orting is a small rural community of just under 8,000 residents—more than twice the population just 20 years ago. Many of the local city streets are quiet, tree lined, with low traffic volumes. The older portion of the City is laid out on a traditional grid system and some recent developments feature a curvilinear circulation pattern.

2. GOALS

- Goal T1** **Maintain a transportation system that accommodates the separation of through and local traffic, provides adequate internal circulation, and interconnects effectively to the regional highway, non-motorized, and public transportation systems is responsive to the mobility needs of City businesses and neighborhoods, and guides future developments.**
- Goal T2** **Coordinate with local, regional, state, and federal agencies in the development and operation of the transportation system. In particular, support City, County, and state implementation of comprehensive solutions to capacity, safety, and circulation problems with SR 162.**
- Goal T3** **Establish a safe and convenient pedestrian and bicycle circulation system linking residential communities with key destinations.**
- Goal T4** **Fund transportation facility improvements with federal, state, and local public and private sources.**
- Goal T5** **Realize the vision for Washington Avenue as Orting’s main street, providing high quality aesthetic design in conjunction with multi-modal mobility, pedestrian safety, and infill economic development.**
- Goal T6** **Meet federal and state air quality requirements and work with state, regional and other local agencies to develop transportation control measures and/or mobile source emission reduction programs that may be warranted to attain or maintain air quality requirements.**

2.1 Vehicular Transportation Policies

2.1.1 Street Network

- Policy T1** **Periodically update traffic forecasts and levels of service analysis on all arterials in the City.**
- Policy T2** **Provide adequate, system-wide capacity on arterial streets to avoid diversion of excess traffic from congested arterials to neighborhood streets.**
- Policy T3** **Maintain truck routes on Principal Arterials and enforce truck use accordingly.**
- Policy T4** **Develop the local street system to ensure connectivity between adjacent developments, and provide connections to arterials from neighborhood collectors.**
- Policy T5** **Existing non-through (dead-end) streets shall be linked together whenever practical.**

- Policy T6 Minimize the use of cul-de-sacs, dead-end streets and other designs that reduce connectivity between neighborhoods.
- Policy T7 Protect street rights-of-way from encroachment by structures, fences, retaining walls, landscaping, or other obstructions to preserve the public's use of the right-of-way, and to ensure safety and mobility.

2.1.2 Street Classification

- Policy T8 Maintain a consistent classification of streets as Principal-, Minor-, and Collector Arterials, Neighborhood Collector Streets and Local Streets according to function, based on federal, state, and regional guidelines so that needed traffic capacity may be preserved and planned street improvements will be consistent with those functions.
- Policy T9 Limit the number of residences that can be served by a dead end/ cul-de-sac street.

2.1.3 Street Design Standards

- Policy T10 Maintain a comprehensive street improvement plan for city streets that implements the desired streetscape for each functional classification. Arterial street standards shall provide guidance on the width of lanes, driveway access, right-of-way width, sidewalks median treatments, setbacks, lighting, pedestrian facilities, landscaping, or other improvements.
- Policy T11 Design street improvements to fit the character of areas they serve.
- Policy T12 Maximize and maintain the capacity of arterial streets through the provision of turn lanes and other auxiliary lanes rather than street widening solutions.
- Policy T13 Encourage shared use of driveways served by arterials.
- Policy T14 Use street design standards to minimize pavement widths while accommodating on-street parking, and allowing cars to pass, thereby slowing the speed of vehicles on local streets, improving pedestrian safety and allowing for landscaping.
- Policy T15 Require safe, attractive sidewalks on all streets.
- Policy T16 Provide comprehensive street lighting, including lights for pedestrians on sidewalks and trails, using such factors as adjacent land uses, hazardous street crossings, transit routes, schools, and parks.

2.1.4 Traffic Safety

- Policy T17 Monitor traffic accidents, citizen input/complaints, traffic violations, and traffic growth to identify and prioritize locations for safety improvements.
- Policy T18 Consider the use of devices that increase safety of pedestrian crossings such as flags, in-pavement lights, raised crosswalks, colored and textured pavements.

2.1.5 Neighborhood Traffic Control

Policy T19 Consider design options for application of neighborhood traffic calming devices such as median barriers, speed humps, speed tables, raised crosswalks, raised intersections, traffic circles, roundabouts, chicanes, chokers, neckdowns, and textured pavements on local streets where traffic and pedestrian safety is of concern. Neighborhood Collectors shall receive the first priority followed by other local streets. Installation of neighborhood traffic control devices shall be avoided on arterials.

2.1.6 Property Access

Policy T20 Minimize local property access on Principal and Minor arterials.
Policy T21 Consolidate existing access driveways on arterials when street improvements are implemented, or redevelopment proposals are made.

2.1.7 Environmental

Policy T22 Participate in regional efforts to improve air quality by promoting alternatives to the single occupant vehicles; use of cleaner fuels; implementing transportation demand management goals and policies and maintaining or improving the operating efficiency of the transportation system.

Policy T23 Mitigate noise impacts when designing future roadway improvements.

Policy T24 Reduce the amount of impervious surfaces (e.g., streets, driveways) to the extent practicable.

Policy T25 Minimize harmful pollutants generated by transportation-related construction, operations, and maintenance activities from entering surface and groundwater resources.

2.1.8 Level of Service

Policy T26 Maintain intersection level of service (LOS) according to the following standards:

- LOS E on arterial intersections in the Mixed-Use Town Center
- LOS D on all other arterial intersections

Policy T27 Transportation improvement projects, strategies and actions needed to serve new developments shall be in place at the time new development occurs or be financially committed and scheduled for completion within six years of permit approvals.

2.1.9 Land Use/Transportation

Policy T28 Consider the effect of the City's growth and transportation improvement programs on other adjacent jurisdictions through coordination with county, state, and regional agencies

2.1.10 Development Impact Mitigation

- Policy T29 Maintain and apply standardized transportation impact mitigation procedures and strategies, including payment of traffic impact fees.
- Policy T30 Require dedication of right-of-way as a condition of development approval when the need for such right-of-way is determined in the permit approval process
- Policy T31 Maintain a right-of-way use permit process to minimize environmental and traffic impacts during construction.

2.2 Pedestrian and Bicycle Policies

- Policy T32 Promote pedestrian and bicycle networks that safely access commercial areas, schools, transit routes, parks, and other destinations within Orting and connect to adjacent communities, regional destinations and routes.
- Policy T33 Require new development to ensure safety, comfort and convenience of pedestrians and bicyclists.
- Policy T34 Designate and construct segregated internal pedestrian circulation systems in new or redeveloping commercial-retail districts. Provide connectivity to nearby transit stops using sidewalks, landscaping, covered walkways, or other treatments.
- Policy T35 Promote a comprehensive and interconnected network of pedestrian and bike routes within and between neighborhoods.
- Policy T36 Require trail routes and/or sidewalks where appropriate in PUD, plat and short plat approvals.
- Policy T37 Work progressively to provide and maintain sidewalks in established neighborhoods. Priority shall be given to all public facilities such as transit routes, schools and parks, and multi-family housing, commercial areas, and gaps in the existing sidewalk system.
- Policy T38 Provide striped, on-street bicycle facilities on arterial streets on paved shoulders or within wide curb lanes to ensure safety for bicyclists.
- Policy T39 Ensure that sidewalks meet requirements of the Americans with Disabilities Act.
- Policy T40 Identify non-motorized facility improvements on school walk routes to increase pedestrian safety.
- Policy T41 Require secure (racks and lighting) bicycle parking at commercial and institutional facilities along with automobile parking.

2.3 Regional and Local Coordination Policies

- Policy T42 Ensure coordination and consistency with state, regional and local transportation plans.
- Policy T43 Coordinate the Six-Year Transportation Improvement Program with adjacent jurisdictions' where City projects have regional implications.
- Policy T44 Participate in regional transportation planning to ensure that the City's interests are reflected appropriately.

2.4 Funding and Implementation Policies

2.4.1 Funding

- Policy T45 Maintain a street utility for the purpose of supporting preservation and ongoing maintenance and operations of its transportation systems pursuant to RCW 82.80.
- Policy T46 Maximize outside funding from regional, County, State, or Federal sources.
- Policy T47 Emphasize multimodal enhancements to the transportation system in funding transportation programs.
- Policy T48 Ensure the adopted impact fee rate schedule reflects the current land use and transportation forecasts and needs.
- Policy T49 Update the six-year Transportation Improvement Program (TIP) annually to implement the Long-Range Capital Facility Plan.

2.4.2 Implementation

- Policy T50 Maintain and monitor a scheduled street maintenance program including regular street sweeping to ensure that all arterial and neighborhood collector streets shoulders and/or designated bike lanes are clear of sand, glass, and debris.

2.5 System Air Quality Policies

- Policy T51 The City's transportation system shall conform to federal and state Clean Air Acts by maintaining conformity with the Metropolitan Transportation Plan of the Puget Sound Regional Council and by following the requirements of Chapter 173-420 of the Washington Administrative Code.
- Policy T52 Travel in modes other than single-occupant vehicles shall be encouraged. Transportation demand management strategies will be employed to discourage the use of single-occupant vehicles and to encourage non-motorized transportation.
- Policy T53 Consider air quality effects of future development when considering annexations, amendments to the Comprehensive Plan and development regulations, and during project review processes.
- Policy T54 Establish standards for the control of particulate matter on paved public roads.

3. EXISTING CONDITIONS

This section summarizes the existing (2017) transportation system for all modes of travel in Orting. This information supports the city's comprehensive planning process, which must, among other things, contain travel forecasts, a level of service standard, be regionally coordinated, and meet concurrency requirements. The transportation element for the City of Orting must meet the requirements of the GMA and will be certified by the Puget Sound Regional Council. The element will contain a description of existing transportation conditions, travel forecasts, service standards and analysis, and transportation recommendations, all of which will be coordinated with the county and the state.

3.1 Transportation Network Overview

The roadway network in Orting consists of corridors serving different travel needs. The main thoroughfare is SR 162, which runs northwest/southeast through the center of Orting. Calistoga Street W is the other significant arterial in the city that provides an east/west link across the Puyallup River and to the Orting-Kapowsin Highway. There are minimal east/west regional connections into and out of Orting.

3.1.1 Roadway Functional Classification

As Orting continues to grow, the internal street network will continue to be developed. City streets are classified into different categories to guide development and define the degree to which they provide through movement and land access functions. Roadway classification is based upon guidelines prepared by the Federal Highway Administration (FHWA) and administered by the Washington State Department of Transportation (WSDOT). City streets in Orting are classified into four functional classifications that are accompanied by different land use policies and street standards. The four classifications are:

- **Principal Arterials**, which are streets and highways that carry the greatest portion of through or long-distance traffic. Such facilities serve the high-volume travel corridors that connect major generators of traffic. The selected routes provide an integrated system for complete circulation of traffic, including ties to the major rural highways entering urban areas.
- **Minor Arterials**, which are streets and highways that connect with remaining arterial and collector roads that extend into the urban area. Minor arterial streets and highways serve less concentrated traffic-generating areas, serve as boundaries to neighborhoods, and collect traffic from collector streets. Although the predominant function of minor streets is the movement of through traffic, they also provide for considerable local traffic that originates or is destined for points along the corridor.
- **Collectors**, which are streets that provide direct services to residential areas, local parks, churches, and areas with similar land uses. To preserve the amenities of neighborhoods, they are usually spaced at about 0.5-mile intervals in order to collect traffic from local access streets and convey it to major and minor arterial streets and highways. Collector streets are typically 1 to 2 miles in length. Direct access to abutting land is essential.
- **Local Access Streets**, which are the remaining streets that allow access to individual homes, shops, and similar destinations. They provide direct access to abutting land and to the higher classification of roadways. Through traffic is discouraged.

Figure 3-1 shows the functional classification of the roadways within the City.

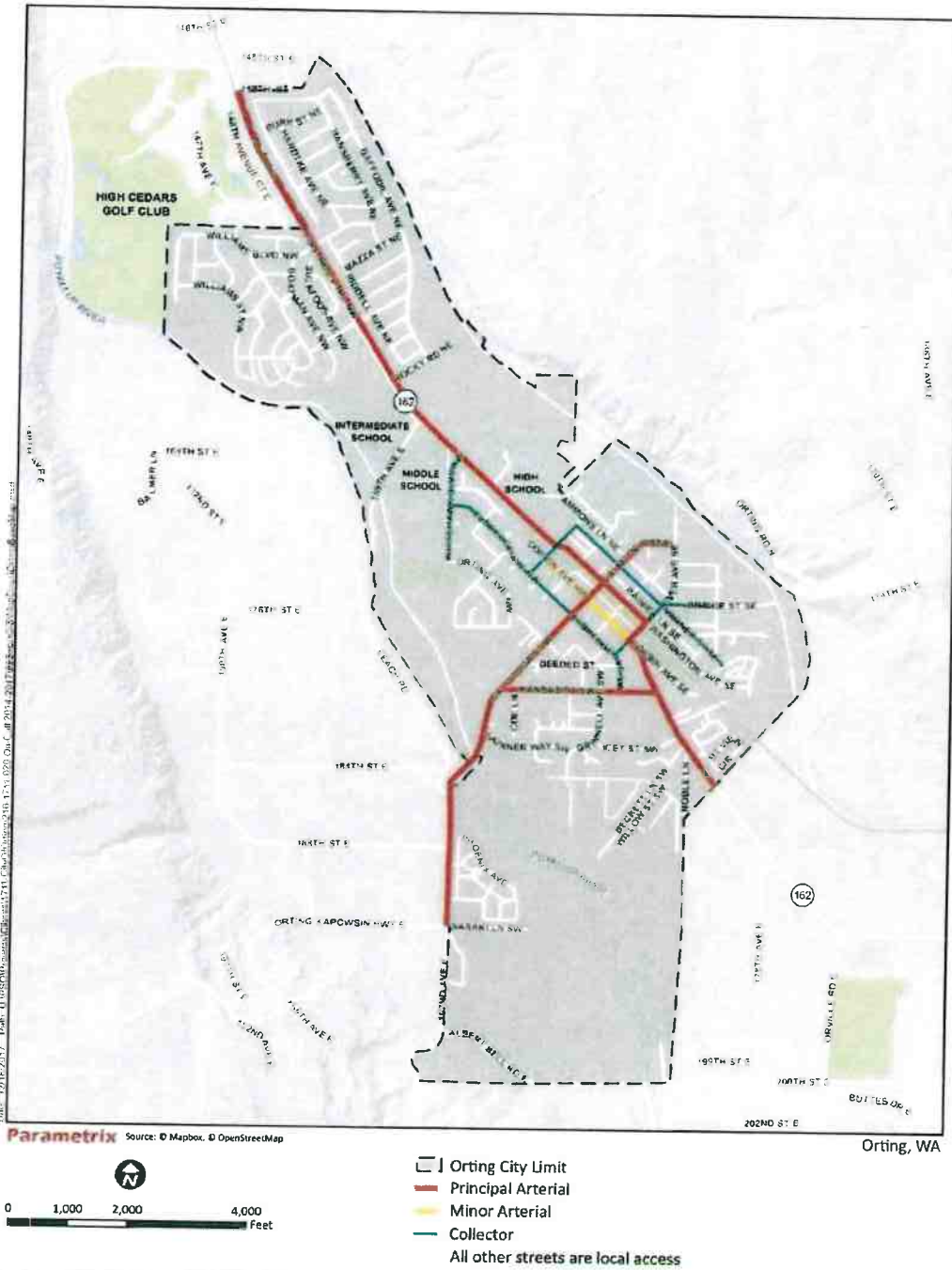


Figure 3-1. Orting Roadway Functional Classification

State-owned Transportation Facilities and Highways of Statewide Significance

In 1998, the Washington State Legislature enacted the “Level of Service Bill” (House Bill 1487) that amended the GMA to include additional detail regarding state-owned transportation facilities in the transportation element of comprehensive plans. PSRC, in 2003, adopted level of service standards for regionally significant state highways. Regionally significant state highways are state transportation facilities that are not designated as highways of statewide significance. Within Orting, no roadways have been designated as a Highway of Statewide Significance in WSDOT’s Highway System Plan. SR 162, which links Orting with Sumner and Buckley, is the only state-owned facility within the planning area and is designated as a Regionally Significant State Highway. WSDOT completed a study of SR 162 in June 2017 to identify strategies to increase mobility and improve safety in the corridor. Although the scope of the study was outside of the Orting City limits, potential improvement options could improve traffic flow and safety for vehicles exiting and entering Orting. Improvement strategies identified in the study will be incorporated in WSDOT’s Corridor Sketch Phase II for SR 162 and prioritized for funding on a statewide basis.

3.1.2 Roadway Network

The primary roadway network in Orting comprises the following:

- **State Routes:** SR 162 runs northwest/southeast through Orting, providing the primary connection to SR 512 and Interstate 5. Outside of the city limits, SR 162 is a two-lane principal arterial with limited shoulders and a posted speed limit of 50 miles per hour (mph). Within the city limits, the roadway is known as Washington Avenue N and is a two-lane principal arterial with a narrow painted median and paved shoulders and has parking on both sides of the road in the downtown core. The posted speed limit is 35 mph, and reduces to 25 mph near Orting High School.
- **Pierce County Roadways:** Orting-Kapowsin Highway is a two-lane major arterial, with a posted speed limit of 35 mph along most of its length. Shoulders have a gravel surface, with a walking path along the east side of the road in some areas. It runs adjacent to the city limit line for a short distance south of the Puyallup River before turning into Calistoga Street W.
- **Local Transportation System:** Calistoga Street W is the primary local street that provides east/west travel. Calistoga Street W is a two-lane roadway with intermittently paved or graveled shoulders and sidewalks on the north side. Other local streets in the city provide access to the downtown area of Orting, and commercial and residential areas.

Table 3-1 provides an existing conditions inventory of many of the roadways in the area, including functional classification, shoulder type, parking, sidewalks, bicycle lanes, and posted speed limits.

Table 3-1. Roadway Inventory – Existing Conditions

Roadway	Functional Classification	Shoulder	Parking	Sidewalks	Bicycle Lane	Speed Limit (mph)
SR-162/ Pioneer Way	Principal arterial	Paved	No	Interrupted	No	50/35/25
Washington Avenue N	Principal arterial	Paved	Yes	Both	No	25
Orting-Kapowsin Highway	Principal arterial	Gravel	No	No	No	35
Varner Avenue NE	Collector	Gravel/grass	Yes	Both	No	Not posted

Table 3-1. Roadway Inventory – Existing Conditions (continued)

Roadway	Functional Classification	Shoulder	Parking	Sidewalks	Bicycle Lane	Speed Limit (mph)
Calistoga Street W	Principal arterial	Paved/gravel	Yes	Both	No	25
Whitehawk Boulevard	Collector	Paved	Yes	Both	No	25
Eldredge Avenue	Collector	Gravel/grass	Yes	Whitesell north—both sides; Safeway south—one side	No	Not posted
Whitesell Street	Collector	None	No	One side	No	Not posted
Corrin Avenue	Minor arterial	Paved	Yes (angle parking downtown)	Both	No	Not posted
Bridge Street	Collector	Gravel/grass	Yes	Both	No	Not posted
Kansas Street SW	Principal arterial	Paved	Yes	Both	No	Not posted
Harman Way	Principal arterial	Paved	Yes	Yes	No	Not posted

3.2 General Purpose Traffic

General purpose traffic volumes during the PM peak hour were collected at 19 intersections throughout Orting in April 2017:

- Intersection A: Washington Avenue N and Williams Boulevard NW
- Intersection B: Washington Avenue N and Lane Boulevard NW
- Intersection C: Washington Avenue N and Rocky Road NE
- Intersection D: Washington Avenue N and Old Pioneer Way NW
- Intersection E: Washington Avenue N and Whitehawk Boulevard NW
- Intersection F: Washington Avenue N and Ammons Lane NE
- Intersection G: Washington Avenue N and Cardinal Lane
- Intersection H: Washington Avenue N and Whitesell Street S
- Intersection I: Washington Avenue S and Calistoga Avenue W
- Intersection J: Washington Avenue S and Train Avenue S
- Intersection K: Washington Avenue SE and Bridge Street S
- Intersection L: Bridge Street S and Harman Way S and Corrin Avenue E
- Intersection M: Harman Way S and Kansas Street SW
- Intersection N: Calistoga Avenue W and Corrin Avenue SW
- Intersection O: Calistoga Avenue W and Eldredge Avenue SW

- Intersection P: Calistoga Street W and Kansas Street SW
- Intersection Q: Train Street SW and Van Scoyoc Avenue East
- Intersection R: River Avenue SE and Varner Avenue SE and Bridge Street SE
- Intersection S: Eldredge Avenue NW and Whitesell Street S

Figure 3-2 summarizes the intersection counts. Traffic volumes during the PM peak hour represent the highest hourly volume of vehicles passing through an intersection during the 4:00 to 6:00 PM peak period. Because the PM peak hour volumes represent the highest volumes of the average day, these traffic volumes were used for the base year operations analysis, and as the basis for future year traffic volume projections.

3.2.1 Intersection Level of Service

Intersection level of service (LOS) is a term used to describe the operating conditions and amount of delay a driver will experience while traveling through an intersection or along a roadway. LOS ranges from A (very little delay) to F (long delays and congestion). **Table 3-2** summarizes the amount of delay in seconds associated with each LOS designation. The LOS/delay criteria for stop-sign-controlled intersections are different than for signalized intersections because driver expectation is that a signalized intersection is designed to carry higher traffic volumes and experience greater delay. For signalized intersections, the LOS ranges from A with a delay of less than 10 seconds to F with a delay of more than 80 seconds. For stop-sign-controlled intersections, LOS A also has a delay of less than 10 seconds, while LOS F has a delay of more than 50 seconds.

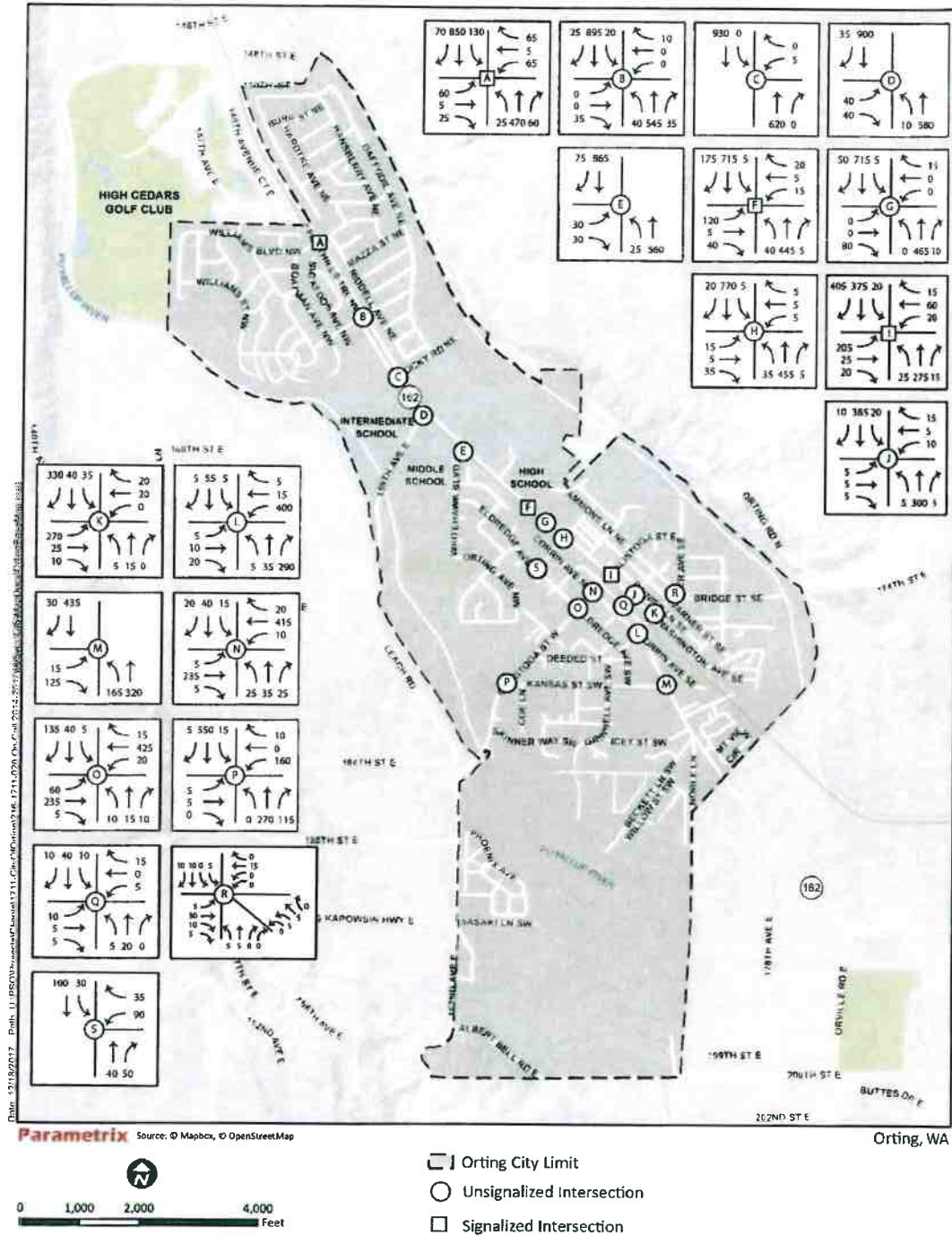


Figure 3-2. Existing (2017) PM Peak Hour Intersection Traffic Counts

Table 3-2. Vehicle Level of Service and Delay

Level of Service	Description	Signalized Intersection Delay (sec/veh)	Unsignalized Intersection Delay (sec/veh)
A	Free flowing	<10	<10
B	Little delay	>10 and ≤20	>10 and ≤15
C	Some delay	>20 and ≤35	>15 and ≤25
D	Some driver frustration; moderate delay	>35 and ≤55	>25 and ≤35
E	High level of frustration; high levels of delay	>55 and ≤80	>35 and ≤50
F	Severe congestion; excessive delays	>80	>50

For unsignalized intersections, delay is reported for the worst-operating approach (typically, the minor street left turn). For signalized intersections, the average delay is reported for all vehicles. LOS D is the concurrency standard adopted by the City of Orting. Figure 3-3 shows the overall existing intersection LOS at the study intersections in Orting during the PM peak hour. Most of the intersections in the City meet the concurrency standard adopted by the City of Orting. However, Washington Avenue N and Rocky Road NE (intersection C) and Calistoga Street W and Kansas Street SW (intersection P) exceed the threshold and operate at LOS E. At Washington Avenue N and Rocky Road NE (intersection C), the delay is experienced by very few vehicles, approximately five vehicles during the PM peak hour as summarized in Figure 3-2. The Washington Avenue N and Whitehawk Boulevard NW intersection (intersection E) operates acceptably but at the City’s concurrency threshold of LOS D.

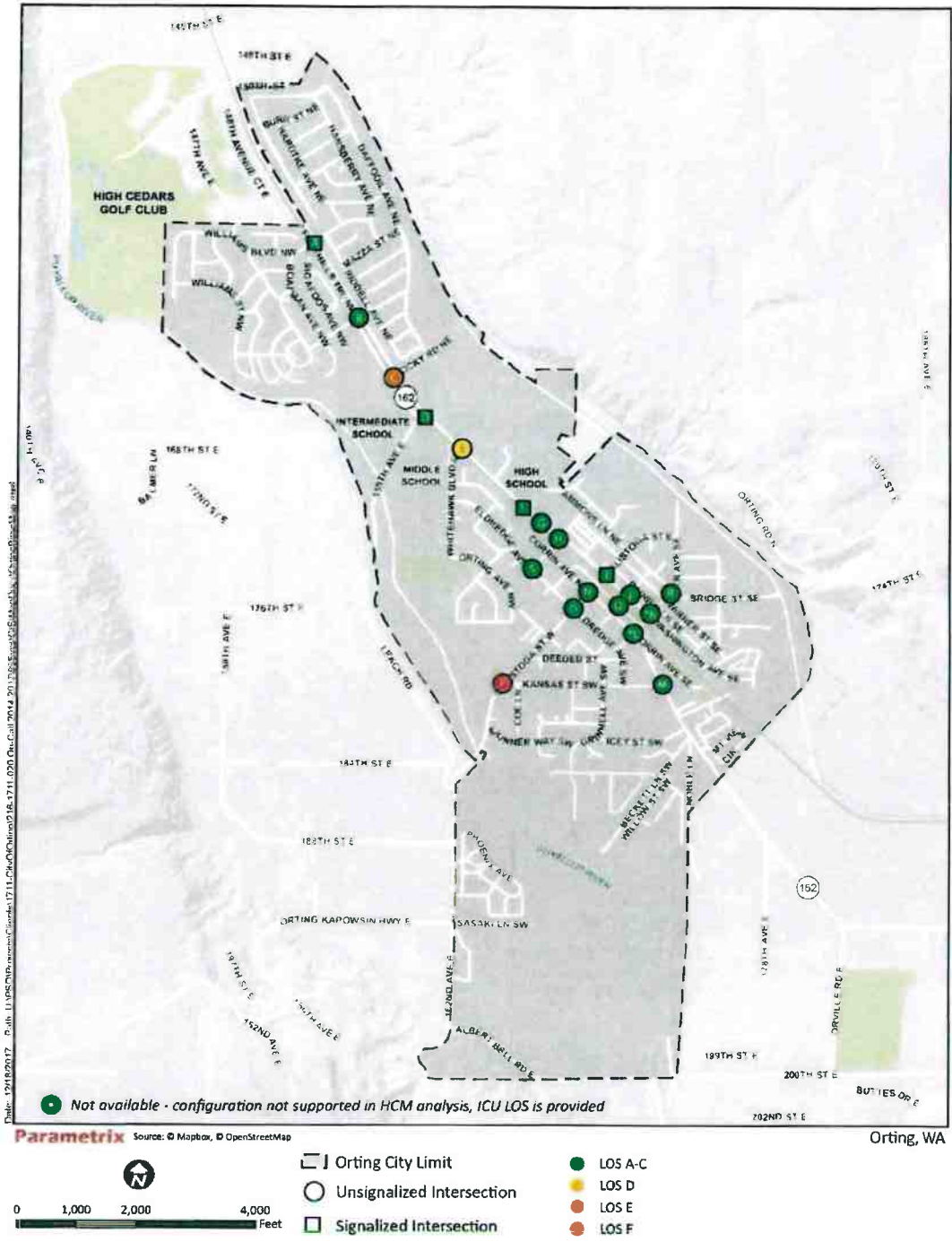


Figure 3-3. Existing (2017) PM Peak Hour Intersection Operations

3 2 2 Collision History

WSDOT provided a history of reported collisions that occurred within the city limits of Orting for the period of January 1, 2012 through December 31, 2016. Figure 3-4 summarizes the locations where the

collisions occurred in Orting. Total accidents averaged approximately 37 per year with a total of 186 over the 5-year collision period. Nearly 70 percent of collisions were property damage only. There were no fatal collisions and only three collisions were serious injury collisions. Five collisions involved non-motorized users. Most accidents (approximately 60 percent) were at intersections or driveways.

Table 3-3 summarizes collisions by severity in the entire street network. As shown, most of the collisions along the roadways resulted in property damage only (135 of 186 total collisions). The remaining 51 collisions resulted in an injury.

**Table 3-3. Summary of Collisions by Severity for Entire Street Network
(January 2012 to December 2016)**

Location	Collision Severity			
	Fatality	Injuries	Property Damage Only	Total
SR 162 (Washington Avenue N)	0	34	58	92
SR 162 (Bridge Street S and Harman Way S)	0	4	17	21
Calistoga Street W	0	5	22	27
Kansas Street SW	0	1	1	2
Other (minor, collector, local access streets)	0	7	37	44
Total	0	51	135	186

Source: WSDOT Transportation Data and GIS Office

Disclaimer: Under 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

In addition to summarizing the collision data by severity, the 51 injury collisions were summarized by type in Table 3-4. For the entire roadway network, the majority of the injury collisions were rear end. Rear-end collisions often occur in congested locations. The other collision types along the entire network were entering at angle, fixed object, pedestrian and/or cyclist involvement, sideswipe, and turning (opposite direction) and none of these had more than five collisions over the 5-year period.

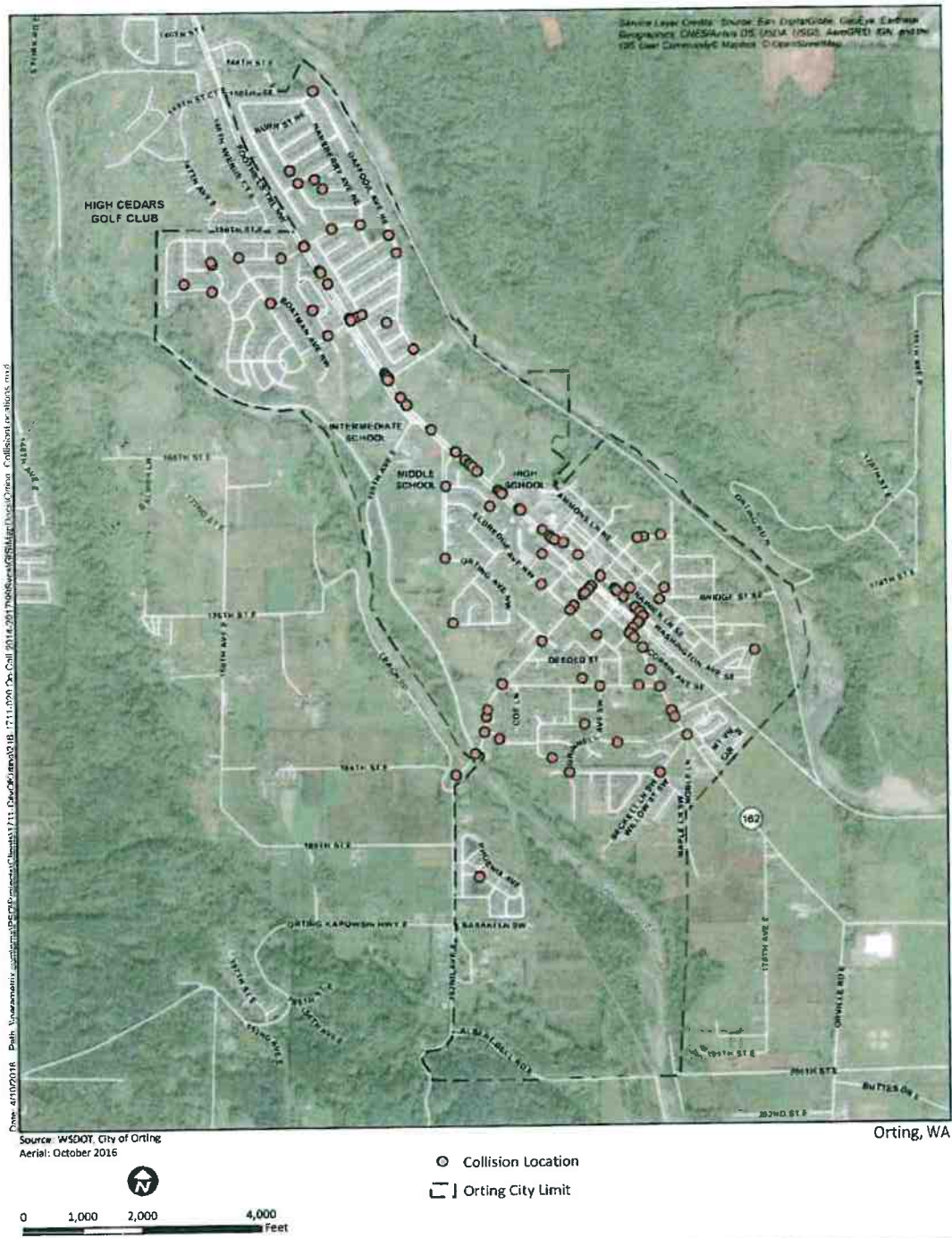


Figure 3-4. All Collisions in the City of Orting (January 2012 to December 2016)

Table 3-4. Summary of Injury Collisions by Type for Entire Street Network (January 2012 to December 2016)

Location	Collision Type									
	Entering at Angle	Fixed Object	Other	Parking	Pedestrian/ Cyclist Involved	Rear End	Sideswipe	Turning (Opposite Direction)	Vehicle Overturned	Total
SR 162 (Washington Avenue N)	3	3	2	1	2	20	2	1	0	34
SR 162 (Bridge Street S and Harman Way S)	0	0	1	0	1	2	0	0	0	4
Calistoga Street W	1	0	0	0	1	1	1	1	0	5
Kansas Street SW	0	1	0	0	0	0	0	0	0	1
Other (minor, collector, local access streets)	1	0	0	2	1	1	1	0	1	7
Total	5	4	3	3	5	24	4	2	1	51

Source: WSDOT Transportation Data and GIS Office

Disclaimer: Under 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

Additionally, the collision history was reviewed for the study area intersections by severity and type. **Table 3-5** summarizes the study area intersection collisions by severity. As shown, most of the collisions at the study intersections resulted in property damage only (75 of 107 total collisions). The remaining 32 collisions at study area intersections resulted in an injury.

Table 3-5. Summary of Collisions by Severity at Study Intersections (January 2012 to December 2016)

ID	Location	Collision Severity			
		Fatality	Injuries	Property Damage Only	Total
A	Washington Avenue N and Williams Boulevard NW	0	6	12	18
B	Washington Avenue N and Lane Boulevard NW	0	0	5	5
C	Washington Avenue N and Rocky Road NE	0	3	5	8
D	Washington Avenue N and Old Pioneer Way NW	0	0	0	0
E	Washington Avenue N and Whitehawk Boulevard NW	0	3	5	8
F	Washington Avenue N and Ammons Lane NE/Driveway	0	5	2	7
G	Washington Avenue N and Cardinal Lane	0	0	1	1
H	Washington Avenue N and Whitesell Street S	0	3	7	10
I	Washington Avenue S and Calistoga Avenue W	0	3	10	13
J	Washington Avenue S and Train Avenue S	0	1	2	3
K	Washington Avenue SE and Bridge Street S	0	3	4	7
L	Bridge Street S and Harman Way S and Corrin Avenue E	0	2	4	6
M	Harman Way S and Kansas Street SW	0	0	1	1
N	Calistoga Avenue W and Corrin Avenue SW	0	2	4	6
O	Calistoga Avenue W and Eldredge Avenue SW	0	1	5	6
P	Calistoga Street W and Kansas Street SW	0	0	6	6
Q	Train Street SW/Train Avenue S and Van Scoyoc E	0	0	0	0
R	River Avenue SE/Verner Avenue SE and Bridge Street SE	0	0	2	2
S	Eldredge Avenue NW and Whitesell Street S	0	0	0	0
Total		0	32	75	107

Source: WSDOT Transportation Data and GIS Office

Disclaimer: Under 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

The 32 injury collisions that occurred at study intersections were summarized by type in Table 3-6. The majority of the injury collisions were rear end, specifically on the main arterial, Washington Avenue N/Bridge Street/Harman Way (SR 162). Rear-end collisions often occur at congested locations. The other collision types at study intersections were entering at angle, fixed object, pedestrian and/or cyclist involvement, sideswipe, and turning (opposite direction). Other than rear-end collisions, there were no more than five collisions of any type over the 5-year period.

Table 3-6. Summary of Injury Collisions by Type at Study Intersections (January 2012 to December 2016)

ID	Location	Collision Type									Total
		Entering at Angle	Fixed Object	Other	Parking	Pedestrian/ Cyclist Involved	Rear End	Sideswipe	Turning (Opposite Direction)	Vehicle Overturned	
A	Washington Avenue N and Williams Boulevard NW	0	1	1	0	1	2	0	1	0	6
B	Washington Avenue N and Lane Boulevard NW	0	0	0	0	0	0	0	0	0	0
C	Washington Avenue N and Rocky Road NE	0	0	0	0	1	2	0	0	0	3
D	Washington Avenue N and Old Pioneer Way NW	0	0	0	0	0	0	0	0	0	0
E	Washington Avenue N and Whitehawk Boulevard NW	2	0	0	0	0	0	1	0	0	3
F	Washington Avenue N/Ammons Lane NE and Driveway	0	0	0	0	0	5	0	0	0	5
G	Washington Avenue N/ Cardinal Lane	0	0	0	0	0	0	0	0	0	0
H	Washington Avenue N and Whitesell Street S	0	1	0	0	0	2	0	0	0	3
I	Washington Avenue S and Calistoga Avenue W	0	1	0	0	0	2	0	0	0	3
J	Washington Avenue S and Train Avenue S	1	0	0	0	0	0	0	0	0	1
K	Washington Avenue SE and Bridge Street S	0	0	0	0	0	3	0	0	0	3
L	Bridge Street S/Harman Way S and Corrin Avenue E	0	0	1	0	1	0	0	0	0	2
M	Harman Way S and Kansas Street SW	0	0	0	0	0	0	0	0	0	0
N	Calistoga Avenue W and Corrin Avenue SW	0	0	0	0	0	1	1	0	0	2
O	Calistoga Avenue W and Eldredge Avenue SW	0	0	0	0	0	0	0	1	0	1
P	Calistoga Street W and Kansas Street SW	0	0	0	0	0	0	0	0	0	0
Q	Train Street SW/Train Avenue S and Van Scoyoc E	0	0	0	0	0	0	0	0	0	0
R	River Avenue SE/Verner Avenue SE and Bridge Street SE	0	0	0	0	0	0	0	0	0	0
S	Eldredge Avenue NW and Whitesell Street S	0	0	0	0	0	0	0	0	0	0
Total		3	3	2	0	3	17	2	2	0	32

Source: WSDOT Transportation Data and GIS Office

Disclaimer: Under 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

3.3 Freight Traffic and Network

Providing freight access to and through Orting is important in supporting economic activity and providing goods to residents. In Orting, the primary freight routes are along SR 162 and Calistoga Street to the Orting-Kapowsin Highway. WSDOT uses the County Road Freight and Goods Transportation System (FGTS) to classify state highways, county roads, and city streets according to the tons of freight that are carried on them each year. SR 162, between the northern city limits and Calistoga Street, is classified as a T-2 Route, carrying 4 million to 10 million tons per year. To the southeast of Calistoga Street, SR 162 is a T-3 Route, carrying 300,000 to 4 million tons per year. Calistoga Street W and the Orting-Kapowsin Highway are classified as T-3 Routes.

3.4 Non-Motorized Travel

In June 2017, the City of Orting adopted the Non-Motorized Transportation Plan (NMTP), which includes detailed information on non-motorized facilities, volumes, and policies for the City of Orting. For additional information on non-motorized travel in Orting, please see the NMTP.

3.5 Transit

There is no public fixed-route transit service in Orting. Pierce County Transit does provide vanpool services that serve groups traveling to and from work, whose trip origin or destination is within Pierce County.

Sound Transit Sounder commuter rail service is provided nearby in Puyallup and Sumner with service south to Lakewood and north to Seattle and Everett. Fixed-route bus transit is also provided in nearby Sumner and Puyallup to other destinations.

3.6 Air and Rail Service

There are no public or private airports or rail lines within the city of Orting or the surrounding area.

4. PLANNED TRANSPORTATION IMPROVEMENTS

This section summarizes the planned transportation improvements that would affect travel in Orting.

4.1 Pierce County Six-Year Transportation Improvement Program

The prioritization process for transportation projects in unincorporated Pierce County is implemented through the Pierce County Transportation Improvement Program (TIP). The 2017-2022 TIP does not include projects within Orting. However, the following projects are included in the TIP and are located near the city of Orting:

- 176th Street E Extension: Construct a new roadway and roadway improvements between Calistoga Avenue E and Sunrise Boulevard E.
- Orting-Kapowsin Highway E/200th Street E: Construct a traffic signal and provide turn lanes.
- 112th Street S/112th Street E: Widen roadway to provide turn lanes, pedestrian facilities, and illumination.

4.2 Orting Six-Year Transportation Improvement Program

The City of Orting's Six-Year Transportation Improvement Program 2016-2022 includes regrading, paving, parking, curb/gutter, sidewalks, and water, sewer, and storm improvements in the city of Orting. The following projects, listed in order of priority, are included in the Orting 2016-2022 TIP:

- SR 162 (Washington Avenue) Two-Way Left-Turn Lane: Provide a two-way left-turn lane and complete minor widening on SR 162 between Cardinal Lane and Leber Street beginning in 2017.
- Kansas Street SW Regrade: Complete regrading, and storm, sewer, and sidewalk improvements on Kansas Street between Harman Way S and Calistoga Street W beginning in 2019.
- Calistoga Street W: Complete regrading, curb and gutter, parking, and sewer, storm, and water improvements, and provide sidewalks and planter strips between Corrin Avenue NW and the Puyallup River Bridge beginning in 2020.
- Eldredge Avenue NW Regrade: Complete regrading, paving, parking, storm, sewer, and sidewalk improvements between Whitesell Street NW and Calistoga Street W beginning January 2019.
- Whitehawk Boulevard/SR 162 Intersection Improvement: Signalize intersection with existing lane configurations beginning in 2020.
- Bridge Street Regrade: Complete regrading, paving, parking, and curb and gutter improvements; provide sidewalks; and replace water main between Washington Avenue S and the River Avenue SE curve beginning in 2022.
- River Avenue SE Regrade: Complete regrading, paving, parking, sewer, and storm improvements; provide sidewalks; and replace the water main beginning in 2023.
- Orting Emergency Evacuation Bridge System at Gratzner Avenue NW: Construct pedestrian bridge over SR 162/Washington Avenue beginning in 2020.

- Southwest Connector: Construct bypass road from Groff Avenue NW to Orting Avenue NW beginning in 2020.
- Whitehawk Extension: Construct two- to three-lane arterial from Groff Avenue NW to Calistoga Street at Skinner Way SW including water, sewer, storm, curb and gutter, and sidewalks beginning in 2020.

The remaining projects included in the TIP are chip seal projects on various streets in Orting.

4.3 Washington State Department of Transportation Improvement Program

The following projects in or near Orting are included in WSDOT's Statewide Transportation Improvement Program (STIP) during the 2018–2021 planning timeframe:

- Whitehawk Boulevard Extension: This project will extend Whitehawk Boulevard NW between Orting Avenue NW to the intersection of Calistoga Street W and Kansas Street SW. The roadway will be one lane in each direction with a median in some locations and turning lanes at each end. A sidewalk or trail will also be provided along the length of the corridor and a signal will be installed at the intersection with SR 162. This project is scheduled to begin preliminary engineering in 2019. This is the same project that is included in the City's TIP.
- Orting-Kapowsin Highway E: This project includes resurfacing and restoring approximately 3.4 miles of the Orting-Kapowsin Highway E from Orville Road E to 246th Street E. The project is scheduled to start preliminary engineering in 2018 and construction in 2020.

4.4 Rhodes Lake Road East

The Rhodes Lake Road East project would widen 128th Street East from SR 162, north of Orting, and would construct a new arterial roadway from the Puyallup River to Falling Water Boulevard East. The purpose of the project is to improve east-west mobility in the plateau area of Bonney Lake and east of the Puyallup River. The new roadway will accommodate travel to and from the planned community called the Cascadia Employment-Based Planned Community, which calls for nearly 10,000 jobs and over 6,000 homes. It's possible that some of the traffic traveling to and from the Bonney Lake Plateau will also travel through Orting. It is anticipated that the project will be complete in 2030.

5. CONCURRENCY

The City of Orting requires that the capacity of public facilities and services is equal to or greater than the capacity required to maintain the LOS standards established by the City. The test for concurrency is not passed and a proposed project may be denied if the capacity of the public services or facilities is less than the capacity required to maintain the adopted LOS D standards after the impacts associated with the requested permit are added to the existing capacity utilization. The City will prohibit approval of any development that causes the level of service to fall below adopted standards, unless necessary improvements are made concurrently with the development. This concurrency requirement means that improvements or strategies must be in place at the time of the development or that a financial commitment must be in place to complete the improvements or strategies within 6 years. Methods for the City to monitor these commitments include:

- Annual monitoring of transportation facilities within updates to the Six-Year TIP
- Assessing level of service
- Reviewing the comprehensive transportation plan and other related studies for necessary improvements
- Making appropriate revisions to the Six-Year TIP

6. FUTURE TRANSPORTATION CONDITIONS

This section summarizes the future year (2040) transportation system for all modes of travel in Orting.

6.1 General Purpose Traffic

Traffic forecasting is a means of estimating future traffic volumes based on the expected growth in population and employment within an area. To estimate future traffic volumes resulting from growth, forecasts were prepared using current traffic counts, traffic growth described in the 2015 Orting Comprehensive Plan, and estimates of population and employment developed for the City's Comprehensive Land Use Plan. Future transportation conditions were evaluated for the year 2040.

The projected 2040 PM peak hour traffic volumes are provided on **Figure 6-1**.

6.2 Intersection Level of Service

Most intersections within the city are unsignalized (controlled by a stop sign). As traffic increases in Orting, turning onto the major streets from a side street will become increasingly difficult. As described earlier, the LOS criteria for stop-controlled intersections is typically determined by the minor street left-turn movement.

The LOS results for the study intersections are provided for the year 2040. Similar to existing conditions, LOS is described for the worst approach for unsignalized intersections. For signalized intersections, the average delay for all vehicles is reported.

Figure 6-2 shows the 2040 PM peak hour traffic operations for the study intersections in Orting. The same two study intersections that surpass the threshold under existing conditions are forecast to exceed the threshold in 2040. Washington Avenue N and Rocky Road NE (intersection C) and Calistoga Street W and Kansas Street SW (intersection P) are forecast to operate at LOS F in 2040. Similar to existing conditions, the side street delay at Washington Avenue N and Rocky Road NE (intersection C) would be experienced by very few vehicles as summarized in **Figure 6-1**. Four other study intersections (D, H, M, and O) are expected to operate acceptably but at the LOS threshold in 2040. It should also be noted that traffic operations at Washington Avenue N and Whitehawk Boulevard NW (intersection E) would improve because of the planned signal (see Section 4.3).

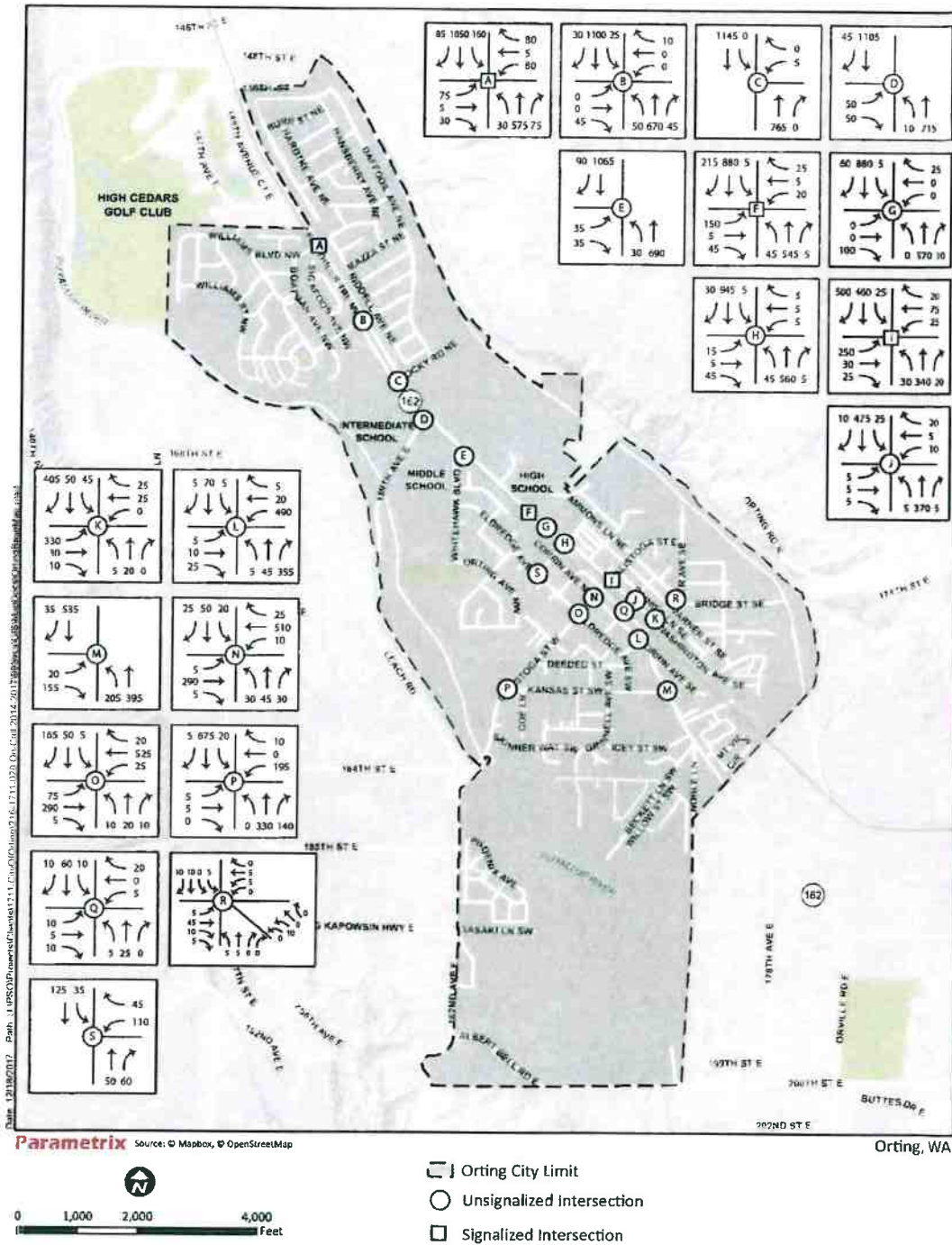


Figure 6-1. 2040 PM Peak Hour Intersection Traffic Volumes

6.3 Freight

Freight travel corridors would be expected to remain similar in 2040 compared to existing conditions. SR 162 and Calistoga Avenue W would be expected to carry most freight traffic through Orting. Intersection operations in 2040 along both major freight routes would operate at LOS D or better except for Calistoga Street W and Kansas Street SW (intersection P). Although the intersection at Washington Avenue N and Rocky Road (intersection C) is located along a freight corridor and is expected to operate at LOS F, the delay would not be experienced by freight traffic traveling on SR 162/Washington Avenue N.

6.4 Non-Motorized Travel

The future non-motorized transportation network is described in the NMTP. It is anticipated that non-motorized facilities would be similar to existing conditions except in locations where there are planned improvements to the sidewalk system, as identified in Section 4.3 and the NMTP.

6.5 Transit

Transit is expected to be similar in Orting in 2040. No public fixed-route transit service would be provided within Orting. Vanpool services would continue to be provided by Pierce Transit.

Pierce Transit and Sound Transit would continue to provide nearby transit service, including higher frequency transit to Puyallup and Sumner. Both agencies have developed long-range plans that describe future transit growth in Pierce County, which could include additional service for fixed-route bus service as well as commuter rail in nearby communities, such as Sumner and Puyallup.

6.6 Air and Rail Service

There would continue to be no public or private airports or rail lines within the city of Orting or the surrounding area.

7. FUTURE TRANSPORTATION VISION

To address the identified deficiencies in 2040, a list of potential improvements has been identified. Improvements are summarized by transportation mode.

7.1 General Purpose Traffic

Deficiencies for general purpose traffic were identified at intersections that would fail to meet the City of Orting's level of service goal of LOS D. Constructing a traffic signal is a common method for improving the LOS at a stop-controlled intersection. However, traffic signals should not be constructed unless certain factors are present, such as sufficient traffic volumes over long periods of the day, high levels of pedestrian traffic, or preventable accident history.

As summarized in Section 6.2, Washington Avenue N and Rocky Road NE (intersection C) and Calistoga Street W and Kansas Street SW (intersection P) are forecast to exceed LOS D in 2040. No improvements are recommended for Washington Avenue N and Rocky Road NE (intersection C) because this delay would be experienced by very few vehicles (approximately five) on the stop approach.

At Calistoga Street W and Kansas Street SW (intersection P), a roundabout intersection control is recommended. The roundabout would improve traffic operations from LOS F to LOS A in 2040 conditions. Calistoga Street W and Kansas Street SW (intersection P) will also become the eastern terminus of the Whitehawk Boulevard Extension. It is estimated that a roundabout at Calistoga Street W and Kansas Street SW (intersection P) would be approximately \$1.7 million to construct.

Although Harman Way S and Kansas Street SW (intersection M) is forecast to operate acceptably at the City's LOS D threshold, it is recommended that an eastbound left-turn lane be constructed on Kansas Street SW to improve intersection operations on the stop-controlled approach. This improvement would improve intersection operations from LOS D to LOS C in 2040 conditions. This improvement would cost approximately \$450 thousand to construct.

The school district has also indicated that Ammons Lane NE and Washington Avenue N (intersection F), the entrance to the Orting High School and Orting Primary School, gets congested during pick up and drop off times. Congestion in the school property can create traffic queues on SR 162/Washington Avenue N for vehicles attempting to turn right and left into the school property. To address this issue, the City could convert Ammons Lane NE (intersection F) to an exit only. Vehicles entering the school property could use Whitesell Street S or other neighborhood streets to then access the schools. This improvement would reduce queuing onto SR 162/Washington Avenue N and potentially improve safety along SR 162/Washington Avenue N. This improvement would cost approximately \$530 thousand to construct and likely would be funded primarily by Orting School District.

Figure 7-1 shows the LOS at study intersections following these proposed improvements to the study intersections.

7.2 Freight Traffic

Deficiencies for freight traffic were identified at intersections along freight corridors that would fail to meet the City of Orting's level of service goal of LOS D. The improvements described in Section 7.1 would improve operations for freight traffic traveling through Orting.

7.3 Non-Motorized Travel

Deficiencies in the non-motorized transportation system have been identified using Pedestrian Level of Stress (PLOS)¹ and Bicycle Level of Stress (BLOS)². Future improvements to the non-motorized network in Orting to address deficiencies are described in more detail in the NMTP.

As described in the NMTP, the City will work to address areas with high PLOS (scores 4 to 5) by completing gaps in the sidewalk and trail system. Pedestrian improvements would be prioritized in areas where pedestrian activity is higher and where pedestrian-oriented land use and destinations are located. Other pedestrian improvements include:

- Widen evacuation route along Calistoga Street W towards Soldiers home
- Widen the sidewalks on Calistoga Bridge
- Improve City's crosswalk safety
- Pursue opportunities to work with Pierce County to provide Americans with Disabilities Act (ADA) access to the levee system
- Complete the Orting Emergency Evacuation Bridge System

Also described in the NMTP, BLOS is low for most facilities in Orting. Improvements to the bicycle network would include the following:

- Improve connectivity to the Foothills Trail at Calistoga Street W
- Improve connectivity to the Foothills Trail at Kansas Street SW
- Construct bicycle lanes on Calistoga Street W and Kansas Street SW
- Restripe trail with 'fast' and 'slow' lanes for bicycle and foot traffic
- Relocate intersection crossings with the Foothills Trail to be in front of the stop bar at intersections

¹ Pedestrian Level of Stress is a measure used to evaluate how well a transportation system accommodates pedestrian travel. Facilities are evaluated based on a number of different criteria, such as sidewalk width, curb presence, and vehicle speed, and assigned a score from 1 to 5 with 1 being low level of stress to 5 being high level of stress.

² Bicycle Level of Stress is a measure used to evaluate how well a transportation system accommodates bicycle travel (also called Level of Traffic Stress, or LTS). Similar to Pedestrian Level of Stress, facilities are evaluated based on different criteria, such as street width, presence of on-street parking, and number of lanes, and assigned a score from 1 to 5 with 1 being low level of stress to 5 being high level of stress.

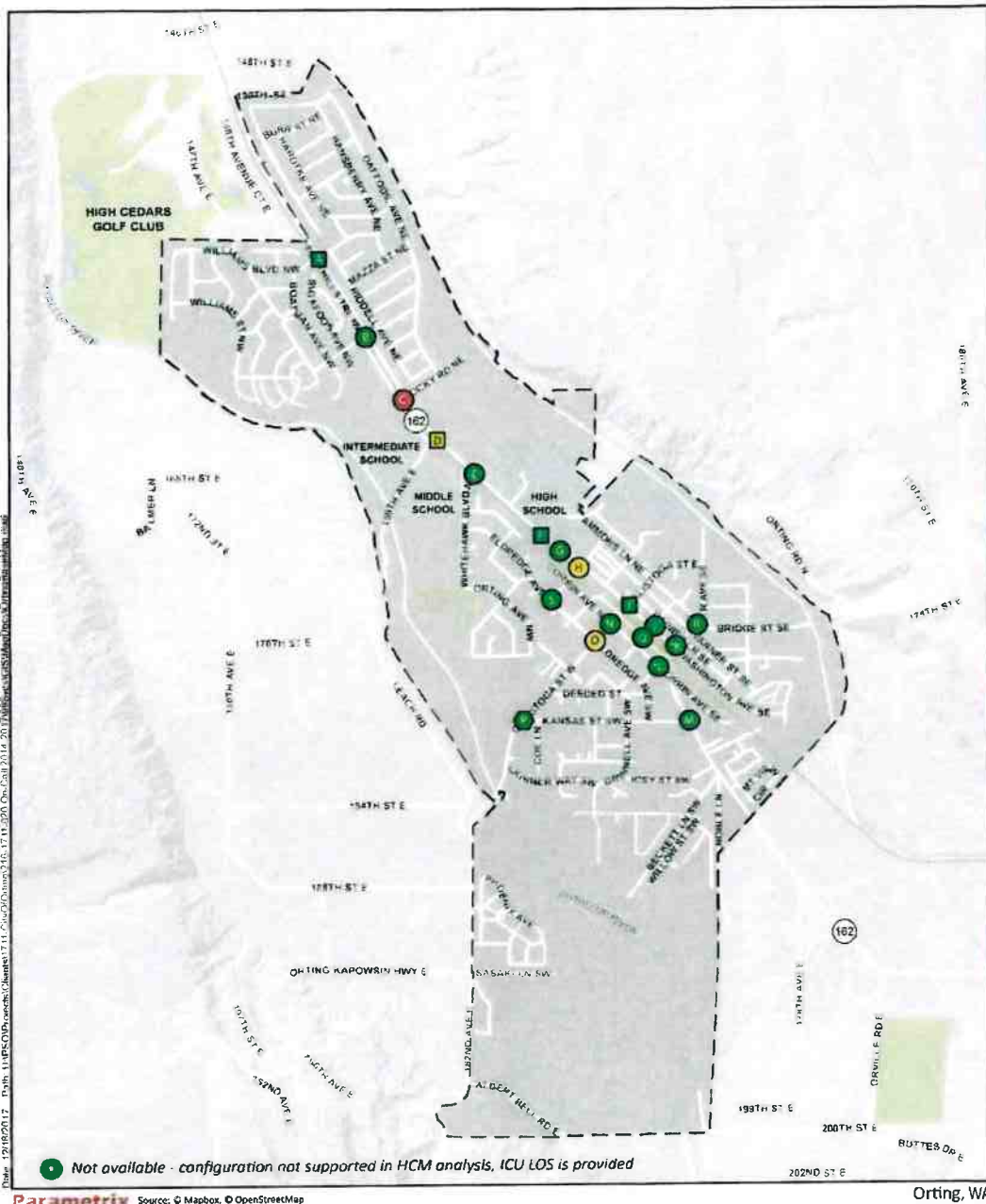


Figure 7-1. 2040 Transportation Vision PM Peak Hour Traffic Operations

7.4 Transit

There are no recommended improvements for transit service.

7.5 Air and Rail Service

There are no recommended improvements for air and rail service.

7.6 Other Strategies and Programs

Other strategies and programs can be used to help improve travel in Orting include Transportation Demand Management.

7.6.1 Transportation Demand Management

Transportation Demand Management (TDM) strategies can be implemented to decrease the amount of drive-alone vehicle trips, which can help to reduce congestion and delay. Viable travel alternatives help to mitigate impacts of growth in vehicular traffic and provide feasible options for more people. TDM strategies include:

- Improving land use accessibility by promoting mixed-use zoning with housing, shopping, schools, and employment within localized areas to encourage short vehicle trips and/or use of other travel modes, such as bicycling and walking.
- Encouraging ridesharing and vanpooling to reduce drive-alone vehicle trips.
- Working with the Orting School District to implement School Trip Management; School Trip Management includes promoting and implementing strategies to encourage non-vehicle travel to and from school.
- Encouraging bicycle and pedestrian travel by providing inviting, safe, convenient, and connected routes; education and incentive programs; and support services such as bicycle racks, showers, and lockers.
- Maintaining and improving a network of highways, streets, and roads that moves people, goods, and services safely and efficiently; minimizes social and environmental impacts; and supports various modes of travel.
- Providing adequate connections and access among all transportation modes, especially non-motorized and transit.
- Limiting the number of access points and driveways on major streets in Orting.

8. FUNDING THE TRANSPORTATION VISION

The GMA requires that a jurisdiction’s transportation plan contain a funding analysis of the transportation projects it recommends. The analysis should cover funding needs and funding resources, and it should include a multi-year financing plan. The purpose of this requirement is to ensure that each jurisdiction’s transportation plan is affordable or achievable. If a funding analysis reveals that a plan is not affordable or achievable, the plan must discuss how additional funds will be raised, or how land use assumptions will be reassessed.

Table 8-1 summarizes the proposed 2040 Improvement Program as was described in Chapter 7.

Table 8-1. 2040 Improvement Program

Roadway	Improvement		Cost Estimate (\$1,000)	Funding Source
	Type	Description		
Calistoga Street W/Kansas Street SW Roundabout	Capacity	Construct roundabout	\$2,380	City/Grants
Harman Way S/Kansas Street SW Left-Turn Lane	Safety and Circulation	Construct left-turn lane on Kansas Street SW	\$715	City/Grants
Ammons Lane NE/Washington Avenue N Exit Only	Safety and Circulation	Convert Ammons Lane NE to exit only	\$635	City/WSDOT/OSD

8.1 Federal Funding

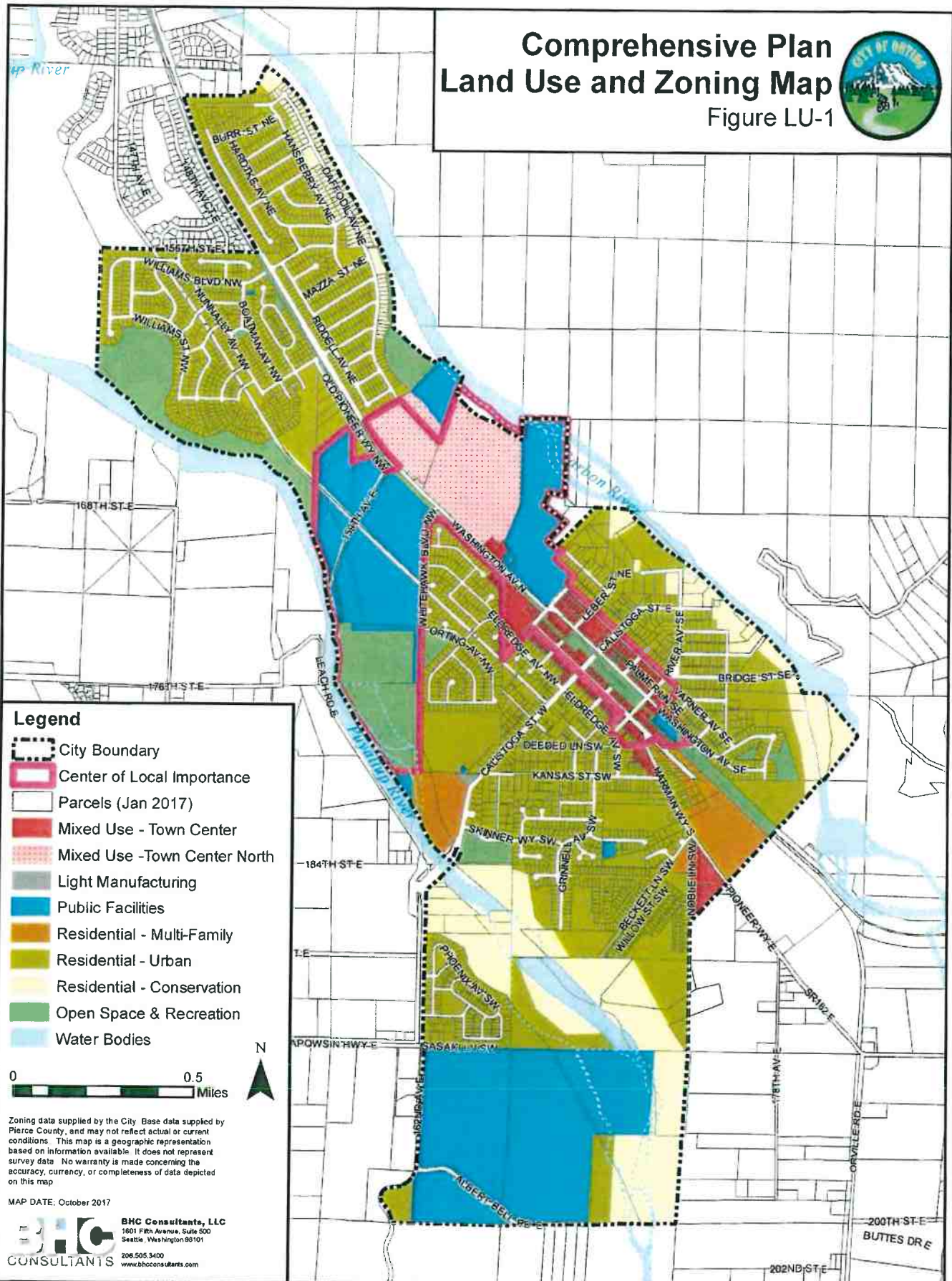
Federal funding for transportation projects includes FHWA’s Surface Transportation Block Grant Program funded through the Fixing America’s Surface Transportation (FAST) Act. Many types of projects are eligible, including bicycle/pedestrian, safety, traffic monitoring/management, and planning projects along with more traditional road and bridge projects. These funds are distributed by PSRC through a competitive grant application process.

PSRC also distributes Surface Transportation Program funds through the Rural Town Centers and Corridors (RTCC) program. The RTCC program was established to recognize and support the needs of the region’s rural areas. Funds are distributed through a competitive grant process that includes two stages: a Countywide stage and a Regional stage.

Exhibit D

Comprehensive Plan Land Use and Zoning Map

Figure LU-1



Legend

- City Boundary
- Center of Local Importance
- Parcels (Jan 2017)
- Mixed Use - Town Center
- Mixed Use -Town Center North
- Light Manufacturing
- Public Facilities
- Residential - Multi-Family
- Residential - Urban
- Residential - Conservation
- Open Space & Recreation
- Water Bodies

0 0.5 Miles

Zoning data supplied by the City Base data supplied by Pierce County, and may not reflect actual or current conditions. This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.

MAP DATE: October 2017

BHC Consultants, LLC
1901 Fifth Avenue, Suite 500
Seattle, Washington 98101
206.505.3400
www.bhcconsultants.com

Exhibit E

Exhibit E 1

Planning Commission

Recommendations Comp Plan

amendments

**City of Orting Comprehensive Plan
2019 Comprehensive Plan Text Amendments**

Land Use Element

Goal LU 8 **The Mixed-Use Town Center North area is intended to take advantage of the large lots and land area between the Orting High School and Rocky Road NE for development of new economic, residential and recreational opportunities that support a sustainable community by providing jobs and increasing the tax base.**

Discussion: *The MUTCN is a 65.6-acre area located east of Washington Avenue N, south of Rocky road NE, west of the Carbon River, and north of the Orting High School property. Development in this area is expected to include a mix of commercial, residential and recreational uses.*

- Pol. LU 8.1** **Development in the MUTCN shall be planned according to the following principles:**
- a. Access should be consistent with adopted City policies and strategies. Access from SR 162/Washington Avenue North should be limited to locations where intersections can be designed to handle increased traffic and turning movements.
 - b. Internal vehicular and pedestrian circulation throughout the area should be organized by a street grid that connects with the highway intersections and the residential neighborhood to the north, and also enables connections between different development projects and phases. This will also provide corridors for utilities. Development project approvals will include dedication of new public street rights-of-way in the MUTCN.
 - c. Blocks created by the street grid can simplify planning and permitting for development, particularly when phasing is anticipated.
 - d. Pedestrian amenities can be located and designed within the blocks and coordinated throughout the area as development plans are drafted.

Pol. LU 8.2 **All development in the MUTCN shall be approved through a Master Development Plan as defined in OMC 13-3-2-E and shall be subject to Architectural Design Review.**

Transportation Appendix

Roadway Improvements

R1: *Whitehawk Blvd NW Extension* – Construct a two/three-lane minor arterial roadway extending Whitehawk Blvd NW from the current terminus at Orting Circle south to Calistoga St. W ~~near~~ at Kansas St. SW. The existing portion of Whitehawk Blvd NW may need upgrading to minor arterial status.

Existing 2017 Comprehensive Plan Provisions for MUTCN Zone

(to be deleted and replaced by the Planning Commission's recommended language above, if Council approves)

Goal LU 8 Mixed Use – Town Center North is intended to take advantage of the large lots and land area between Orting High School and Rocky Road NE for **development** of new economic opportunities – including retail, office, urban agricultural and light manufacturing uses that support a sustainable community by providing jobs and increasing the tax base. Higher density residential uses are allowed as described below.

Discussion: *Town Center North is a 65.5 acre area located east of Washington Ave N, south of Rocky Road NE, west of the Carbon River, and north of the Orting High School property. Development of this area is expected to include at least 170,000 square feet of retail, service business, or light manufacturing space with related parking and site improvements. Residential development may be multifamily units on upper floors of*

Pol LU 8.1 All development in Town Center North shall be approved through either the Planned Unit Development or Binding Site Plan processes and will be subjected to Architectural Design Review as prescribed by the Orting Municipal Code. The City shall adopt specific Town Center North design guidelines and standards for public improvements and private developments in the area.

ORTING COMPREHENSIVE PLAN
2017

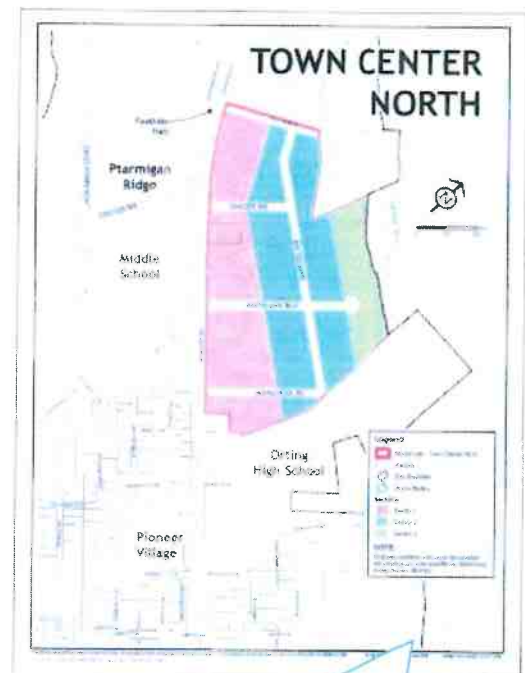
LAND USE
LU 8

buildings with ground floor commercial uses, single-purpose multifamily buildings, or attached ground-related units within the sectors as provided in the development code. The maximum residential density shall be 10 dwelling units per gross acre.

The type of development in the MUTCN will depend on land uses proposed within the sectors. Development in Sector 1 will focus on pedestrian-oriented retail and other commercial uses. Development in Sectors 2 and 3 may be larger in scale, and may include light manufacturing, urban agricultural, residential, or office uses. The basic site concept for the area is illustrated by the figure. Street alignments and sector boundaries are illustrative, with final street alignments and sector boundaries to be determined through the master planning process.

Pol LU 8.1 Development in Town Center North shall be planned according to the following principles:

- Access should be consistent with adopted city policies and strategies. Access from SR 162 (Washington Ave N) should be limited to locations where intersections can be designed to handle increased traffic and turning movements.
- Internal vehicular and pedestrian circulation throughout the area should be organized by a street grid that connects with the highway intersections and the residential neighborhood to the north, and also enables connections between different development projects and phases. This will also provide corridors for utilities. Development project approvals will include dedication of new public street rights-of-way in Town Center North.
- Blocks created by the street grid can simplify planning and permitting for development, particularly when phasing is anticipated.
- Pedestrian amenities can be located and designed within the blocks and coordinated throughout the area as development plans are drafted.



Planning Commission
recommends removing
map from Comp Plan

Exhibit E 2

Planning Commission

Recommendations Zoning

Code Text

13-3-2: ZONE CLASSIFICATIONS:

E. MUTCN Mixed Use-Town Center North Zone:

1. Purpose And Intent: The intent of the MUTCN Zone is to take advantage, if desirable opportunities are presented to the City, of the large lots and land area between Orting High School and Rocky Road for the development of new economic opportunities including a mix of residential, non-residential, open space and recreational uses that support a sustainable community by providing jobs and increasing the tax base. Pedestrian amenities, public transportation, and architectural design review will be considerations throughout master planning and development approvals for projects in this zone.

2. Master Development Plan Required: Development in the MUTCN (Mixed Use Town Center North) requires approval of a master development plan that shall include a planned unit development and an approved development agreement with site specific design guidelines, a parcel map if future phases are anticipated. The development agreement shall set forth the conditions for development, public improvements, and phasing, if applicable. The master development plan approval process is a Type 4 permit per section [15-4-1](#) of this Code. All development and uses shall be in accordance with the adopted master development plan. Provisions for allowed and conditional uses, site specific locations of public streets, parks and open spaces, and design standards described in this section shall be interpreted and modified as appropriate during the master plan review and planned unit development approval process based on evidence provided by the applicant.

3. Master Plan Elements: The master development plan shall contain, at a minimum, the following:

a. A master site plan showing the location of:

- (1) Buildings;
- (2) Streets, alleys, and major driveways;
- (3) Off street parking areas;
- (4) Open spaces (plazas, squares, courtyards, and other spaces intended for public enjoyment) based on the proposed uses and whether they are intended to serve the public;
- (5) Critical areas and buffers;
- (6) Shorelines;
- (7) Floodplains;
- (8) Pedestrian walks and paths;
- (9) Landscaping;
- (10) Proposed Phases; and
- (11) Other site features;

b. A unified parking management plan showing potential shared parking areas;

c. Subdivision or Binding Site Plan proposals per [title 12](#) of this Code, if applicable; and

EXHIBIT E.2 –July 1, 2019, Planning Commission Recommended

- d. Other materials as required for planned development or binding site plan approval and architectural design review per this title.
4. Principal Uses: Section 13-3-3, Table 1, of this chapter, shows the allowed principal and conditional uses in the MUTCN Zone. ~~and summarizes those uses in the sectors within the zone. The minimum number of residences allowed in MUTCN is based on a maximum gross density of ten (10) dwelling units per acre.~~ Uses not listed are prohibited. All development within the MUTCN is subject to Architectural Design Review.
5. Bulk and Dimensional Requirements: The following bulk and dimensional requirements apply to the MUTCN district:
 - a. Non-Residential Space: A minimum of 15 acres of dedicated non-residential space (Commercial, Industrial, Cultural and/or Public Uses per OMC 13-3-3, Table 1) located primarily along Washington Avenue N/SR 162 but may also be located adjacent to Rocky Road, the Orting Wastewater Treatment Plant or the Orting School District property. Prior to certificates of occupancy for any residential dwellings, a minimum of 50% of the required commercial space shall be constructed as commercial shells ready for tenant improvement and occupancy.
 - b. Public Open Space: In addition to the required commercial plazas and courtyards (OMC 13-3-2-E-7-f) and the residential open space (OMC 13-3-2-E-7-g), the district shall contain a minimum of 5 acres of useable open space that is not part of a critical areas buffer or shoreline buffer, required landscaping or perimeter buffering, part of a required easement, or part of a stormwater facility. This 5 acres of open space may not be subdivided into smaller tracts. Public access shall be provided to the levy.
 - c. Residential Density: The minimum residential density is 4 dwelling units per gross acre. The maximum residential density for any residential development parcel is 9 dwelling units per acre. Senior housing and residential over retail have no maximum density restrictions and do not count toward the density total.

Each of the above totals shall be proportionate in acreage to the parcel size for each lot of record existing as of the date of adoption of this code. This provision shall run with the land and be in effect whether the parcels remain in their existing configuration or are subsequently divided. Adjacent landowners may pay market value to allow the provision of a contiguous 5-acre tract of Public Open Space in the MUTCN zone or to aggregate commercial acreage into one portion of the zone.

Height is restricted to 35-feet.

6. Project Design: The design, layout and distribution of uses such as buildings, landscaping, parking areas, signs, open spaces, public areas, and streetscapes shall comply with the approved master development and guidelines. Proposed design features shall be reviewed by the Planning Commission in accordance with section 13-6-7 of this title and the MUTCN design guidelines. The following design features shall be addressed during the review of all project proposals:

EXHIBIT E.2 –July 1, 2019, Planning Commission Recommended

- a. Architectural character illustrated by building elevations and renderings showing design features, building orientations, and relationships to parking, pedestrian areas, and open spaces;
 - b. Public plazas and open spaces;
 - c. Relationships to adjacent properties, uses, and buildings;
 - d. Pedestrian walkways and paths;
 - e. Construction materials and colors;
 - f. Coordinated signage and lighting;
 - g. Streetscape design for improvements in public rights-of-way including sidewalk finishes, street trees, lighting, and street furniture;
 - h. Landscaping of parking areas, open spaces, and project perimeters; and
 - i. Use of low impact design techniques for stormwater management.
7. MUTCN Design Guidelines: The following guidelines are supplementary to other adopted design standards and guidelines:
- a. Pedestrian Oriented Street Frontage: Buildings shall provide pedestrian entries along streets. Sidewalks along SR 162/Washington Avenue North and in the non-residential shall be a minimum of eight feet (8') in width with greater widths at entries. Sidewalks along all other roadways must be a minimum of five feet (5') in width. All streets shall have street trees spaced no more than thirty feet (30') apart. All streets shall be public streets built to the City of Orting Public Works standards. Buildings on public street frontages shall provide at least two (2) of the following pedestrian amenities:
 - (1) Window displays along at least seventy five percent (75%) of the frontage;
 - (2) Pedestrian weather protection;
 - (3) Street furniture such as benches, drinking fountains, trash receptacles, public art, or site maps;
 - (4) Open spaces including cafe seating, plazas, play structures, fountains, or gardens;
 - (5) Perimeter landscaping; and/or

EXHIBIT E.2 –July 1, 2019, Planning Commission Recommended

- (6) Sidewalk "bulb-outs" at street intersections may be allowed depending upon traffic study findings.

- b. Off Street Parking Access: Off street parking between streets and buildings shall be minimized. Curb cuts providing driveways to off street parking lots shall be minimized. The building street frontage facade shall not be broken by parking lots for more than sixty-five feet (65') at any location.

- c. Service Areas: Loading areas, outdoor storage, waste facilities, and other services shall be located and screened from public views and adjacent properties with a combination of location, landscaping and solid fencing.

- d. Building Design: All buildings shall be designed in compliance with the architectural design review (ADR) standards set forth in section 13-6-7 of this title. Further, all buildings more than three (3) stories in height or larger than ten thousand (10,000) square feet of footprint area shall provide at least two (2) of the following features to reduce their visual bulk as viewed from public streets:
 - (1) Upper story setbacks;

 - (2) Horizontal modulation in the form of setbacks or projections. The maximum facade length without modulation shall be one hundred feet (100'). The minimum depth of setbacks or projections shall be six feet (6');

 - (3) Roofline modulations in the form of fascias, parapets, gables, hips, or shed forms with a minimum pitch of three to twelve (3:12); and/or

 - (4) Facade articulation in the form of windows, bays, porches, entries, material changes, lighting, trellises, landscaping and other features.

- e. Signage: The master development plan shall include a signage plan including a unifying theme, and details for all typical signs such as monument signs, major building signs, projecting signs, storefront signs, lighting, and directional signs.

- f. Plazas and Courtyards: Plazas and courtyards are required in all non-residential areas, except for light industrial use areas. Plazas are major open space features intended to provide significant opportunities for public use and enjoyment including special events. Courtyards are smaller open space features intended to provide quiet spaces for resting and relaxing. For each ten thousand (10,000) square feet of building area, a combination of plazas and/or courtyards totaling one thousand (1,000) square feet is required. The minimum area of a courtyard is two hundred fifty (250) square feet. The minimum area of plaza is one thousand (1,000) square feet. At least twenty five percent (25%) of all plazas and courtyards shall be landscaped with trees, shrubs, and ground cover at grade or in planters. At least twenty five percent (25%) shall be paved with decorative materials. Seating (1 linear foot of seating area for each 60 square feet of plaza or courtyard area), trash receptacles, public art, water features, and other furnishings shall be provided.

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- g. **Residential Open Space:** Small scale, usable open space is required in all residential areas. All residential open space areas must be relatively level; located on useable space that is not part of a critical areas or shoreline buffer and must provide access and inclusive uses for all persons, including those with mobility issues and other disabilities. Areas required for perimeter buffering, landscaping, screening, utilities or storm water facilities may not be counted as residential open space. For every 50 dwelling units, a combination of open space areas including tot lots, pedestrian amenities, picnic areas, etc. totaling two thousand (2,000) square feet is required. The minimum area of an individual open space is one thousand (1,000) square feet. No side dimension of the open space may be less than 30 feet. At least 50% of all residential open space shall be landscaped with trees, shrubs, and ground cover at grade or in planters. At least twenty five percent (25%) shall be improved with play structures, unless the development is predominantly senior housing. Seating (1 linear foot of seating area for each 60 square feet of residential open space), trash receptacles, public art, water features, and other furnishings shall be provided.
- h. **Low Impact Design:** In conjunction with standard stormwater management practices, site design for stormwater conveyance, detention, and treatment shall include measures such as biofiltration, irrigation reuse, and other techniques integrated with the overall landscape design to minimize high volumes of discharge and pollution, where reasonably practicable.
- i. **LEED Certification:** All new construction shall be certified as LEED certified or higher by the leadership in energy and environmental design (LEED) U.S. Green Building Council rating system.

13-3-3: USES:

TABLE 1 CITY OF ORTING LAND USE

RC: Residential-Conservation Zone	MUTC: Mixed Use-Town Center Zone	OS: Open Space and Recreation Zone
RU: Residential-Urban Zone	MUTCN: Mixed Use-Town Center North Zone	PF: Public Facilities Zone
RMF: Residential-Multi-Family Zone	LM: Light Manufacturing Zone	

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Residential uses ¹ :								
Cottage	P	P	P		<u>P</u>			
Cottage development		p ^{3,4}	p ^{3,4}		<u>P</u>			
Duplex		P ¹⁰	P	P	<u>p²⁵</u>			
Group residences:		C	C ³	C ³				C ²²
Adult family homes	P	P	P	P	<u>P</u>			
Attached ground related residences					<u>P</u>			
Single room occupancy sleeping units								C

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Other ⁶		C	P	C	<u>P</u>			
Manufactured home park	C	C	C					
Mobile/manufactured home	P ⁷	P ⁷	P ⁷					
Multiple-family			P	P ³	<u>P</u>			
Single-family detached	P	P	P		<u>p²⁵</u>			
Temporary lodging:								
Bed and breakfast	C	C	C	P ³				
Hotel/motel				P ³	<u>P</u>			
Rooming house			C	C ³				
Townhouse		P ¹⁰	P	P ³	<u>p²³</u>			
Commercial uses:								
Adult businesses				C ³				
Arcades				P ³				
Clubs and lodges			C ³	P ³				
Communication facilities					<u>C</u>			
Communication services				P ³	<u>C</u>			
Daycare facilities:								
Centers - commercial		C	C	C	<u>P</u>			

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Provider home facility	P	P	P	C ³				
Eating and drinking places			C ³	P ³	<u>P</u>		C ³	
Health services			P ³	P ³	<u>P</u>			
Home occupations ¹²	C ¹³	C	C	C ³	<u>P</u>			
Liquor stores				P ³	<u>P</u>			
Offices			C ³	P ³	<u>P</u>	C ³		
Personal services				P ³	<u>P</u>			
Retail fuel sales				C ³	<u>P</u>	P ³		
Retail sales			C ^{3,14}	P ³	<u>P</u>	C ³	C ³	
Theaters				P ³	<u>P</u>			
Veterinary clinics					<u>P</u>			
Veterinary facilities				P ³	<u>P</u>	P ³		
Industrial uses:								
Manufacturing ¹⁸ :								
Assembly/fabrication					<u>C²⁴</u>	P		
Food processing					<u>C²⁴</u>	P		
Light manufacturing					<u>C²⁴</u>			
Petroleum products						P		

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Wineries and breweries					<u>P</u>	P		
Wood products						P		
Storage and shipping:								
Construction business					<u>C²⁴</u>	P		
Equipment rental					<u>C²⁴</u>	P		
Freight facilities warehousing						P		
Outdoor storage					<u>C²⁴</u>	C		
Self-service storage					<u>C²⁴</u>	P		
Wholesale trade					<u>C²⁴</u>	P		
Cultural and recreational uses:								
Cultural:								
Art galleries				P ³	<u>P</u>			
Churches	C ³	C ³	C ³	P ³	<u>P</u>			
Community centers				P ³	<u>C</u>			
Community facilities					<u>C</u>			
Libraries				P ³	<u>P</u>			
Museums				P ³	<u>P</u>			
Outdoor theaters				P ³	<u>C</u>			

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Recreation:									
Athletic fields	C ²⁰	C ²⁰	C ²⁰			<u>C</u>		P	P
Campgrounds	C ²⁰	C ²⁰	C ²⁰					P	P
Golf facilities	C ²⁰	C ²⁰	C ²⁰					P	P
Parks	C ²⁰	C ²⁰	C ²⁰	C ²⁰		<u>P</u>	C ²⁰	P	P
Parks, plazas, courts						<u>P</u>			
RV parks	C ²⁰	C ²⁰	C ²⁰					C	C
Resorts (including lodging)			C	C		<u>C</u>			
Shooting ranges	C						C	C	C
Spas and health clubs						<u>P</u>			
Stables/riding clubs	C ²⁰							C	P
Trails	C ²⁰	C ²⁰	C ²⁰	C ²⁰		<u>P</u>	C ²⁰	P	P
Public uses:									
Animal shelters						<u>C²⁴</u>	P		P
Colleges and universities			C	C		<u>C</u>	C		P
Correctional facilities							C		C
Emergency services		C	C	C		<u>C</u>	P		P
Government offices			P	P		<u>P</u>	P		P

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Hazardous materials						C		C
Hospitals	C ³	C ³	C ³	C	<u>C</u>	C		P
Justice facilities								P
K - 12 schools	C	C	C	P	<u>C</u>			P
Landfills		C				C		C
Public safety facilities		C	C	C	<u>C</u>	P		P
School support facilities					<u>C</u>	P		P
Shared off street parking				C	<u>P</u>			
Solid waste facilities						C		P
Transit facilities	C	C	C	C	<u>C</u>	C	C	P
Utility facilities	C	C	C	C	<u>C</u>	P	C	P
Vocational schools			C	C	<u>C</u>	C		P
Wastewater treatment								P
Water supply facilities	C	C	C	C	<u>C</u>	C	C	P
Resource uses:								
Agricultural:								
Agricultural research, testing and training	C					P		C

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	Growing crops	P						
	Livestock and small animals	P ²¹						
Fish and wildlife management:								
	Aquaculture	C					C	C
	Wildlife shelters	C					C	C
Forestry:								
	Growing trees	P						
	Mills					P		
	Research and testing	C				P		C
Mineral:								
	Batch plants					P		
	Extraction and processing	C	C	C		P		C

Notes:

1. Residential planned unit developments (PUD) may allow increases in underlying density except in the MUTCN.
2. All development subject to Master Development Plan and MUTCN Bulk and Dimensional Requirements. See sections 13-3-2-E-2 and E-5 of this code.
3. Subject to architectural design review.
4. As a binding site plan.
5. Not located along retail street frontages.
6. Housing more than 12 unrelated individuals.
7. On a legal lot with permanent foundation.
8. On upper floors above ground floor commercial only.
9. On upper floors above ground floor commercial, or in freestanding residential buildings.
10. Duplexes and townhouses are not allowed on flag lots in the RU zone.

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11. In planned retail centers when building area is less than 10,000 square feet.
12. See section [13-5-4](#) of this title.
13. On site sales of agricultural products allowed.
14. Food stores only.
15. On upper floors above ground floor retail.
16. Including outdoor display or sales yards.
17. Not including overnight kennels or treatment facilities.
18. Machine shops, incinerators, wrecking yards, and feedlots may be permitted subject to appropriate mitigation of impacts on surrounding nonindustrial areas. Significant adverse noise, air quality, or other impacts caused by manufacturing processes shall be contained within buildings.
19. When entirely located in a building, not producing adverse noise or air quality impacts, and not located along retail street frontage. Ground floor area limited to 10,000 square feet maximum.
20. Private facilities.
21. Subject to all other City regulations regarding livestock.
22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.
23. Three or more units per building.
24. May not have frontage along SR 162/Washington Avenue N. Must be screened from all adjacent residences with sight obscuring landscaping, 6-foot tall solid fencing.
25. For Senior Housing (aged 55+) only.

Exhibit F

Exhibit F.1

Staff Recommendations

M. Bethune

13-3-2: ZONE CLASSIFICATIONS:

E. MUTCN Mixed Use-Town Center North Zone:

1. Purpose And Intent: The intent of the MUTCN Zone is to take advantage, if desirable opportunities are presented to the City, of the large lots and land area between Orting High School and Rocky Road for the development of new economic opportunities including a mix of residential, non-residential, open space and recreational uses that support a sustainable community by providing jobs and increasing the tax base. Pedestrian amenities, public transportation, and architectural design review will be considerations throughout master planning and development approvals for projects in this zone. The zone is comprised of two parcels. Parcel #0519301081 will be referred as “Gratzer” and parcel 0519301703 will be referred to as “Engfer”.

2. Master Development Plan Required: Development in the MUTCN (Mixed Use Town Center North) requires approval of a master development plan that shall include a planned unit development and an approved development agreement with site specific design guidelines, a parcel map if future phases are anticipated. The development agreement shall set forth the conditions for development, public improvements, and phasing, if applicable. The master development plan approval process is a Type 4 permit per section 15-4-1 of this Code. All development and uses shall be in accordance with the adopted master development plan. Provisions for allowed and conditional uses, site specific locations of public streets, parks and open spaces, and design standards described in this section shall be interpreted and modified as appropriate during the master plan review and planned unit development approval process based on evidence provided by the applicant.

3. Master Plan Elements: The master development plan shall contain, at a minimum, the following:

a. A master site plan showing the location of:

- (1) Buildings;
- (2) Streets, alleys, and major driveways;
- (3) Off street parking areas;
- (4) Open spaces (plazas, squares, courtyards, and other spaces intended for public enjoyment) based on the proposed uses and whether they are intended to serve the public;
- (5) Critical areas and buffers;
- (6) Shorelines;
- (7) Floodplains;
- (8) Pedestrian walks and paths;
- (9) Landscaping;
- (10) Proposed Phases; and
- (11) Other site features;

b. A unified parking management plan showing potential shared parking areas;

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- c. Subdivision or Binding Site Plan proposals per title 12 of this Code, if applicable; and
 - d. Other materials as required for planned development or binding site plan approval and architectural design review per this title.
4. Principal Uses: Section 13-3-3, Table 1, of this chapter, shows the allowed principal and conditional uses in the MUTCN Zone. and summarizes those uses in the sectors within the zone. The minimum number of residences allowed in MUTCN is based on a maximum gross density of ten (10) dwelling units per acre. Uses not listed are prohibited. All development within the MUTCN is subject to Architectural Design Review.
5. Bulk and Dimensional Requirements: The following bulk and dimensional requirements apply to the MUTCN district:
- a. Non-Residential Space: A minimum of 15 acres of dedicated non-residential space (Commercial, Industrial, Cultural and/or Public Uses per OMC 13-3-3, Table 1) located primarily along Washington Avenue N/SR 162 but may also be located adjacent to Rocky Road, the Orting Wastewater Treatment Plant or the Orting School District property. Two types of commercial property shall be recognized. The first is retail, hotel, and office space. The second includes light industry and storage facilities and recreational facilities such as bowling alleys. Buildings that front SR162 are limited to retail, hotel and office space. Prior to certificates of occupancy for any residential dwellings, a minimum of 50% of the required commercial space 4,000 square feet of retail, hotel and/or professional office space for every 1-100 residential units shall be constructed facing SR162 as commercial shells ready for tenant improvement and occupancy. A minimum of 1,000 square feet of any type of commercial buildings will be completed for every 1-100 residential units in areas that are at least 100' east of SR162 (the east ROW boundary of the highway) as commercial shells ready for tenant improvement.
 - b. Public Open Space: In addition to the required commercial plazas and courtyards (OMC 13-3-2-E-7-f) and the residential open space (OMC 13-3-2-E-7-g), the district shall contain a minimum of 5 acres of useable open space that is not part of a critical areas buffer or shoreline buffer, required landscaping or perimeter buffering, part of a required easement, or part of a stormwater facility. This 5 acres of open space may not be subdivided into smaller tracts. Public This 5 acres of open space will be divided into two contiguous parks, proportioned upon the size of the two parcels. A minimum of three (3) acres of contiguous park will be developed upon the Engfer parcel and a minimum of two (2) contiguous acres will be developed upon the Gratzer parcel. All park and recreational equipment shall have ADA accessible features. - Public ADA access shall be provided to the levy.
 - c. Residential Density: The minimum residential density is 4 dwelling units per gross acre. The maximum residential density for any residential development parcel is 912 dwelling units per acre. Senior housing and (55+) residential density shall be a minimum of 4 dwelling units per acre and a maximum of 20 units per acre. Residential over retail have no maximum density restrictions and do not count toward the density total.

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(Each of the above totals shall be proportionate in acreage to the parcel size for each lot of record existing as of the date of adoption of this code. This provision shall run with the land and be in effect whether the parcels remain in their existing configuration or are subsequently divided. Adjacent landowners may pay market value to allow the provision of a contiguous 5-acre tract of Public Open Space in the MUTCN zone or to aggregate commercial acreage into one portion of the zone. ??)

Height is restricted to 35 feet.

Height is restricted to a maximum of thirty five (35) feet and a maximum of two stories to buildings fronting SR162 and Rocky Rd and a maximum of forty five (45) feet for all other buildings, except adjacent to the Shoreline jurisdiction where buildings are limited to a height of thirty-five (35) feet. –The number of occupied floors for any building shall not exceed three (3).- Development shall not be allowed that raises the height of the ground above the site plan elevations as approved by the city.

6. Project Design: The design, layout and distribution of uses such as buildings, landscaping, parking areas, signs, open spaces, public areas, and streetscapes shall comply with the approved master development and guidelines. Proposed design features shall be reviewed by the Planning Commission in accordance with section [13-6-7](#) of this title and the MUTCN design guidelines. The following design features shall be addressed during the review of all project proposals:

- a. Architectural character illustrated by building elevations and renderings showing design features, building orientations, and relationships to parking, pedestrian areas, and open spaces;
- b. Public plazas and open spaces;
- c. Relationships to adjacent properties, uses, and buildings;
- d. Pedestrian walkways and paths;
- e. Construction materials and colors;
- f. Coordinated signage and lighting;
- g. Streetscape design for improvements in public rights-of-way including sidewalk finishes, street trees, lighting, and street furniture;
- h. Landscaping of parking areas, open spaces, and project perimeters; and
- i. Use of low impact design techniques for stormwater management.

7. MUTCN Design Guidelines: The following guidelines are supplementary to other adopted design standards and guidelines:

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Amended by Mark Bethune 8/22/19

- a. Pedestrian Oriented Street Frontage: Buildings shall provide pedestrian entries along streets. Sidewalks along SR 162/Washington Avenue North, One side of Daffodil, and one side of Rocky Rd., and adjacent to all non-residential uses in the (non-residential?) shall be a minimum of eight feet (8') in width with greater widths at entries. Sidewalks along all other roadways must be a minimum of five feet (5') in width. All streets shall have street trees spaced no more than thirty feet (30') apart. All streets shall be public streets built to the City of Orting Public Works standards. Buildings on public street frontages shall provide at least two (2) of the following pedestrian amenities:
- (1) Window displays along at least seventy five percent (75%) of the frontage;
 - (2) Pedestrian weather protection;
 - (3) Street furniture such as benches, drinking fountains, trash receptacles, public art, or site maps;
 - (4) Open spaces including cafe seating, plazas, play structures, fountains, or gardens;
 - (5) Perimeter landscaping; and/or
 - (6) Sidewalk "bulb-outs" at street intersections may be allowed depending upon traffic study findings.
- b. Off Street Parking Access: Off street parking between streets and buildings shall be minimized. Curb cuts providing driveways to off street parking lots shall be minimized. The building street frontage facade shall not be broken by parking lots for more than sixty-five feet (65') at any location. No more than 50% of the total frontage along SR 162 may be occupied by parking areas.
- c. Service Areas: Loading areas, outdoor storage, waste facilities, and other services shall be located and screened from public views and adjacent properties with a combination of location, landscaping and solid fencing.
- d. Building Design: All buildings shall be designed in compliance with the architectural design review (ADR) standards set forth in section 13-6-7 of this title. Further, all buildings more than ~~three (3)~~two (2) stories in height or larger than ten thousand (10,000) square feet of footprint area shall provide at least two (2) of the following features to reduce their visual bulk as viewed from public streets:
- (1) Upper story setbacks;
 - (2) Horizontal modulation in the form of setbacks or projections. The maximum facade length without modulation shall be one hundred feet (100'). The minimum depth of setbacks or projections shall be six feet (6');

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- (3) Roofline modulations in the form of fascias, parapets, gables, hips, or shed forms with a minimum pitch of three to twelve (3:12); and/or
 - (4) Facade articulation in the form of windows, bays, porches, entries, material changes, lighting, trellises, landscaping and other features.
- e. Signage: The master development plan shall include a signage plan including a unifying theme, and details for all typical signs such as monument signs, major building signs, projecting signs, storefront signs, lighting, and directional signs.
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- ~~i. LEED Certification: All new construction shall be certified as LEED certified or higher by the leadership in energy and environmental design (LEED) U.S. Green Building~~

EXHIBIT F.1 – Staff Recommendation
Amended by Mark Bethune 8/22/19

~~Council rating system.~~ Mt Rainier View Site Lines: The siting of buildings and their heights shall not impede the substantial view of Mt. Rainier from the corner of SR162 and Rocky Rd and from the interior contiguous parks.

**EXHIBIT F.1 – Staff Recommendation
Amended by Mark Bethune 8/22/19**

	Other ⁶		C	P	C	<u>P</u>			
	Manufactured home park	C	C	C					
	Mobile/manufactured home	P ⁷	P ⁷	P ⁷					
	Multiple-family			P	P ³	<u>P</u>			
	Single-family detached	P	P	P		<u>p²⁵</u>			
	Temporary lodging:								
	Bed and breakfast	C	C	C	P ³				
	Hotel/motel				P ³	<u>P</u>			
	Rooming house			C	C ³				
	Townhouse		p ¹⁰	P	P ³	<u>p²³</u>			
	Commercial uses:								
	Adult businesses				C ³				
	Arcades				P ³				
	Clubs and lodges			C ³	P ³				
	Communication facilities					<u>C</u>			
	Communication services				P ³	<u>C</u>			
	Daycare facilities:								
	Centers - commercial		C	C	C	<u>P</u>			

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	Provider home facility	P	P	P	C ³				
	Eating and drinking places			C ³	P ³	<u>P</u>		C ³	
	Health services			P ³	P ³	<u>P</u>			
	Home occupations ¹²	C ¹³	C	C	C ³	<u>P</u>			
	Liquor stores				P ³	<u>P</u>			
	Offices			C ³	P ³	<u>P</u>	C ³		
	Personal services				P ³	<u>P</u>			
	Retail fuel sales				C ³	<u>P</u>	P ³		
	Retail sales			C ^{3,14}	P ³	<u>P</u>	C ³	C ³	
	Theaters				P ³	<u>P</u>			
	Veterinary clinics					<u>P</u>			
	Veterinary facilities				P ³	<u>P</u>	P ³		
	Industrial uses:								
	Manufacturing ¹⁸ :								
	Assembly/fabrication					<u>C²⁴</u>	P		
	Food processing					<u>C²⁴</u>	P		
	Light manufacturing					<u>C²⁴</u>			
	Petroleum products						P		

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	Wineries and breweries					<u>P</u>	P		
	Wood products						P		
	Storage and shipping:								
	Construction business					<u>C²⁴</u>	P		
	Equipment rental					<u>C²⁴</u>	P		
	Freight facilities warehousing						P		
	Outdoor storage					<u>C²⁴</u>	C		
	Self-service storage					<u>C²⁴</u>	P		
	Wholesale trade					<u>C²⁴</u>	P		
	Cultural and recreational uses:								
	Cultural:								
	Art galleries				P ³	<u>P</u>			
	Churches	C ³	C ³	C ³	P ³	<u>P</u>			
	Community centers				P ³	<u>C</u>			
	Community facilities					<u>C</u>			
	Libraries				P ³	<u>P</u>			
	Museums				P ³	<u>P</u>			
	Outdoor theaters				P ³	<u>C</u>			

EXHIBIT F.1 – Staff Recommendation
Amended by Mark Bethune 8/22/19

Recreation:									
Athletic fields	C ²⁰	C ²⁰	C ²⁰			<u>C</u>		P	P
Campgrounds	C ²⁰	C ²⁰	C ²⁰					P	P
Golf facilities	C ²⁰	C ²⁰	C ²⁰					P	P
Parks	C ²⁰	C ²⁰	C ²⁰	C ²⁰		<u>P</u>	C ²⁰	P	P
Parks, plazas, courts						<u>P</u>			
RV parks	C ²⁰	C ²⁰	C ²⁰					C	C
Resorts (including lodging)			C	C		<u>C</u>			
Shooting ranges	C						C	C	C
Spas and health clubs						<u>P</u>			
Stables/riding clubs	C ²⁰							C	P
Trails	C ²⁰	C ²⁰	C ²⁰	C ²⁰		<u>P</u>	C ²⁰	P	P
Public uses:									
Animal shelters						<u>C²⁴</u>	P		P
Colleges and universities			C	C		<u>C</u>	C		P
Correctional facilities							C		C
Emergency services		C	C	C		<u>C</u>	P		P
Government offices			P	P		<u>P</u>	P		P

EXHIBIT F.1 – Staff Recommendation
Amended by Mark Bethune 8/22/19

Hazardous materials						C		C
Hospitals	C ³	C ³	C ³	C	<u>C</u>	C		P
Justice facilities								P
K - 12 schools	C	C	C	P	<u>C</u>			P
Landfills		C				C		C
Public safety facilities		C	C	C	<u>C</u>	P		P
School support facilities					<u>C</u>	P		P
Shared off street parking				C	<u>P</u>			
Solid waste facilities						C		P
Transit facilities	C	C	C	C	<u>C</u>	C	C	P
Utility facilities	C	C	C	C	<u>C</u>	P	C	P
Vocational schools			C	C	<u>C</u>	C		P
Wastewater treatment								P
Water supply facilities	C	C	C	C	<u>C</u>	C	C	P
Resource uses:								
Agricultural:					<u>C</u>			
Agricultural research, testing and training	C				<u>C</u>	P		C

EXHIBIT F.1 – Staff Recommendation
Amended by Mark Bethune 8/22/19

	Growing crops	P				<u>C</u>			
	Livestock and small animals	p ²¹				<u>C</u>			
	Fish and wildlife management:								
	Aquaculture	C						C	C
	Wildlife shelters	C						C	C
	Forestry:							C	
	Growing trees	P							
	Mills						P		
	Research and testing	C					P		C
	Mineral:								
	Batch plants						P		
	Extraction and processing	C	C	C			P		C

Notes:

1. Residential planned unit developments (PUD) may allow increases in underlying density except in the MUTCN.
2. All development subject to Master Development Plan and MUTCN Bulk and Dimensional Requirements. See sections 13-3-2-E-2 and E-5 of this code.
3. Subject to architectural design review.
4. As a binding site plan.
5. Not located along retail street frontages.
6. Housing more than 12 unrelated individuals.
7. On a legal lot with permanent foundation.
8. On upper floors above ground floor commercial only.
9. On upper floors above ground floor commercial, or in freestanding residential buildings.
10. Duplexes and townhouses are not allowed on flag lots in the RU zone.

EXHIBIT F.1 – Staff Recommendation
Amended by Mark Bethune 8/22/19

11. In planned retail centers when building area is less than 10,000 square feet.
12. See section [13-5-4](#) of this title.
13. On site sales of agricultural products allowed.
14. Food stores only.
15. On upper floors above ground floor retail.
16. Including outdoor display or sales yards.
17. Not including overnight kennels or treatment facilities.
18. Machine shops, incinerators, wrecking yards, and feedlots may be permitted subject to appropriate mitigation of impacts on surrounding nonindustrial areas. Significant adverse noise, air quality, or other impacts caused by manufacturing processes shall be contained within buildings.
19. When entirely located in a building, not producing adverse noise or air quality impacts, and not located along retail street frontage. Ground floor area limited to 10,000 square feet maximum.
20. Private facilities.
21. Subject to all other City regulations regarding livestock.
22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.
23. Three or more units per building.
24. May not have frontage along SR 162/Washington Avenue N. Must be screened from all adjacent residences with sight obscuring landscaping, 6-foot tall solid fencing.
25. For Senior Housing (aged 55+) only.

Exhibit G

Commerce and Sepa documents



Department of Commerce

Innovation is in our nature.

Notice of Intent to Adopt Amendment 60 Days Prior to Adoption

Indicate one (or both, if applicable):

- Comprehensive Plan Amendment
- Development Regulation Amendment

Pursuant to RCW 36.70A.106, the following jurisdiction provides notice of intent to adopt a proposed comprehensive plan amendment and/or development regulation amendment under the Growth Management Act.

Jurisdiction:	City of Orting
Mailing Address:	110 Train Street SE Orting, WA 98390
Date:	June 18, 2019

Contact Name:	Emily Terrell, AICP
Title/Position:	City Planner
Phone Number:	253.709.6044
E-mail Address:	Emily@soundmunicipal.com

<p>Brief Description of the Proposed/Draft Amendment: <i>If this draft amendment is provided to supplement an existing 60-day notice already submitted, then please provide the date the original notice was submitted <u>and the Commerce Material ID number</u> located in your Commerce acknowledgement letter.</i></p>	<p><i>The City of Orting is performing its annual Comprehensive Plan Amendments. Amendments include:</i></p> <ol style="list-style-type: none"> 1. <i>a new Zoning Map (to correct a scrivener's error);</i> 2. <i>adoption of an update to the Transportation Improvement Plan; and</i> 3. <i>text amendments to the Comprehensive Plan, specifically to:</i> <ol style="list-style-type: none"> a. <i>Section R1 of the Roadway Improvements section of the Transportation Element Appendix and</i> b. <i>to the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.</i> <p><i>The City is also adopting corresponding implementing legislation in sections 13-3-2-E</i></p>
--	---

	<i>OMC Mixed Use Town Center North Zone and 13-3-3 OMC Uses.</i>
Is this action part of the scheduled review and update? <i>GMA requires review every 8 years under RCW 36.70A.130(4)-(6).</i>	Yes: ___ No: <u>X</u>
Public Hearing Date:	Council: June 18, 2019
Proposed Adoption Date:	July 31, 2019

REQUIRED: Attach or include a copy of the proposed amendment text or document(s).
We do not accept a website hyperlink requiring us to retrieve external documents.
Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please contact reviewteam@commerce.wa.gov.

SEPA ENVIRONMENTAL CHECKLIST

Orting 2019 Comprehensive Plan Update

A. Background

1. Name of proposed project, if applicable:

Orting Comprehensive Plan Update

2. Name of applicant: Town of Orting

3. Address and phone number of applicant and contact person:

Emily Terrell, AICP
Orting City Hall
110 Train Street SE
Orting, WA 98360

4. Date checklist prepared: June 11, 2019

5. Agency requesting checklist: City of Orting

6. Proposed timing or schedule (including phasing, if applicable):

Not applicable.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not applicable.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Not applicable.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no other approvals pending for specific land use actions.

10. List any government approvals or permits that will be needed for your proposal, if known.

None.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Orting is performing its annual Comprehensive Plan Amendments. Amendments include:

1. a new Zoning Map (to correct a scrivener's error);
2. adoption of an update to the Transportation Improvement Plan; and
3. text amendments to the Comprehensive Plan, specifically to:
 - a. Section R1 of the Roadway Improvements section of the Transportation Element Appendix and
 - b. to the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.

The City is also adopting corresponding implementing legislation in sections 13-3-2-E OMC Mixed Use Town Center North Zone and 13-3-3 OMC Uses.


12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal would amend the Comprehensive Plan and the municipal code for the City of Orting and its urban growth area (UGA). The City of Orting is located in Pierce County, on SR 162 between the City of Sumner and the Town of South Prairie.

Section B EXCLUDED, SEE ANSWERS in Section D below.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 
Name of signee Emily Terrell
Position and Agency/Organization City Planner, City of Orting
Date Submitted: June 11, 2019

D. supplemental sheet for nonproject actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal will not increase discharge to water, emissions to air or affect toxic or hazardous substances or noise. Subsequent development and projects could affect these issues, but each will be addressed at the individual project approval stage.

Proposed measures to avoid or reduce such increases are:

Not applicable.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal in itself will not affect plants, animals, fish or marine life. Implementing projects may have an effect on each of these issues, but each implementing project will be reviewed at the project application and review stage.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

All applicable SMP, Critical Areas, Flood Hazard and development standards will be applied to any implementing project.

3. How would the proposal be likely to deplete energy or natural resources?

Not applicable.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

All applicable SMP, Critical Areas, Flood Hazard and development standards will be applied to any implementing project.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed new zoning will promote public access to the shoreline while protecting critical areas and their buffers. The proposed new zoning will reduce the impact on shoreline uses by requiring useable open space preservation and decreased intensity of uses near the shoreline.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Not applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Implementing projects will have an effect on transportation services and utilities. However, all implementing projects will be required to pay transportation impact fees and general facility charges.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal will not conflict with local, state, or federal laws or requirements for the protection of the environment.



**City Of Orting
Council Agenda Summary Sheet**

Subject: 2020 Grant Requests		Committee	Study Session	Council
	Agenda Item #:	N/A	AB19-58	AB19-58
	For Agenda of:		9.18.19	9.25.19
	Department:	Administration		
	Date Submitted:	9.10.19		
Cost of Item:	§			
Amount Budgeted:	§			
Unexpended Balance:	§			
Bars #:	001.571.20.31.09			
Timeline:				
Submitted By:	City Clerk			
Fiscal Note:				
Attachments:	Resolution No's. 2019-18, 19,20,21,22, and 23.			
SUMMARY STATEMENT:				
<p>The City received applications for grants from the Orting Chamber of Commerce, Orting Farmers Market, Orting food bank, Opportunity Center, (DBA the Haven), Orting Senior Center, and the Orting Valley Recovery Café. All have either non-profit corporation or 501C3 status. City Policy requires that the City Council review and approve all applications for a grants, and determine whether an applicant qualifies for a grant (after review and approval of the application by the Community & Government Affairs Committee). The enclosed proposed Resolution No.'s 2019-18 thru 2019-23, reflect findings by the CGA Committee that the proposed applicants qualify for grants, and authorizes the issuance of a grants, pursuant to a contract entered into between the Mayor and each of the applicants.</p>				
RECOMMENDED ACTION: Move forward to the consent agenda of the next meeting.				
FUTURE MOTION: To approve Resolution No's 2019-18, 19, 20, 21, 22, and 23, to Grant applicants as prepared, for a total of \$_____.				

GRANT REQUESTS-2020

GRANT APPLICANT	REQUESTED AMOUNT 2020	RECEIVED IN 2019
CHAMBER OF COMMERCE	\$15,000	\$2,500
FARMERS MARKET	\$4,000	\$3,000
FOOD BANK	\$3,000	\$3,000
OPPORTUNITY CENTER	\$7,500	\$10,000
RECOVERY CAFÉ	\$15,000	\$10,000
SENIOR CENTER	15,000	\$13,000



Grant Application

City of Orting - Office of the City Clerk
PO Box 489-110 Train St., Orting, WA 98360
Phone: (360) 893-2219 ext.133 - Fax: (360) 893-6809
www.cityoforting.org

FOR CITY CLERK USE ONLY:

RECEIVED

AUG 16 2019

CITY OF ORTING

Budget Year: 2020

Name of Organization: Orting Chamber of Commerce

UBI #: 20-8140176

Contact Person's Name and Title: Dr. Troy Munson/Steve Rodrigues

Mailing Address: PO Box 1418 * Orting, WA 98360

Phone: 253.988.8769/253.312.6144 Email Address: chiroman@dr.com/steve.rodrigues@baxtermfg.com

Amount Requested: \$ 15,000.00

How the City Grant will be used (This information can be provided in a letter, attached to this application):

The Orting Chamber of Commerce acquired a new float in 2019 and are excited about it. We not only participated in the Daffodil Festival, we also were asked to participate in the 2019 Seafair Torchlight Parade. In the Daffodil parade, we won the main "Grand Sweepstakes" award and in the Seafair parade we won the Boeing-Innovation and Technology Award. With the help of the City Grant we will be able to build/decorate the float and represent Orting in the parades for 2020. This year's theme was: A Heart for Service (Daffodil Parade) and Bringing Traditions together (Seafair Parade)

Who does the grant serve (This information can be provided in a letter, attached to this application):

This grant will serve the Orting Community as it travels in the parades representing Orting. We like to

include the Orting High School students and Orting community members to be involved to help build it and ride the float.

What City Facilities will you be requesting for usage with this grant. (May not use facilities for fundraising)

We are asking for a space to store the float in a covered area if the city has one available. The grant will help secure a cover to protect the float and storage shed for all the purchased materials. If a storage area is supplied, then \$10,000 of this grant would not be necessary.

All groups seeking grants from the City of Orting must:

- Submit one (1) original and one (1) electronic copy of this application, along with the following attachments, to the City no later than August 1st, at 3:00pm, (for grants to be issued in the following year).

The attachments that shall be included with the application include:

1. Previous year's annual financial statement
2. Current year's budget
3. Proof of non-profit status, including but not limited to 501(c) (3) identification number.
4. Copy of Liability Insurance with rider for the City. (may be provided after approval)

- A representative of the applicant shall attend the City Council's Community and Government Affairs Committee Meeting to discuss the contents of the application.

- If selected, an authorized representative of the applicant shall execute a contract with the City before the group shall receive the funding.

Steve Rodrigues
Signature of Authorized Representative of Applicant

1 1
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 360.893.2219

2018 Daffodil financial report

Beginning Balance	\$ 2,402.01
Expenses	\$(3,034.39)
Donations	\$ 5,371.91
Flowers	\$(2,200.00)
Fuel	\$ (34.64)
Ending Balance	\$ 2,504.89

2019 BUDGET

DAFFODIL PARADE			SEA FAIR PARADE		TOTAL BALANCE
	Income	Expenses	Income	Expenses	
Checking 1/1/2019	\$ 2,504.89				
Donations	\$ 6,986.03		\$ -		
Parts		\$ 418.56		\$ 35.15	
DOL Registration		\$ 205.50		\$ -	
Decorations		\$1,244.84		\$1,079.61	
Flowers		\$1,800.00		\$ -	
Insurance		\$ 82.00		\$ 145.00	
Expenses		\$ 406.40		\$ 10.80	
Hotel		\$ 341.16		\$1,089.13	
Food		\$ -		\$ 46.92	
Costumes		\$1,223.92		\$ 511.93	
Entry Fee		\$ -		\$ 100.00	
Elec & Transport		\$ -		\$ 750.00	
	\$ 9,490.92	\$5,722.38	\$ -	\$3,768.54	\$ -

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 25 2007**

PORTING CHAMBER OF COMMERCE
PO BOX 1418 214 WASHINGTON AVE S
PORTING, WA 98360-1418

Employer Identification Number:
20-8140176
DLN:
17053052005037
Contact Person:
PAULA J MOLL-MALONE ID# 31262
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Form 990 Required:
Yes
Effective Date of Exemption:
December 29, 2006
Contribution Deductibility:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax-exempt status we have determined that you are exempt from Federal income tax under section 501(c)(6) of the Internal Revenue Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Please see enclosed Information for Organizations Exempt Under Sections Other Than 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Information for Organizations Exempt Under Sections Other Than 501(c)(3)

Letter 948 (DO/CG)

501(c)(6)

A 501(c)(6) organization is a business league, chambers of commerce like the U.S. Chamber of Commerce, a real estate board, a board of trade, a professional football league or an organization like the Edison Electric Institute and the Security Industry Association, that are not organized for profit and no part of the net earnings goes to the benefit of any private shareholder or individual.

Qualifications for exemption

A business league may qualify if it is an association of persons having a common business interest, whose purpose is to promote the common business interest and whose activities improve business conditions rather than actually conduct the business itself. Members of the organization must be of the same trade, business, occupation, or profession in order to qualify. A chamber of commerce or board of trade could qualify for similar reasons except that they may promote the common economic interests of all the commercial enterprises in a given trade or community.

An association would not qualify if its principal activities consist of securing benefits and performing particular services for members.

An association that promotes the common interests of certain hobbyists would not qualify because the Internal Revenue Service does not consider hobbies to be activities conducted as businesses.

An organization whose primary activity is advertising the products or services of its members does not qualify because the organization is performing a service for its members rather than promoting common interests. If an organization's primary activity is advertising the products or services of its members' industry as a whole, however, the organization will generally qualify if it also performs other services for its members.

Contributions and activities

Much like 501(c)(4) and 501(c)(5) organizations, 501(c)(6) organizations may also perform some political activities. 501(c)(6) organizations are allowed to attempt to influence legislation that is related to the common business interests of its members.

501(c)(6) organizations can receive unlimited contributions from corporations, individuals, and labor unions. The names and addresses of contributors are not required to be made available for public inspection. All other information, including the amount of contributions, the description of noncash contributions, and any other information, is required to be made available for public inspection unless it clearly identifies the contributor. The U.S. Chamber of Commerce is a large political spender, and Freedom Partners used its status as a 501(c)(6) organization to raise and distribute over \$250 million during the 2012 election campaigns without disclosing its donors. The group's existence was not publicly known until nearly a year after the election.

A business' membership dues paid to a 501(c)(6) organization are generally an ordinary and necessary business expense. The membership dues are tax-deductible in full unless a substantial part of the 501(c)(6) organization's activities consists of political activity, in which case a tax deduction is allowed only for the portion of membership dues that are for other activities.

History

The predecessor of IRC 501(c)(6) was enacted as part of the Revenue Act of 1913 likely due to a U.S. Chamber of Commerce request for an exemption for nonprofit "civic" and "commercial" organizations, which resulted in IRC 501(c)(4) for nonprofit "civic" organizations and IRC 501(c)(6) for nonprofit "commercially-oriented" organizations. The Revenue Act of 1928 amended the statute to include real estate boards. In 1966, professional football leagues were added to the described organizations.

The Revenue Act of 1913 related to professional football leagues had both antitrust and tax provisions: The antitrust provision was enacted to permit the merger of the National and American Football Leagues to go forward without fear of an antitrust challenge under either the 1914 Clayton Antitrust Act or the 1914 Federal Trade Commission Act. IRC 501(c)(6) amendment was enacted in 1966 to ensure that a professional football league's exemption would not be jeopardized because it administered a players' pension fund. Additionally, a professional sports league's exemption is not to be jeopardized because its primary source of revenue is the sale of television broadcasting rights to its games because the broadcasting of games increases public awareness of the sport.

In 2013, Senator Tom Coburn introduced legislation to disallow a tax exemption for the National Football League, the Professional Golfers' Association, and other professional sports organizations. Coburn estimated the tax exemption cost \$100 million, but he said he could not get other members of Congress to support the legislation.



THE HARTFORD
BUSINESS SERVICE CENTER
3600 WISEMAN BLVD
SAN ANTONIO TX 78251

August 16, 2019

The City of Orting
PO BOX 489
ORTING WA 98360-0489

Account Information:

Policy Holder Details :	ORTING CHAMBER OF COMMERCE
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Contact Us

Business Service Center

Business Hours: Monday - Friday
(7AM - 7PM Central Standard Time)

Phone: (866) 467-8730

Fax: (888) 443-6112

Email: agency.services@thehartford.com

Website: <https://business.thehartford.com>

Enclosed please find a Certificate Of Insurance for the above referenced Policyholder. Please contact us if you have any questions or concerns.

Sincerely,

Your Hartford Service Team



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/16/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER METLIFE AUTO & HOME INS AGENCY INC 33708725 9797 SPRINGBORO PIKE MIAMISBURG OH 45342	CONTACT NAME:	
	PHONE (866) 467-8730 (A/C, No, Ext):	FAX (888) 443-6112 (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
INSURED ORTING CHAMBER OF COMMERCE PO BOX 1418 ORTING WA 98360-1418	INSURER A : Sentinel Insurance Company Ltd.	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/Y YYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> General Liability			33 SBA AC2923	03/16/2019	03/16/2020	EACH OCCURRENCE	\$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:		DAMAGE TO RENTED PREMISES (Ea occurrence)				\$1,000,000	
			MED EXP (Any one person)				\$10,000	
			PERSONAL & ADV INJURY				\$2,000,000	
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			33 SBA AC2923	03/16/2019	03/16/2020	COMBINED SINGLE LIMIT (Ea accident)	\$2,000,000
			BODILY INJURY (Per person)					
			BODILY INJURY (Per accident)					
			PROPERTY DAMAGE (Per accident)					
	UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						EACH OCCURRENCE	
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						AGGREGATE	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE	OTHER
			E.L. EACH ACCIDENT					
			E.L. DISEASE -EA EMPLOYEE					
			E.L. DISEASE - POLICY LIMIT					
A	EMPLOYMENT PRACTICES LIABILITY			33 SBA AC2923	03/16/2019	03/16/2020	Each Claim Limit	\$50,000
		Aggregate Limit	\$50,000					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Those usual to the Insured's Operations.

CERTIFICATE HOLDER

The City of Orting
 PO BOX 489
 ORTING WA 98360-0489

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Susan S. Castaneda

© 1988-2015 ACORD CORPORATION. All rights reserved.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/16/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER VIRGIL MCLAGAN COMPANY PO BOX 7950 BONNEY LAKE, WA 98391	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">CONTACT NAME BRANDI HEINZMANN</td> </tr> <tr> <td>PHONE (A/C, No, Ext): 253-862-3610</td> <td>FAX (A/C, No): 253-862-3265</td> </tr> <tr> <td colspan="2">E-MAIL ADDRESS: brandi@mclaganins.com</td> </tr> <tr> <td style="text-align: center;">INSURER(S) AFFORDING COVERAGE</td> <td style="text-align: center;">NAIC #</td> </tr> <tr> <td>INSURER A: PROGRESSIVE</td> <td>16322</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	CONTACT NAME BRANDI HEINZMANN		PHONE (A/C, No, Ext): 253-862-3610	FAX (A/C, No): 253-862-3265	E-MAIL ADDRESS: brandi@mclaganins.com		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: PROGRESSIVE	16322	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER D:																					
INSURER E:																					
INSURER F:																					
INSURED ORTING CHAMBER OF COMMERCE PO BOX 1418, ORTING, WA 98360																					

COVERAGES **CERTIFICATE NUMBER:** 105097 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS								
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPI/OP AGG \$ \$								
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			00586348	04/05/2019	04/05/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$								
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$								
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">WC STATU-TORY LIMITS</td> <td style="width: 30%;">OTH-ER</td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td>\$</td> </tr> </table>	WC STATU-TORY LIMITS	OTH-ER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$
WC STATU-TORY LIMITS	OTH-ER														
E.L. EACH ACCIDENT	\$														
E.L. DISEASE - EA EMPLOYEE	\$														
E.L. DISEASE - POLICY LIMIT	\$														

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER CITY OF ORTING 110 TRAIN ST SE ORTING WA 98360	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <div style="font-family: cursive; font-size: 1.2em; text-align: center;">Brandi Heinzmann</div>
--	---

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-18**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING A PUBLIC PURPOSE AND
AUTHORIZING A CITY GRANT OF FUNDS TO THE
ORTING CHAMBER OF COMMERCE.**

WHEREAS, the City of Orting has adopted a Grant Policy (the “Policy”) to provide grant funding to organizations which the City Council determines bring significant value to the citizens of Orting and which serve valid municipal purposes; and

WHEREAS, in accordance with the Policy, grant funding is provided to organizations upon application, evaluated by the City Council pursuant to the Policy on a case-by-case basis and at various levels of support depending on the value the applicant provides to the community; and

WHEREAS, the City received an application for grant funding from the Orting Chamber of Commerce, a nonprofit corporation registered with the State of Washington; and

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on September 5th, 2019, and recommended approval of the application; and

WHEREAS, the City Council finds that the Orting Chamber of Commerce sponsors the Orting Community Float which is a volunteer community group that puts together an Orting Daffodil Float for the Daffodil Festival every year; and

WHEREAS, the applicant has represented that this grant shall be used by the applicant to help purchase a new float chassis, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

WHEREAS, the City Council finds that funding the aforementioned organization/activity serves the valid municipal purposes of promoting community participation and providing an opportunity for strengthening the City’s sense of community; and

WHEREAS, the City Council finds that the Orting Chamber of Commerce’s application meets the requirements of the City’s Policy, and qualifies for grant funding as an organization serving valid municipal purposes; and

NOW, THEREFORE, the City Council of the City of Orting, Washington, do resolve as follows:

Section 1. Declaration of Public Purpose. The City Council declares that the Orting Chamber of Commerce serves the valid municipal purposes described herein, and that the

described intent for the requested funding is instrumental in ensuring that the organization meets those purposes.

Section 2. Authorization for Sponsorship of Event. The City Council authorizes the City’s grant funding Orting Chamber of Commerce, pursuant to the City’s Policy, in the amount of \$ _____. The Mayor is authorized to enter into a contract with the Orting Chamber of Commerce to memorialize the City’s grant funding described herein.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25th DAY OF SEPTEMBER, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

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



Grant Application-2020

City of Orting - Office of the City Clerk
PO Box 489-110 Train St., Orting, WA 98360
Phone: (360) 893-2219 ext. 133 - Fax: (360) 893-6809
www.cityoforting.org

RECEIVED
FOR CITY CLERK USE ONLY:
AUG 14 2019
CITY OF ORTING

Name of Organization: ORTING VALLEY FARMERS MARKET UBI #: 603436579

Contact Person's Name and Title: DOUG GRAVES - MARKET MANAGER

Mailing Address: P.O. BOX 1665, ORTING, WA. 98360

Phone: 360-872-6836 Email Address: OVFMCNTACT@GMAIL.COM

Amount Requested: \$ 4000⁰⁰

How the grant will be used (This information can be provided in a letter, attached to this application):

FUNDS WILL BE USED FOR OPERATIONAL AND PROGRAM EXPENSES IN 2020 TO INCLUDE SUPPLIES, ACTIVITY EXPENSES, PROGRAM COSTS AND MARKETING. SEE ADDITIONAL INFORMATION INCLUDED IN COVER LETTER.

Who does the grant serve (This information can be provided in a letter, attached to this application):

ALL MEMBERS OF THE ORTING COMMUNITY WILL BE SERVED INCLUDING CHILDREN, LOW INCOME HOUSEHOLDS, LOCAL FARMS AND FARMERS, SMALL LOCAL BUSINESSES IN AND AROUND ORTING.

What city facilities will you be requesting for usage with this grant (May not use facilities for fundraising):

ORTING STATION AND NORTH PARK.

All groups seeking grants from the City of Orting must:

1. Submit one (1) original and one (1) electronic copy of this application, along with the following attachments to the City no later than August 1st, at 3:00pm, (for grants to be issued in the following year). Grants will be approved and distributed at the City's discretion.

1. Previous year's annual financial statement
2. Current year's budget
3. Proof of non-profit status, including but not limited to 501(c)(3) identification number.
4. Copy of Liability Insurance with rider for the City (rider may be provided after approval).

2. A representative of the applicant shall attend the City Council's Community and Government Affairs Committee Meeting to discuss the contents of the application.

The attachments that shall be included with the application include:

3. If selected, an authorized representative of the applicant shall execute a contract with the City before the group shall receive the funding.

Doug Graves

Signature of Authorized Representative of Applicant

08/01/19

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.



Request for Funding for Orting Valley Farmers' Market (OVFM)

To: City Administrator, City Council Members, and Mayor

On behalf of the OVFM, I am submitting a request for funding for 2020.

The total dollar amount requested is \$4,000. Funds would be used to operate the OVFM in 2020. I'm including a good faith budget projection in this package, though it has not yet gone through the budget adoption process with the board of directors. (This application is due prior to OVFM fiscal budget adoption).

The OVFM has been good for Orting. We continue our promotion throughout the state of not only the market, but this entire area, with both our Ag-Tourism brochure and map in the annual farm guide. A good number of participants respond that they've had great results from this promotion. Many new faces are coming to visit our market, farms, and events in town and throughout Pierce County because of this.

- This year, as in previous years, we are growing the farmers market substantially. Vendor sales are again up over last year (despite having severe weather on opening day). We were still able to draw shoppers, increase foot traffic in the downtown core, and support many local small businesses.
- We proudly offered matching dollars this year for SNAP beneficiaries (formerly food stamp program), which increased the consumption of and improved access to fresh local foods. This program has helped expand the draw for use of EBT benefits at the market. \$300 in matching funds were made possible by a private grant donor. While the market doesn't gain financially from this program, the benefits to the community are substantial- including the benefits to our local farmers and producers. We are confident that this program will continue into 2020 and beyond.
- We are also preparing to roll out a privately funded program to provide "Fresh Bucks" to the Orting Food Bank allowing food bank patrons to spend vouchers for good and healthy food products at the Orting Valley Farmers Market.
- We again offer educational opportunities to children and adults- cooking classes and demos, children's story and activity times, fun games, and entertainment at the market free of charge.

I thank you for your consideration of this request, and also thank you again for your prior support.

Please contact me if you have questions.

Doug Graves

Orting Valley Farmers Market - Manager

(253) 509-3609 Personal cell

(360) 872-6836 OVFM line

Orting Valley Farmers Market

Projected 2018 Budget

(Template-Needs updating of all info)

Projected Income

Vendor Fees	\$6,000
Fundraiser (TBD)	\$1,000
Donations	\$ 400
Pierce County Grant	\$1,000
City of Orting grant	\$3,000
*Other Grants/Sponsorships	<u>\$2,225</u>
Total	\$13,625

Projected Expenses

Permits & Fees- County/State	\$ 500
WSFMA membership&seminar	\$ 250
Supplies/Storage	\$ 875
Promotion/Marketing	\$1,800
EBT (SNAP) program exp.	\$ 200
Webpage expenses	\$ 100
Activities & Entertainment	\$ 875
Manager Stipend	\$7,450
Insurance	\$ 275
Telephone & Hot Spot service	\$ 300
Mileage reimbursement	<u>\$ 1,000</u>
Total	\$13,625

Orting Valley Farmers Market

Actual 2018 Income & Expenses

Actual Income

Carryover from 2017	\$1,000
Vendor Fees	\$6,458
Fundraiser (TBD)	\$1,250
Pierce County Grant	\$1,000
City of Orting grant	\$3,000
Sponsorships	\$ 0
Donations	<u>\$ 819</u>
Total	\$13,527

Actual Expenses

Permits & Fees- County/State	\$ 430
Permits & Fees-Orting	\$ 100
WSFMA membership&seminar	\$ 250
Supplies/Storage	\$ 656
Promotion/Marketing	\$2,350
EBT (SNAP) program exp.	\$ 266
Webpage expenses	\$ 0
Activities & Entertainment	\$ 207
Manager Stipend	\$7,450
Insurance	\$ 275
Telephone & Hot Spot service	\$ 259
Mileage reimbursement	<u>\$ 1,000</u>
Total	\$13,243

Orting Valley Farmers Market- Projected 2019 Budget year end

Projected Income

Vendor Fees	\$11,475
Fundraiser (TBD)	\$2,921
Donations	\$3,350
Specified Donations	\$500
Pierce County Grant	\$1,000
City of Orting grant	\$3,000
Other Grants/Sponsorships	<u>\$2,500</u>
Total	\$22,746

Projected Expenses

Unpaid Token Reimbursements	\$ 738
Permits & Fees- County/State	\$ 600
Permits City of Orting	\$ 100
WSFMA membership&seminar	\$ 933
Supplies/Storage	\$1,400
Promotion/Marketing	\$2,375
EBT (SNAP) program exp.	\$ 350
Webpage expenses	\$ 180
Activities & Entertainment	\$1,200
Manager Stipend	\$10,500
Insurance	\$ 500
Telephone & Hot Spot service	\$ 320
Mileage reimbursement	\$ 1,000
Market Bag Purchase	\$ 700
Post Office Box fee	\$ 100
Misc Stipend&assistance fees	\$1,240
Eat Fresh Orting fees	\$ 175
Total	\$22,286

The above data reflects 2019 year end projections and may vary due to actual conditions.

Orting Valley Farmers Market- Projected 2020 Budget

Projected Income

Vendor Fees	\$13,500
Fundraisers	\$3,000
Donations	\$3,350
Specified Donations	\$500
Pierce County Grant	\$1,000
City of Orting grant	\$4,000
Other Grants/Sponsorships	<u>\$2,500</u>
Total	\$27,850

Projected Expenses

Unpaid Token Reimbursements	\$ 500
Permits & Fees- County/State	\$ 600
Permits City of Orting	\$ 100
WSFMA membership&seminar	\$ 800
Supplies/Storage	\$2,000
Promotion/Marketing	\$2,800
EBT (SNAP) program exp.	\$ 50
Webpage expenses	\$ 180
Activities & Entertainment	\$2,785
Manager Stipend	\$13,500
Insurance	\$ 500
Telephone & Hot Spot service	\$ 320
Manager Assistant Stipend	\$ 1,500
Market Bag Purchase	\$ 700
Post Office Box fee	\$ 100
Misc Stipend&assistance fees	\$1,240
Eat Fresh Orting fees	<u>\$ 175</u>
Total	\$27,850

In addition to the support from the City of Orting, other grants, donations and sponsorships are sought after to cover annual Farmers Market expenses. Projected Income from vendor fees is based on 2019 vendor statistics and reflects the customary annual vendor fee increase.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAR 26 2015

ORTING VALLEY FARMERS MARKET
19220 196 ST E
ORTING, WA 98360-0000

Employer Identification Number:
47-1671216
DLN:
26053482003435
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
August 28, 2014
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/07/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
Pro Insur, Inc. dba
Campbell Risk Management
9595 Whitley Drive, Suite 204
Indianapolis, IN 46240
Larry Spilker ext 203

CONTACT NAME: Larry Spilker ext 203
PHONE (A/C, No, Ext): 317-848-9075 **FAX (A/C, No):** 317-848-9093
E-MAIL ADDRESS: lspilker@campbellrisk.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : HANOVER INSURANCE GROUP	22292
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Orting Valley Farmers Market
PO Box 1665
Orting, WA 98360

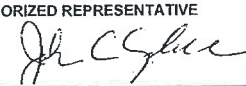
COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	X	AA2528 LHW D481967	03/01/2019	03/01/2020	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COM/POP AGG \$ 4,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> HIRED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Those usual to the Insured's operation. Blanket additional Insured applies per coverage form 421-2915 06 15.

CERTIFICATE HOLDER Evidence of Insurance	EVIDENC	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
		AUTHORIZED REPRESENTATIVE 

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-19**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING A PUBLIC PURPOSE AND
AUTHORIZING A CITY GRANT OF FUNDS TO ORTING
VALLEY FARMERS MARKET.**

WHEREAS, the City of Orting has adopted a Grant Policy (the “Policy”) to provide grant funding to organizations which the City Council determines bring significant value to the citizens of Orting and which serve valid municipal purposes; and

WHEREAS, in accordance with the Policy, grant funding is provided to organizations upon application, evaluated by the City Council pursuant to the Policy on a case-by-case basis and at various levels of support depending on the value the applicant provides to the community; and

WHEREAS, the City received an application for grant funding from the Orting Valley Famers Market, a nonprofit corporation registered with the State of Washington; and

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on September 5th, 2019, and recommended approval of the application; and

WHEREAS, the City Council finds that the Orting Valley Farmers Market operates the Orting Famers Market in Orting, which provide an annual, every Friday Event for farmers and crafters to be able to share their goods, produce and wares with the Orting Community and visiting tourists; and

WHEREAS, the applicant has represented that this grant shall be used by the applicant for the running of these events, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

WHEREAS, the City Council finds that funding the aforementioned organization/activity promotes community participation and the health, safety and welfare of the community’s citizens and their families, and serves the valid municipal purposes of attracting business to the community, promoting volunteerism, and community participation; and

WHEREAS, the City Council finds that the Orting Valley Famers Market’s application meets the requirements of the City’s Policy, and qualifies for grant funding as an organization serving valid municipal purposes; and

NOW, THEREFORE, the City Council of the City of Orting, Washington, do resolve as follows:

Section 1. Declaration of Public Purpose. The City Council declares that the Orting Valley Famers Market serves the valid municipal purposes described herein, and that the described intent for the requested funding is instrumental in ensuring that the organization meets those purposes.

Section 2. Authorization for Sponsorship of Event. The City Council authorizes the City's grant funding Orting Valley Famers Market, pursuant to the City's Policy, in the amount of \$ _____. The Mayor is authorized to enter into a contract with the Orting Valley Famers Market to memorialize the City's grant funding described herein.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25th DAY OF SEPTEMBER, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

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



Grant Application-2020

City of Orting - Office of the City Clerk
PO Box 489-110 Train St., Orting, WA 98360
Phone: (360) 893-2219 ext.133 - Fax: (360) 893-6809
www.cityoforting.org

RECEIVED BY
CITY CLERK
FOR CITY CLERK USE ONLY:
JUL 31 2019
CITY OF ORTING

EIN 20-8562623
UBI #: 602-701-449

Name of Organization: Orting Food Bank

Contact Person's Name and Title: Stephanie Lathrop, President

Mailing Address: PO Box 1877, Orting, WA 98360-1877

Phone: 360-561-0062 Email Address: stephanie.lathrop@msn.com

Amount Requested: \$ 3000.00 360-893-0095 ortingfoodbank@yahoo.com

How the grant will be used (This information can be provided in a letter, attached to this application):

Please see attached letter.

Who does the grant serve (This information can be provided in a letter, attached to this application):

Please see attached letter.

What city facilities will you be requesting for usage with this grant (May not use facilities for fundraising):

None

All groups seeking grants from the City of Orting must:

1. Submit one (1) original and one (1) electronic copy of this application, along with the following attachments to the City no later than August 1st, at 3:00pm, (for grants to be issued in the following year). Grants will be approved and distributed at the City's discretion.

1. Previous year's annual financial statement
2. Current year's budget
3. Proof of non-profit status, including but not limited to 501(c)(3) identification number.
4. Copy of Liability Insurance with rider for the City (rider may be provided after approval).

2. A representative of the applicant shall attend the City Council's Community and Government Affairs Committee Meeting to discuss the contents of the application.

The attachments that shall be included with the application include:

3. If selected, an authorized representative of the applicant shall execute a contract with the City before the group shall receive the funding.

Stephanie Lathrop
Signature of Authorized Representative of Applicant

7/31/2019
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.



Orting Food Bank
224 Washington Ave S
PO Box 1877
Orting, WA 98360-1877

RECEIVED BY
CITY CLERK

JUL 31 2019

CITY OF ORTING

July 31, 2019

We are requesting a grant of \$3000.00 from the City of Orting for the 2020 fiscal year.

This grant is divided into two parts. Up to \$1,500 will be used to provide assistance with paying utility bills to restore water service to customers of the City of Orting. What is not used of this \$1,500 can be used by the food bank to pay for day to day expenses. The remaining \$1,500 will be used for day to day expenses. The following is the policy for utility assistance payments:

- Customers will be referred by the Orting Food Bank to the City of Orting. The City of Orting will make the determination to accept or deny referrals.
- When a referral is accepted for grant assistance, the Orting Food Bank will pay the customer's outstanding bill with the City of Orting, up to the amount approved by the City.
- Customers can receive grant assistance once per year.
- The Orting Food Bank will maintain records of customers whose bills have been paid out of this grant.

The Orting Food Bank serves over 400 families a month in our community with emergency food assistance. We accept anyone in the community that needs assistance. We also provide referral services to other agencies to assist community members with receiving needed services.

Respectfully submitted,

Stephanie Lathrop
President, Orting Food Bank

"Putting an end to hunger in Orting!"
The Orting Food Bank is a registered 501(c)3 charity.



Financial Statements

December 31, 2018 and 2017

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BATTERSHELL & NICHOLS
A PROFESSIONAL SERVICE CORPORATION

INDEPENDENT ACCOUNTANTS' COMPILATION REPORT

To the Board of Trustees of
Orting Food Bank
Orting, Washington

Management is responsible for the accompanying financial statements of Orting Food Bank (the Organization) which comprise the statements of financial position as of December 31, 2018 and 2017, the related statements of activities functional expenses and cash flows for the years then ended, and the related notes to the financial statements in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any assurance on these financial statements.

Battershell & Nichols

Puyallup, Washington
June 12, 2019

Orting Food Bank
Statements of Financial Position
December 31, 2018 and 2017

	2018	2017
Assets		
Current Assets		
Cash	\$ 83,970	\$ 98,477
Food inventory	<u>72,007</u>	<u>104,582</u>
Total Current Assets	<u>155,977</u>	<u>203,059</u>
Property and Equipment		
Furniture and equipment	110,492	110,492
Buildings	388,890	388,890
Land	<u>68,378</u>	<u>68,378</u>
	567,760	567,760
Accumulated depreciation	<u>(125,527)</u>	<u>(97,687)</u>
Total Property and Equipment	<u>442,233</u>	<u>470,073</u>
Total Assets	<u><u>\$ 598,210</u></u>	<u><u>\$ 673,132</u></u>
Liabilities and Net Assets		
Current Liabilities		
Accrued payroll and taxes	\$ 2,457	\$ 2,411
Amounts held on behalf of others	<u>131</u>	<u>1,214</u>
Total Current Liabilities	<u>2,588</u>	<u>3,625</u>
Net Assets		
Without Donor Restrictions:		
Undesignated	<u>595,622</u>	<u>669,507</u>
Total Net Assets	<u>595,622</u>	<u>669,507</u>
Total Liabilities and Net Assets	<u><u>\$ 598,210</u></u>	<u><u>\$ 673,132</u></u>

See accompanying notes and independent accountants' compilation report.

Orting Food Bank
Statements of Activities
For the Years Ended December 31, 2018 and 2017

	2018	2017
Changes in Net Assets Without Donor Restrictions		
Revenue and Support		
General contributions	\$ 48,379	\$ 45,489
Noncash contributions of food	893,580	949,881
Fundraising income	35,373	47,149
Interest income	40	41
Total Revenue and Support	<u>977,372</u>	<u>1,042,560</u>
Net assets released from restrictions	18,525	21,043
Total Revenue, Gains, and Other Support Without Donor Restrictions	<u>995,897</u>	<u>1,063,603</u>
 Expenses		
Program	1,018,437	1,029,970
General and Administration	25,901	23,228
Facilities	15,880	20,537
Fundraising	9,564	13,555
Total Expenses	<u>1,069,782</u>	<u>1,087,290</u>
 (Decrease) in Net Assets Without Donor Restrictions	<u>(73,885)</u>	<u>(23,687)</u>
 Changes in Net Assets With Donor Restrictions		
Temporarily restricted contributions	18,525	17,146
Net assets released from restrictions	(18,525)	(21,043)
Increase (Decrease) in Net Assets With Donor Restrictions	<u>0</u>	<u>(3,897)</u>
 (Decrease) in Net Assets	<u>(73,885)</u>	<u>(27,584)</u>
Net Assets, Beginning of Year	<u>669,507</u>	<u>697,091</u>
 Net Assets, End of Year	<u>\$ 595,622</u>	<u>\$ 669,507</u>

See accompanying notes and independent accountants' compilation report.

**Orting Food Bank
Statement of Functional Expenses**

For the Year Ended December 31, 2018

	Program Services		Support Services				Total Support Services
	TOTAL	Program	General and Administration	Facilities	Fundraising	Total Support Services	
Food	\$ 949,668	\$ 949,668					
Personnel	49,653	39,722	9,931			9,931	
General expenses	36,494	2,826	13,078	11,147	9,443	33,668	
Depreciation	27,840	25,056	2,784			2,784	
Repairs and maintenance	3,241			3,241		3,241	
Equipment, technology, and communication costs	1,492			1,492		1,492	
Supplies	1,273	1,165	108			108	
Printing, promotion, copying, and postage	121						
	<u>\$ 1,069,782</u>	<u>\$ 1,018,437</u>	<u>\$ 25,901</u>	<u>\$ 15,860</u>	<u>\$ 9,564</u>	<u>\$ 51,345</u>	

See accompanying notes and independent accountants' compilation report.

Orting Food Bank
Statement of Functional Expenses
For the Year Ended December 31, 2017

	Program Services		Support Services				Total Support Services
	Program	Total Program Services	General and Administration	Facilities	Fundraising	Services	
TOTAL	\$ 964,268	\$ 964,268					
Food	48,748	38,998	9,750			9,750	
Personnel	35,604	930	9,759	11,689	13,216	34,674	
General expenses	27,894	25,105	2,789			2,789	
Depreciation	7,121			7,121		7,121	
Repairs and maintenance							
Equipment, technology, and communication costs	1,717			1,717		1,717	
Supplies	644	490	154			154	
Printing, promotion, copying, and postage		179	776		339	1,115	
	<u>1,294</u>	<u>179</u>	<u>23,228</u>	<u>20,537</u>	<u>13,555</u>	<u>1,115</u>	
	\$ 1,087,290	\$ 1,029,970	\$ 23,228	\$ 20,537	\$ 13,555	\$ 1,115	\$ 57,320

See accompanying notes and independent accountants' compilation report.

Orting Food Bank
Statements of Cash Flows
For the Years Ended December 31, 2018 and 2017

	2018	2017
Cash Flows Provided (Used) by Operating Activities:		
Cash received from general contributions	\$ 48,379	\$ 45,489
Cash received from restricted contributions	18,525	17,146
Cash received from fundraising income	35,373	47,149
Cash received from interest and other income	40	41
Cash disbursed for program expenses	(2,402)	(64,593)
Cash disbursed for general supporting expenses	(87,895)	(20,439)
Cash disbursed for facility expenses	(15,880)	(20,537)
Cash disbursed for fundraising expenses	<u>(9,564)</u>	<u>(13,555)</u>
Net Cash Flows (Used) by Operating Activities	<u>(13,424)</u>	<u>(9,299)</u>
 Cash Flows Provided (Used) by Investing Activities		
(Decrease) Increase in amounts held on behalf of others	<u>(1,083)</u>	<u>1,213</u>
Net Cash Flows (Used) Provided by Investing Activities	<u>(1,083)</u>	<u>1,213</u>
 Net (Decrease) in Cash	(14,507)	(8,086)
Cash - January 1, 2018 and 2017	<u>98,477</u>	<u>106,563</u>
 Cash - December 31, 2018 and 2017	<u><u>\$ 83,970</u></u>	<u><u>\$ 98,477</u></u>

Reconciliation of Changes in Net Assets to Net Cash Provided by Operating Activities

Cash Flows Provided (Used) by Operating Activities:		
(Decrease) in Total Net Assets	\$ (73,885)	\$ (27,584)
Adjustments to Reconcile (Decrease) in Total Net Assets to Cash Provided by Operating Activities:		
Depreciation	27,840	27,894
Changes in Assets and Liabilities:		
Decrease (Increase) in Food inventory	32,575	(10,508)
Increase in Accrued payroll and taxes	<u>46</u>	<u>899</u>
Total Adjustments	<u>60,461</u>	<u>18,285</u>
 Net Cash Flows (Used) by Operating Activities	<u><u>\$ (13,424)</u></u>	<u><u>\$ (9,299)</u></u>

See accompanying notes and independent accountants' compilation report.

Orting Food Bank
Notes to Financial Statements
For the years ended December 31, 2018 and 2017

Note 1 - Nature of Activities and Summary of Significant Accounting Policies

Nature of Activities

Orting Food Bank is located in Orting, Washington and is organized for the purposes of collecting food donations and distributing them to those in need. The Organization also provides referral services as available to help people. The Organization was incorporated as a non-profit corporation under the laws of the State of Washington in 2007 as a 501(c)(3) charity.

Basis of Accounting

The Organization presents financial statements in accordance with accounting principles generally accepted in the United States of America. This basis of accounting involves the application of accrual accounting; consequently, revenues and gains are recognized when earned, and expenses and losses are recognized when incurred.

Basis of Presentation

The Organization is required to report information regarding its financial position and activities according to two classes of net assets: net assets without donor restrictions and net assets with donor restrictions.

Net assets without donor restrictions are resources available to support operations. The only limits on the use of this type of assets are the broad limits resulting from the nature of the Organization, the environment in which it operates, the purposes specified in its corporate documents and its application for tax-exempt status, and any limits resulting from contractual agreements with creditors and others that are entered into in the course of its operations. It is the policy of the Board of Directors of the Organization to review its plans for future property improvements and acquisitions from time to time and to designate appropriate sums of net assets without donor restrictions to assure adequate financing of such improvements and acquisitions.

Net assets with donor restrictions are resources that are restricted by a donor for use for a particular purpose or in a particular future period. The Organization's unspent contributions are reported in this class if the donor limited their use.

Contributions of property and equipment or cash restricted to acquisition of property and equipment are reported as net assets with donor restrictions if the donor has restricted the use of the property or equipment to a particular program. If donors specify a length of time over which the property or equipment must be used, the restrictions expire evenly over the required period. Absent that type of restriction for use, the Organization considers the restriction met when the assets are placed in service.

When a donor's restriction is satisfied, either by using the resources in the manner specified by the donor or by the passage of time, the expiration of the restriction is reported in the financial statements by reclassifying the net assets with donor restrictions to net assets without donor restrictions.

Net assets with permanent donor restrictions that do not expire are resources whose use is

See accountants' compilation report.

**Orting Food Bank
Notes to Financial Statements
For the years ended December 31, 2018 and 2017**

limited by donor-imposed restrictions that neither expire by being used in accordance with a donor's restriction nor by the passage of time.

The Organization had no net assets with permanent donor restrictions at December 31, 2018 and 2017.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates. Significant estimates include useful lives of property and equipment and allocation of expenses to programs.

Cash

For purposes of the statements of cash flows, cash includes time deposits, certificates of deposit, and all highly liquid debt instruments with original maturities of three months or less which are not restricted by donors for capital or long-term purposes.

Buildings, Equipment, Improvements, and Depreciation

Buildings, equipment, and improvements purchased are stated at cost. Donated assets are stated at fair market value at date of receipt. Donated services that enhance non-financial assets are capitalized at fair market value at the date the services are provided. Depreciation is provided by use of the straight-line method over the estimated useful lives of the related assets ranging from three to fifteen years for equipment and thirty nine years for buildings and improvements. All acquisitions of property and equipment in excess of \$5,000 and all expenditures for repairs, maintenance, renewals, and betterments that materially prolong the useful lives of assets are capitalized. Depreciation expense for the years ended December 31, 2018 and 2017 was \$27,840 and \$27,894, respectively.

Food Inventory

Inventory consists of donated food and is stated at \$1.67 per pound and \$1.73 per pound as of December 31, 2018 and 2017, respectively, as determined by the Washington Food Coalition. The price per pound is determined by the average price of food listed in the consumer price index and is revalued every two years.

Allocation of Costs to Programs and Supporting Activities

The Organization allocates personnel and facilities costs including depreciation to programs based upon time spent directly on program activities as well as the square footage of facilities used for program activities.

Federal Income Tax

The Organization is exempt from federal income tax under Internal Revenue Code Section 501(c)(3) except to the extent of unrelated business taxable income, if any.

See accountants' compilation report.

Orting Food Bank
Notes to Financial Statements
For the years ended December 31, 2018 and 2017

Contributions Received

Contributions received are recorded as without donor restrictions or with donor restrictions depending on the existence and/or nature of any donor restrictions. Gifts received of long-lived assets, in the absence of donor-imposed use restrictions, are reported as without donor restrictions.

Contributions and donor-restricted support is reported as an increase in net assets with donor restrictions, depending on the nature of the restriction. When a restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished), net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the Statement of Activities as net assets released from restrictions.

Donated Services and Materials

The Organization recognizes donated services that create or enhance nonfinancial assets. Donated services that require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation are also recognized.

A large number of people have contributed significant amounts of time to the activities of the Organization without compensation. The financial statements do not reflect the value of those contributed services because, although clearly substantial, the services do not meet the recognition criteria required by generally accepted accounting principles and no reliable basis exists for determining an appropriate value for those services. Donated materials are included in the financial statements at their estimated fair market values as of the date of their receipt.

Note 2 - Change in Accounting Principle

On August 18, 2016, the FASB issued ASU 2016-14, Not-for-Profit Entities (Topic 958)—Presentation of Financial Statements of Not-for-Profit Entities. The Organization has adjusted the presentation of its financial statements accordingly, applying the changes retrospectively to the comparative period presented. The new standards change the following aspects of the Organization's financial statements:

- The temporarily restricted and permanently restricted net asset classes have been combined into a single net asset class called net assets with donor restrictions.
- The unrestricted net asset class has been renamed net assets without donor restrictions.
- The financial statements include a new disclosure about liquidity and availability of resources (Note 4).

Note 3 - Concentration of Credit Risk

The Organization maintains cash balances at financial institutions located in Washington. Accounts at each institution are insured by the Federal Deposit Insurance Corporation up to

See accountants' compilation report.

Orting Food Bank
Notes to Financial Statements
For the years ended December 31, 2018 and 2017

\$250,000 per institution. The organization did not have any balances on deposit in excess of insurance limits as of the years ended December 31, 2018 and 2017.

Note 4 - Liquidity and Funds Available

The following reflects Orting Food Bank's financial assets as of the statement of financial position date. The balance would be reduced by amounts not available for general use because of contractual or donor-imposed restrictions within one year of the statement of financial position date, if such restrictions were in place. Examples of amounts not available include amounts set aside for long term purposes that could be drawn upon if the governing board approved that action. As of the date of the financial statements, no funds were designated by the board as not available for current operating purposes.

Financial assets:	2018	2017
Cash	\$ 83,970	\$ 98,477
Financial assets, at year end	\$ 83,970	\$ 98,477
Less those unavailable for general expenditures within one year, due to:		
Contractual or donor-imposed restrictions:		
None	0	0
Board designations:		
None	0	0
Financial assets available to meet cash needs for general expenditures within one year	\$ 83,970	\$ 98,477

The Organization is partially supported by restricted contributions. Because a donor's restriction requires resources to be used in a particular manner or in a future period, the Organization must maintain sufficient resources to meet those responsibilities to its donors. Thus, financial assets may not be available for general expenditure within one year. As part of the Organization's liquidity management, it has a policy to structure its financial assets to be available as its general expenditures, liabilities, and other obligations come due. In addition, the Organization may invest cash in excess of daily requirements in short-term investments. Occasionally, the board may designate a portion of any operating surplus to a liquidity reserve, which was \$0 as of December 31, 2018. In the event of an unanticipated liquidity need, the Organization could draw upon \$10,000 of its available line of credit (as further discussed in Note 5).

Note 5 - Line of Credit

The Organization has a line of credit for \$10,000 with a bank which is due on demand. As of December 31, 2018 and 2017, the balance was \$0 and \$0, respectively. The line of credit bears interest at an adjustable rate of the Wall Street Journal Prime Rate (5.50% and 4.50% per annum as of December 31, 2018 and 2017, respectively) plus 2% and is secured by equipment and fixtures.

See accountants' compilation report.

**Orting Food Bank
Notes to Financial Statements
For the years ended December 31, 2018 and 2017**

Note 6 - Contingency

On May 5, 2015 the Organization entered into an agreement with Pierce County, Washington, through its Department of Community Connections to renovate and expand the property, which currently houses the food bank facility, for \$120,450. The Organization gave a promissory note to Pierce County for the full amount and is not required to make payments on this note provided that it complies with the following terms: the property must be used as a food bank for the benefit of low income individuals, households, or areas of Pierce County, it will maintain safe and sanitary facilities and will comply with all state and local building codes, licensing requirements, and other requirements regarding the condition of the structure and the operation of the project in the jurisdiction in which the facility is located, and it will keep any records and make any reports relating to compliance with this covenant that the County may reasonably require. If the covenant agreement is followed, the amount owed will be forgiven in full on June 30, 2045. As security for the note, the Organization granted Pierce County a deed of trust on its building, including improvements, and land, located in Orting, Washington. The deed of trust and secured promissory note are subject to the restrictions previously described for a period of thirty years, beginning June 30, 2015. If the real property is sold, transferred, or otherwise conveyed or disposed of without Pierce County's prior written consent, the County may declare the principal amount of the note due immediately. After the improvements were completed in 2015, the land and building improvements have a book value of \$457,268 and are recorded on the Statement of Financial Position.


Note 7 - Subsequent Events

Management considered and found no subsequent events requiring disclosure in the financial statements occurring after the balance sheet date until June 12, 2019, the date the financials were available to be issued.


See accountants' compilation report.

Food Bank 2018 Year to Date

Description	Budget 2018	Budget 2019	Change From 2018
Revenues			
Beginning Net Cash & Investments			
Individual Donations	\$90,000	\$80,000	-11.1%
Corporate/Agency Donations/Grants			
Non-Cash Food Contributions	\$850,000	\$850,000	0.00%
Total Fund Raising Income	\$35,000	\$40,000	14.29%
Interest Income	\$50	\$50	0.00%
Total Income	\$975,050	\$970,050	-0.51%
Total Cash Income	\$125,050	\$120,050	-4.00%
Expenses			
Ending Fund Balance			
Food Taken In and Delivered	\$850,000	\$850,000	0.00%
Liability Insurance	\$6,000	\$6,000	0.00%
Facility Repair and Maintenance	\$7,000	\$5,000	-28.57%
Fund Raisers	\$12,000	\$14,000	16.67%
Dues/Licenses	\$10	\$20	100.00%
Office Expenses	\$2,000	\$2,000	0.00%
Non-Food Supplies	\$500	\$700	40.00%
Fuel (Van)	\$1,600	\$1,700	6.25%
Van Maint & Repairs	\$500	\$1,000	100.00%
Volunteer Recognition	\$1,400	\$1,400	0.00%
Director Salary	\$52,800	\$49,600	-6.06%
Payroll Taxes	\$3,500	\$3,472	-0.80%
Youth Food Programming (backpacks/Lunches)	\$12,000	\$13,000	8.33%
Travel & Meetings	\$1,000	\$1,000	0.00%
Utilities	\$11,000	\$12,600	14.55%
Accounting Expense	\$4,000	\$6,000	50.00%
Miscellaneous	\$300	\$0	-100.00%
City of Orting Utility Assistance	\$1,500	\$1,500	0.00%
Milgard Grant Expenses (VAN)	\$0	\$0	0.00%
Total Expense	\$967,110	\$968,992	0.19%
Total Cash Expense	\$117,110	\$118,992	1.61%
Cash Surplus/(Deficit)	\$7,940	\$1,058	

 **IRS** Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248351232
Mar. 13, 2013 LTR 4168C EO
20-8562623 000000 00
00034233
BODC: TE


ORTING FOOD BANK
% PAT C WILSON
PO BOX 1877
ORTING WA 98560-1877

036172

Employer Identification Number: 20-8562623
Person to Contact: Mr. Kelley
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Mar. 04, 2013, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in July 2007.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,


Richard McKee, Department Manager
Accounts Management Operations

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-20**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING A PUBLIC PURPOSE AND
AUTHORIZING A CITY GRANT OF FUNDS TO ORTING
FOOD BANK.**

WHEREAS, the City of Orting has adopted a Grant Policy (the “Policy”) to provide grant funding to organizations which the City Council determines bring significant value to the citizens of Orting and which serve valid municipal purposes; and

WHEREAS, in accordance with the Policy, grant funding is provided to organizations upon application, evaluated by the City Council pursuant to the Policy on a case-by-case basis and at various levels of support depending on the value the applicant provides to the community; and

WHEREAS, the City received an application for grant funding from the Orting Food Bank, a nonprofit corporation registered with the State of Washington; and

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on September 5th, 2019, and recommended approval of the application; and

WHEREAS, the City Council finds that the Orting Food Bank operates the Orting Food Bank in Orting, which provides food, necessities and funds to help out low-income members of the Orting Community at their hardest time of need; and

WHEREAS, the applicant has represented that this grant shall be used by the applicant as follows: (1) \$_____ to provide assistance with paying utility bills to restore water service with the City of Orting and; (2) \$_____ will be used for day to day operations of the Food Bank, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

WHEREAS, the City Council finds that funding the aforementioned organization/activity serves the valid municipal purposes of promoting community participation and the health, safety and welfare of the community’s most vulnerable citizens and their families; and

WHEREAS, the City Council finds that the Orting Food Bank’s application meets the requirements of the City’s Policy, and qualifies for grant funding as an organization serving valid municipal purposes; and

NOW, THEREFORE, the City Council of the City of Orting, Washington, do resolve as follows:

Section 1. Declaration of Public Purpose. The City Council declares that the Orting Food Bank serves the valid municipal purposes described herein, and that the described intent for the requested funding is instrumental in ensuring that the organization meets those purposes.

Section 2. Authorization for Sponsorship of Event. The City Council authorizes the City's grant funding Orting Food Bank, pursuant to the City's Policy, in the amount of \$_____. The Mayor is authorized to enter into a contract with the Orting Food Bank to memorialize the City's grant funding described herein.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25th DAY OF SEPTEMBER, 2018.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

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



Grant Application-2020

City of Orting - Office of the City Clerk
PO Box 489-110 Train St., Orting, WA 98360
Phone: (360) 893-2219 ext.133 - Fax: (360) 893-6809
www.cityoforting.org

FOR CITY CLERK USE ONLY:
AUG 01 2019
CITY OF ORTING

Name of Organization: Opportunity Center of Orting UBI #: 602069623

Contact Person's Name and Title: Jennifer Slaughter, Executive Director

Mailing Address: PO BOX 1423, Orting WA 98360

Phone: 253-740-6098 Email Address: OrtingHaven@gmail.com

Amount Requested: \$ 7,500.00

How the grant will be used (This information can be provided in a letter, attached to this application):

See attached

Who does the grant serve (This information can be provided in a letter, attached to this application):

100% of these funds serve the youth in Orting

What city facilities will you be requesting for usage with this grant (May not use facilities for fundraising):

no city facilities needed

All groups seeking grants from the City of Orting must:

1. Submit one (1) original and one (1) electronic copy of this application, along with the following attachments to the City no later than August 1st, at 3:00pm, (for grants to be issued in the following year). Grants will be approved and distributed at the City's discretion.

1. Previous year's annual financial statement
2. Current year's budget
3. Proof of non-profit status, including but not limited to 501(c)(3) identification number.
4. Copy of Liability Insurance with rider for the City (rider may be provided after approval).

2. A representative of the applicant shall attend the City Council's Community and Government Affairs Committee Meeting to discuss the contents of the application.

The attachments that shall be included with the application include:

3. If selected, an authorized representative of the applicant shall execute a contract with the City before the group shall receive the funding.

Jennifer Slaughter

Signature of Authorized Representative of Applicant

7/31/19

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.

City of Orting Grant Application – 2019

The Opportunity Center of Orting Inc. – “The Haven Teen Center”

How will the grant be used?

We are looking to use the Grant Funds for General Operations this coming year. We hope that our continued success in our partnership with the City has proven our ability to manage previous year's funds in the most effective way. Under General Operations this gives us more flexibility to put the funds where it's needed most. Primarily this will be used for wages and especially when certain programs call for extra paid hours from our program director such as our summer camps which are all day, our Christmas Giving Program which runs for two weeks, and several other after-hour events that always require additional hours outside of the standard weekly hours given to that position. These events are also random throughout the year so it's hard to nail down a specific budget for the excess items needed or the excess items that we go through especially a year in advance. This is why being under General Operations works so well. Excess items would include supplies and food for the teens and volunteers while they're attending the various events that we host. We often supply pizza & soda or sandwiches and snacks so when the events turn out to be packed with 30+ kids it adds up fast. And during such times we also end up going through our normal budgeted amount for all sorts of items like paper towels, Lysol wipes, and garbage bags etc. This was especially true for this year since most of our events had a higher than normal turn out. And lastly, we have upgraded our website to leverage technology in helping to retrieve and manage parent consent forms which can now be filled out and electronically signed online even through a smartphone. We also expanded our website to include more content for the community and an upgraded pay system so parents and students can pay online for various things like Karate uniforms, summer camps, painting classes and even donate if they wish to. This was huge for us because all of these upgrades were long overdue so we're very happy to be more “current with the times” in the eyes of our community but most importantly more efficient as an organization. But yes, they do come with additional monthly costs.

Who does the grant serve?

100% of these funds serve the Orting Youth.

The Haven Teen Center

Photos of Events 2019

Annual World No Tobacco Day



Finch & Sons, Founder's Karate Tournament



Laser Tag - Fight against Vaping



Opportunity Center of Orting, Inc
Profit & Loss
January through December 2018

	Jan - Dec 18
Ordinary Income/Expense	
Income	
43400 · Direct Public Support	16,902.81
43600 · Fundraising	4,211.47
47200 · Program / Event / Rental Income	24,628.60
47300 · Grants	42,945.19
Total Income	88,688.07
Cost of Goods Sold	
19000 · Card Service Fees	147.17
Total COGS	147.17
Gross Profit	88,540.90
Expense	
60900 · Business Expenses	
60910 · Licenses & Permits	253.00
60925 · Dues & Subscriptions	159.50
60930 · Software	375.42
Total 60900 · Business Expenses	787.92
62800 · Facilities and Equipment	
62850 · Facilities Maintenance	1,581.89
62851 · Building Improvements	5,748.75
62870 · Property Insurance	1,978.17
62875 · Rent	24,000.00
62880 · Garbage	1,327.80
62885 · Internet / Phone	2,786.65
62890 · Utilities	2,125.79
62895 · Water	2,669.15
Total 62800 · Facilities and Equipment	42,218.20
64000 · Program / Event Expenses	
64010 · Prizes/ Souvenir / Favors	341.01
64015 · Food (Prog/Event)	708.04
64020 · Snack Bar	1,462.94
64040 · Event Supplies	2,473.98
64045 · Youth Garden Program	3,190.88
65070 · Program Equipment	247.58
64075 · Equipment Maintenance	165.00
Total 64000 · Program / Event Expenses	8,589.43
64000 · Fundraising Supplies	114.74
65000 · Operations	
65005 · Facility Staff Wages	23,097.48
65020 · Postage, Mailing Service	49.75
65030 · Printing and Copying	440.09
65040 · Supplies	2,909.21
65050 · Marketing & Advertising	1,210.35
65065 · Auto Expenses	20.00
Total 65000 · Operations	27,726.88
65100 · Other Types of Expenses	
65125 · Business License/ Fees	10.00
65130 · Bank Charges	3.00
65140 · Sales Tax	92.30
Total 65100 · Other Types of Expenses	105.30
68000 · Payroll Expenses	2,006.10
66900 · Reconciliation Discrepancies	-0.02

1:36 PM
07/31/19
Cash Basis

Opportunity Center of Orting, Inc
Profit & Loss
January through December 2018

	Jan - Dec 18
Total Expense	81,548.55
Net Ordinary Income	6,992.35
Net Income	<u>6,992.35</u>

1:37 PM

07/31/19

Cash Basis

Opportunity Center of Orting, Inc

Balance Sheet

As of December 31, 2018

	Dec 31, 18
ASSETS	
Current Assets	
Checking/Savings	
10000 · Keybank Checking	15,500.30
Total Checking/Savings	15,500.30
Other Current Assets	
12000 · Undeposited Funds	1,745.00
Total Other Current Assets	1,745.00
Total Current Assets	17,245.30
Fixed Assets	
16000 · Furniture and Equipment	1,775.54
Total Fixed Assets	1,775.54
Other Assets	
18100 · in-Kind Donated (Asset)	12,771.59
Total Other Assets	12,771.59
TOTAL ASSETS	31,792.43
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
22000 · Key Bank Credit Card (6296)	-60.42
Total Credit Cards	-60.42
Other Current Liabilities	
24000 · Payroll Liabilities	1,305.57
24001 · Sales Tax Payable	2,168.37
Total Other Current Liabilities	3,473.94
Total Current Liabilities	3,413.52
Total Liabilities	3,413.52
Equity	
32000 · Retained Earnings	21,386.56
Net Income	6,992.35
Total Equity	28,378.91
TOTAL LIABILITIES & EQUITY	31,792.43

Opportunity Center of Orting, Inc 2019 Budget

	TOTAL
Ordinary Income/Expense	
Income	
43400 · Direct Public Support	
43410 · Corporate / Org Contributions	6,639.51
43450 · Individual Donations	2,450.00
43470 · Summer Camp Donations	1,920.00
Total 43400 · Direct Public Support	11,009.51
43600 · Fundraising	4,106.00
47200 · Program / Event / Rental Income	0.00
47250 · Rental Income	14,880.00
47252 · Snack Bar Donations	859.81
47254 · Karate Program Donations	1,459.00
Total 47200 · Program / Event / Rental Income	17,198.81
47300 · Grants	0.00
47320 · Violence Provention Grant	16,400.00
47350 · City of Orting Grant	10,000.00
47360 · Medina Foundation	7,500.00
47380 · Greater Tacoma Comm Foundation	7,500.00
47390 · Pierce Cty - Anti-Tobacco Grant	5,000.00
Total 47300 · Grants	46,400.00
Total income	78,714.32
Cost of Goods Sold	0.00
19000 · Card Service Fees	175.41
Total COGS	175.41
Gross Profit	78,538.91
Expense	
60900 · Business Expenses	
60910 · Licenses & Permits	100.00
60925 · Dues & Subscriptions	315.06
60930 · Software	507.38
Total 60900 · Business Expenses	922.44
62100 · Contract Services	0.00
62115 · Tax Prep	659.00
Total 62100 · Contract Services	659.00
62800 · Facilities and Equipment	0.00
62850 · Facilities Maintenance	93.68
62851 · Building Improvements	1,317.13
62870 · Property Insurance	2,157.96
62875 · Rent	24,000.00
62880 · Garbage	1,324.63
62885 · Internet / Phone	2,523.86
62890 · Utilities	2,095.24
62895 · Water	2,930.69
Total 62800 · Facilities and Equipment	36,443.19
64000 · Program / Event Expenses	0.00

Opportunity Center of Orting, Inc 2019 Budget

	<u>TOTAL</u>
64010 · Prizes/ Souvenir / Favors	2,296.49
64015 · Food (Prog/Event)	1,517.34
64020 · Snack Bar	663.74
64030 · Prog/Event Staff	50.00
64040 · Event Supplies	1,546.63
64048 · Karate Program	1,948.76
65070 · Program Equipment	1,644.27
65075 · Equipment Maintenance	404.41
Total 64000 · Program / Event Expenses	<u>10,071.64</u>
64050 · Fundraising Supplies	984.81
65000 · Operations	0.00
65005 · Facility Staff Wages	20,271.39
65040 · Supplies	2,187.34
65050 · Marketing & Advertising	1,000.29
Total 65000 · Operations	<u>23,459.02</u>
65100 · Other Types of Expenses	0.00
65125 · Business License/ Fees	20.00
Total 65100 · Other Types of Expenses	<u>20.00</u>
66000 · Payroll Expenses	5,922.96
Total Expense	<u>78,483.06</u>
Net Ordinary Income	<u>55.85</u>
Net Income	<u>55.85</u>

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAR 28 2005

OPPORTUNITY CENTER OF ORTING INC
PO BOX 1423
ORTING, WA 98360-1423

Employer Identification Number:
91-2112227
DLN:
17053071719025
Contact Person: TERRY KAYE ID# 31038
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated August 7, 2001, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading between 8:30 a.m. - 5:30 p.m. Eastern time.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/11/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER W Insurance Group 1007 Pacific Avenue Tacoma WA 98402	CONTACT NAME: Ryan Wiita PHONE (A/C, No, Ext): (253) 382-2130 FAX (A/C, No): (800) 496-6054 E-MAIL ADDRESS: ryan@w-ins.com													
	<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: PHILADELPHIA IND INS CO</td> <td>18058</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: PHILADELPHIA IND INS CO	18058	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:
INSURER(S) AFFORDING COVERAGE	NAIC #													
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INSURER B:														
INSURER C:														
INSURER D:														
INSURER E:														
INSURER F:														
INSURED The Opportunity Center of Orting PO BOX 1423 ORTING WA 98360														

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			PHPK1855891	09/11/2018	09/11/2019	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> FLOOD						PERSONAL & ADV INJURY \$ 1,000,000
	OTHER:						GENERAL AGGREGATE \$ 2,000,000
	AUTOMOBILE LIABILITY						PRODUCTS - COM/OP AGG \$ 2,000,000
	<input type="checkbox"/> ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR						EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTIONS						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input type="checkbox"/> N/A						E.L. EACH ACCIDENT \$
	(Mandatory in WA) If yes, describe under: DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

City of Orting PO Box 489 Orting WA 98340	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Ryan Wiita
---	---

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**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-21**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING A PUBLIC PURPOSE AND
AUTHORIZING A CITY GRANT OF FUNDS TO
OPPORTUNITY CENTER OF ORTING.**

WHEREAS, the City of Orting has adopted a Grant Policy (the “Policy”) to provide grant funding to organizations which the City Council determines bring significant value to the citizens of Orting and which serve valid municipal purposes; and

WHEREAS, in accordance with the Policy, grant funding is provided to organizations upon application, evaluated by the City Council pursuant to the Policy on a case-by-case basis and at various levels of support depending on the value the applicant provides to the community; and

WHEREAS, the City received an application for grant funding from Opportunity Center of Orting, a nonprofit corporation registered with the State of Washington; and

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on September 5th, 2018, and recommended approval of the application; and

WHEREAS, the City Council finds that the Opportunity Center of Orting operates the Haven Teen Center in Orting, whose mission is “To empower Orting’s to become independent, successful, contributing members of the community,” and who offers teens in the community a variety of activities and events, free classes and volunteer opportunities; and

WHEREAS, applicant has represented that this grant shall be used by the applicant for the salary of a program director at the Haven Teen Center, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

WHEREAS, the City Council finds that funding the aforementioned organization/activity promotes community participation and the health, safety and welfare of the community’s teens and their families, and serves the valid municipal purposes of providing an opportunity to strengthen the City’s commitment to teens and their families, and the applicant seeks to engage the entire community by promoting volunteerism, charity, and community participation; and

WHEREAS, the City Council finds that the Opportunity Center of Orting’s application meets the requirements of the City’s Policy, and qualifies for grant funding as an organization serving valid municipal purposes; and

NOW, THEREFORE, the City Council of the City of Orting, Washington, do resolve as follows:

Section 1. Declaration of Public Purpose. The City Council declares that the Opportunity Center of Orting's Haven Teen Center serves the valid municipal purposes described herein, and a program director is instrumental in ensuring that the organization meets those purposes.

Section 2. Authorization for Sponsorship of Event. The City Council authorizes the City's grant funding Opportunity Center of Orting, pursuant to the City's Policy, in the amount of \$ _____. The Mayor is authorized to enter into a contract with the Opportunity Center of Orting to memorialize the City's grant funding described herein.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25TH DAY OF SEPTEMBER, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

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



Grant Application

City of Orting - Office of the City Clerk
PO Box 489-110 Train St., Orting, WA 98360
Phone: (360) 893-2219 ext.133 - Fax: (360) 893-6809
www.cityoforting.org

FOR CITY CLERK USE ONLY:
RECEIVED BY
CITY CLERK
JUL 24 2019
CITY OF ORTING

Budget Year: 2020

Name of Organization: Orting Valley Senior Center Organization UBI #: 601 178872

Contact Person's Name and Title: Staci Guirsch - Director

Mailing Address: P.O. Box 104

Phone: (360) 893-5827 Email Address: seniorcenter@orting.wednet.edu

Amount Requested: \$ 15,000.00

How the City Grant will be used (This information can be provided in a letter, attached to this application):

SEE ATTACHED LETTER

Who does the grant serve (This information can be provided in a letter, attached to this application):

SEE ATTACHED LETTER

What City Facilities will you be requesting for usage with this grant. (May not use facilities for fundraising)

Multi Purpose Center

All groups seeking grants from the City of Orting must:

- Submit one (1) original and one (1) electronic copy of this application, along with the following attachments, to the City no later than August 1st, at 3:00pm, (for grants to be issued in the following year).

The attachments that shall be included with the application include:

1. Previous year's annual financial statement
2. Current year's budget
3. Proof of non-profit status, including but not limited to 501(c) (3) identification number.
4. Copy of Liability Insurance with rider for the City. (may be provided after approval)

- A representative of the applicant shall attend the City Council's Community and Government Affairs Committee Meeting to discuss the contents of the application.

- If selected, an authorized representative of the applicant shall execute a contract with the City before the group shall receive the funding.

Staci Guirsch

7, 24, 2019

Signature of Authorized Representative 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 360.893.2219

The Orting Valley Senior Center Organization plans on using the requested funds for two separate programs. Our Senior Mealsite Program and our S.A.I.L. Program (Stay Active & Independent for Life).

Senior Mealsite Program: We have 121 registered seniors and we provide hot, homemade lunches 5 days a week with a full salad bar for added healthy options. Lunch is provided to seniors based on a suggested donation . Many seniors are on an extremely limited income and are given a hot meal regardless of ability to pay. For many of our seniors this is their only hot meal of the day as their funds are limited and some cannot cook for themselves. In 2018 the Meal program provided 2486 meals and with the increase in membership just in the first half of 2019 we anticipate providing approximately 3500 meals in 2020. Pierce County will continue to fund half of our Mealsite Program for Seniors for 2020. Our projected budget for 2020 is \$18,000.00 We are requesting \$9,000.00 to cover the half that Pierce County does not.

S.A.I.L.: Stay Active and Independent for Life is a strength and fitness program for adults 60 and older. Performing exercises that improve strength, balance and fitness is the single most important activity adults can do to stay active and reduce their chances of falling. The entire curriculum of activities in the Stay Active and Independent for Life (SAIL) program can help improve strength and balance, if done regularly. Our S.A.I.L. instructors Lyle & Taffy Melton are independent contractors that are licensed and insured with CPR and Basic First Aid training certificates. Our previous instructor class held approximately 7 – 10 individuals but with the new instructors assisting with marketing the program and being such diligent, knowledgeable instructors, they have grown the class with a rooster of 24 participants that continues to grow. The class meets 3 times a week at the Multi Purpose Center and is offered to participants free of charge to help encourage healthy living. We are requesting \$6,000.00 to cover that cost of our instructors fees.

The City of Orting grant serves all seniors in the community and outlying areas of Orting 60 and over. No seniors are turned away from services regardless of ability to pay. The Senior Center is a day facility with its primary responsibility being to enhance the quality of life for our seniors by providing meals, social activities, health and educational training. The Senior Center also provides an opportunity for elderly and disabled to maintain an independent lifestyle. This is all accomplished through service agency relationships, board members, staff and many volunteers.

Orting Senior Center
Profit & Loss
 January through December 2018

	Jan - Dec 18
Ordinary Income/Expense	
Income	
Holiday Bazaar Vendor Table	415.00
Donations	
FredMeyerRewards	20.05
BakeSale	863.71
Van Rider Fee	158.50
HCPC	850.00
AmazonSmile	24.43
Holiday Bazaar	1,478.37
Thanksgiving Feast	40.00
Holiday Feast	615.00
Food Bank	509.16
AA	780.00
mens coffee group	1,201.95
Coffee	385.42
Ctr. Use-Donations	4,342.04
Other Organizations	420.69
United Way	156.00
Donations - Other	32.00
Total Donations	11,877.32
Fundraisers	
Easter Raffle	31.00
Valentine Raffle	281.00
ValentineHearts	427.00
Thanksgiving Raffle	114.00
Fall Dinner Raffle	1,240.00
Spring Bazaar Raffle	266.00
Spring Bazaar Plants	2,200.00
Spring Bazaar Kitchen	789.00
Christmas Dinner	333.00
Pumpkinfest	451.00
Sponsorships for Fall Dinner En	2,265.46
Fall Dinner	211.64
Honey	912.00
License Plates	15.00
Christmas Bazaar	50.00
Dinner Tickets	2,700.00
Monthly Raffle	449.00
Total Fundraisers	12,735.10
Grants	
City of Orting	13,000.00
Fred Meyer	37.59
Pierce County ALT	65,567.44
Total Grants	78,605.03
Other Activities	
Refunds	687.82
Birthday Celebrations	51.75
Hall Rental Income	50.00
Lunches	22,442.80
Member Dues	2,934.00
Total Other Activities	26,166.37
Total Income	129,798.82
Gross Profit	129,798.82
Expense	
Fundraiser Expense	
Christmas Bazaar	89.94
Honey	508.00

Orting Senior Center
Profit & Loss
 January through December 2018

	Jan - Dec 18
Fall Dinner	350.00
Plant Sale/Spring Bazaar	10.00
Fundraiser Expense - Other	39.77
Total Fundraiser Expense	997.71
Operating Expenses	
BakeSale	338.50
Transportation	5,717.60
Food Bank	84.08
Party Supplies	183.04
Postage	188.20
Repair & Maintenance	1,750.05
Equipment	12,825.65
Fall Dinner	1,249.68
Background Checks	96.00
Chocolate Stroll	79.81
Food Card	4,107.61
Advertising & Promotion	318.82
Donations	51.00
Bank Charges	34.00
Bookkeeper	1,427.00
Center Ins. 1 yr.	897.82
Fed. Payroll Tax Qtr.	15,956.14
Food Expense	
Food	1,744.78
Meat	723.57
Food Expense - Other	9,286.55
Total Food Expense	11,754.90
Hall Rental	70.00
Ind. Contractor	4,965.00
Misc. Center	695.17
Non-Profit License	120.00
Office Expense	6,235.02
Salaries & Wages	57,249.28
Supplies	7,441.24
Telephone	1,627.43
Rent	4,080.00
Operating Expenses - Other	5,518.81
Total Operating Expenses	145,061.85
Total Expense	146,059.56
Net Ordinary Income	-16,260.74
Other Income/Expense	
Other Income	
Interest Income	8.87
Total Other Income	8.87
Other Expense	
Voided checks	0.00
Total Other Expense	0.00
Net Other Income	8.87
Net Income	-16,251.87

**2019 Projected Budget
Orting Valley Senior Center**

Expenses:

Rent	\$4,080.00
Phone/Wifi	\$ 1885.00
Salaries	\$70,000.00
Senior Meal Program Food	\$14,000.00
Office/Center Supplies	\$5,000.00
Equipment Repair/Replacement	\$5,000.00
Pierce Transit Van Lease/Usage	\$7,200.00
Insurance	\$1,200.00
Professional Services	\$1,900.00
Nutritionist	\$1,200.00
Licenses/Registrations	\$300.00
SAIL Instructor	\$6,500.00
Payroll Taxes	\$16,000.00
Advertising/Communication	\$1,200.00
Speakers/Instructors	\$1,500.00
Misc. Expenses	\$5,000.00

Total Projected Expenses \$141,965.00

Income:

Pierce County	\$47,141.00
City of Orting	\$13,000.00
Health Care Providers Council	\$850.00
Meal Donations	\$22,000.00
Men's Coffee Group	\$1,500.00
AA Group	\$800.00
Amazon Smiles	\$100.00
Member Dues	\$3,500.00
Misc. Donations	\$7,000.00
Fundraisers	\$15,000.00
Puyallup Tribe Grant	\$7,200.00
Muckleshoot Tribe Grant (applied)	\$5,000.00
Medina Foundation (applied)	\$15,000.00
Walmart (applied)	\$5,000.00

Total Projected Income \$143,091.00

**2020 Projected Budget
Orting Valley Senior Center**

Expenses:

Rent	\$4,080.00
Phone/Wifi	\$ 1,885.00
Salaries	\$92,000.00
Senior Meal Program Food	\$18,000.00
Office/Center Supplies	\$5,000.00
Equipment Repair/Replacement	\$5,000.00
Pierce Transit Van Lease/Usage	\$7,200.00
Insurance	\$1,200.00
Professional Services	\$1,900.00
Nutritionist	\$1,200.00
Licenses/Registrations	\$300.00
SAIL Instructor	\$6,500.00
Payroll Taxes	\$16,000.00
Advertising/Communication	\$1,200.00
Speakers/Instructors	\$1,500.00
Misc. Expenses	\$5,000.00

Total Projected Expenses \$167,965.00

Income:

Pierce County (applied TBD)	\$52,000.00
City of Orting	\$15,000.00
Health Care Providers Council	\$850.00
Meal Donations	\$24,000.00
Men's Coffee Group	\$1,500.00
AA Group	\$800.00
Amazon Smiles	\$500.00
Member Dues	\$3,500.00
Misc. Donations	\$12,000.00
Fundraisers	\$17,000.00
Puyallup Tribe Grant	\$7,200.00
Muckleshoot Tribe Grant	\$5,000.00
Medina Foundation	\$15,000.00
Walmart	\$5,000.00
United Way	\$1500.00
Tulalip Tribe	\$6,500.00

Total Projected Income \$167,350.00



STATE of WASHINGTON SECRETARY of STATE

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

CERTIFICATE OF INCORPORATION

to

PORTING SENIOR CENTER ORGANIZATION

a Washington NonProfit corporation. Articles of Incorporation were filed for record in this office on the date indicated below.

U. B. I. Number: 601 178 872

Date: May 5, 1989



Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol.

Ralph Munro, Secretary of State

ORTING SENIOR CENTER ORGANIZATION
SENIOR CENTER
PO BOX 104
ORTING WA 98360-0104

Employer ID Number: 94-3101716
Form 990 required: Yes

Dear Taxpayer:

This is in response to your request dated Aug. 07, 2017, regarding your tax-exempt status.

We issued you a determination letter in June 1993, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

Our records also indicate you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(vi).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If a return is required, you must file Form 990, 990-EZ, 990-N, or 990-PF by the 15th day of the fifth month after the end of your annual accounting period. IRC Section 6033(j) provides that, if you don't file a required annual information return or notice for three consecutive years, your exempt status will be automatically revoked on the filing due date of the third required return or notice.

For tax forms, instructions, and publications, visit www.irs.gov or call 1-800-TAX-FORM (1-800-829-3676).

If you have questions, call 1-877-829-5500 between 8 a.m. and 5 p.m., local time, Monday through Friday (Alaska and Hawaii follow Pacific Time).

941



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/23/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Cross Insurance Agency
8031 Pacific Ave
Tacoma, WA 98408

CONTACT NAME:

Eloise Patton

PHONE

253-475-5313

FAX

(A/C, No):

E-MAIL

eloise@crossinsuranceagency.com

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A:

Liberty Mutual Insurance

24074

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED

Orting Senior Center Organization
Jenny L Topp
PO Box 104
Orting, WA 98360

COVERAGES

CERTIFICATE NUMBER: 00000000-191539

REVISION NUMBER: 2

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A X	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR		BLO57775485	05/24/2019	05/24/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER					
	AUTOMOBILE LIABILITY					
	ANY AUTO					COMBINED SINGLE LIMIT (Ea accident) \$
	OWNED AUTOS ONLY	SCHEDULED AUTOS				BODILY INJURY (Per person) \$
	HIRED AUTOS ONLY	NON-OWNED AUTOS ONLY				BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB	OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	CLAIMS-MADE				AGGREGATE \$
						\$
						PER STATUTE OTH-ER
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input type="checkbox"/> N/A					
	If yes, describe under DESCRIPTION OF OPERATIONS below					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

City of Orting
110 Train St SW
Orting, WA 98360

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(EMP)

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**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-23**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING A PUBLIC PURPOSE AND
AUTHORIZING A CITY GRANT OF FUNDS TO ORTING
SENIOR CENTER ORGANIZATION.**

WHEREAS, the City of Orting has adopted a Grant Policy (the “Policy”) to provide grant funding to organizations which the City Council determines bring significant value to the citizens of Orting and which serve valid municipal purposes; and

WHEREAS, in accordance with the Policy, grant funding is provided to organizations upon application, evaluated by the City Council pursuant to the Policy on a case-by-case basis and at various levels of support depending on the value the applicant provides to the community; and

WHEREAS, the City received an application for grant funding from the Orting Senior Center Organization, a nonprofit corporation registered with the State of Washington; and

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on September 5th, 2019, and recommended approval of the application; and

WHEREAS, the City Council finds that the Orting Senior Center Organization operates the Orting Senior Center in Orting, which offers events, activities, luncheons, and other services for the Orting Senior Citizens in the Orting Community; and

WHEREAS, applicant has represented that this grant shall be used by the applicant for the maintenance and updating of programs and services so as to ensure they run smoothly and efficiently, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

WHEREAS, the City Council finds that funding the aforementioned organization/activity promotes community participation and the health, safety and welfare of the community’s senior citizens and their families, and serves the valid municipal purposes of providing an opportunity to strengthen the City’s commitment to seniors and their families, and the applicant seeks to engage the entire community by promoting volunteerism, charity, and community participation; and

WHEREAS, the City Council finds that the Orting Senior Center Organization’s application meets the requirements of the City’s Policy, and qualifies for grant funding as an organization serving valid municipal purposes; and

NOW, THEREFORE, the City Council of the City of Orting, Washington, do resolve as follows:

Section 1. Declaration of Public Purpose. The City Council declares that the Orting Senior Center Organization and its Orting Senior Center serve the valid municipal purposes described herein, and that the described intent for the requested funding is instrumental in ensuring that the organization meets those purposes.

Section 2. Authorization for Sponsorship of Event. The City Council authorizes the City's grant funding Orting Senior Center Organization, pursuant to the City's Policy, in the amount of \$_____. The Mayor is authorized to enter into a contract with the Orting Senior Center Organization to memorialize the City's grant funding described herein.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25th DAY OF SEPTEMBER, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

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



Grant Application-2020

City of Orting - Office of the City Clerk
PO Box 489-110 Train St., Orting, WA 98360
Phone: (360) 893-2219 ext.133 - Fax: (360) 893-6809
www.cityoforting.org

FOR CITY CLERK USE ONLY:

Name of Organization: RECOVERY CAFE ORTING UBI #: 604 220 943

Contact Person's Name and Title: DENNIS PASCHKE, EXECUTIVE DIRECTOR

Mailing Address: 113 VARNER AVE SE, ORTING, WA, 98360

Phone: 360 208-8018 Email Address: dpasch01@gmail.com
253 455-0408

Amount Requested: \$ _____

How the grant will be used (This information can be provided in a letter, attached to this application):

Grant funding will be used to help pay for staff costs for
Cafe Manager & also to support meals/assistance for those
struggling with addiction. Many of our members are homeless
We serve 2-4 meals a week for ~ 30 members.
We are in our 3rd year & request a grant of \$15K.

Who does the grant serve (This information can be provided in a letter, attached to this application):

Those seeking help from trauma, addiction & mental health issues.

What city facilities will you be requesting for usage with this grant (May not use facilities for fundraising):

N/A

All groups seeking grants from the City of Orting must:

1. Submit one (1) original and one (1) electronic copy of this application, along with the following attachments to the City no later than August 1st, at 3:00pm, (for grants to be issued in the following year). Grants will be approved and distributed at the City's discretion.

1. Previous year's annual financial statement
2. Current year's budget
3. Proof of non-profit status, including but not limited to 501(c)(3) identification number.
4. Copy of Liability Insurance with rider for the City (rider may be provided after approval).

2. A representative of the applicant shall attend the City Council's Community and Government Affairs Committee Meeting to discuss the contents of the application.

The attachments that shall be included with the application include:

3. If selected, an authorized representative of the applicant shall execute a contract with the City before the group shall receive the funding.

 7 / 17 / 19
Signature of Authorized Representative 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.



**Recovery Café Orting 2018
Budget**

INCOME (all sources)	Total Funding
Grant sourcing Funds	
City of Orting	\$ 7,500
Pierce County	\$ 25,000
Tulalip Tribal	\$ 3,000
Tacoma Foundation	\$ -
Korum For Kids	\$ 5,000
Puyallup Tribes	\$ -
Molina HC	\$ 5,000
RCN	\$ 50,000
Benefit Concert	\$ 8,000
TOTAL	\$ 103,500
 Operating EXPENSE	
	2018 Total Expense
RCN Licence Fee	\$ 5,000
Wages (Café Manager)	\$ 30,000
Benefits (Health Care stipend)	\$ 3,600
Rent	\$ 600
Telephone (Vonage)	\$ 375
Wi-Fi	\$ 300
Internet - Comcast	\$ 500
Supplies (Office and Kitchen)	\$ 1,500
Software - QuickBooks	\$ 374
Utilities (PSE, Gas)	\$ 800
Food gaps	\$ 2,100
training/travel/resources	\$ 2,400
Maintenance	\$ 600
Pass through Vouchers	\$ 5,700
Website	\$ 1,800
Fundraising expenses	\$ 1,600
TOTAL	\$ 64,974
 Capital EXPENSE	
LEASEHOLD IMPROVEMENTS	
HDTV for Education	\$ 700
Copier	\$ 1,200
Website design	\$ 1,500
Computers (2)	\$ 3,000
Leashold Improvements	\$ 30,000
Total	\$ 36,400
 2018 Total Operating and Capital	 101,374



**Recovery Café Orting 2019
Budget**

INCOME (all sources)	Total Funding
Grant sourcing Funds	
City of Orting	10,000
Pierce County	25,000
Tulalip Tribal	3,000
Korum For Kids	5,000
Puyallup Tribes	0
Molina HC	7,500
DSHS	3,000
RCN	40,000
Benefit Concert	7,500
TOTAL	\$ 101,000

Operating EXPENSE	2019 Total Expense
RCN Licence Fee	5,000
Salary 1/2 year (Executive Director)	32,000
Wages (Café Manager)	30,000
Benefits (Health Care stipend)	3,600
Rent	4,400
Telephone (Vonage)	1,500
Wi-Fi	1,200
Internet - Comcast	1,500
Supplies (Office and Kitchen)	2,400
Software - QuickBooks	374
Utilities (PSE, Gas)	2,400
Food gaps	2,100
training/travel/resources	2,400
Maintenance	600
Pass through Vouchers	5,700
Website	1,800
Fundraising expenses	4,500
TOTAL	\$ 101,474

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 25 2019

RECOVERY CAFE ORTING
C/O DENNIS PASCHKE
PO BOX 1867 113 VARNER AVE SE
ORTING, WA 98360

Employer Identification Number:
83-2459466
DLN:
17053079301009
Contact Person: CYNTHIA A CLARK ID# 17264
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
November 1, 2018
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/17/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh USA, Inc. 1301 5th Avenue, Suite 1900 Seattle, WA 98101 Attn: Van Vong (206) 214-3024 S34035-STND-GU-19-20 220	CONTACT NAME: PHONE (A/C No. Ext): FAX (A/C No): E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: Philadelphia Indemnity Insurance Company 18058 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES	CERTIFICATE NUMBER: SEA-003622445-01	REVISION NUMBER: 3
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> WA STOP GAP \$1,000,000 LIMIT GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	X		PHPK1924328	01/01/2019	01/01/2020	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 3,000,000
							PRODUCTS - COMP/OP AGG	\$ 3,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) if yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	
							OTHER	
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Dec #220 - Orting United Methodist Church as Named Insured

The City of Orting is included as additional insured where required by written contract as respects grant funding for operations of the Orting United Methodist Church including Recovery Cafe Orting Valley as a ministry of the church operations.

CERTIFICATE HOLDER City of Orting 110 Train Street SE PO Box 489 Orting, WA 98360	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE of Marsh USA Inc. Van H. Vong <i>Van Vong</i>
--	--

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-22**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING A PUBLIC PURPOSE AND
AUTHORIZING A CITY GRANT OF FUNDS TO ORTING
VALLEY RECOVERY CAFE.**

WHEREAS, the City of Orting has adopted a Grant Policy (the “Policy”) to provide grant funding to organizations which the City Council determines bring significant value to the citizens of Orting and which serve valid municipal purposes; and

WHEREAS, in accordance with the Policy, grant funding is provided to organizations upon application, evaluated by the City Council pursuant to the Policy on a case-by-case basis and at various levels of support depending on the value the applicant provides to the community; and

WHEREAS, the City received an application for grant funding from the Recovery Café, Orting Valley, a nonprofit corporation registered with the State of Washington; and

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on September 5th, 2019, and recommended approval of the application; and

WHEREAS, the City Council finds that the Orting Valley, Recovery Café opened its doors on November 17th, 2018, to operate a Recovery Café in Orting, which provides a safe caring environment where folks who truly want to break the lifestyle of addiction can find the support the Orting Valley Community needs; and

WHEREAS, the applicant has represented that this grant shall be used by the applicant to fund programs and for purchases of office equipment, website start up fees, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

WHEREAS, the City Council finds that funding the aforementioned organization/activity serves the valid municipal purposes of promoting community participation and the health, safety and welfare of the community’s citizens and their families; and

WHEREAS, the City Council finds that the Orting Valley Recovery Café’s application meets the requirements of the City’s Policy, and qualifies for grant funding as an organization serving valid municipal purposes; and

NOW, THEREFORE, the City Council of the City of Orting, Washington, do resolve as follows:

Section 1. Declaration of Public Purpose. The City Council declares that the Orting Valley Recovery Café serves the valid municipal purposes described herein, and that the described intent for the requested funding is instrumental in ensuring that the organization meets those purposes.

Section 2. Authorization for Sponsorship of Event. The City Council authorizes the City's grant funding Tacoma Recovery Café, pursuant to the City's Policy, in the amount of \$ _____. The Mayor is authorized to enter into a contract with the Tacoma Recovery Café to memorialize the City's grant funding described herein.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25TH DAY OF SEPTEMBER, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

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



**City Of Orting
Council Agenda Summary Sheet**

Subject: Resolution No 2019-25, Amending The Contract With Pease Construction To Authorize A Contingency; Authorizing The Mayor /And Or His Designee To Execute Change Orders		Committee	Study Session	Council
	Agenda Item #:		AB19-60	AB19-60
	For Agenda of:		9/18/19	9.25.19
	Department:	City Administrator/Planner		
	Date Submitted:	9/13/19		
	Cost of Item:	\$250,000		
Amount Budgeted:	None			
Unexpended Balance:				
Bars #:				
Timeline:				
Submitted By:	City Administrator/Planner			
Fiscal Note:				
Attachments: Resolution No. 2019-25				
<p>SUMMARY STATEMENT: The City awarded the contract for construction of the City Hall Building to the lowest responsive and responsible bidder, Pease Construction. That award did not include the recommended contingency amount of \$250,000.</p> <p>By this Resolution, the City Council would authorize a contingency in an amount of \$250,000, and to authorize the Mayor and/or his designee to execute change orders on behalf of the City with Pease for the project in an amount of \$25,000 per change order.</p>				
RECOMMENDED ACTION: Move to the consent agenda on 9.25.19				
<p>FUTURE MOTION: To Adopt Resolution No. 2019-25, Authorizing a contingency in the amount of \$250,000, and authorizing the Mayor and/or his designee to execute change orders in the amount of \$25,000.</p>				

CITY OF ORTING
WASHINGTON

RESOLUTION NO. 2019-25

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON; AUTHORIZING THE MAYOR TO
EXECUTE CHANGE ORDERS PURSUANT TO THE
CONTRACT UP TO A TOTAL CONTINGENCY OF
\$250,000; PROVIDING FOR SEVERABILITY; PROVIDING
AN EFFECTIVE DATE**

WHEREAS, in accordance with state laws for public works projects, the City of Orting solicited bids for the construction of a new City Hall building (the "Project"); and

WHEREAS, at its regular meeting on August 14, 2019, the City Council of the City of Orting awarded the contract for the Project to the lowest responsive and responsible bidder, Pease Construction, in the amount of \$5,443,750; and

WHEREAS, the Mayor and Pease Construction executed a contract pursuant to the City Council's authorization; and

WHEREAS, the award did not include a contingency, and staff recommends the authorization of a contingency for this project in accordance with the City's estimate for the project's costs; and

WHEREAS, in order to ensure timely performance of the contract, the City Council desires to authorize the Mayor and/or his designee to execute change orders on behalf of the City up to a certain amount; and

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

Section 1. Authorization. The City Council hereby authorizes \$250,000 as the owner's contingency for this Project. This amount is in addition to the line item for minor changes stated in the contract.

Section 2. Authorization. The Mayor and/or his designee are hereby authorized to execute change orders to the aforementioned contract with Pease Construction for the Project, in an amount not to exceed \$25,000 per change order, up to the total contingency amount of \$250,000.

Section 3. 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 4. 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



**City Of Orting
Council Agenda Summary Sheet**

Subject: Ordinance No. 2019-1050, Amending Ordinance No. 2018-1037 And Ordinance 2019-1048, Adopting The City Of Orting 2019 Budget; Providing For Appropriation And Expenditure Of Funds Received In Excess Of Estimated Revenues.		Committee	Study Session	Council
	Agenda Item #:	N/A	AB19-61	
	For Agenda of:		9.18.19	
	Department:	Finance		
	Date Submitted:	9/13/19		
Cost of Item:	<u>\$400,000</u>			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	TBD			
Timeline:	ASAP			
Submitted By:	Scott Larson			
Fiscal Note: This amount will be offset by a \$588,000 grant the City received from the State.				
Attachments: Ordinance No. 2019-1050				
SUMMARY STATEMENT: The City budgeted \$5.3 million in the 2019 budget to pay for construction of a new City Hall facility. In August the Council awarded the construction contract to Pease Construction. In addition to the amount approved for construction, the City needs to appropriate additional funds for both contingency (change order) items and items that are not part of the contract including a standby generator, electronic equipment for the council chambers, furniture, and other items to outfit the office space. In 2018 the City won a \$588,000 grant from the State for funds to help with construction of the new City Hall facilities, so the impact of these additional funds on the budget will be neutral.				
RECOMMENDED ACTION: Move to the consent agenda of 9.25.19				
FUTURE MOTION: To Adopt Ordinance No. 2019-1050, An Ordinance of the City of Orting, WA, Amending Ordinance No. 2018-1037 And Ordinance 2019-1048, Adopting The City Of Orting 2019 Budget; Providing For Appropriation And Expenditure Of Funds Received In Excess Of Estimated Revenues.				

CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2019-1050

AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, AMENDING ORDINANCE NO. 2018-1037 AND ORDINANCE 2019-1048, ADOPTING THE CITY OF ORTING 2019 BUDGET; PROVIDING FOR APPROPRIATION AND EXPENDITURE OF FUNDS RECEIVED IN EXCESS OF ESTIMATED REVENUES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Washington State law, Chapter 35A.34 RCW provides for the biennial adoption of the City's budget and provides procedures for filing of the proposed budget, deliberations, public hearings, final fixing, and any subsequent adjustments to the budget; and

WHEREAS, the City Council adopted the 2019 budget pursuant to Ordinance No. 2018-1037 and amended the 2019 budget with Ordinance No. 2019-1048; and

WHEREAS, the expenditures as classified and itemized in the adopted budget constitute the City's appropriations for the ensuing fiscal year provided that the budget Ordinance may be amended by ordinance to provide for appropriation and expenditure of funds received in excess of the estimated revenues during the calendar year; and

WHEREAS, the City has received funds that are in excess of the estimated revenues for the 2019 budget year and desires to amend the 2019 budget to provide for the appropriation and expenditure of said funds; and

WHEREAS, City Staff has determined that additional funds are needed for the completion of the New City Hall construction project; and

WHEREAS, the 2019 budget includes a summary of expenditures, which needs to be amended to reflect the expenses that the city intends to incur; and

WHEREAS, this amendment to the 2019 budget could not have been reasonably foreseen during budget development; and

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

Section 1. Amending Ordinance No. 2018-1037 (2019 Budget Ordinance), Section 3, Summary of Revenues and Appropriations. Ordinance No. 2019-1037, adopting the 2019

budget, at Section 3, Summary of Revenues and Appropriations, Exhibit A, shall be and is hereby amended as set forth in Exhibit A.

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

Section 4. 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 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE 25th DAY OF SEPTEMBER, 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

Filed with the City Clerk:9.13.19
Passed by the City Council:
Ordinance No.: 2019-1050
Date of Publication:
Effective Date:



**City of Orting
Council Agenda Summary Sheet**

Subject: Ordinance 2019-1049 Adopting A Zoning Ordinance To Add Chapter 13-9 To The Orting Municipal Code, Entitled "Wireless Communications Services Facilities."	Committee		Study Session	Council
	Agenda Item #:	N/A	AB19-62	AB19-62
	For Agenda of:		09/18/2019	9.25.19
	Department:	Planning/Administration		
	Date Submitted:	04/01/19; 9/12/19		
	Cost of Item:	N/A		
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:	Has to be passed in September, the interim Ordinance sunsets prior to the October meeting.			
Submitted By:	Planner			
Fiscal Note:				
Attachments: Ordinance No. 2019-1049				
<p>SUMMARY STATEMENT: The City adopted new Telecommunications Master Use Permit requirements in 2018 last year (Title 8, Chapter 8 OMC, Ord 2018-1031). This code allows for telecommunications facilities but does not provide any development standards. The City Council, following the Planning Commission's recommendations, adopted interim wireless communication facility development standards, Ord. 2019-1044.</p> <p>The FCC recently passed a rule that no new development standards would be accepted from local jurisdictions if they were not in place by April 14, 2019.</p> <p>Staff drafted a permanent wireless communication facility development standards ordinance, after feedback from staff, public and stakeholders.</p> <p>After a public hearing, the Planning Commission recommended approval of the ordinance on Sept. 9, 2019. We ask that the Council adopt the ordinance, after holding a public hearing.</p>				
RECOMMENDED ACTION: Public Hearing And Vote At The 9.25.19 Meeting.				
FUTURE MOTION: To Adopt Ordinance No. 2019-1049, A Zoning Ordinance To Add Chapter 13-9 To The Orting Municipal Code, Entitled "Wireless Communications Services Facilities."				

**CITY OF ORTING
WASHINGTON**

ORDINANCE NO. 2019-1049

AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, ADOPTING A ZONING ORDINANCE TO ADD CHAPTER 13-9 TO THE ORTING MUNICIPAL CODE, ENTITLED “WIRELESS COMMUNICATIONS SERVICES FACILITIES.”

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

WHEREAS, in the Telecommunications Act of 1996 (the 1996 Act), Congress enacted sweeping new provisions intended to facilitate the deployment of telecommunications infrastructure; and

WHEREAS, several provisions of the 1996 Act speak directly to Congress’s determination that certain state and local regulations are unlawful; and

WHEREAS, Section 253(a) provides that “no State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service;” and

WHEREAS, Congress specified in Section 332(c)(7) that “the regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof—(I) shall not unreasonably discriminate among providers of functionally equivalent services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services;” and

WHEREAS, Section 332(c)(7) generally preserves state and local authority over the “placement, construction, and modification of personal wireless service facilities” but with certain limitations; and

WHEREAS, the Federal Communications Commission (FCC) has authority to interpret Sections 253 and 332 of the 1996 Act to further elucidate what types of state and local legal requirements run afoul of the statutory parameters Congress has established; and

WHEREAS, America is preparing to transition to the next generation of wireless services, known as 5G; and

WHEREAS, in preparing for that transition, and to improve existing deficits in their 4G networks, wireless providers have been increasingly looking to densify their networks with new small cell deployments that have antennas often no larger than a small backpack; and

WHEREAS, the challenge for the City’s policymakers is that the deployment of these small cell networks will look different than the 3G and 4G deployments of the past, which often involved the construction of large cell towers; and

WHEREAS, to support advanced 4G or 5G offerings, wireless providers must build out small cells at a faster pace and at a far greater density of deployment than before; and

WHEREAS, to meet rapidly increasing demand for wireless services and prepare our national infrastructure for 5G, wireless providers must deploy infrastructure at significantly more locations using these new, small cell facilities; and

WHEREAS, on September 27, 2018, in the context of the forthcoming small cell deployment, the FCC found it necessary and appropriate to exercise its authority to interpret the 1996 Act and clarify the preemptive scope that Congress intended by issuing its Declaratory Ruling and Third Report and Order (“FCC Order”); and

WHEREAS, the FCC asserts that its Order is part of a national strategy to promote the timely buildout of this new infrastructure across the country by eliminating regulatory impediments that unnecessarily add delays and costs to bringing advanced wireless services to the public; and

WHEREAS, the FCC Order still recognizes that certain reasonable aesthetic considerations do not run afoul of Sections 253 and 332; and

WHEREAS, the regulations contained herein are intended to, among other things, (1) ensure that the design, appearance, and other features of wireless facilities are compatible with nearby land uses; (2) manage the public right-of-way so as to ensure traffic safety and coordinate various uses; and (3) protect the integrity of the City’s historic, cultural, and scenic resources and the quality of life of Orting’s citizens; and

WHEREAS, the FCC Order states that “aesthetics requirements are not preempted if they are (1) reasonable, (2) no more burdensome than those applied to other types of infrastructure deployments, and (3) objective and published in advance; and

WHEREAS, the FCC Order states that “aesthetic requirements that are reasonable in that they are technically feasible and reasonably directed to avoiding or remedying the intangible public harm of unsightly or out-of-character deployments are also permissible;” and

WHEREAS, the FCC has given cities until April 14, 2019 to have adopted and published its aesthetic regulations; and

WHEREAS, the City Council finds that these regulations promote the small cell deployment in a manner that also balances the needs of the community while mitigating the potential negative impacts of that deployment; and

WHEREAS, the City Council acknowledges that the growing use of smart phones and other personal devices have created a substantial need for wireless data transmission; and

WHEREAS, the City Council is the steward of the public right-of-way which will probably host some of the forthcoming small cell facilities; and

WHEREAS, the City of Orting recently adopted new wireless communications services facilities franchise agreements and telecommunication master use permit requirements (City Ordinance 2018-1031); and

WHEREAS, as steward of the public right-of-way, the City Council must consider the various competing uses of the public right-of-way; and

WHEREAS, the City Council recognizes that not all utilities are similarly situated: some (like water and sewer) can only function below ground; some (like wireless antennas) can only function above ground; some (like wireline utilities) require the kind of continuity that can only be provided if they are located in the public right-of-way; and some (like wireless facilities), because they transit radio frequencies, are less reliant than wireline utilities on the continuity provided by the public right-of-way; and

WHEREAS, in light of the different needs of the various utilities, and in light of the limited available space in the right-of-way, the City Council intends to prioritize and preserve the right-of-way for those utilities that most need it; and

WHEREAS, the City Council deems it to be in the public interest to incorporate the FCC guidelines and provide for the streamlined review of applications and greater flexibility in siting wireless communications services facilities, including small cell facilities, within the City, and at the same time to further the protection of the public environment through the adoption of small cell design standards, concealment techniques and dispersion requirements; and

WHEREAS, over the next many years, the deployment of small cell facilities in the numbers contemplated by the FCC is likely to have a cumulative negative visual impact upon the City, which threatens to lower the quality of life of Orting citizens; and

WHEREAS, the City of Orting has adopted architectural design guidelines; all development in the Mixed-Use Town Center and Mixed-Use Town Center North zones and all commercial and public developments are subject to Architectural Design Review to ensure consistency with the adopted Orting theme of "Turn of the Century Western and Victorian," a style of building, architecture, and exterior lighting used in Orting and the area from Statehood in 1889 through World War I. This includes new construction or major renovation and alteration or other modifications to buildings, accessory structures, signs, street furniture, and other public property as described in Section 13.6.6 OMC. Under the architectural design guidelines, evaluation of a project is based on quality of its design and its relationship to the natural setting of the valley and mountain settings; and

WHEREAS, the aesthetic regulations and dispersion requirements contained in this

Ordinance are intended to mitigate some of that negative visual impact of wireless communications services facilities; and

WHEREAS, the dispersion requirement is intended to ensure that the negative visual impact is spread evenly throughout the City, and, in so doing, make it less noticeable than it would be if it was concentrated in certain small cell hot spots containing multiple wireless facilities in close proximity; and

WHEREAS, it is common for cities to adopt interim regulations when amending their codes to address new technology; and

WHEREAS, RCW 35A.63.220 and RCW. 36.70A.390 authorize the City to adopt interim regulations while new plans or regulations are considered and prepared; and

WHEREAS, the City Planning Commission reviewed the proposed interim regulations on April 1, 2019 and recommended adoption of the interim regulations to the City Council; and

WHEREAS, pursuant to RCW 36.70A.390, an interim ordinance may be adopted on an emergency basis without first holding a public hearing; and

WHEREAS, notwithstanding that authority, the City Council held a public hearing on April 10, 2019 for the interim ordinance (2019-1044), and adopted it; and

WHEREAS, the City has continued to refine its wireless regulations in response to public comment, including consultation with the wireless industry and new information since the interim ordinance was adopted; and

WHEREAS, the City Council does not find these regulations to be any more burdensome than those applied to other types of infrastructure deployments; and

WHEREAS, the Planning Commission held a duly noticed public hearing on September 9, 2019, and provided a final recommendation for wireless communications services facilities to the City Council at that meeting; and

WHEREAS, non-project SEPA review was conducted and a Determination of Nonsignificance (DNS) was issued for the development regulations on July 30, 2019; and

WHEREAS, the Growth Management Act requires proposed development regulations be sent to the WA State Department of Commerce Growth Management Services for review and comment 60 days prior to the final City Council adoption, unless expedited review is requested, and the City has complied with GMA noticing requirements; and

WHEREAS, the City Council held another public hearing for the proposed development regulations on September 25, 2019; and

WHEREAS, having considered, among other things, public testimony and the Planning Commission’s recommendations, the City Council finds that the proposed amendments herein are consistent with and would serve to further implement the planning goals of the adopted Comprehensive Plan and the Growth Management Act, bear a substantial relation to the public health, safety or welfare, and promote the best long term interests of the Orting community;

NOW, THEREFORE, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. New OMC Chapter 13-9, “Wireless Communications Services Facilities,” added.

Chapter 13-9 of the Orting Municipal Code, entitled “Wireless Communications Services Facilities,” is hereby adopted to read as set forth in **Attachment A** hereto, which is incorporated herein as if set forth in full.

Section 2. Repeal of Interim Ordinance. The interim ordinance 2019-1044 is hereby repealed upon adoption of this ordinance.

Section 3. 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 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Section 5. Adoption of Findings. The City Council hereby adopts as findings of fact in support of the adoption of this Ordinance, the “whereas” clauses above.

ADOPTED 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

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.2019-1049
Date of Publication:
Effective Date:

Ordinance 2019-1049- Attachment A
Title 13 - Development Regulations
Chapter 9 - Wireless Communications Services Facilities

Sections:

- 13-9-1 Purpose.
- 13-9-2 Applicability.
- 13-9-3 Exemptions.
- 13-9-4 Prohibitions.
- 13-9-5 General macro facility siting criteria and design considerations.
- 13-9-6 Permits and shot clocks.
- 13-9-7 Application requirements.
- 13-9-8 Eligible facilities requests.
- 13-9-9 New building-mounted macro wireless communications services facilities standards.
- 13-9-10 New structure-mounted macro wireless communications services facilities standards.
- 13-9-11 New monopole-mounted macro wireless communications services facilities standards.
- 13-9-12 Temporary facilities.
- 13-9-13 Small wireless communications services facilities standards (small cell).
- 13-9-14 Abandonment or discontinuation of use.
- 13-9-15 Maintenance.
- 13-9-16 Definitions.

13-9-1 Purpose.

A. The purpose of this chapter is to regulate the placement, construction, modification and appearance of wireless communications services facilities, in order to protect the health, safety and welfare of the public, while not unreasonably interfering with the deployment of competitive wireless communications services facilities throughout the City. The purpose of this chapter may be achieved through adherence to the following objectives:

1. Protect residential areas and land uses from potential adverse impacts that wireless communications services facilities might create, including but not limited to negative impacts on aesthetics, environmentally sensitive areas, historically significant locations, and health and safety of persons and property;
2. Establishment of clear and nondiscriminatory local regulations concerning wireless communications services facilities and services that are consistent with federal and state laws and regulations;
3. Encourage providers of wireless communications services facilities to locate facilities, to the extent feasible, in areas where the adverse impact on the public health, safety and welfare is minimal;

4. For macro facilities, encourage the location of those facilities in nonresidential areas and allow macro facilities in residential areas only when necessary to meet functional requirements of the communications industry as defined by the Federal Communications Commission;
5. Minimize the total number of macro facilities in residential areas;
6. Encourage and, where legally permissible, require cooperation between competitors and, as a primary option, joint use of new and existing towers, tower sites and suitable structures to the greatest extent possible, where doing so would significantly reduce or eliminate additional negative impact on the City;
7. Ensure wireless communications services facilities are configured in a way that minimizes the adverse visual impact of the facilities, as viewed from different vantage points, through careful design, landscape screening, minimal impact siting options and camouflaging techniques, dispersion of unscreened features to lessen the visual impact upon any one location, and through assessment of current location options, siting, future available locations, and innovative siting techniques;
8. Enable wireless communication companies to enter into lease agreements with the City to use city property for the placement of wireless facilities, where consistent with other public needs, as a means to generate revenue for the City;
9. Balance the City's intent to minimize the adverse impacts of wireless communications services facilities with the ability of the providers of communications services to deploy such services to the community quickly, effectively and efficiently;
10. Provide for the prompt removal of wireless communications services facilities that are abandoned or no longer inspected for safety concerns and building code compliance, and provide a mechanism for the City to cause these abandoned wireless communications services facilities to be removed as necessary to protect the citizens from imminent harm and danger;
11. Avoid potential damage to people and adjacent properties from tower failure and falling equipment, through strict compliance with state building and electrical codes; and
12. Disperse the adverse impacts of small cell facilities as evenly as possible throughout the community, especially when joint use does not minimize additional visual impact.

B. In furtherance of these objectives, the City shall give due consideration to the zoning code, existing land uses, and environmentally sensitive areas when approving sites for the location of wireless communications services facilities.

C. These objectives were developed to protect the public health, safety and welfare, to protect property values, and to minimize and disperse visual impact, while furthering the development of enhanced communications services in the City. These objectives were designed to comply with the Telecommunications Act of 1996 and its implementing regulations. The provisions of this chapter are not intended to, and any ambiguities herein shall not be interpreted in such a manner that would materially inhibit the deployment of wireless communications services facilities. This chapter shall not be applied in such a manner as to unreasonably discriminate between providers of functionally equivalent wireless facilities.

D. To the extent that any provision of this chapter conflicts with any other city ordinance, this chapter shall control. Otherwise, this chapter shall be construed consistently with the other provisions and regulations of the City.

E. In reviewing any application to place, construct or modify wireless communications services facilities, the City shall act within federally required time periods. Any decision to deny an application shall be in writing, supported by substantial evidence contained in a written record. The City shall approve, approve with conditions, or deny the application in accordance with this title, this chapter, the adopted Orting comprehensive plan, and other applicable ordinances and regulations.

F. Alternative Methods of Compliance. The City Administrator or designee in consultation with other City staff, as applicable, may accept alternative methods of complying with the development regulations of this chapter, provided it can be demonstrated that the alternative method is at least equivalent to such standards in terms of implementing the general purpose of this chapter. The City Administrator or designee shall not accept alternative methods of compliance that are inconsistent with the City Comprehensive Plan or with conditions of approval imposed through a land use action. Decisions on Alternative Methods of Compliance need to be documented in the project file and can be appealable in the same manner as an Administrative Interpretation. The City Administrator or designee shall periodically forward decisions on Alternative Methods of Compliance to the Planning Commission for its information.

13-9-2 Applicability.

A. Except as provided herein, all wireless communications services facilities shall comply with the provisions of this chapter. The standards and process requirements of this chapter supersede all other review process, setback, height or landscaping requirements of the Orting Municipal Code (OMC).

B. Environmental. All proposed installations are subject to a threshold determination under the State Environmental Policy Act (SEPA) according to Chapter 15-14 OMC unless categorically exempt pursuant to WAC 197-11-800. All proposals are subject to the critical area requirements and the shoreline master program (Title 11 OMC).

C. Master Permit Agreement Needed.

1. Consistent with RCW chapter 35.99 and Chapter 8-8 OMC, any person, corporation or entity that proposes to locate any portion of a wireless communications services facilities within the City right-of-way must have a valid fully executed master permit with the City before submitting applications for right-of-way construction permits.

2. Wireless providers interested in obtaining a master permit must apply according to the procedures of Chapter 8-8 OMC as well as supplying the following, in order to have a complete application:

a. submit three valid fully executed master permits that the provider has with other cities in Washington state, PROVIDED THAT, this requirement shall be excused to the extent that the provider does not have sufficient valid master permits in other jurisdictions to meet that requirement;

D. Right-of-Way Construction Permit. A right-of-way construction permit is required prior to

performing any work within the City right-of-way pursuant to OMC Title 8.

13-9-3 Exemptions.

The following are exemptions from the provisions of this chapter:

- A. Routine maintenance or repair of wireless communication facilities.
- B. Radar systems for military and civilian communication and navigation.
- C. Handheld, mobile, marine and portable radio transmitters and/or receivers.
- D. Satellite antennas, including direct to home satellite services.
- E. Licensed amateur (ham) radio stations and citizen band stations.
- F. Earth station antenna(s) one meter or less in diameter and located in any zone.
- G. Earth station antenna(s) two meters or less in diameter and located in the business and commercial zones.
- H. A temporary wireless communications facility or COW installed for providing coverage of a special event such as news coverage or sporting event, subject to approval by the City. The wireless facility shall be exempt from the provisions of this chapter for up to two weeks before and after the duration of the special event.
- I. A temporary wireless communication facility or COW installed for a period of up to 180 days, subject to renewals at the City’s discretion, to provide service during repair, replacement, or relocation of an existing facility or construction of a new facility.
- J. Subject to compliance with all other applicable standards of this chapter, in the event of an emergency, the emergency provisions of Chapter 8-8 OMC shall be followed.

13-9-4 Prohibitions.

- A. The following wireless communications services facilities are prohibited in Orting:
 - 1. Guyed towers.
 - 2. Lattice towers.
- B. Monopoles are prohibited in the following locations:
 - 1. All residential zones;
 - 2. MUTC Mixed Use-Town Center Zone;
 - 3. ~~MUTCN Mixed Use-Town Center North Zone;~~
 - 4. OS Open Space and Recreation Zone;
 - 5. ~~PF Public Facilities Zone; and~~
 - 6. Within the City rights-of-way.

13-9-5 General macro facility siting criteria and design considerations.

- A. The City of Orting encourages wireless communication providers to use existing sites or more frequent, less noticeable sites instead of attempting to provide coverage through use of

taller towers. To that end, applicants shall consider the following priority of preferred locations for wireless communications services facilities:

1. Co-location, without an increase in the height of the building, pole or structure upon which the facility would be located;
2. Co-location, where additional height is necessary above existing building, pole, or structure;
3. A replacement pole or structure for an existing one;
4. A new pole or structure altogether.

B. Co-location shall be encouraged for all wireless communications services facilities applications and is implemented through less complex permit procedures.

1. To the greatest extent technically feasible, applicants for new monopole facilities shall be required to build mounts capable of accommodating at least one other carrier.
2. New macro wireless communications services facilities that are not co-located will require a conditional use permit (C) under the provisions of OMC 13-6-2 and shall be processed in accordance with OMC Title 15 for a Type III permit. Separation requirements will be a condition of approval.

C. Noise. Any facility that requires a generator or other device which will create noise audible beyond the boundaries of the site must demonstrate compliance with Chapter 5-8 OMC, Noise Control. A noise report, prepared by an acoustical engineer, shall be submitted with any application to construct and operate a wireless communications services facility that will have a generator or similar device. The City may require that the report be reviewed by a third-party expert at the expense of the applicant.

D. Business License Requirement. Any person, corporation or entity that operates a wireless communications services facility within the City shall have a valid business license issued annually by the City. Any person, corporation or other business entity which owns a monopole also is required to obtain a business license on an annual basis.

E. Signage. Only safety signs or those mandated by a government entity with jurisdiction may be located on wireless communications services facilities. No other types of signs are permitted on wireless communications services facilities.

F. Any application must demonstrate that there is sufficient space for temporary parking for regular maintenance of the proposed facility.

G. Finish. A monopole may be constructed of laminated wood, fiberglass, steel, or similar material. The pole shall be a neutral color so as to reduce its visual obtrusiveness, subject to any applicable standards of the FAA or FCC.

H. Design. The design of all buildings and ancillary structures shall use materials, colors, textures, screening and landscaping that will blend the facilities with the natural setting and built environment. All macro towers must be approved by the Architectural Design Board.

I. Color. All antennas and ancillary facilities located on buildings or structures other than monopoles shall be of a neutral color that is identical to or closely compatible with the color of

the supporting structure so as to make the antenna and ancillary facilities as visually unobtrusive as possible.

J. Lighting. Monopoles shall not be artificially lighted unless required by the FAA, FCC or other government entity with jurisdiction. If lighting is required and alternative lighting options are permitted, the City shall review the lighting alternatives and approve the design that would cause the least disturbance to the surrounding area. No strobe lighting of any type is permitted on any monopole, unless required by the FAA.

K. Advertising. No advertising is permitted at wireless communications services facilities sites or on any ancillary structure or facilities equipment enclosure.

L. Equipment Enclosure. Each applicant shall use the smallest equipment enclosure practical to contain the required equipment and a reserve for required co-location.

M. Radio Frequency Emissions Compliance. The applicant shall demonstrate that the project will not result in levels of radio frequency emissions that exceed FCC standards, including FCC Office of Engineering Technology (OET) Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, as amended.

N. Landscaping and Screening.

1. The visual impacts of wireless communications services facilities should be mitigated and softened through landscaping or other screening materials at the base of a monopole, facility equipment compound, equipment enclosures and ancillary structures. If the antenna is mounted flush on an existing building or camouflaged as part of the building and other equipment is housed inside an existing structure, no landscaping is required. The City may reduce or waive the standards for those sides of the wireless communications services facilities that are not in public view, when a combination of existing vegetation, topography, walls, decorative fences or other features achieve the same degree of screening as the required landscaping; in locations where the visual impact of the facility would be minimal; and in those locations where large wooded lots not capable of subdivision and natural growth around the property perimeter provide a sufficient buffer.

2. Landscaping shall be installed on the outside of fences. Existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute for or as a supplement to landscaping or screening requirements. The following requirements apply:

a. A solid screen of evergreen trees or shrubs shall be placed around the perimeter of the equipment cabinet enclosure, except that a maximum 10-foot portion of the fence may remain without landscaping in order to provide access to the enclosure.

b. Landscaping area shall be a minimum of five feet in width around the perimeter of the enclosure.

c. Vegetation selected should be native and drought tolerant.

d. Landscaping shall be located so as not to create sight distance hazards or conflicts with other surrounding utilities.

3. When landscaping is used, the applicant shall submit a performance assurance pursuant to OMC 13-5-2 (H).

4. The use of chain link, plastic, or wire fencing is prohibited. Ornamental metal, stone, wood, or vinyl fencing materials are preferred.

13-9-6 Permits and Shot Clocks.

A. No person may place, construct, reconstruct, modify or operate a wireless communications services facility, subject to this chapter, without first having in place a master permit agreement for right-of-way locations with a subsequent right-of-way permit and/or a building permit, as applicable, issued in accordance with this chapter. Except as otherwise provided herein, the requirements of this chapter are in addition to the applicable requirements of this title and OMC Title 8 (Public Ways and Property) and Title 11 (Critical Areas and Shoreline Management).

B. Applications will be reviewed based on the type of wireless communications services facilities requested to be permitted. Each wireless communications services facility requires the appropriate type of project permit review, as shown in Table A. In the event of uncertainty on the type of a wireless facility, the City Administrator or designee shall have the authority to determine what permits are required for the proposed facility.

Table A				
Request	Location	Building Permit Required	Right-of-Way (ROW) Permit Required	FCC Shot Clocks for Permit Review
Eligible facilities request	Existing tower or base station	Yes, if any elements on private property	Yes, if any elements in the ROW	60 days
New macro facility	Co-location	Yes, if any elements on private property	Yes, if any elements in the ROW	90 days
New macro facility	New structure or monopole (see 13-9-4 prohibited locations & 13-9-5 (B)(2) above for C Permit)	Yes, if any elements on private property	Yes, if any elements in the ROW	150 days
Small wireless facility (small cell node)	Co-location	Yes, if any elements on private property	Yes, if any elements in the ROW	60 days
Small wireless facility (small cell node)	New structure or freestanding small cell pole	Yes, if any elements on private property	Yes, if any elements in the ROW	90 days
Temporary facility	Varies	Yes, if applicable	Yes, if any elements in the ROW	Standard permit quotes

C. Timelines.

1. Macro cell.

The application review period begins when all required application materials have been received and fees paid. If the City determines that the application is incomplete and

provides notice to the applicant within thirty (30) calendar days of the date of application, the clock stops. The clock restarts when the City receives the applicant's supplemental submission in response to the City's notice of incompleteness. For subsequent determinations of incompleteness, the clock tolls (pauses) if the City provides written notice within ten (10) days that a supplemental submission did not provide the requested information. For new structures or monopoles, see OMC 13-9-5 (B)(2) above for C Permit requirement.

2. Small wireless facility (small cell node).

The application review period begins when all required application materials have been received and fees paid. If the City determines that the application is incomplete and provides notice to the applicant within ten (10) calendar days of the date of application, the clock stops. The clock resets to zero (0) when the City receives the applicant's supplemental submission in response to the City's notice of incompleteness. For subsequent determinations of incompleteness, the clock tolls (pauses) if the City provides written notice within ten (10) days that a supplemental submission did not provide the requested information.

D. Batched small wireless facility (small cell node) applications.

If an applicant is applying for a small wireless network in a contiguous service area, multiple small wireless facilities may be batched into one application, PROVIDED THAT the application fee shall still be calculated as if the applications were submitted separately. The City may approve, deny or conditionally approve all or any portion of the small wireless facilities proposed in the application. The denial of one or more small wireless facility locations within one submission shall not be the sole basis for a denial of other locations or the entire batched application for small wireless facilities. Should an applicant file a single application for a batch that includes both collocated and new structures for small wireless facilities, the longer 90-day shot clock shall apply to ensure the City has adequate time to review the new construction sites.

E. Any application submitted pursuant to this chapter for projects located on public or private property shall be reviewed and evaluated by the City as described in this chapter. The Public Works Director or his/her designee shall review all proposed wireless communications services facilities that are located partially or fully within the City rights-of-way. All applications will be reviewed and evaluated pursuant to the provisions of this chapter.

F. All applications for wireless communications services facilities shall be reviewed for compliance with the applicable design standards. Permits for all macro towers must be approved by the Architectural Design Board.

G. The applicant is responsible for obtaining all other permits and approvals from any other appropriate governing body or agency with jurisdiction (i.e., Washington State Department of Labor and Industries, Federal Aviation Administration, Puget Sound Energy, etc.).

H. No provision of this chapter shall be interpreted to allow the installation of a wireless communications services facilities which minimizes parking, landscaping, or other site development standards established by the OMC.

I. Wireless communications services facilities that are governed under this chapter shall not be eligible for variances under OMC Chapter 13-6-3. Any request to deviate from this chapter

shall be based solely on the exceptions set forth in this chapter, including Alternative Methods of Compliance under OMC 13-9-1 (F).

J. Third-party Review. Applicants may use various methodologies and analyses, including geographically based computer software, to determine the specific technical parameters of the services to be provided utilizing the proposed wireless communications services facilities, such as expected coverage area, antenna configuration, capacity, and topographic constraints that affect signal paths. In certain instances, a third-party expert may be needed to review the engineering and technical data submitted by an applicant for a permit. The City may at its discretion require third-party engineering and technical review as part of a permitting process. The costs of the technical third-party review shall be borne by the applicant.

1. The selection of the third-party expert is at the discretion of the City. The third-party expert review is intended to address interference and public safety issues and be a site-specific review of engineering and technical aspects of the proposed wireless communications services facilities and/or a review of the applicants' methodology and equipment used, and is not intended to be a subjective review of the site which was selected by an applicant. Based on the results of the expert review, the City may require changes to the proposal. The third-party review shall address the following:

- a. The accuracy and completeness of submissions;
- b. The applicability of analysis techniques and methodologies;
- c. The validity of conclusions reached;
- d. The viability of other site or sites in the City for the use intended by the applicant; and
- e. Any specific engineering or technical issues designated by the City.

K. Notwithstanding other remedies that may be available under federal law, failure of the City to issue permits within or otherwise comply with the FCC shot clock requirements does not provide a "deemed" grant of approval for macro or small wireless facilities, as it does for an Eligible Facilities Request. No work may occur until the permit issues.

13-9-7 Application requirements.

The following information must be submitted as part of a complete application for a wireless communications services facility permit in the City of Orting:

- A. Project description including a design narrative and co-location analysis indicating the alternative locations considered;
- B. Site information on scaled plans, including:
 1. Site plan;
 2. Elevation drawings;
 3. Utility plan showing existing utilities, proposed facility location, and undergrounding;
 4. Screening, camouflaging, or landscaping plan and cost estimate, as appropriate;

- C. Photos and photo simulations showing the existing appearance of the site and appearance of the proposed installation from nearby public viewpoints;
- D. Noise report, if applicable;
- E. Radio Frequency (RF) emissions standards. The applicant shall provide the certification of an RF engineer with knowledge of the proposed development that the wireless communications services facilities will comply with RF standards adopted by the Federal Communications Commission (FCC). The City recognizes that the Federal Telecommunications Act of 1996 gives the FCC sole jurisdiction in the field of regulation of RF emissions and wireless facilities that meet FCC standards shall not be conditioned or denied on the basis of RF impacts.
- F. Application for Architectural Design Review.
- G. Any other documentation deemed necessary by the City in order to issue a decision.

13-9-8 Eligible facilities requests.

This section implements section 6409 of the Spectrum Act (codified at 47 U.S.C. 1455), which requires the City of Orting to approve any eligible facilities request for a modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station.

A. Definitions. The following definitions only apply to eligible facilities requests as described in this section and do not apply throughout this chapter.

1. Base Station is a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein nor any equipment associated with a tower. Base station includes, without limitation:

- a. Equipment associated with wireless communications services as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- b. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and back-up power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems (“DAS”) and small cell networks).
- c. Any structure other than a tower that, at the time the relevant application is filed (with jurisdiction) under this section, supports or houses equipment described in subsections (A)(1)(a) and (b) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.

The term does not include any structure that, at the time the relevant application is filed with the City under this section, does not support or house equipment described in subsections (A)(1)(a) and (b) of this section.

2. Collocation. The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

3. Eligible Facilities Request. Any request for modification of an existing tower or base station that does not substantially increase the physical dimensions of such tower or base station, involving:

- a. Collocation of new transmission equipment;
- b. Removal of transmission equipment; or
- c. Replacement of transmission equipment.

4. Eligible Support Structure. Any tower or base station as defined in this section; provided, that it is existing at the time the relevant application is filed with the City.

5. Existing. A constructed tower or base station is existing if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process; provided, that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

6. Site. For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

7. Substantial Change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- a. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten (10) percent or by the height of one (1) additional antenna array with separation from the nearest existing antenna, not to exceed twenty (20) feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten (10) percent or more than ten (10) feet, whichever is greater.

- 1) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act;

- b. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than ten (10) feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet;

- c. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to

exceed four cabinets; or, for towers in the public streets and base stations, it involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten (10) percent larger in height or overall volume than any other ground cabinets associated with the structure;

d. It entails any excavation or deployment outside the current site;

e. It would defeat the concealment elements of the eligible support structure; or

f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment; provided, however, that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified above.

B. **Qualification as an Eligible Facilities Request.** Upon receipt of an application for an eligible facilities request, the City will review the application to determine whether it qualifies as an eligible facilities request.

C. **Time Frame for Review.** Within sixty (60) days of the date on which a network provider submits an eligible facilities request application, the City must approve the application unless it determines that the application is not covered by this section.

D. **Tolling of the Time Frame for Review.** The sixty (60) day review period begins to run when the application is submitted, and may be tolled only by mutual agreement by the City and the applicant or in cases where the City determines that the application is incomplete. The time frame for review of an eligible facilities request is not tolled by a moratorium on the review of applications.

1. To toll the time frame for incompleteness, the City must provide written notice to the applicant within thirty (30) days of receipt of the application, clearly and specifically delineating all missing documents or information required in the application.

2. The time frame for review begins running again when the applicant makes a supplemental submission in response to the City's notice of incompleteness.

3. Following a supplemental submission, the City will notify the applicant within ten (10) days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The time frame is tolled in the case of second or subsequent notices pursuant to the procedures identified in this subsection. Second or subsequent notice of incompleteness may not specify missing documents or information that was not delineated in the original notice of incompleteness.

E. **Determination That Application Is Not an Eligible Facilities Request.** If the City determines that the applicant's request does not qualify as an eligible facilities request, the City must deny the application.

F. **Failure to Act.** In the event the City fails to approve or deny a request for an eligible facilities request within the time frame for review (accounting for any tolling), the request is deemed granted. The deemed grant does not become effective until the applicant notifies the City in writing after the review period has expired (accounting for any tolling) that the application has

been deemed granted.

G. To the extent feasible, additional antennas and equipment shall maintain the appearance intended by the original facility, including, but not limited to, color, screening, landscaping, camouflage, concealment techniques, mounting configuration, or architectural treatment.

13-9-9 New building-mounted macro wireless communications services facilities standards.

A. Generally. Wireless communications services facilities located on the roof or on the side of the building shall be grouped together, integrated to the maximum possible degree with the building design, placed toward the center of the roof and/or thoroughly screened from residential building views and from public views using radio frequency-transparent panels. Building-mounted wireless communications services facilities shall be painted with nonreflective colors to match the existing surface where the antennas are mounted.

B. Height. The following requirements shall apply:

1. Mixed-Use Town Center and Mixed-Use Town Center North zones. For buildings at, or which exceed, the height limit of the underlying zone, antennas shall be flush-mounted, and no portion of the antenna may extend above the building on which it is mounted. For buildings below the height limit, antennas may be built to the maximum height of the zone provided they are screened consistent with the existing building in terms of color, architectural style and material. Flush-mounted antennas may encroach into a required setback or into the City right-of-way if a right-of-way use agreement is established with the City. Antennas shall not project into the right-of-way by more than two feet and shall provide a minimum clearance height of 20 feet over any pedestrian or vehicular right-of-way.

2. Outside the Mixed-Use Town Center and Mixed-Use Town Center North zones. The maximum height of building-mounted facilities and equipment shall not exceed ten (10) feet above the top of the roof on which the facility is located. This standard applies to all buildings regardless of whether they are at or above the maximum height of the underlying zone. Such antennas must be well integrated with the existing structure or designed to look like common rooftop structures such as chimneys, vents and stovepipes.

C. Equipment Enclosure. Equipment enclosures for building-mounted wireless communications services facilities shall first be located within the building on which the facility is located. If an equipment enclosure within the building is reasonably unavailable, then an equipment enclosure may be incorporated into the roof design provided the enclosure meets the height requirement for the zone. If the equipment can be screened by placing the equipment below existing parapet walls, no additional screening is required. If screening is required, then the screening must be consistent with the existing building in terms of color, architectural style and material. Finally, if there is no other choice but to locate the equipment enclosure on the ground, the equipment must be enclosed within an accessory structure which meets the setbacks of the underlying zone and be screened in accordance this chapter.

D. Feed Lines and Coaxial Cables. Feed lines and cables should be located below the parapet of the rooftop, if present. If the feed lines and cables are visible from a public right-of-way or adjacent property, they must be painted to match the color scheme of the building.



Acceptable Building-Mounted Macro Example



Unacceptable Building-Mounted Macro Example

13-9-10 New structure-mounted macro wireless communications services facilities standards.

A. Generally. Wireless communications services facilities located on structures other than buildings, such as utility poles, light poles, flag poles, transformers, and/or tanks, shall be designed to blend with these structures and be mounted on them in an inconspicuous manner. Installation of wireless communications services facilities on utility poles, light poles, transformers, etc. shall comply with the requirements of Puget Sound Energy, as applicable.

1. Wireless communications services facilities located on structures within city rights-of-way adjacent to any residential zone shall satisfy the following requirement:

a. No metal pole or tower shall be used within the right-of-way adjacent to a residentially zoned neighborhood unless required in order to comply with the provisions of the State Electrical Code. Wooden poles of height and type generally in use in the surrounding residential neighborhood shall be used unless prohibited by the State Electrical Code.

2. Wireless communications services facilities located on structures shall be painted with nonreflective colors in a scheme that blends with the underlying structure.

B. Height.

1. The maximum height of structure-mounted wireless communications services facilities shall not exceed the maximum height specified for each structure or zoning district; provided the wireless communications services facilities may extend up to six feet above the top of the structure on which the wireless communications services facilities is installed. Antennas and related equipment shall be mounted as close as practicable to the structure.

2. Only one extension is permitted per structure.

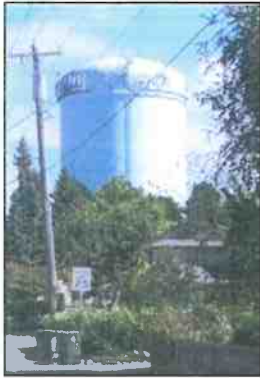
3. If installed on an electrical transmission or distribution pole, a maximum 15-foot vertical separation is required from the height of the existing power lines at the site (prior to any pole replacement) to the bottom of the antenna. This vertical separation is intended to allow wireless carriers to comply with the electrical utility's requirements for separation between their transmission lines and the carrier's antennas.

C. Equipment Enclosure. If the equipment enclosure is within the right-of-way, the enclosure

shall be underground. It is preferred that equipment enclosures on private property be underground; however, if there is no other feasible option but to locate the equipment enclosure above ground on private property, the equipment must be enclosed within an accessory structure which meets the setbacks of the underlying zone and be screened in accordance this chapter.

D. Feed Lines and Coaxial Cable. Feed lines and cables must be painted to closely match the color scheme of the structure which supports the antennas.

E. Only wireless communication providers with a valid master permit shall be eligible to apply for a right-of-way construction permit, which shall be required prior to installation of facilities within the City right-of-way and be in addition to other permits specified in this chapter.



Acceptable Structure-Mounted Macro Example



Unacceptable Structure-Mounted Macro Example

13-9-11 New monopole (macro wireless communications services facilities) standards.

A. To the greatest extent technically feasible, applicants for new monopole facilities must build mounts capable of accommodating at least one additional carrier.

B. No part of a monopole, antennas or antenna equipment may exceed the maximum height of the zone where the facility is located.

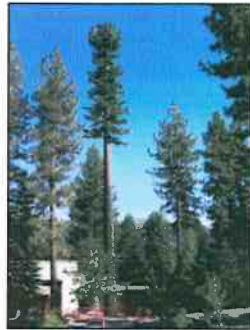
C. Monopoles must be completely shrouded. All antennas, equipment and cables must be concealed.

D. All monopole facilities must conform to the following site development standards:

1. To the greatest extent possible, monopole facilities shall be located where existing trees, existing structures and other existing site features camouflage these facilities and/or stealth technology is utilized. Stealth technology will be reviewed by the Architectural Design Board for compliance with Architectural Design Review (ADR) Guidelines.

2. Existing mature vegetation should be retained to the greatest possible degree in order to help conceal the facility.

3. It is preferred that equipment enclosures on private property be underground; however, if there is no other feasible option but to locate the equipment enclosure above ground on private property, the equipment must be enclosed within an accessory structure which meets the setbacks of the underlying zone and be screened in accordance with this chapter. See OMC 13-9-4 for monopole prohibited locations.



Acceptable Monopole Macro Examples



Unacceptable Monopole Macro Example

13-9-12 Temporary facilities.

A. The installation of a “cell-on-wheels” or COWs and the installation site shall comply with all applicable laws, statutes, requirements, rules, regulations, and codes, including, but not limited to, the adopted Building, Fire, and Electrical Codes.

B. All COWs and related appurtenances sited for emergencies, shall be completely removed from the installation site within 30 days of the date of the end of the emergency as determined by the City Administrator or designee.

13-9-13 Small wireless communications services facilities standards (small cell).

Unlike macro facilities which are intended to provide wireless coverage over large areas, the goal of a small wireless deployment is to provide additional capacity in localized areas, including residential neighborhoods, using smaller antennas and equipment. The intent of this section is to describe the City’s location options for small cell deployments and provide appropriate design standards to ensure that the negative visual impacts of wireless facilities are minimized, and the City’s long-term goal of utility undergrounding is not frustrated.

A. Permitted locations.

1. Small cell attachments to buildings are permitted in any zone and are not subject to the dispersion requirement below.
2. Dispersion Requirement: No two small wireless facilities shall be located within 300 lineal feet of each other as measured along the right-of-way line.
3. Installations in the Mixed-Use Town Center and Mixed-Use Town Center North zones shall be limited to building attachments or through the replacement or new installation of a street light designed to contain a small wireless facility that complies with the adopted architectural design review guidelines.

B. Location options.

Wireless providers shall attempt to site their small wireless communications services facilities pursuant to the following siting preferences (in descending order starting with the most preferred):

1. Outside the Right-of-Way / Private Property:

a. Roof-mounted on an existing building.

- 1) Small cell facilities may be built to the maximum height of the

underlying zone provided they are screened consistent with the existing building in terms of color, architectural style and materials.

2) Such facilities must be concealed and well-integrated with the existing structure or designed and located to look like common rooftop elements such as chimneys, elevator penthouses or screened HVAC equipment.

3) Height exception. Antennas may be located on buildings that are nonconforming for height provided that, they are constructed to be no taller than the adjacent façade or an existing parapet. Equipment may be located on a roof behind a parapet that is nonconforming for height.

b. Façade-mounted on an existing building.

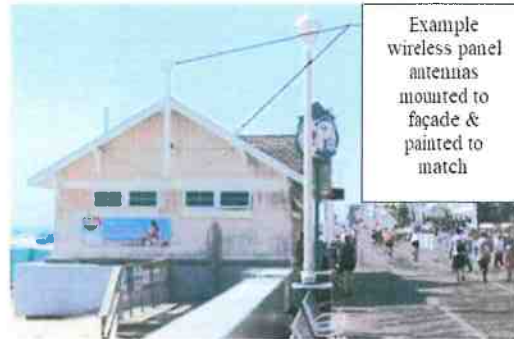
1) Small cell antennas may be mounted to the side of a building if they do not interrupt and are integrated with the building's architectural theme.

2) To the extent technically feasible, new architectural features such as columns, pilasters, corbels, or similar ornamentation that conceals the antennas should be used if it complements the architecture of the existing building.

3) If concealment is not feasible, the antennas must be camouflaged. The smallest feasible mounting brackets must be used, and the antennas must be painted and textured to match the adjacent building surfaces, to the extent technically feasible.

4) Façade-mounted antennas may encroach into a required setback. Antennas may not project into the right-of-way more than twelve (12) inches and shall provide a minimum clearance height of 20 feet over any pedestrian or vehicular right-of-way.

5) To the extent technically feasible, all other equipment must be located within the building,



screened by an existing parapet, or completely concealed and well-integrated with the existing structure or designed and located to look like common rooftop elements such as chimneys, elevator penthouses or screened HVAC equipment. Exposed cabling/wiring is prohibited.

6) Height exception. Antennas may be located on buildings that are nonconforming for height provided that, they are constructed to be no taller than the adjacent façade or an existing parapet. Equipment may be located on a roof behind a parapet that is nonconforming for height.

c. Freestanding small cell on private property

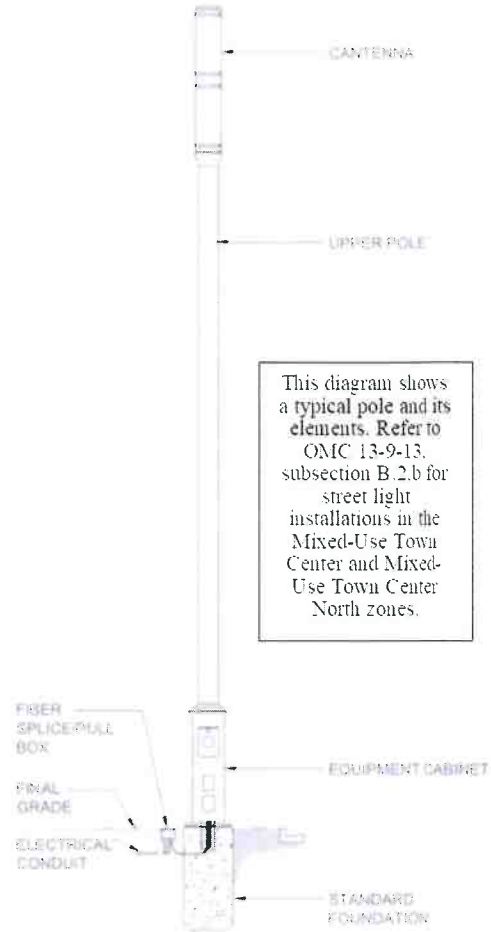
1) Dimensional requirements

a) A freestanding small cell may not exceed 50 feet in height measured from the top of the foundation to the top of the cantenna/antenna.

b) The cantenna/antenna must have a maximum outer diameter of 16 inches, to the extent technically feasible, and be tapered to transition from the upper pole.

2) Appearance requirements

- a) All small cell carrier equipment must be housed internal to the equipment cabinet or hidden within the cantenna/antenna. The cantenna/antenna, upper pole and equipment cabinet must be the same color, unless otherwise approved by the City.
- b) All hardware connections shall be hidden from view.
- c) To the extent technically feasible, no equipment may be attached to the outside of the pole.
- d) The freestanding small cell pole must be served by underground power and fiber, if fiber is to be connected.
- e) May provide space for future collocation by another provider inside the same freestanding small cell pole facilities.



3) Placement requirements. Freestanding small cells shall be located as follows, to the extent technically feasible:

- a) Located such that they in no way impede, obstruct, or hinder the usual pedestrian or vehicular travel, or violate applicable law.
- b) Outside the Residential Zones, Mixed-Use Town Center, and Mixed-Use Town Center North zones.
- c) Not to be located along the frontage of a Historic building, deemed historic on a federal, state, or local level.
- d) Not to significantly create a new obstruction to property sight lines.
- e) In alignment with existing trees, utility poles, and streetlights.
- f) With appropriate safety clearance from existing utilities.
- g) On the same side of the street as existing power lines, regardless of whether power is underground or overhead;
- h) No two freestanding small cell poles may be located within 300 lineal

feet of each other as measured along the right-of-way line.

2. Within the right-of-way - existing/replaced hollow street light pole or utility pole:

a. Installation of small wireless communications services facilities on street lights and utility poles shall comply with the requirements of Puget Sound Energy, as applicable.

b. Combination small cell and streetlight pole should be located where an existing streetlight pole can be utilized or removed and replaced with a pole that allows for small wireless facility installation in the same location.

c. Pole design shall match or be compatible with the aesthetics of existing streetlights installed adjacent to the pole. In the Mixed-Use Town Center and Mixed-Use Town Center North zones, poles designed to contain a small wireless facility shall comply with the adopted architectural design review guidelines.

d. A decorative transition shall be installed over the equipment cabinet upper bolts, or a decorative base cover shall be installed to match the equipment cabinet size.

e. An internal divider shall separate electrical wiring and fiber, per the pole owner.

f. Weatherproof grommets shall be integrated in the pole design to allow cable to exit the pole, for external shrouds, without water seeping into the pole.

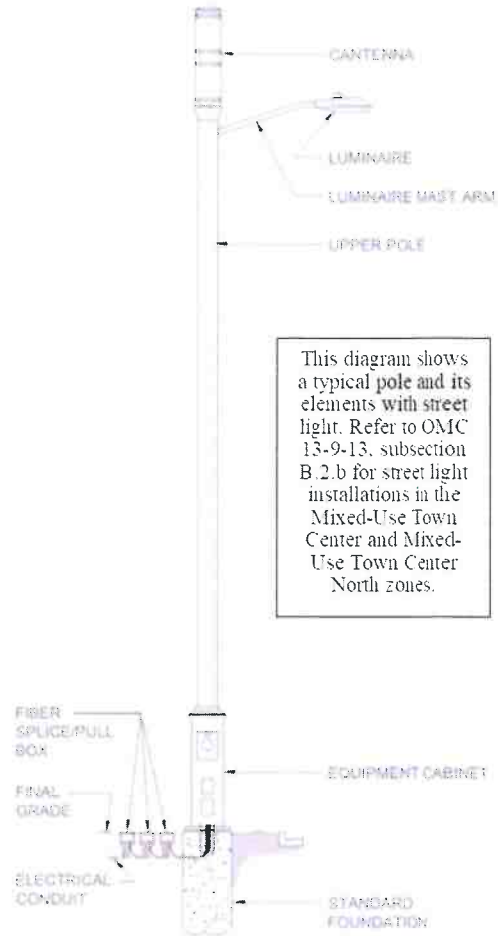
g. For installations on existing street lights, the antenna shall either be fully concealed within the pole or placed on top of the pole. A cantenna/antenna on top of a pole shall be integrated into the pole design so that it appears as a continuation of the original pole, including colored or painted to match or be compatible with the pole. All cabling and mounting hardware/brackets from the bottom of the



antenna to the top of the pole shall be fully concealed and integrated with the pole, to the extent technically feasible.

h. Street light pole shall be located as follows, to the extent technically feasible:

- 1) In a manner that does not impede, obstruct, or hinder pedestrian or vehicular travel.
 - a) In alignment with existing trees, utility poles, and streetlights.
 - b) Within the street amenity zone wherever possible.
 - c) Equal distance between trees when possible, with a minimum of 15-foot separation such that no proposed disturbance shall occur within the critical root zone of any tree.
 - d) With appropriate clearance from existing utilities.
 - e) Outside the clear sight triangle, as determined by the City, at intersection corners.
 - f) 10-feet away from the intersection of an alley with a street.
- 2) All conduit, cables, wires and fiber must be routed internally in the light pole.



3. Within the right-of-way - existing single-phase power pole (installation on top of pole):

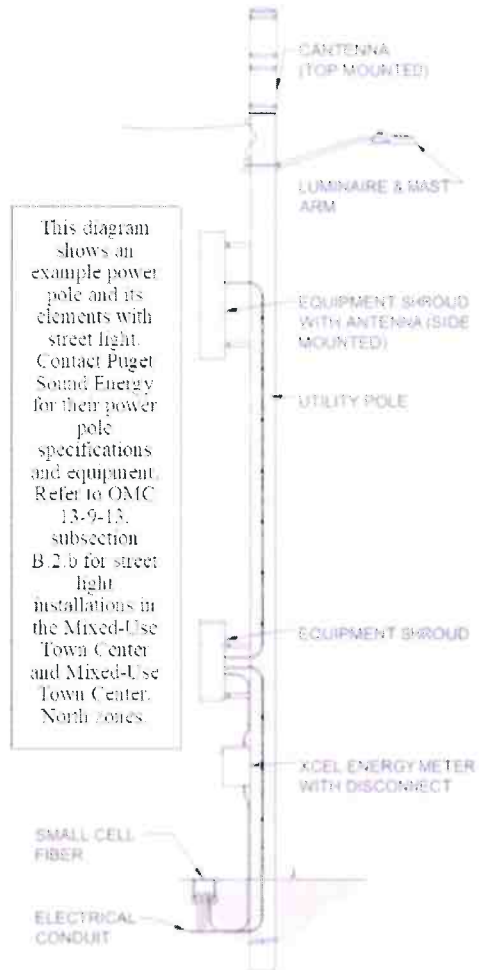
a. Installation of small wireless communications services facilities on existing single-phase power poles shall comply with the requirements of Puget Sound Energy.

b. A cantenna/antenna on top of a pole shall be integrated into the pole design so that it appears as a continuation of the original pole, including colored or painted to match or be compatible with the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be fully concealed and integrated with the pole, to the extent technically feasible.

c. Equipment enclosures and all ancillary equipment and boxes shall be colored or painted to match the color of the surface of the pole in which they are attached. All related equipment shall not be mounted more than five (5) inches from the surface of the pole, unless a further distance is technically required, and is confirmed in writing by the pole owner.

d. All cables and wires shall be routed through conduit along the outside of the pole. The outside conduit shall be colored or painted to match or be compatible with the color of the surface of the pole. The number of conduit shall be minimized to the number technically necessary to accommodate a small wireless facility.

e. An existing power pole in a proposed location may be replaced with a taller pole for the purpose of accommodating a small wireless facility; provided, that the height of any replacement pole may not exceed fifty (50) feet to the top of the antenna(s), or the maximum height allowed by the definition of “small wireless facility”, whichever is greater.



f. The replacement pole shall comply with the City's sidewalk clearance requirements and ADA requirements.

4. Within the right-of-way - freestanding small cell pole or new street light

a. Refer to OMC 13-9-13, subsections (B)(1)(c) for dimensional and appearance standards. Installation of small wireless communications services facilities on street lights shall comply with the requirements of Puget Sound Energy, as applicable.

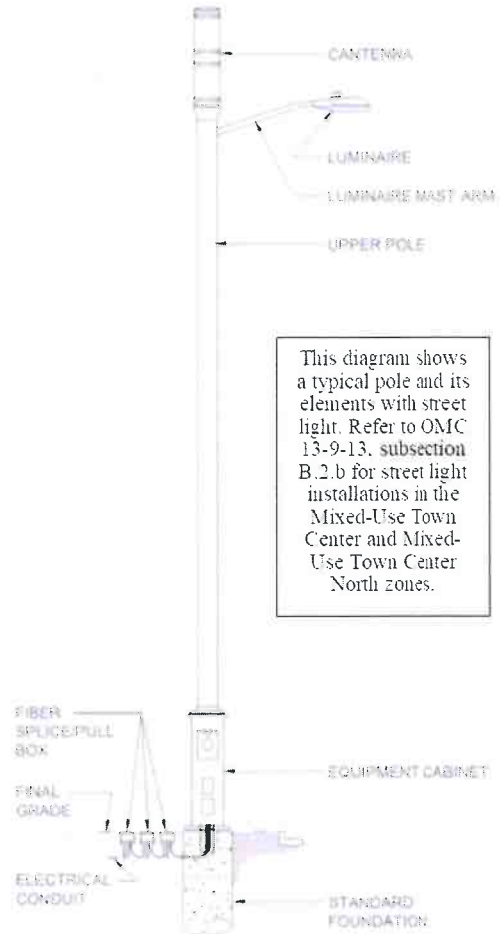
b. New street light. The replacement street light pole requirements are also applicable to the new street light option, except that a street light would be incorporated into the design of the facility. In addition, the following applies, to the extent technically feasible:

1) A street light shall not be installed unless it has been identified by the Public Works Director or designee that a street light is necessary at the location in which the small cell facility is proposed. A street light may be required to be installed instead of a freestanding pole.

2) In the Mixed-Use Town Center and Mixed-Use Town Center North zones, poles designed to contain a small wireless facility shall comply with the adopted architectural design review guidelines.

c. Placement requirements for freestanding small cell poles. Freestanding small cell poles shall be located in compliance with the following, to the extent technically feasible:

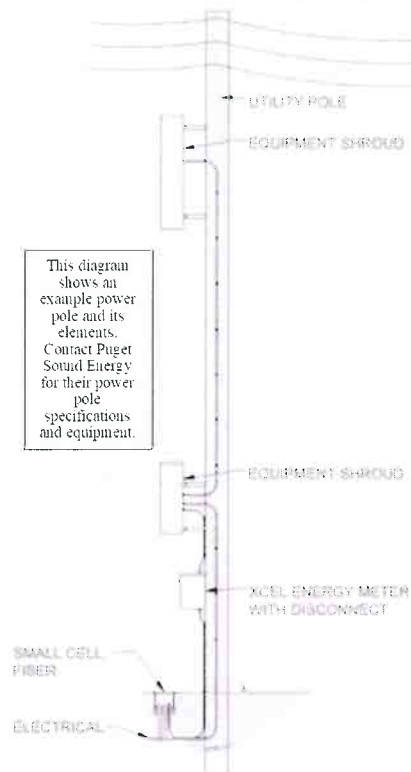
1) Located such that they in no way impede, obstruct, or hinder the usual pedestrian or vehicular travel, obstruct the legal access to or use of the public ROW, violate applicable law, violate or fail to substantially comply with public ROW design standards, specifications, or design district requirements, violate the Federal Americans with Disabilities Act of 1990, or in any way create a risk to public health, safety, or welfare.



- 2) Outside the Mixed-Use Town Center and Mixed-Use Town Center North zones.
- 3) Not to be located along the frontage of a Historic building, deemed historic on a federal, state, or local level.
- 4) Not to significantly create a new obstruction to property sight lines.
- 5) In alignment with existing trees, utility poles, and streetlights.
- 6) Within the street amenity zone wherever possible.
- 7) Equal distance between trees when possible, with a minimum of 15-foot separation such that no proposed disturbance shall occur within the critical root zone of any tree.
- 8) With appropriate clearance from existing utilities.
- 9) Outside the clear sight triangle, as determined by the City, at intersection corners.
- 10) 10-feet away from the intersection of an alley with a street.
- 11) On the same side of the street as existing power lines, regardless of whether power is underground or overhead;
- 12) No two freestanding small cell poles may be located within 300 lineal feet of each other as measured along the right-of-way line.

5. Within the right-of-way - existing power pole (installation below top of pole):

- a. Installation of small wireless communications services facilities on existing power poles shall comply with the requirements of Puget Sound Energy.
- b. Antennas should be placed in an effort to minimize visual clutter and obtrusiveness.
- c. The inside edge of a side mounted canister antenna/equipment shroud shall be no more than twelve (12) inches from the surface of the pole.
- d. Antennas and equipment located within a unified enclosure shall not exceed twenty eight (28) cubic feet. To the extent possible, the unified enclosure shall be placed so as to appear as an integrated part of the pole or behind banners or signs.
- e. The unified enclosure may not be placed more than six (6) inches from the surface of the pole, unless a further



distance is technically required and confirmed in writing by the pole owner.

f. Equipment enclosures and all ancillary equipment and boxes shall be colored or painted to match the color of the surface of the pole in which they are attached. All related equipment shall not be mounted more than six (6) inches from the surface of the pole, unless a further distance is technically required, and is confirmed in writing by the pole owner.

g. All cables and wires shall be routed through conduit along the outside of the pole. The outside conduit shall be colored or painted to match the color of the surface of the pole. The number of conduit shall be minimized to the number technically necessary to accommodate a small wireless facility.

h. An existing power pole in a proposed location may be replaced with a taller pole for the purpose of accommodating a small wireless facility; provided, that the height of any replacement pole may not extend more than ten (10) feet above the height of the existing pole, or the maximum height allowed by the definition of "small wireless facility," whichever is greater, unless a further height increase is required and confirmed in writing by the pole owner and that such height increase is the minimum extension possible to provide sufficient separation and/or clearance from electrical and wireline facilities.

i. The replacement pole shall comply with the City's sidewalk clearance requirements and ADA requirements.

6. Within the right-of-way – strand-mounted

a. Installation of small wireless communications services facilities mounted on cables strung between existing utility poles shall comply with the requirements of Puget Sound Energy.

b. Each strand mounted antenna shall not exceed three (3) cubic feet in volume.

c. Only two strand mounted facilities are permitted between any two existing poles.

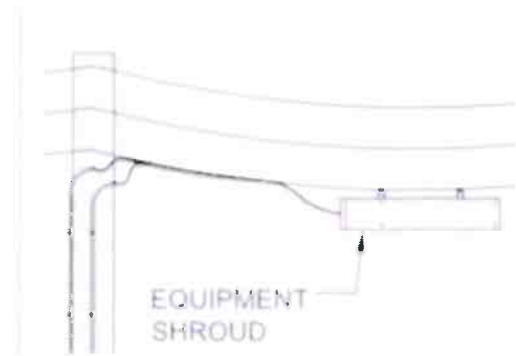
d. The strand mounted devices shall be placed as close as possible to the nearest utility pole, in no event more than five (5) feet from the pole unless a greater distance is technically necessary or required for safety clearance and confirmed in writing by the pole owner.

e. No strand mounted device shall be located in or above the portion of the roadway open to vehicular traffic.

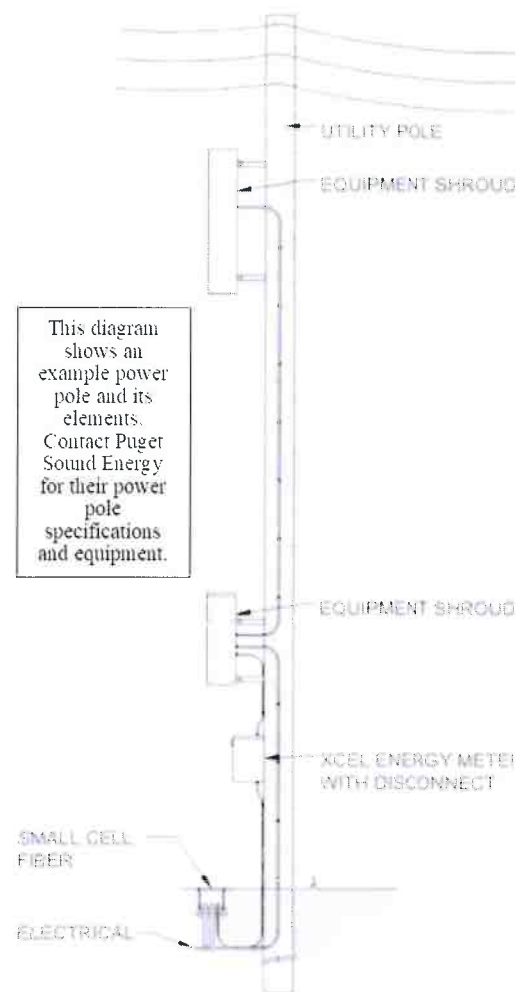
f. Ground mounted equipment to accommodate such strand mounted facilities is not permitted, except when placed in pre-existing equipment cabinets, underground or on zoned property or when required by another party, such as an electrical meter.

g. Pole mounted equipment enclosures and all ancillary equipment and boxes shall be colored or painted to match the color of the surface of the pole in which they are attached. All related equipment shall not be mounted more than six (6) inches from the surface of the pole, unless a further distance is technically required, and is confirmed in writing by the pole owner.

- 1) All cables and wires shall be routed through conduit along the outside of the pole. The outside conduit shall be colored or painted to match the color of the surface of the pole. The number of conduit shall be minimized to the number



This graphic is intended to represent an example strand mount antenna. Contact Puget Sound Energy for their specifications and equipment requirements / allowances.



This diagram shows an example power pole and its elements. Contact Puget Sound Energy for their power pole specifications and equipment.

technically necessary to
accommodate a small cell wireless
facility

h. Such strand mounted devices must be installed with the minimum excess exterior cabling or wires (other than the original strand) necessary to meet the technological needs of the facility.

C. Location preference criteria.

A proposed small wireless facility location shall only be allowed in a lower ranking location as provided in the location hierarchy in subsection B above, if the applicant can demonstrate that all higher-ranking locations are not technically feasible to locate the particular small wireless facility.

D. Small wireless facility general standards.

1. Ground mounted equipment in the rights-of-way is prohibited, unless such facilities are placed underground, or the applicant can demonstrate that pole mounted or undergrounded equipment is technically infeasible. If ground mounted equipment is necessary, then the applicant must submit a plan of how the equipment will be concealed that is consistent with these standards. Generators located in the rights-of-way are prohibited.

2. No equipment shall be operated to produce noise in violation of Chapter 5-8 OMC.

3. Replacement poles, new poles, and all equipment shall comply with the Americans with Disabilities Act (“ADA”), city construction and sidewalk clearance standards, and state and federal regulations in order to provide a clear and safe passage within the rights-of-way.

4. Replacement poles shall be located as near as possible to the existing pole with the requirement to remove the abandoned pole.

5. The design criteria as applicable to small wireless facilities described herein shall be considered concealment elements and such small cell facilities may only be expanded upon through an eligible facilities request described in Section 13-9-8 OMC, when the modification does not defeat the concealment elements of the facility.

6. No signage, message, or identification other than the manufacturer’s identification or identification required by governing law is allowed to be portrayed on any antenna, and any such signage on equipment enclosures shall be of the minimum amount possible to achieve the intended purpose; provided, that signs are permitted as concealment techniques where appropriate.

7. Antennas and related equipment may not be illuminated except for security reasons, required by a federal or state authority, or unless approved as part of a concealment element plan.

8. Side arm mounts for antennas or equipment are prohibited.

13-9-14 Abandonment or discontinuation of use.

- A. At such time that a licensed carrier plans to abandon or discontinue operation of a wireless communications services facility, such carrier will notify the City by certified U.S. Mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than 30 days prior to abandonment or discontinuation of operations.
- B. In the event that a licensed carrier fails to give such notice, the wireless communications services facilities shall be considered abandoned upon the discovery of such discontinuation of operations.
- C. Within 90 days from the date of abandonment or discontinuation of use, the carrier shall physically remove the wireless communications services facilities. "Physically remove" shall include, but not be limited to:
 - 1. Removal of antennas, mounts or racks, the equipment enclosure, screening, cabling and the like from the subject property.
 - 2. Transportation of the materials removed to a repository outside of the City.
 - 3. Restoration of the wireless communications services facilities site to its pre-permit condition, as determined by the City, and that any landscaping provided by the wireless communications services facilities operator may remain in place.
 - 4. If a carrier fails to remove a wireless communications services facility in accordance with this section, the City shall have the authority to enter the subject property and physically remove the facility. Costs for removal of the wireless communications services facility shall be charged to the wireless communications services facilities owner or operator in the event the City removes the facility.

13-9-15 Maintenance.

- A. The applicant shall maintain the wireless communications services facility to standards that may be imposed by the City by ordinance or through a permit condition. Such maintenance shall include, but not be limited to, repair of damaged shrouds or enclosures, painting, structural integrity, and landscaping.
- B. In the event the applicant fails to maintain the facility, the City of Orting may undertake enforcement action as allowed by existing codes and regulations.

13-9-16 Definitions.

- A. Antenna(s). Any apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to Commission authorization, for the provision of personal wireless service and any commingled information services.
- B. "Cell-on-wheels (COW)" are used to provide temporary service, usually for special events, before the installation of a permanent wireless site, or in emergencies.
- C. "Co-location" means the mounting or installation of an antenna on an existing tower, building or structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes, whether or not there is an existing antenna on the structure.

D. Concealed facility. A wireless communications services facility where: (A) the antennas, mounting apparatus, and any associated equipment are fully recessed/concealed from all sides with a structure that achieves total integration with the existing building or structure; and (B) all cable is routed internally or completely screened from view; and (C) the associated equipment is completely within the building or structure, placed in an underground vault, or is within another element such as a bench, mail box or kiosk.

E. “Distributed antenna system (DAS)” is a network of spatially separated antenna sites connected to a common source that provides wireless service within a discrete geographic area or structure.

F. Equipment. Any equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna, and, when collocated on a structure, is mounted or installed at the same time as such antenna.

G. “Freestanding small cell pole” is a freestanding structure which consists of a single vertical pole, fixed into the ground and/or attached to a foundation built for the sole purpose of supporting small wireless antennas and associated equipment.

H. “Guyed tower” means a monopole or lattice tower that is tied to the ground or other surface by diagonal cables.

I. “Lattice tower” is a wireless communication support structure which consists of metal crossed strips or bars to support antennas and related equipment.

J. “Licensed carrier” is a company authorized by the Federal Communications Commission to build and operate a commercial mobile radio services system.

K. Macro cell facility (macro facility). A large wireless communications services facility that provides radio frequency coverage served by a high-power cellular system. Generally, macro cell antennas are mounted on ground-based towers, rooftops and other existing structures, at a height that provides a clear view over the surrounding buildings and terrain. Macro cell facilities typically contain antennas that are greater than three (3) cubic feet per antenna and typically cover large geographic areas with relatively high capacity and are capable of hosting multiple wireless service providers.

L. “Monopole” means a freestanding structure which consists of a single vertical pole, fixed into the ground and/or attached to a foundation with no guy wires built for the sole or primary purpose of supporting macro antennas and their associated equipment.

M. Poles. Utility poles, light poles or other types of poles, used primarily to support electrical wires, telephone wires, television cable, lighting, or guide posts; or are constructed for the sole purpose of supporting wireless communications services facilities.

N. “Satellite earth station antenna” includes any antenna in any zoning district that:

1. Is designed to receive direct broadcast satellite service, including direct-to-home satellite services, and that is one meter or less in diameter;
2. Is two meters or less in diameter in areas where commercial or industrial uses are generally permitted;
3. Is designed to receive programming services by means of multi-point distribution

services, instructional television fixed services, and local multi-point distribution services, that is one meter or less in diameter or diagonal measurement; and

4. Is designed to receive television broadcast signals.

O. Small wireless facility (or small cell node / small cell facility). A wireless facility that meets each of the following conditions:

1. The facilities:

a. Are mounted on structures 50 feet or less in height including their antennas, or

b. Are mounted on structures no more than 10 percent taller than other adjacent structures, or

c. Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;

2. Each antenna associated with the deployment, excluding antenna equipment, is not more than three cubic feet in volume;

3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4. The facilities do not require antenna structure registration under FCC rule;

5. The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified by FCC rule.

P. “Unlicensed wireless services” means the offering of communications services using duly authorized devices which do not require individual licenses but does not mean the provision of direct- to-home satellite services.

O. Wireless communications services facilities / wireless communications facility (WCF) means an unstaffed facility for the transmission and reception of radio or microwave signals used for commercial communications. A WCF provides services which include cellular phone, personal communication services, other mobile radio services, and any other service provided by wireless common carriers licensed by the Federal Communications Commission (FCC). WCFs are composed of two or more of the following components:

- Antenna;
- Mount;
- Equipment enclosure;
- Security barrier.

R. Wireless communications services facilities / wireless communications facility (WCF), “building-mounted” means a wireless communications services facility mounted to the roof, wall or chimney of a building.

S. Wireless communications services facilities / wireless communications facility (WCF), “camouflaged” means a wireless communications services facility that is disguised, hidden, or integrated with an existing structure that is not a monopole, guyed or lattice tower, or placed

within an existing or proposed structure.

T. Wireless communications services facilities / wireless communications facility (WCF), “equipment enclosure” means a small structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning and emergency generators.

U. Wireless communications services facilities / wireless communications facility (WCF), “related equipment” is all equipment ancillary to a wireless communications services facilities such as coaxial cable, GPS receivers, conduit and connectors.

V. Wireless communications services facilities / wireless communications facility (WCF), “structure-mounted” means a wireless communications services facility located on structures other than buildings, such as light poles, utility poles, flag poles, transformers, and/or tanks.

W. “Wireless communication services” means any personal wireless services as defined in the Federal Telecommunications Act of 1996, including federally licensed wireless communications services consisting of cellular services, personal communications services (PCS), specialized mobile radio services (SMR), enhanced specialized mobile radio services (ESMR), paging, and similar services that currently exist or that may be developed in the future.



**City Of Orting
Council Agenda Summary Sheet**

Subject: Resolution No. 2019-17, Declaring property as surplus and authorizing disposal.		Committee	Study Session	Council
	Agenda Item #:	CGA	AB19-63	AB19-63
	For Agenda of:	9.5.19	9.18.19	9.25.19
	Department:	Parks and Recreation		
	Date Submitted:	8.27.19		
Cost of Item:	N/A			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:				
Submitted By:	Beckie Meek			
Fiscal Note:	N/A			
Attachments: Resolution No 2019-17				
SUMMARY STATEMENT: Orting Parks and Recreation no longer hosts Youth Tackle Football or Youth Basketball. Therefore we are no longer in need of the items listed in Exhibit A of the Resolution for surplus.				
RECOMMENDED ACTION: Move to the consent agenda for the 9.25.19 meeting.				
FUTURE MOTION: To Approve Resolution No. 2019-17, A Resolution Of The City Of Orting, Washington, Declaring The Property Described In Exhibit "A" As Surplus Property And Authorizing Disposal.				

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-17**

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

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

WHEREAS, the City Council may determine that these items are surplus property; and

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

WHEREAS, at time of sale of surplus item(s), moneys, if any, will be allocated back to the appropriate department; and

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

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

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 20____.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

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

EXHIBIT A

Surplus:

GEAR/EQUIPMENT	DESCRIPTION	QTY	VALUE	TOTAL VALUE
Helmets	Riddell w/Mask & Chin Strap ~ Variety of Sizes (Manufactured 2011)	38	\$10.00	\$380.00
Helmets	Riddell w/Mask & Chin Strap ~ Variety of Sizes (Manufactured 2012)	39	\$10.00	\$390.00
Accessory Kit	Revolution Accessory Kit ~ Kit of Helmet Parts	3	\$30.00	\$90.00
Chin Straps	Adams Unopened Hard Chin Straps	18	\$5.00	\$90.00
Chin Straps	Adams Soft Chin Straps	30	\$3.00	\$90.00
Shoulder Pads	Riddell/Schutt/Adams Pads ~ Variety of Sizes	110	\$15.00	\$1650.00
Pants	Practice Pants Black ~ Variety of Sizes (Pads Inserted)	80	\$2.00	\$160.00
Pants	Game Pants Black with Red at Bottom ~ Variety of Sizes (Pads Inserted)	125	\$3.00	\$375.00
Jerseys	Black with Red Side ~ Variety of Sizes (Game Jerseys)	52	\$0	No Value have "Orting" on Front
Jerseys	Red with Black Side ~ Variety of Sizes (Game Jerseys)	30	\$0	No Value have "Orting" on front
Jerseys	Red with # on back only ~ Variety of Sizes (Practice Jersey)	12	\$0	No Value Old & Worn
Jerseys	Black with Player Name on back~ Variety of Sizes (Game Jersey)	3	\$0	No Value has past player name on back
Jerseys	Black with Orting/# ~ Variety of Sizes (Practice Jersey)	12	\$0	No Value has "Orting" & Number
Jerseys	Red with Orting/# ~ Variety of Sizes (Practice Jersey)	11	\$0	No Value has "Orting" & Number
Jerseys	Red with # ~ Variety of Sizes (Practice Jersey)	4	\$0	No Value Old & Worn
Jerseys	Black Mesh With # & some with Orting on front~ Variety of Sizes (Practice	13	\$0	No Value Old & Worn

	Jersey)			
Tackle Dummies	Red Holding ~ Body Shield	17	\$25.00	\$425.00
Tackle Dummies	Red Half Round ~ Stand Up	20	\$30.00	\$600.00
Tackle Dummies	Black Half ~ Stand Up	5	\$40.00	\$200.00
Tackle Dummies	Black Round ~ Stand Up	16	\$50.00	\$800.00
Helmets	Riddell w/Mask & Chin Strap Variety of Sizes (Manufactured 2008/2009)	15	\$0	No Value past its 10 years (will be destroyed)
Basketballs	Variety of Sizes & Colors	140	\$3.00	\$420.00



**City Of Orting
Council Agenda Summary Sheet**

Subject: Cemetery Land Surplus – Boundary Line Adjustment		Committee	Study Session	Council
	Agenda Item #:	CGA	AB19-65	
	For Agenda of:	9.5.19	9.18.19	
	Department:	Admin		
	Date Submitted:	9/11		
Cost of Item:	<u>\$ Unknown</u>			
Amount Budgeted:	<u>\$ 0</u>			
Unexpended Balance:	<u>\$ 0</u>			
Bars #:				
Timeline:				
Submitted By:	Bethune			
Fiscal Note: The BLA would ostensibly make the property sellable and the revenues from the sale would be used for capital improvements to the cemetery.				
Attachments:				
<p>SUMMARY STATEMENT: The staff with support of Council has expressed an interest in surplusing the 9.5 acres of land adjacent to the city cemetery, in part, to fund capital improvements to the cemetery and reduce labor costs. Cemetery revenue has dropped precipitously in recent years as cultural standards have changed. The property is about 9.5 acres. It is important to have a significant buffer between the two properties to preserve the look of the cemetery. The proposal is to do a BLA to add about 1.5 acres of land to the cemetery to create the buffer. The city was required to go out for Request for Qualifications for this service. There were two respondents. We cannot negotiate price at this point. The City staff is recommending Skillings Connolly, Inc, a surveying company out of Lacey as the most qualified. The other companies' application was rendered non-responsive.</p>				
RECOMMENDED ACTION: Move to the consent agenda of 9.25.19				
FUTURE MOTION: Move to authorize the Mayor to negotiate an agreement with Skillings Connolly, Inc. to perform the service of a Boundary Line Adjustment for the Cemetery and the city's adjacent property.				

City of Orting
Request for Qualifications
Survey Services
Orting, WA 98360

The City of Orting is seeking statements of qualifications from qualified firms to provide Survey Services.
All bid documents must be received by the City of Orting by **Friday August 30th at 4:30 PM**
The statement of qualifications shall be emailed to: Mark Bethune, City Administrator at
mbethune@cityoforting.org

City mailing address:
City of Orting
110 Train St. SE,
PO Box 489
Orting, WA 98360

Information:

1. The City owns a cemetery and an adjacent parcel #0418011001. The City plans to surplus the adjacent parcel but needs to have a Boundary Line Adjustment that reduces the size of the adjacent property to the cemetery and thus create a site buffer.

SCOPE OF SERVICES

Objective: Perform a Boundary Line Adjustment that increases the cemetery property 1.5 acres and stake intervisible points along the +/- 660' boundary long line

Task 1: Work with the city to establish the new boundary line between the two parcels.

Task 2: Complete the Boundary Line Adjustment

Task 3: Stake intervisible hub and lath along the north line of the subject parcel until a point on the west side where the slope is too great.

Task 4: Record the survey

SUBMITTAL REQUIREMENTS:

Responses to this RFQ must include the following:

- **Statement of Intent:** A statement of intent explaining why the firm is interested, highlighting the firm's qualifications to do the work.
- **Approach:** Describe the firm's approach to delivering these services.
- **Key Personnel:** Highlight the roles, qualifications, and level of experience of key personnel who would be assigned to this project.
- **Project References:** List a minimum of two (2) recent similar projects that the firm worked on within the last two years including the price. Give the name and phone number of the project customers.

- Submittal size shall not be more than five (5) single-sided, 8 ½ x 11 pages using a single-spaced 12-point font.

EVALUATION PROCEDURES:

Submittals will be evaluated by a Selection Committee. The Selection Committee will consider the completeness of a Firm's submittal and how well the submittal meets the needs of the City. The Selection Committee will use the evaluation criteria (below). The City reserves the right to ask for additional qualifying information, shortlist firms, conduct and evaluate interviews, and/or select the highest scoring consultant(s) from the written qualification submittals received as a result of this RFQ.

EVALUATION CRITERIA:

All Submittals will be evaluated by the Selection Committee based on the following selection criteria. The evaluation criteria will be considered in the following order of importance:

- Qualifications/Expertise of Firm
- Qualifications/Expertise of Project Manager
- Delivery Approach
- References/Past Performance

SCHEDULE

The City anticipates issuing Notice of Award on or before September 30th, 2019. It is expected that the selected consultant will commence work within 30 days following issuance of a fully executed contract.



August 30, 2019

Mr. Mark Bethune
City Administrator
City of Orting
110 Train Street SE
PO Box 489
Orting, WA 98360

Contact:
Ryan Smith, PLS, CFedS
5016 Lacey Blvd SE
Lacey, WA 98503
Phone: 360.491.3399
Email: rsmith@skillings.com

Re: Survey Services

Dear Mark,

Skillings Connolly, Inc. has provided consulting services in civil engineering, surveying, transportation, wastewater, water, stormwater, and environmental since 1983. We look forward to working with the City of Orting and serving your community.

Skillings will apply the following principles to provide valuable survey services for Orting:

Clear & Frequent Communication: Whether defining the scope or providing regular updates on project status, clear communication paves the way to a successful project.

Understand your Business: Skillings knows that to really manage a project well we need to understand our client's business, culture, people, and purpose. We go beyond just doing the job to doing it right.

Add Value: We look for innovative ways to add value to the projects we work on such as finding a more efficient way to complete the work or taking photos for clarification of field data.

Exhibit Professionalism: We know that we represent your agency when working on-site. Therefore, we always provide professional and knowledgeable staff to reflect well upon you.

Build Relationships: We build your respect and trust by doing what we say we will do, following through on tasks, and providing fair pricing.

Manage Schedule & Budget: Skillings project managers meet each Wednesday to track resource scheduling, budgeting, and monitoring of the project's earned value.

We are committed to meeting your survey needs and building our relationship with the City. I look forward to working with you.

Sincerely,

Skillings Connolly, Inc.

A handwritten signature in black ink that reads 'Thomas Skillings'.

Thomas Skillings, PE
President and Principal-in-Charge



As a veteran-owned firm, Skillings focuses our energy on building relationships with our clients.

QUALIFICATIONS/EXPERTISE OF FIRM

Survey is a core service that Skillings provides, and we maintain a skilled in-house survey crew. We enjoy working with local municipalities and to help them solve problems and meet their project goals.

Our Survey Manager, Ryan Smith, PLS, CFedS, will provide overall project management for this work. Ryan will lead development of the boundary survey and legal descriptions required for the Boundary Line Adjustment. His location in our Lacey, Washington office will make coordination with your staff simpler. Participating as a team member with your staff will be especially important for this work. Ryan will ensure that you are kept up to date on the project activities and progress.



Skillings' Offices in Lacey, Washington

Ryan is a Professional Land Surveyor in the State of Washington and is also a Certified Federal Surveyor. He has 13 years of boundary surveying experience and has managed numerous boundary surveys, which gives him an understanding of the importance of survey accuracy as it relates to his clients and the public.

Our Field Technician, Jack Swarthout II, has 43 years of experience, primarily in field as survey party chief and research technician. Jack is highly efficient with numerous robotic and conventional total stations, and GPS including Leica, Trimble, Topcon, Leitz, and Nikon. He is also proficient with Carlson and Survey Pro data collection.



Our Office Technician, Mike Lopez, has 25 years of experience civil drafting and design, land surveying, and mapping. He is proficient in AutoCAD and AutoCAD Civil 3D, routinely prepares conceptual plans based on client desires and local municipal regulations; completes quantity take-offs from design plans; and generates contours from aerial topographic surveys, field shots, and/or office calculated data. Mike also has experience calculating boundaries from record maps and/or legal documents, lot closures, and easements, and has prepared legal descriptions for lots and easements.

Project Experience

Some of our survey crews' experience includes work on the following successful projects.

CITY OF TUMWATER—ON-CALL SERVICES

Our Survey Manager, Ryan Smith, is currently managing an on-call with the City of Tumwater. There are multiple survey task orders of varying magnitude, from smaller task orders such as replacing lost or destroyed survey monuments up to large topographic surveys for street overlays. He also responds to the City's requests for assistance in easement creation by overseeing the preparation of easement legal descriptions and exhibit maps to support the City in acquiring new easements for utilities and right-of-way. Ryan is also called upon to research and evaluate existing right of ways for the City as well as property boundaries.



SAINT MARTIN'S COLLEGE—BOUNDARY LINE ADJUSTMENT AND EASEMENT DESCRIPTIONS

The college was constructing a new educational building, so Ryan performed a Boundary Line Adjustment in order to adjust parcel lines to fit the location of the new building. He also analyzed existing easement descriptions and prepared new easement descriptions for water line improvements.

PRIVATE CLIENT—BOUNDARY SURVEYS

Ryan manages and oversees over 70 private boundary surveys a year. Private surveys range in magnitude from straightforward lot retracements to complex surveys involving section subdivisions and corner determinations. Evaluating survey records and land description records is a must when performed boundary work. On a regular basis, Ryan orders title reports and chains of title to determine the controlling land descriptions and the effort it takes to property survey them on the ground. After all research avenues are exhausted, he directs field crews to set corners and mark lines. Once the field work is completed, quality checks are made in the office and survey maps are prepared under his direction by office technicians.

QUALIFICATIONS/EXPERTISE OF PROJECT MANAGER

Survey Manager: Ryan Smith, PLS, CFedS
AA in Technical Arts

13 Years Exp.
Professional Land Surveyor – WA
Certified Federal Surveyor

Ryan has experience includes working with boundary surveys, topographic surveys, right of way plans, GPS surveys, and construction staking. He has worked in all types of conditions, from urban corridors to forest land to aquatic environments. He also has experience preparing all types of legal descriptions.



As Skillings' Survey Manager, Ryan schedules daily operations of the field crews, prepares topographic maps using AutoCAD for the engineering design team, analyzes vertical and horizontal control networks produced from GPS and conventional survey methods, prepares and reviews legal descriptions for easements and right of way acquisition, researches and compiles survey documents and evidence, analyzes complex construction plans, and operates the GIS database for control networks.

His land surveying experience includes field work using total stations, robotic total stations, GPS, RTK, and data collectors and office duties using CAD. He has performed boundary, topographic, ALTA, subdivision, boundary line adjustment surveys and right-of-way certification maps.

RELEVANT EXPERIENCE

SAINT MARTIN'S COLLEGE—BOUNDARY LINE ADJUSTMENT AND EASEMENT DESCRIPTIONS

The college was constructing a new educational building so Ryan performed a Boundary Line Adjustment in order to adjust parcel lines to fit the location of the new building. He also analyzed existing easement descriptions and prepared new easement descriptions for water line improvements.

CITY OF TUMWATER—ON-CALL SERVICES

Ryan is currently managing an on-call with the City of Tumwater. There are multiple task orders of varying magnitude, from large topographic surveys for street overlays to smaller task orders, to replace monuments.

CITY OF TUMWATER—CAPITOL BOULEVARD/TROSPER ROAD INTERSECTION

Skillings is currently completing a topographic survey, under Ryan's direction, for the design of the City of Tumwater – Capitol Boulevard/Trospers Road Intersection. Included within the scope of the survey is locating all existing improvements with the boundary limits. Elevations at 50-foot intervals were also taken at the roadway centerlines, edges of pavement, channelization lines, flow lines of ditches and grade breaks and for all existing utilities.

PIERCE COUNTY—112TH AVENUE EAST RECONSTRUCTION

In his role as Survey Manager, Ryan was responsible for the successful completion of a survey for Pierce County for the reconstruction of 112th Avenue East from A Street South to 18th Avenue East in Parkland, WA. Included within the scope of the survey was providing horizontal and vertical control and monument ties, topographic mapping, locating of all existing utilities both above and below ground, wetlands mapping, right-of-way alignment research, preparation of a certified right-of-way drawing, and surveying on private lands.

DELIVERY APPROACH

Successful completion of this project begins with proper research into the records. Ryan will evaluate existing survey records, land descriptions and government survey records to ensure the proper monumentation is being used to control the property boundaries of the subject parcel. A title report will be ordered to ensure the survey is being based on an accurate land description. Once the title report is evaluated, the controlling monuments can be identified.

A subdivision of the Northeast quarter of Section 1 will need to be completed in order to solve the subject property boundary. Our trained survey crews will find and measure into the monuments that are needed to break down the Northeast quarter of section 1. After the control survey has been performed to acceptable standards, the Survey Manager will compute the boundaries of the subject parcels. Special attention will be emphasized as the crew performs their work along the property line, looking for evidence of existing features along the line. If found, those features will be field located, and the measurements recorded in the field books.

With the field data recorded, Ryan will prepare a preliminary map to discuss the survey results with City staff to develop the location of the new boundary line. Once the City has agreed on a new boundary line location, Skillings will prepare the Boundary Line Adjustment map in accordance with City of Orting requirements. New property descriptions will be prepared and delineated on the face of the map to be used for future reference. The final Boundary Line Adjustment map will be recorded at the Auditor's Office, and Ryan will assist the City with preparing descriptions for the conveyance documents.

CITY OF LYNNWOOD:

From a January 25, 2017 Letter of recommendation from Ha Yang, Project Manager with the Public Works Department.

"All the projects that I have worked on with Skillings Connolly were completed on time and under budget. The project teams from Skillings Connolly displayed a high level of professionalism, experience, dedication, and commitment to quality. Skillings Connolly considers each project with us as the most important project they are working on and gives each project their full attention. They are very easy to work with, dynamic, insightful, and responsive."

SKILLINGS REFERENCES

City of Tumwater—On-Call Services

Price: \$2,000 to \$40,000 per task

Brandon Hicks, 360.754.4140

Private Client—Boundary Survey

Price: \$2,000

Spence Weigand, 360-789-3160



Mark Bethune

From: BRADFORD JERRY <jebdelta@yahoo.com>
Sent: Monday, August 26, 2019 10:06 AM
To: Mark Bethune
Subject: Re: Request for qualifications

Good morning Mark

I am going to refer you to our letter of 5/30/19 as to our statement of qualification. Keep in mind that any of the respondents will be imminently qualified to preform the B.L.A. for you, all firms are licensed by the state of washington to practice land surveying and can deliver a map that is satisfactory to the county for recording. You just have to decide which firm you want to work with and go from there. The only reason that we might deliver sooner is that we have extensive work in that section, from surveying for the McManns, and as you know we have already calculated the boundaries.

Bob and Jerry

On Tuesday, August 13, 2019, 01:11:35 PM PDT, Mark Bethune <MBethune@cityoforting.org> wrote:

Jerry, the city has just gone out for RFQ for a boundary line adjustment on that cemetery property. You will have to make a paper submittal by the due date. Hope you apply.

From: BRADFORD JERRY [mailto:jebdelta@yahoo.com]
Sent: Thursday, May 30, 2019 10:09 AM
To: BRADFORD JERRY; Mark Bethune
Subject: Request for qualifications

TO Mark Bethune and whoever it may concern

Delta Surveying has been in service to primarily Pierce county and local communities since 1979 and located on South Hill all that time. We have worked with the City of Orting with many short plats boundary line revisions, and elevation certificates over that time, for instance a short plat for Mona Lee Cope in 1980 and one in 2018. We also have short plats for Karen Wilson and Darrin Jones.

Please keep in mind that we are a professional service and our files are kept private as for cost, however we will supply you with the name and telephone numbers of several clients and they can divulge whatever they wish to you.

As to key personal, we have Partner and professional land surveyor Robert J. Rogers 42 years experience, Jerry E. Bradford partner with 62 years of experience, and Scott E. Bradford party chief with 38 years experience.

The following are a short list of clients and phone numbers.

Mike Sapp 253 606 7313 project was lot corners and line stakes.

Mona Lee Cope 360 893 2840 city short plat.

Keren Wilson 253 435 7740 city short plat.

Preston Richardson 530 613 5133 lot corners and line stakes.

Francis Richardson 916 425 9480 lot corners and line stakes.

Thanks for considering Delta.

Bob and Jerry 5/30/19

Total Control Panel

[Login](#)

To: mbethune@cityoforting.org

[Remove](#) this sender from my allow list

From: jebdelta@yahoo.com

You received this message because the sender is on your allow list.



City Of Orting
Council Agenda Summary Sheet

Subject: Whitehawk Extension Design and Engineering Scope and budget		Committee	Study Session	Council
	Agenda Item #:	N/A	AB19-66	AB19-66
	For Agenda of:		9.18.19	9.25.19
	Department:	streets		
	Date Submitted:	9/12/19		
Cost of Item:	<u>\$668,517.81</u>			
Amount Budgeted:	<u>\$450,000</u>			
Unexpended Balance:	<u>\$ (218,517.81)</u>			
Bars #:				
Timeline:				
Submitted By:	Bethune			
Fiscal Note:				
Attachments: Scope and Budget				
SUMMARY STATEMENT: The City Council selected Parametrix through the RFQ process in 2019 to complete Design and Engineering for the Whitehawk Blvd Extension (AKA Southwest Connector). The City received a federal grant for \$400,000 to complete this task with a \$50K match from the city. The project has become more expensive due primarily expanded wetlands and the increased DOE and Corp of Engineers mandates. The additional funds will come from the Traffic Impact Fees Fund in 2020.				
RECOMMENDED ACTION: Advance To Consent Agenda For The Council Meeting Of September 25 th , 2019.				
FUTURE MOTION: To approve the scope and budget from Parametrix to complete the design and Engineering for the Whitehawk Blvd Extension, and authorize the expenditure of \$668,517.81 for that project.				

Local Agency A&E Professional Services Cost Plus Fixed Fee Consultant Agreement

Agreement Number:

Firm/Organization Legal Name (do not use dba's): Parametrix, Inc.	
Address 1019 39th Ave SE, Ste. 100, Puyallup, WA 98374	Federal Aid Number
UBI Number 600 135 349	Federal TIN or SSN Number 91-0914810
Execution Date	Completion Date
1099 Form Required <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Federal Participation <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Project Title Whitehawk Boulevard Extension (ORT-4)	
Description of Work The project will consist of design of a two lane roadway along with a new signal and bike/pedestrian facilities from the existing terminus at Orting Ave NW and extend to the intersection of Kansas Street Calistoga Street West. See attached Scope of Work, Exhibit A.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No DBE Participation <input type="checkbox"/> No MBE Participation <input type="checkbox"/> No WBE Participation <input type="checkbox"/> No SBE Participation
Total Amount Authorized: \$668,509.87 Management Reserve Fund: Maximum Amount Payable: \$668,509.87	

Index of Exhibits

- Exhibit A Scope of Work
- Exhibit B DBE Participation/SBE Plan
- Exhibit C Preparation and Delivery of Electronic Engineering and Other Data
- Exhibit D Prime Consultant Cost Computations
- Exhibit E Sub-consultant Cost Computations
- Exhibit F Title VI Assurances
- Exhibit G Certification Documents
- Exhibit H Liability Insurance Increase
- Exhibit I Alleged Consultant Design Error Procedures
- Exhibit J Consultant Claim Procedures

Agreement Number:

THIS AGREEMENT, made and entered into as shown in the "Execution Date" box on page one (1) of this AGREEMENT, between the City of Orting hereinafter called the "AGENCY," and the "Firm / Organization Name" referenced on page one (1) of this AGREEMENT, hereinafter called the "CONSULTANT."

WHEREAS, the AGENCY desires to accomplish the work referenced in "Description of Work" on page one (1) of this AGREEMENT and hereafter called the "SERVICES;" and does not have sufficient staff to meet the required commitment and therefore deems it advisable and desirable to engage the assistance of a CONSULTANT to provide the necessary SERVICES; and

WHEREAS, the CONSULTANT represents that they comply with the Washington State Statutes relating to professional registration, if applicable, and has signified a willingness to furnish consulting services to the AGENCY.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, or attached and incorporated and made a part hereof, the parties hereto agree as follows:

I. General Description of Work

The work under this AGREEMENT shall consist of the above-described SERVICES as herein defined, and necessary to accomplish the completed work for this project. The CONSULTANT shall furnish all services, labor, and related equipment and, if applicable, sub-consultants and subcontractors necessary to conduct and complete the SERVICES as designated elsewhere in this AGREEMENT.

II. General Scope of Work

The Scope of Work and projected level of effort required for these SERVICES is described in Exhibit "A" attached hereto and by this reference made a part of this AGREEMENT. The General Scope of Work was developed utilizing performance based contracting methodologies.

III. General Requirements

All aspects of coordination of the work of this AGREEMENT with outside agencies, groups, or individuals shall receive advance approval by the AGENCY. Necessary contacts and meetings with agencies, groups, and/or individuals shall be coordinated through the AGENCY. The CONSULTANT shall attend coordination, progress, and presentation meetings with the AGENCY and/or such State, Federal, Community, City, or County officials, groups or individuals as may be requested by the AGENCY. The AGENCY will provide the CONSULTANT sufficient notice prior to meetings requiring CONSULTANT participation. The minimum required hours or days' notice shall be agreed to between the AGENCY and the CONSULTANT and shown in Exhibit "A."

The CONSULTANT shall prepare a monthly progress report, in a form approved by the AGENCY, which will outline in written and graphical form the various phases and the order of performance of the SERVICES in sufficient detail so that the progress of the SERVICES can easily be evaluated.

The CONSULTANT, any sub-consultants, and the AGENCY shall comply with all Federal, State, and local laws, rules, codes, regulations, and all AGENCY policies and directives, applicable to the work to be performed under this AGREEMENT. This AGREEMENT shall be interpreted and construed in accordance with the laws of the State of Washington.

Agreement Number:

Participation for Disadvantaged Business Enterprises (DBE) or Small Business Enterprises (SBE), if required, per 49 CFR Part 26, shall be shown on the heading of this AGREEMENT. If DBE firms are utilized at the commencement of this AGREEMENT, the amounts authorized to each firm and their certification number will be shown on Exhibit "B" attached hereto and by this reference made part of this AGREEMENT. If the Prime CONSULTANT is a DBE certified firm they must comply with the Commercial Useful Function (CUF) regulation outlined in the AGENCY's "DBE Program Participation Plan" and perform a minimum of 30% of the total amount of this AGREEMENT. It is recommended, but not required, that non-DBE Prime CONSULTANTS perform a minimum of 30% of the total amount of this AGREEMENT.

In the absents of a mandatory UDBE, a voluntary SBE goal amount of ten percent of the Consultant Agreement is established. The Consultant shall submit a SBE Participation Plan prior to commencing work. Although the goal is voluntary, the outreach efforts to provide SBE maximum practicable opportunities are not.

The CONSULTANT, on a monthly basis, shall enter the amounts paid to all firms involved with this AGREEMENT into the wsdot.diversitycompliance.com program. Payment information shall identify any DBE Participation. Non-minority, woman owned DBEs does not count towards UDBE goal attainment.

All Reports, PS&E materials, and other data furnished to the CONSULTANT by the AGENCY shall be returned. All electronic files, prepared by the CONSULTANT, must meet the requirements as outlined in Exhibit "C – Preparation and Delivery of Electronic Engineering and other Data."

All designs, drawings, specifications, documents, and other work products, including all electronic files, prepared by the CONSULTANT prior to completion or termination of this AGREEMENT are instruments of service for these SERVICES, and are the property of the AGENCY. Reuse by the AGENCY or by others, acting through or on behalf of the AGENCY of any such instruments of service, not occurring as a part of this SERVICE, shall be without liability or legal exposure to the CONSULTANT.

Any and all notices or requests required under this AGREEMENT shall be made in writing and sent to the other party by (i) certified mail, return receipt requested, or (ii) by email or facsimile, to the address set forth below:

If to AGENCY:

Name: Mark Bethune, City Administrator
Agency: City Of Orting
Address: PO Box 489
City: Orting State: WA Zip: 98360
Email: mbethune@cityoforting.org
Phone: 360.893.2219 ext. 115
Facsimile:

If to CONSULTANT:

Name: John Perlic, PE
Agency: Parametrix, Inc.
Address: 719 Second Avenue, Ste. 200
City: Seattle State: WA Zip: 98104
Email: jperlic@parametrix.com
Phone: 206.394.3700
Facsimile: 855.542.6353

IV. Time for Beginning and Completion

The CONSULTANT shall not begin any work under the terms of this AGREEMENT until authorized in writing by the AGENCY. All work under this AGREEMENT shall be completed by the date shown in the heading of this AGREEMENT titled "Completion Date."

The established completion time shall not be extended because of any delays attributable to the CONSULTANT, but may be extended by the AGENCY in the event of a delay attributable to the AGENCY, or because of unavoidable delays caused by an act of GOD, governmental actions, or other conditions beyond the control of the CONSULTANT. A prior supplemental AGREEMENT issued by the AGENCY is required to extend the established completion time.

Agreement Number:

V. Payment Provisions

The CONSULTANT shall be paid by the AGENCY for completed SERVICES rendered under this AGREEMENT as provided hereinafter. Such payment shall be full compensation for SERVICES performed or SERVICES rendered and for all labor, materials, supplies, equipment, and incidentals necessary to complete SERVICES, specified in Section II, "Scope of Work". The CONSULTANT shall conform to all applicable portions of 48 CFR Part 31 (www.ecfr.gov). The estimate in support of the Cost Plus Fixed Fee amount is attached hereto as Exhibits "D" and "E" and by this reference made part of this AGREEMENT.

- A. Actual Costs: Payment for all consulting services for this PROJECT shall be on the basis of the CONSULTANT'S actual cost plus a fixed fee. The actual cost shall include direct salary cost, indirect cost rate, and direct non-salary costs.
1. Direct (RAW) Labor Costs: The Direct (RAW) Labor Cost is the direct salary paid to principals, professional, technical, and clerical personnel for the time they are productively engaged in work necessary to fulfill the terms of this AGREEMENT. The CONSULTANT shall maintain support data to verify the direct salary costs billed to the AGENCY.
 2. Indirect Cost Rate (ICR) Costs: ICR Costs are those costs, other than direct costs, which are included as such on the books of the CONSULTANT in the normal everyday keeping of its books. Progress payments shall be made at the ICR rates shown in attached Exhibits "D" and "E" of this AGREEMENT. Total ICR payment shall be based on Actual Costs. The AGENCY agrees to reimburse the CONSULTANT the actual ICR costs verified by audit, up to the Maximum Total Amount Payable, authorized under this AGREEMENT, when accumulated with all other Actual Costs.

A summary of the CONSULTANT'S cost estimate and the ICR percentage is shown in Exhibits "D" and "E", attached hereto and by this reference made part of this AGREEMENT. The CONSULTANT (prime and all sub-consultants) will submit to the AGENCY within six (6) months after the end of each firm's fiscal year, an ICR schedule in the format required by the AGENCY (cost category, dollar expenditures, etc.) for the purpose of adjusting the ICR rate for billings received and paid during the fiscal year represented by the ICR schedule. It shall also be used for the computation of progress payments during the following year and for retroactively adjusting the previous year's ICR cost to reflect the actual rate. The ICR schedule will be sent to Email: ConsultantRates@wsdot.wa.gov.

Failure to supply this information by either the prime CONSULTANT or any of their sub-consultants shall cause the AGENCY to withhold payment of the billed ICR costs until such time as the required information is received and an overhead rate for billing purposes is approved.

The AGENCY'S Project Manager and/or the Federal Government may perform an audit of the CONSULTANT'S books and records at any time during regular business hours to determine the actual ICR rate, if they so desire.

3. Direct Non-Salary Costs: Direct Non-Salary Costs will be reimbursed at the Actual Cost to the CONSULTANT. These charges may include, but are not limited to, the following items: travel, printing, long distance telephone, supplies, computer charges and fees of sub-consultants. Air or train travel will be reimbursed only to economy class levels unless otherwise approved by the AGENCY. The CONSULTANT shall comply with the rules and regulations regarding travel costs (excluding air, train, and rental car costs) in accordance with WSDOT'S Accounting Manual M 13-82, Chapter 10 – Travel Rules and Procedures, and revisions thereto. Air, train, and rental car costs shall be reimbursed in accordance with 48 Code of Federal Regulations (CFR) Part 31.205-46 "Travel Costs." The billing for Direct Non-Salary Costs shall include an itemized listing of the charges directly identifiable with the PROJECT. The CONSULTANT shall maintain the original supporting documents in their office. Copies of the original supporting documents shall be supplied to the AGENCY upon request. All above charges must be necessary for the services provided under this AGREEMENT.

Agreement Number:

4. Fixed Fee: The Fixed Fee, which represents the CONSULTANT'S profit, is shown in attached Exhibits "D" and "E" of this AGREEMENT. This fee is based on the Scope of Work defined in this AGREEMENT and the estimated person-hours required to perform the stated Scope of Work. In the event the CONSULTANT enters into a supplemental AGREEMENT for additional work, the supplemental AGREEMENT may include provisions for the added costs and an appropriate additional fee. The Fixed Fee will be prorated and paid monthly in proportion to the percentage of work completed by the CONSULTANT and reported in the Monthly Progress Reports accompanying the billings. Any portion of the Fixed Fee earned but not previously paid in the progress payments will be covered in the final payment, subject to the provisions of Section IX entitled "Termination of Agreement."
 5. Management Reserve Fund (MRF): The AGENCY may desire to establish MRF to provide the Agreement Administrator with the flexibility to authorize additional funds to the AGREEMENT for allowable unforeseen costs, or reimbursing the CONSULTANT for additional work beyond that already defined in this AGREEMENT. Such authorization(s) shall be in writing and shall not exceed the lesser of \$100,000 or 10% of the Total Amount Authorized as shown in the heading of this AGREEMENT. The amount included for the MRF is shown in the heading of this AGREEMENT. This fund may not be replenished. Any changes requiring additional costs in excess of the MRF shall be made in accordance with Section XIII, "Extra Work."
 6. Maximum Total Amount Payable: The Maximum Total Amount Payable by the AGENCY to the CONSULTANT under this AGREEMENT shall not exceed the amount shown in the heading of this AGREEMENT. The Maximum Total Amount Payable is comprised of the Total Amount Authorized, and the MRF. The Maximum Total Amount Payable does not include payment for Extra Work as stipulated in Section XIII, "Extra Work." No minimum amount payable is guaranteed under this AGREEMENT.
- B. Monthly Progress Payments: The CONSULTANT may submit billings to the AGENCY for reimbursement of Actual Costs plus the ICR and calculated fee on a monthly basis during the progress of the work. Such billings shall be in a format approved by the AGENCY and accompanied by the monthly progress reports required under Section III, "General Requirements" of this AGREEMENT. The billings will be supported by an itemized listing for each item including Direct (RAW) Labor, Direct Non-Salary, and allowable ICR Costs to which will be added the prorated Fixed Fee. To provide a means of verifying the billed Direct (RAW) Labor costs for CONSULTANT employees, the AGENCY may conduct employee interviews. These interviews may consist of recording the names, titles, Direct (RAW) Labor rates, and present duties of those employees performing work on the PROJECT at the time of the interview.
- C. Final Payment: Final Payment of any balance due the CONSULTANT of the gross amount earned will be made promptly upon its verification by the AGENCY after the completion of the work under this AGREEMENT, contingent, if applicable, upon receipt of all PS&E, plans, maps, notes, reports, electronic data and other related documents which are required to be furnished under this AGREEMENT. Acceptance of such Final Payment by the CONSULTANT shall constitute a release of all claims for payment, which the CONSULTANT may have against the AGENCY unless such claims are specifically reserved in writing and transmitted to the AGENCY by the CONSULTANT prior to its acceptance. Said Final Payment shall not, however, be a bar to any claims that the AGENCY may have against the CONSULTANT or to any remedies the AGENCY may pursue with respect to such claims.

The payment of any billing will not constitute agreement as to the appropriateness of any item and at the time of final audit; all required adjustments will be made and reflected in a final payment. In the event that such final audit reveals an overpayment to the CONSULTANT, the CONSULTANT will refund such overpayment to the AGENCY within thirty (30) calendar days of notice of the overpayment. Such refund shall not constitute a waiver by the CONSULTANT for any claims relating to the validity of a finding by the AGENCY of overpayment. The CONSULTANT has twenty (20) working days after receipt of the final POST AUDIT to begin the appeal process to the AGENCY for audit findings.

Agreement Number:

D. Inspection of Cost Records: The CONSULTANT and their sub-consultants shall keep available for inspection by representatives of the AGENCY and the United States, for a period of six (6) years after receipt of final payment, the cost records and accounts pertaining to this AGREEMENT and all items related to or bearing upon these records with the following exception: if any litigation, claim or audit arising out of, in connection with, or related to this AGREEMENT is initiated before the expiration of the six (6) year period, the cost records and accounts shall be retained until such litigation, claim, or audit involving the records is completed.

An interim or post audit may be performed on this AGREEMENT. The audit, if any, will be performed by the State Auditor, WSDOT's Internal Audit Office and/or at the request of the AGENCY's Project Manager.

VI. Sub-Contracting

The AGENCY permits subcontracts for those items of SERVICES as shown in Exhibit "A" attached hereto and by this reference made part of this AGREEMENT.

The CONSULTANT shall not subcontract for the performance of any SERVICE under this AGREEMENT without prior written permission of the AGENCY. No permission for subcontracting shall create, between the AGENCY and sub-consultant, any contract or any other relationship.

Compensation for this sub-consultant SERVICES shall be based on the cost factors shown on Exhibit "E" attached hereto and by this reference made part of this AGREEMENT.

The SERVICES of the sub-consultant shall not exceed its maximum amount payable identified in each sub-consultant cost estimate unless a prior written approval has been issued by the AGENCY.

All reimbursable direct labor, indirect cost rate, direct non-salary costs and fixed fee costs for the sub-consultant shall be negotiated and substantiated in accordance with section V "Payment Provisions" herein and shall be memorialized in a final written acknowledgement between the parties.

All subcontracts shall contain all applicable provisions of this AGREEMENT, and the CONSULTANT shall require each sub-consultant or subcontractor, of any tier, to abide by the terms and conditions of this AGREEMENT. With respect to sub-consultant payment, the CONSULTANT shall comply with all applicable sections of the STATE's Prompt Payment laws as set forth in RCW 39.04.250 and RCW 39.76.011.

The CONSULTANT, sub-recipient, or sub-consultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this AGREEMENT. The CONSULTANT shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the CONSULTANT to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination of this AGREEMENT or such other remedy as the recipient deems appropriate.

VII. Employment and Organizational Conflict of Interest

The CONSULTANT warrants that they have not employed or retained any company or person, other than a bona fide employee working solely for the CONSULTANT, to solicit or secure this contract, and that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the CONSULTANT, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of this contract. For breach or violation of this warrant, the AGENCY shall have the right to annul this AGREEMENT without liability or, in its discretion, to deduct from this AGREEMENT price or consideration or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

Any and all employees of the CONSULTANT or other persons while engaged in the performance of any work or services required of the CONSULTANT under this AGREEMENT, shall be considered employees of the CONSULTANT only and not of the AGENCY, and any and all claims that may arise under any Workmen's

Agreement Number:

Compensation Act on behalf of said employees or other persons while so engaged, and any and all claims made by a third party as a consequence of any act or omission on the part of the CONSULTANT's employees or other persons while so engaged on any of the work or services provided to be rendered herein, shall be the sole obligation and responsibility of the CONSULTANT.

The CONSULTANT shall not engage, on a full- or part-time basis, or other basis, during the period of this AGREEMENT, any professional or technical personnel who are, or have been, at any time during the period of this AGREEMENT, in the employ of the United States Department of Transportation or the AGENCY, except regularly retired employees, without written consent of the public employer of such person if he/she will be working on this AGREEMENT for the CONSULTANT.

VIII. Nondiscrimination

During the performance of this AGREEMENT, the CONSULTANT, for itself, its assignees, sub-consultants, subcontractors and successors in interest, agrees to comply with the following laws and regulations:

- Title VI of the Civil Rights Act of 1964
(42 U.S.C. Chapter 21 Subchapter V § 2000d through 2000d-4a)
- Federal-aid Highway Act of 1973
(23 U.S.C. Chapter 3 § 324)
- Rehabilitation Act of 1973
(29 U.S.C. Chapter 16 Subchapter V § 794)
- Age Discrimination Act of 1975
(42 U.S.C. Chapter 76 § 6101 *et. seq.*)
- Civil Rights Restoration Act of 1987
(Public Law 100-259)
- American with Disabilities Act of 1990
(42 U.S.C. Chapter 126 § 12101 *et. seq.*)
- 23 CFR Part 200
- 49 CFR Part 21
- 49 CFR Part 26
- RCW 49.60.180

In relation to Title VI of the Civil Rights Act of 1964, the CONSULTANT is bound by the provisions of Exhibit "F" attached hereto and by this reference made part of this AGREEMENT, and shall include the attached Exhibit "F" in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

IX. Termination of Agreement

The right is reserved by the AGENCY to terminate this AGREEMENT at any time with or without cause upon ten (10) days written notice to the CONSULTANT.

In the event this AGREEMENT is terminated by the AGENCY, other than for default on the part of the CONSULTANT, a final payment shall be made to the CONSULTANT for actual hours charged and any appropriate fixed fee percentage at the time of termination of this AGREEMENT, plus any direct non-salary costs incurred up to the time of termination of this AGREEMENT.

No payment shall be made for any SERVICES completed after ten (10) days following receipt by the CONSULTANT of the notice to terminate. If the accumulated payment made to the CONSULTANT prior to Notice of Termination exceeds the total amount that would be due when computed as set forth in paragraph two (2) of this section, then no final payment shall be due and the CONSULTANT shall immediately reimburse the AGENCY for any excess paid.

If the services of the CONSULTANT are terminated by the AGENCY for default on the part of the CONSULTANT, the above formula for payment shall not apply.

In the event of a termination for default, the amount to be paid to the CONSULTANT shall be determined by the AGENCY with consideration given to the actual costs incurred by the CONSULTANT in performing SERVICES to the date of termination, the amount of SERVICES originally required which was satisfactorily completed to

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date of termination, whether that SERVICE is in a form or a type which is usable to the AGENCY at the time of termination, the cost to the AGENCY of employing another firm to complete the SERVICES required and the time which may be required to do so, and other factors which affect the value to the AGENCY of the SERVICES performed at the time of termination. Under no circumstances shall payment made under this subsection exceed the amount, which would have been made using the formula set forth in paragraph two (2) of this section.

If it is determined for any reason that the CONSULTANT was not in default or that the CONSULTANT's failure to perform is without the CONSULTANT's or its employee's fault or negligence, the termination shall be deemed to be a termination for the convenience of the AGENCY. In such an event, the CONSULTANT would be reimbursed for actual costs and appropriate fixed fee percentage in accordance with the termination for other than default clauses listed previously.

The CONSULTANT shall, within 15 days, notify the AGENCY in writing, in the event of the death of any member, partner, or officer of the CONSULTANT or the death or change of any of the CONSULTANT's supervisory and/or other key personnel assigned to the project or disaffiliation of any principally involved CONSULTANT employee. The CONSULTANT shall also notify the AGENCY, in writing, in the event of the sale or transfer of 50% or more of the beneficial ownership of the CONSULTANT within 15 days of such sale or transfer occurring. The CONSULTANT shall continue to be obligated to complete the SERVICES under the terms of this AGREEMENT unless the AGENCY chooses to terminate this AGREEMENT for convenience or chooses to renegotiate any term(s) of this AGREEMENT. If termination for convenience occurs, final payment will be made to the CONSULTANT as set forth in the second and third paragraphs of this section.

Payment for any part of the SERVICES by the AGENCY shall not constitute a waiver by the AGENCY of any remedies of any type it may have against the CONSULTANT for any breach of this AGREEMENT by the CONSULTANT, or for failure of the CONSULTANT to perform SERVICES required of it by the AGENCY. Forbearance of any rights under the AGREEMENT will not constitute waiver of entitlement to exercise those rights with respect to any future act or omission by the CONSULTANT.

X. Changes of Work

The CONSULTANT shall make such changes and revisions in the completed work of this AGREEMENT as necessary to correct errors appearing therein, without additional compensation thereof. Should the AGENCY find it desirable for its own purposes to have previously satisfactorily completed SERVICES or parts thereof changed or revised, the CONSULTANT shall make such revisions as directed by the AGENCY. This work shall be considered as Extra Work and will be paid for as herein provided under section XIII "Extra Work."

XI. Disputes

Any disputed issue not resolved pursuant to the terms of this AGREEMENT shall be submitted in writing within 10 days to the Director of Public Works or AGENCY Engineer, whose decision in the matter shall be final and binding on the parties of this AGREEMENT; provided however, that if an action is brought challenging the Director of Public Works or AGENCY Engineer's decision, that decision shall be subject to judicial review. If the parties to this AGREEMENT mutually agree, disputes concerning alleged design errors will be conducted under the procedures found in Exhibit "J". In the event that either party deem it necessary to institute legal action or proceeding to enforce any right or obligation under this AGREEMENT, this action shall be initiated in the Superior Court of the State of Washington, situated in the county in which the AGENCY is located. The parties hereto agree that all questions shall be resolved by application of Washington law and that the parties have the right of appeal from such decisions of the Superior Court in accordance with the laws of the State of Washington. The CONSULTANT hereby consents to the personal jurisdiction of the Superior Court of the State of Washington, situated in the county in which the AGENCY is located.

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XII. Legal Relations

The CONSULTANT, any sub-consultants, and the AGENCY shall comply with all Federal, State, and local laws, rules, codes, regulations and all AGENCY policies and directives, applicable to the work to be performed under this AGREEMENT. This AGREEMENT shall be interpreted and construed in accordance with the laws of the State of Washington.

The CONSULTANT shall defend, indemnify, and hold The State of Washington (STATE) and the AGENCY and their officers and employees harmless from all claims, demands, or suits at law or equity arising in whole or in part from the negligence of, or the breach of any obligation under this AGREEMENT by, the CONSULTANT or the CONSULTANT's agents, employees, sub consultants, subcontractors or vendors, of any tier, or any other persons for whom the CONSULTANT may be legally liable; provided that nothing herein shall require a CONSULTANT to defend or indemnify the STATE and the AGENCY and their officers and employees against and hold harmless the STATE and the AGENCY and their officers and employees from claims, demands or suits based solely upon the negligence of, or breach of any obligation under this AGREEMENT by the STATE and the AGENCY, their agents, officers, employees, sub-consultants, subcontractors or vendors, of any tier, or any other persons for whom the STATE and/or the AGENCY may be legally liable; and provided further that if the claims or suits are caused by or result from the concurrent negligence of (a) the CONSULTANT or the CONSULTANT's agents, employees, sub-consultants, subcontractors or vendors, of any tier, or any other persons for whom the CONSULTANT is legally liable, and (b) the STATE and/or AGENCY, their agents, officers, employees, sub-consultants, subcontractors and or vendors, of any tier, or any other persons for whom the STATE and or AGENCY may be legally liable, the defense and indemnity obligation shall be valid and enforceable only to the extent of the CONSULTANT's negligence or the negligence of the CONSULTANT's agents, employees, sub-consultants, subcontractors or vendors, of any tier, or any other persons for whom the CONSULTANT may be legally liable. This provision shall be included in any AGREEMENT between CONSULTANT and any sub-consultant, subcontractor and vendor, of any tier.

The CONSULTANT shall also defend, indemnify, and hold the STATE and the AGENCY and their officers and employees harmless from all claims, demands, or suits at law or equity arising in whole or in part from the alleged patent or copyright infringement or other allegedly improper appropriation or use of trade secrets, patents, proprietary information, know-how, copyright rights or inventions by the CONSULTANT or the CONSULTANT's agents, employees, sub-consultants, subcontractors or vendors, of any tier, or any other persons for whom the CONSULTANT may be legally liable, in performance of the Work under this AGREEMENT or arising out of any use in connection with the AGREEMENT of methods, processes, designs, information or other items furnished or communicated to STATE and/or the AGENCY, their agents, officers and employees pursuant to the AGREEMENT; provided that this indemnity shall not apply to any alleged patent or copyright infringement or other allegedly improper appropriation or use of trade secrets, patents, proprietary information, know-how, copyright rights or inventions resulting from STATE and/or AGENCY's, their agents', officers' and employees' failure to comply with specific written instructions regarding use provided to STATE and/or AGENCY, their agents, officers and employees by the CONSULTANT, its agents, employees, sub-consultants, subcontractors or vendors, of any tier, or any other persons for whom the CONSULTANT may be legally liable.

The CONSULTANT's relation to the AGENCY shall be at all times as an independent contractor.

Notwithstanding any determination by the Executive Ethics Board or other tribunal, the AGENCY may, in its sole discretion, by written notice to the CONSULTANT terminate this AGREEMENT if it is found after due notice and examination by the AGENCY that there is a violation of the Ethics in Public Service Act, Chapter 42.52 RCW; or any similar statute involving the CONSULTANT in the procurement of, or performance under, this AGREEMENT.

The CONSULTANT specifically assumes potential liability for actions brought by the CONSULTANT's own employees or its agents against the STATE and /or the AGENCY and, solely for the purpose of this indemnification and defense, the CONSULTANT specifically waives any immunity under the state industrial insurance law, Title 51 RCW. This waiver has been mutually negotiated between the Parties.

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Unless otherwise specified in this AGREEMENT, the AGENCY shall be responsible for administration of construction contracts, if any, on the project. Subject to the processing of a new sole source, or an acceptable supplemental AGREEMENT, the CONSULTANT shall provide On-Call assistance to the AGENCY during contract administration. By providing such assistance, the CONSULTANT shall assume no responsibility for: proper construction techniques, job site safety, or any construction contractor's failure to perform its work in accordance with the contract documents.

The CONSULTANT shall obtain and keep in force during the terms of this AGREEMENT, or as otherwise required, the following insurance with companies or through sources approved by the State Insurance Commissioner pursuant to Title 48 RCW.

Insurance Coverage

- A. Worker's compensation and employer's liability insurance as required by the STATE.
- B. Commercial general liability insurance written under ISO Form CG 00 01 12 04 or its equivalent with minimum limits of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) in the aggregate for each policy period.
- C. Business auto liability insurance written under ISO Form CG 00 01 10 01 or equivalent providing coverage for any "Auto" (Symbol 1) used in an amount not less than a one million dollar (\$1,000,000.00) combined single limit for each occurrence.

Excepting the Worker's Compensation Insurance and any Professional Liability Insurance, the STATE and AGENCY, their officers, employees, and agents will be named on all policies of CONSULTANT and any sub-consultant and/or subcontractor as an additional insured (the "AIs"), with no restrictions or limitations concerning products and completed operations coverage. This coverage shall be primary coverage and non-contributory and any coverage maintained by the AIs shall be excess over, and shall not contribute with, the additional insured coverage required hereunder. The CONSULTANT's and the sub-consultant's and/or subcontractor's insurer shall waive any and all rights of subrogation against the AIs. The CONSULTANT shall furnish the AGENCY with verification of insurance and endorsements required by this AGREEMENT. The AGENCY reserves the right to require complete, certified copies of all required insurance policies at any time.

All insurance shall be obtained from an insurance company authorized to do business in the State of Washington. The CONSULTANT shall submit a verification of insurance as outlined above within fourteen (14) days of the execution of this AGREEMENT to:

Name: Mark Bethune, City Administrator
Agency: City of Orting
Address: PO Box 489
City: Orting State: WA Zip: 98360
Email: mbethune@cityoforting.org
Phone: 360.893.2219 ext. 115
Facsimile:

No cancellation of the foregoing policies shall be effective without thirty (30) days prior notice to the AGENCY.

The CONSULTANT's professional liability to the AGENCY, including that which may arise in reference to section IX "Termination of Agreement" of this AGREEMENT, shall be limited to the accumulative amount of the authorized AGREEMENT amount or one million dollars (\$1,000,000.00), whichever is greater, unless the limit of liability is increased by the AGENCY pursuant to Exhibit H. In no case shall the CONSULTANT's professional liability to third parties be limited in any way.

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The parties enter into this AGREEMENT for the sole benefit of the parties, and to the exclusion of any third party, and no third party beneficiary is intended or created by the execution of this AGREEMENT.

The AGENCY will pay no progress payments under section V "Payment Provisions" until the CONSULTANT has fully complied with this section. This remedy is not exclusive; and the AGENCY may take such other action as is available to it under other provisions of this AGREEMENT, or otherwise in law.

XIII. Extra Work

- A. The AGENCY may at any time, by written order, make changes within the general scope of this AGREEMENT in the SERVICES to be performed.
- B. If any such change causes an increase or decrease in the estimated cost of, or the time required for, performance of any part of the SERVICES under this AGREEMENT, whether or not changed by the order, or otherwise affects any other terms and conditions of this AGREEMENT, the AGENCY shall make an equitable adjustment in the: (1) maximum amount payable; (2) delivery or completion schedule, or both; and (3) other affected terms and shall modify this AGREEMENT accordingly.
- C. The CONSULTANT must submit any "request for equitable adjustment," hereafter referred to as "CLAIM," under this clause within thirty (30) days from the date of receipt of the written order. However, if the AGENCY decides that the facts justify it, the AGENCY may receive and act upon a CLAIM submitted before final payment of this AGREEMENT.
- D. Failure to agree to any adjustment shall be a dispute under the section XI "Disputes" clause. However, nothing in this clause shall excuse the CONSULTANT from proceeding with the AGREEMENT as changed.
- E. Notwithstanding the terms and conditions of paragraphs (A.) and (B.) above, the maximum amount payable for this AGREEMENT, shall not be increased or considered to be increased except by specific written supplement to this AGREEMENT.

XIV. Endorsement of Plans

If applicable, the CONSULTANT shall place their endorsement on all plans, estimates, or any other engineering data furnished by them.

XV. Federal Review

The Federal Highway Administration shall have the right to participate in the review or examination of the SERVICES in progress.

XVI. Certification of the Consultant and the Agency

Attached hereto as Exhibit "G-1(a and b)" are the Certifications of the CONSULTANT and the AGENCY, Exhibit "G-2" Certification Regarding Debarment, Suspension and Other Responsibility Matters - Primary Covered Transactions, Exhibit "G-3" Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying and Exhibit "G-4" Certificate of Current Cost or Pricing Data. Exhibit "G-3" is required only in AGREEMENT's over one hundred thousand dollars (\$100,000.00) and Exhibit "G-4" is required only in AGREEMENT's over five hundred thousand dollars (\$500,000.00.) These Exhibits must be executed by the CONSULTANT, and submitted with the master AGREEMENT, and returned to the AGENCY at the address listed in section III "General Requirements" prior to its performance of any SERVICES under this AGREEMENT.

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XVII. Complete Agreement

This document and referenced attachments contain all covenants, stipulations, and provisions agreed upon by the parties. No agent, or representative of either party has authority to make, and the parties shall not be bound by or be liable for, any statement, representation, promise or agreement not set forth herein. No changes, amendments, or modifications of the terms hereof shall be valid unless reduced to writing and signed by the parties as a supplement to this AGREEMENT.

XVIII. Execution and Acceptance

This AGREEMENT may be simultaneously executed in several counterparts, each of which shall be deemed to be an original having identical legal effect. The CONSULTANT does hereby ratify and adopt all statements, representations, warranties, covenants, and AGREEMENT's contained in the proposal, and the supporting material submitted by the CONSULTANT, and does hereby accept this AGREEMENT and agrees to all of the terms and conditions thereof.

XIX. Protection of Confidential Information

The CONSULTANT acknowledges that some of the material and information that may come into its possession or knowledge in connection with this AGREEMENT or its performance may consist of information that is exempt from disclosure to the public or other unauthorized persons under either chapter 42.56 RCW or other local, state or federal statutes ("State's Confidential Information"). The "State's Confidential Information" includes, but is not limited to, names, addresses, Social Security numbers, e-mail addresses, telephone numbers, financial profiles, credit card information, driver's license numbers, medical data, law enforcement records (or any other information identifiable to an individual), STATE and AGENCY source code or object code, STATE and AGENCY security data, non-public Specifications, STATE and AGENCY non-publicly available data, proprietary software, State security data, or information which may jeopardize any part of the project that relates to any of these types of information. The CONSULTANT agrees to hold the State's Confidential Information in strictest confidence and not to make use of the State's Confidential Information for any purpose other than the performance of this AGREEMENT, to release it only to authorized employees, sub-consultants or subcontractors requiring such information for the purposes of carrying out this AGREEMENT, and not to release, divulge, publish, transfer, sell, disclose, or otherwise make it known to any other party without the AGENCY's express written consent or as provided by law. The CONSULTANT agrees to release such information or material only to employees, sub-consultants or subcontractors who have signed a nondisclosure AGREEMENT, the terms of which have been previously approved by the AGENCY. The CONSULTANT agrees to implement physical, electronic, and managerial safeguards to prevent unauthorized access to the State's Confidential Information.

Immediately upon expiration or termination of this AGREEMENT, the CONSULTANT shall, at the AGENCY's option: (i) certify to the AGENCY that the CONSULTANT has destroyed all of the State's Confidential Information; or (ii) returned all of the State's Confidential Information to the AGENCY; or (iii) take whatever other steps the AGENCY requires of the CONSULTANT to protect the State's Confidential Information.

As required under Executive Order 00-03, the CONSULTANT shall maintain a log documenting the following: the State's Confidential Information received in the performance of this AGREEMENT; the purpose(s) for which the State's Confidential Information was received; who received, maintained and used the State's Confidential Information; and the final disposition of the State's Confidential Information. The CONSULTANT's records shall be subject to inspection, review, or audit upon reasonable notice from the AGENCY.

The AGENCY reserves the right to monitor, audit, or investigate the use of the State's Confidential Information collected, used, or acquired by the CONSULTANT through this AGREEMENT. The monitoring, auditing, or investigating may include, but is not limited to, salting databases.

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Violation of this section by the CONSULTANT or its sub-consultants or subcontractors may result in termination of this AGREEMENT and demand for return of all State's Confidential Information, monetary damages, or penalties.

It is understood and acknowledged that the CONSULTANT may provide the AGENCY with information which is proprietary and/or confidential during the term of this AGREEMENT. The parties agree to maintain the confidentiality of such information during the term of this AGREEMENT and afterwards. All materials containing such proprietary and/or confidential information shall be clearly identified and marked as "Confidential" and shall be returned to the disclosing party at the conclusion of the SERVICES under this AGREEMENT.

The CONSULTANT shall provide the AGENCY with a list of all information and materials it considers confidential and/or proprietary in nature: (a) at the commencement of the term of this AGREEMENT; or (b) as soon as such confidential or proprietary material is developed. "Proprietary and/or confidential information" is not meant to include any information which, at the time of its disclosure: (i) is already known to the other party; (ii) is rightfully disclosed to one of the parties by a third party that is not acting as an agent or representative for the other party; (iii) is independently developed by or for the other party; (iv) is publicly known; or (v) is generally utilized by unaffiliated third parties engaged in the same business or businesses as the CONSULTANT.

The parties also acknowledge that the AGENCY is subject to Washington State and federal public disclosure laws. As such, the AGENCY shall maintain the confidentiality of all such information marked proprietary and/or confidential or otherwise exempt, unless such disclosure is required under applicable state or federal law. If a public disclosure request is made to view materials identified as "Proprietary and/or confidential information" or otherwise exempt information, the AGENCY will notify the CONSULTANT of the request and of the date that such records will be released to the requester unless the CONSULTANT obtains a court order from a court of competent jurisdiction enjoining that disclosure. If the CONSULTANT fails to obtain the court order enjoining disclosure, the AGENCY will release the requested information on the date specified.

The CONSULTANT agrees to notify the sub-consultant of any AGENCY communication regarding disclosure that may include a sub-consultant's proprietary and/or confidential information. The CONSULTANT notification to the sub-consultant will include the date that such records will be released by the AGENCY to the requester and state that unless the sub-consultant obtains a court order from a court of competent jurisdiction enjoining that disclosure the AGENCY will release the requested information. If the CONSULTANT and/or sub-consultant fail to obtain a court order or other judicial relief enjoining the AGENCY by the release date, the CONSULTANT shall waive and release and shall hold harmless and indemnify the AGENCY from all claims of actual or alleged damages, liabilities, or costs associated with the AGENCY's said disclosure of sub-consultants' information.

XX. Records Maintenance

During the progress of the Work and SERVICES provided hereunder and for a period of not less than six (6) years from the date of final payment to the CONSULTANT, the CONSULTANT shall keep, retain and maintain all "documents" pertaining to the SERVICES provided pursuant to this AGREEMENT. Copies of all "documents" pertaining to the SERVICES provided hereunder shall be made available for review at the CONSULTANT's place of business during normal working hours. If any litigation, claim or audit is commenced, the CONSULTANT shall cooperate with AGENCY and assist in the production of all such documents. "Documents" shall be retained until all litigation, claims or audit findings have been resolved even though such litigation, claim or audit continues past the six (6) year retention period.

For purposes of this AGREEMENT, "documents" means every writing or record of every type and description, including electronically stored information ("ESI"), that is in the possession, control, or custody of the CONSULTANT, including, without limitation, any and all correspondences, contracts, AGREEMENT 's, appraisals, plans, designs, data, surveys, maps, spreadsheets, memoranda, stenographic or handwritten notes, reports, records, telegrams, schedules, diaries, notebooks, logbooks, invoices, accounting records, work sheets, charts, notes, drafts, scribbings, recordings, visual displays, photographs, minutes of meetings,

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tabulations, computations, summaries, inventories, and writings regarding conferences, conversations or telephone conversations, and any and all other taped, recorded, written, printed or typed matters of any kind or description; every copy of the foregoing whether or not the original is in the possession, custody, or control of the CONSULTANT, and every copy of any of the foregoing, whether or not such copy is a copy identical to an original, or whether or not such copy contains any commentary or notation whatsoever that does not appear on the original.

For purposes of this AGREEMENT, "ESI" means any and all computer data or electronic recorded media of any kind, including "Native Files", that are stored in any medium from which it can be retrieved and examined, either directly or after translation into a reasonably useable form. ESI may include information and/or documentation stored in various software programs such as: Email, Outlook, Word, Excel, Access, Publisher, PowerPoint, Adobe Acrobat, SQL databases, or any other software or electronic communication programs or databases that the CONSULTANT may use in the performance of its operations. ESI may be located on network servers, backup tapes, smart phones, thumb drives, CDs, DVDs, floppy disks, work computers, cell phones, laptops or any other electronic device that CONSULTANT uses in the performance of its Work or SERVICES hereunder, including any personal devices used by the CONSULTANT or any sub-consultant at home.

"Native files" are a subset of ESI and refer to the electronic format of the application in which such ESI is normally created, viewed, and /or modified.

The CONSULTANT shall include this section XX "Records Maintenance" in every subcontract it enters into in relation to this AGREEMENT and bind the sub-consultant to its terms, unless expressly agreed to otherwise in writing by the AGENCY prior to the execution of such subcontract.

In witness whereof, the parties hereto have executed this AGREEMENT as of the day and year shown in the "Execution Date" box on page one (1) of this AGREEMENT.

Signature

Date

Signature

Date

Any modification, change, or reformation of this AGREEMENT shall require approval as to form by the Office of the Attorney General.

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Exhibit A
Scope of Work

Project No.

See attached Exhibit A.

Agreement Number:

SCOPE OF WORK

City of Orting Whitehawk Boulevard Extension

This Scope of Work and Budget covers the anticipated effort to complete a final design of the SW Connector as described below.

PROJECT LIMITS

The project limits are Whitehawk Boulevard from SR 162 to Calistoga Street West. The alignment of Whitehawk Boulevard will be located between the existing terminus at Orting Ave NW and extend to the intersection of Kansas Street and Calistoga Street West.

ROADWAY IMPROVEMENTS

Whitehawk Boulevard

- Whitehawk Boulevard will be extended to Calistoga Street West. The connection to Calistoga Street West will be at the Kansas Street intersection.
- Improvements will include a two or three-lane section with a travel lane in each direction and a median or center turn lane, curb, gutter, sidewalk, bike lanes, and/or combined-use trail, drainage, utility adjustments, illumination, channelization, and signing and landscaping. The sidewalk widths will be determined based on the WSDOT Shared Use Path design criteria.
- A new intersection control method (signal or roundabout) will be designed at the intersection with SR 162.
- A new intersection control method (signal or roundabout) will be designed at the intersection with Calistoga Street West.
- Whitehawk Boulevard will be re-channelized as necessary between SR 162 and the current terminus.

STORM DRAINAGE

Stormwater runoff from the extension of Whitehawk Boulevard will be collected and conveyed to a project specific stormwater facility. The facility may be designed as a Low Impact Development (LID) type BMP such as a bioretention area or porous asphalt for the shared use path. Improvements may be coordinated with anticipated adjacent projects such as the new ballpark facilities.

ILLUMINATION

An illumination system will be installed with this project consistent with adjacent City projects and standards.

INTERSECTIONS

A new traffic control method will be installed at the SR 162/Whitehawk Boulevard and Whitehawk Boulevard/Calistoga intersections.

WATER MAIN

An existing 8-inch-diameter water main will be extended to Calistoga and tied into the existing system to complete a loop.

SANITARY SEWER

The gravity sanitary sewer main will be extended to the extent practicable within the extension of Whitehawk Boulevard.

LANDSCAPING

Planter strips and possibly street trees will be installed at selected locations; an irrigation system will not be included.

WSDOT REVIEW AND APPROVAL

We will prepare channelization and intersection plans for approval by WSDOT. An intersection Control Evaluation (ICE) will be prepared and submitted to WSDOT for review and approval. The Scope of Work will include coordination with appropriate WSDOT staff to obtain the necessary plan approvals prior to advertisement.

ENVIRONMENTAL DOCUMENTATION AND PERMITTING

- We will obtain environmental approvals for the project consistent with SEPA and NEPA.
- We will identify and delineate the boundaries of wetlands and/or streams within the potential roadway prism.
- We will complete analyses required for NEPA/SEPA documentation such as a noise analysis, hazardous waste assessment, Section 4(f) evaluation, and cultural resource assessment.
- Finally, we will provide for updates to permits and the NEPA documentation, if needed, should project funding or other aspects of the project result in delays of construction.

Below is a detailed breakdown of the work effort required to complete final design of the above described Scope of Work.

TASK 1 – FINAL DESIGN

Subtask 1 – Project Management and QA/QC

Work under this task includes time to administer and coordinate the various project elements and will be ongoing throughout all phases of the project. Work includes the following:

- Coordination, correspondence, and review meetings with City of Orting staff.
- Coordination with private utilities regarding the proposed locations of utility poles that require relocation.

SCOPE OF WORK (continued)

- In-house project administration, scheduling, and direction of project staff.
- Preparation of monthly progress reports.

Product(s)

- Monthly invoices and progress reports.
- Miscellaneous correspondence and letters.
- In-house monthly project meetings.

Assumption(s)

- This phase will last 18 months.

Subtask 2 – Mapping

The goal of this task will be to provide a base map with current right-of-way and topographical information to be used in final design.

Limits

- Whitehawk Extension – Mapping will be performed within the right-of-way limits of the intersection of Whitehawk Boulevard and Orting Court NW for a distance of 100 feet northerly along Whitehawk Boulevard and 100 feet easterly along Orting Court NW. Mapping will continue southerly from the intersection along an 80-foot-wide corridor centered on the southerly extension of Whitehawk Boulevard and lying within Tax Parcels 051931-4-035 and 051931-1-114. Mapping will continue along the described corridor through Tax Parcel 051931-1-074 to the approximate 200-foot Shoreline Management Setback Line; thence easterly to intersect Calistoga Street East. Mapping will continue along the right-of-way limits of Calistoga Street East for 150 feet in each direction from the intersection.
- Wetland Flag Locations – Wetland flags, data points, and test pits will be located as delineated by a wetland biologist. Exact locations are not available at this time; however, aerial mapping indicates a large wetland located south of the proposed ball fields and a smaller wetland near the easterly levee of the Puyallup River at the intersection of the above-described corridor.
- Proposed Storm Drainage Facilities – Mapping will include those areas defined by the Engineer for use in the retention/detention of stormwater.
- Existing conditions and improvements will be located during the mapping process. In general, the features will include sidewalks, curbs, fence line, utilities, pavement marking, wetland information, and significant trees 12 inches and larger. Ground conditions such as tops, toes, and grade breaks will be gathered at sufficient intervals to create 1-foot contours. An underground utility locate firm will be contracted through Parametrix to electronically identify and paint on the surface all metallic utilities which lie within the above-described limits. Parametrix will then map the paint marks and identify the utility on the drawing.
- From existing public records and field located monuments, Parametrix will calculate and graphically show on the above-described base map the location of public road rights-of-way and parcel lines along the proposed alignment.

Product(s)

- Base map in AutoCAD format.

Assumption(s)

- Right-of-entry will be granted to Parametrix surveyors to enter private property for mapping purposes.
- The ordering of title reports and underground utility location services will be the responsibility of Parametrix.
- The setting of property corners or the recording of a Record of Survey is not a part of this scope, nor is it anticipated to be needed.

Subtask 3 – Right-of-Way Plans

The goal of this task will be to prepare right-of-way (ROW) plans that show the proposed alignment and its relationship with public rights-of-way, private property, and buffer areas associated with wetlands and shoreline setbacks. The following tasks will be performed:

- Right-of-way plans will be prepared showing alignments and impacts to private property.
- Area calculations will be performed and shown on the plans for acquisition of underlying fee and fee simple parcels.
- Legal descriptions will be prepared for the proposed acquisition and will be accompanied by an exhibit map.
- A title company will be contacted to provide title reports on all parcels encumbered by the proposed alignment.

Product(s)

- ROW plans.
- Legal descriptions with exhibit maps.

Assumption(s)

- Right-of-entry will be granted to Parametrix surveyors to enter private property for mapping purposes.
- The ordering of title reports and underground utility location services will be the responsibility of Parametrix.
- The setting of property corners or the recording of a Record of Survey is not a part of this scope, nor is it anticipated to be needed.
- Property acquisition coordination with property owners and preparation of purchase agreements will be completed by the City.

Subtask 4 – Stormwater Report

This task will provide for the preparation of a stormwater report and stormwater pollution prevention plan in accordance with the WSDOE (Washington State Department of Ecology) 2014 *Stormwater Management Manual for Western Washington*. The following tasks will be performed:

- The stormwater facility will be a project specific facility for treatment and detention of runoff from the Whitehawk Boulevard Project.
- The facility may be a multiple-use facility and/or a bio-retention facility.
- Stormwater runoff will be discharged following detention and water quality treatment to an existing City-owned system into the Puyallup River.

Product(s)

- Stormwater Report in PDF format.
- Stormwater Pollution Prevention Plan in PDF format.

Assumption(s)

- The reports will be prepared in accordance with the 2014 *Stormwater Management Manual for Western Washington* (Department of Ecology).
- Stormwater conveyance sizing calculations will be provided based on the City Standards.

Subtask 5 – Preliminary Design

The information obtained from field investigations and the Corridor Study will be incorporated into a 30 percent design. This design will show the configurations of lane widths, sidewalk, planter strips, signal layout, and stormwater facilities. An initial review of the preliminary design will take place with City staff and the design team. Modifications to the preliminary design will be made based on the initial review, and a construction cost estimate will be prepared. The revised design can then be presented to all affected stakeholders at a Street Committee meeting or workshop. This meeting will focus on the major design elements and construction cost. Feedback from this meeting will be used to further refine the design and then be routed back to the City for final approval of the major design components. Upon approval of the major design components, the channelization and intersection plan will be submitted to WSDOT for approval.

The preliminary design plan and profile will include the following elements:

1. Roadway horizontal and vertical alignment.
2. Roadway and sidewalk widths.
3. Planter locations.
4. Utility extensions.
5. Anticipated roadside safety elements.
6. Retaining wall type, size, and locations.
7. Preliminary signal layout.
8. Channelization improvements.
9. Stormwater Mitigation Plan.

SCOPE OF WORK (continued)

Product(s)

- Initial design review meeting with the City.
- Preliminary design plan and profile, 20-scale color roll plot.
- Construction cost estimate.
- Review meeting with the City on preliminary design.
- Revised preliminary design plan and profile, 20-scale color roll plot.
- Revised construction cost estimate.
- Channelization and intersection plans for approval will be delivered to WSDOT for review and comment.

Assumption(s):

- Two meetings will be required to finalize the preliminary design.
- The City will invite stakeholders to design review meetings.
- Channelization plans will only be provided to WSDOT for review for the SR 162/Whitehawk Boulevard intersection.

Subtask 6 – Final Design

The purpose of this task will be to develop final plans and specifications necessary for bidding and construction. All materials and installation procedures will be in conformance with the City of Orting Standards and WSDOT Standards, except as modified to address specific project needs. All plans will be completed using AutoCAD Civil 3D 2018. Plan format, layout, and presentation will follow the format of past projects completed for the City by Parametrix. The following Final Plan Sheet Index is anticipated:

Final Plan Sheet Index

Plan Sheet	Number of Sheets
Cover Sheet	1
Legend/Typical Sections	1
Demolition and Utility Relocation Plan (20 scale plan)	3
Roadway Plan and Profile (20 scale plan)	9
Stormwater Mitigation Plan and Details	3
Water/Sewer Plan and Profile (20 scale plan)	9
Channelization, Signage, and Illumination Plan (20 scale plan)	5
Signal Plans and Details (20 scale plan)	6
Illumination Plans and Details	6
Signal Interconnect Plans	2
Restoration/Mitigation Plans	2
Miscellaneous Details/Landscaping	4
Approved Channelization Plans (WSDOT)	3
Total Estimated Sheet Count	54

Product(s)

- Opinion of probable construction cost.
- One full-size (22 by 34) and five half-size (11 by 17) sets of camera-ready reproducible plans.
- One set of contract specifications (hard copy).

Assumption(s)

- The Scope of Work and Budget for final design assumes that the decisions made during preliminary design, will not change. Changes to items such as sidewalk location, stormwater treatment type and location, and vertical and horizontal alignment of the roadway will be considered extra work and may require a budget amendment.
- The Scope of Work and Budget for final design assumes that the channelization and intersection plans at the Whitehawk/SR 162 intersection will be approved by WSDOT within two review cycles following the initial submittal. Additional review requests by WSDOT may be considered extra work.

Subtask 7 – Geotechnical Report

HWA Geosciences will complete subsurface explorations to characterize subsurface soil and groundwater conditions to support design of the project elements. Their findings, conclusions, and geotechnical engineering recommendations will be summarized in a report. A separate scope has been prepared by HWA Geosciences to support their effort.

Product(s)

- Draft and Final Geotechnical Report summarizing the results of the geotechnical field explorations and geotechnical engineering conclusions and recommendations for design of the project. The report will include a site plan showing approximate exploration locations, descriptive logs of subsurface explorations, results of field and laboratory tests, and a description of soil and groundwater conditions encountered in the explorations.

Assumption(s)

- Any required City permits will be provided at no charge.
- If necessary, the City or Parametrix will arrange for right-of-entry onto private property to complete the borings.
- The locations and elevations of all borings will not be surveyed. A drawing showing the approximate locations of the borings will be given to Parametrix so that Parametrix survey crews may pick up the locations.
- Exploration borings located in the right-of-way will be patched with concrete.
- Field exploration will be performed during the daylight hours.
- Soil samples will be disposed of 90 days after the date of the final report.
- Piezometers will be installed in accordance with WAC 160-360. Abandonment of piezometers is not included in the Scope of Work. Abandonment of piezometers should be made part of the construction requirements.

SCOPE OF WORK (continued)

- All traffic control costs are incidental to the geotechnical exploration and design.
- All utility locate costs are incidental to the geotechnical exploration and design.
- Parametrix and the City of Orting will provide a single, conformed set of review comments for the Draft document, and will not raise new review issues after issuing the Draft comments.
- This Scope of Work does not include environmental sampling and testing in the event that contaminated soils are encountered.

Subtask 8 – Document Production and Bidding Services

This task will cover services related to producing necessary bidding documents. Tasks to be performed include:

- Reproduction of plans and routing one full-size (22 by 34) and five half-size (11 by 17) sets to the City of Orting.
- Creating and placing Advertisement of Bids.
- Addressing Bidders' questions.
- One contract addendum.
- Distributing plans and plan holders list.
- Attending bid opening and reviewing bids.
- Preparing recommendation of award letter.

TASK 2 – ENVIRONMENTAL DOCUMENTATION AND PERMITTING

Subtask 1 – NEPA Documentation

Parametrix will prepare a WSDOT Categorical Exclusion (CE) Documentation Form in support of a NEPA Documented Categorical Exclusion. Parametrix shall submit the draft CE Form for approval by the City for review prior to submission to WSDOT.

It is assumed that the following supporting technical materials will be prepared to accompany the CE Form:

- Traffic analysis (Prepared by PH Consulting),
- No Effect Document,
- Wetland delineation report,
- Noise analysis,
- Section 4(f) de minimus documentation, and
- Cultural Resources Study.

Product(s):

- Draft and Final CE (Categorical Exclusion) Form including above-listed supporting technical materials.
- PDF versions of all draft and final documents will be provided in addition to up to six printed hard copies.

Assumption(s):

- Up to one in-person meeting by a Parametrix Senior Engineer and Senior Planner with WSDOT Local Programs staff persons to discuss proposed NEPA approach.
- It is anticipated that a Documented Categorical Exclusion will be acceptable for this project for WSDOT and FHWA approval.
 - No federally-listed threatened or endangered species or critical habitat will be impacted by the project. A No Effect Document will be sufficient to address potential project impacts. If it is determined that the project requires a Biological Assessment, additional scope and budget will be required.
- No air quality analysis will be required.
- A cultural resources study will be necessary. Parametrix will coordinate with WSDOT Local Programs to determine the APE (Area of Potential Effect) prior to investigation.
- Parametrix will prepare Section 4(f) documentation for a de minimus impact to Gratzner Park and/or Whitehawk Park, if required. A full Section 4(f) analysis (e.g., analysis of feasible and prudent avoidance alternatives) will not be required.
- WSDOT and FHWA comments on draft deliverables will be submitted to Parametrix in a consolidated Excel spreadsheet comment form.
- Preparation of the SEPA checklist will not be required, and the City will adopt the DCE under SEPA.

Subtask 2 – Wetland Delineation Field Work

Parametrix will identify and delineate the boundaries of wetlands and/or streams within the project area, including the portions of parcel numbers 0519311113, 0519311114, 0519311700, and 0519311093 that are located east of the Calistoga Setback Levee. After conducting in-office background research, wetlands will be delineated in accordance with the U.S. Army Corps of Engineers (Corps) Wetland Delineation Manual (Corps Technical Report Y-87-1) and Regional Supplement to the Corps' Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (ERDC/EL TR 10-3). Wetlands will be rated according to the Washington State Wetland Rating System for Western Washington (Hruby 2014). Streams, if present, will be delineated in accordance with the Washington State Department of Ecology Ordinary High Water Mark delineation manual (Anderson, et al., 2016). The wetland and stream delineation will inform the CE Form and will also be used for federal, state and local permitting (see Subtask 7 and 9).

Product(s):

- Wetland background information, and data and rating forms to be incorporated into a Critical Area Report compliance with Orting Municipal Code—see Subtask 9.

Assumption(s):

- Wetland flags will be instrument surveyed. Surveyors to provide wetland map in CADD format to project biologists.
- The delineation work can be completed by up to 3 Parametrix biologists, for up to 5 days (10 hours/day).

SCOPE OF WORK (continued)

- Wetlands on the eastern half of parcel number 0519304037 were previously delineated by Parametrix staff in March 2019, in support of the Gratzner Park-Phase 2 project. This existing delineation will be incorporated into the Critical Areas Report for the Project.
- The City will obtain written right of entry for private property where needed.

Subtask 3 – Noise Analysis

The noise subconsultant will perform a traffic noise analysis for widening, extension, and improvements to Whitehawk Boulevard NW to the project match point at Kansas Street SW at Calistoga Street SW. A detailed description of work to be performed is outlined below, including the required data for the analysis.

The sub-consultant will conduct a reconnaissance of the project study area to identify all the land uses and locate noise sensitive properties within 500 feet of the project as described in 23 CFR Part 772. Physical and terrain features that affect noise propagation and features that may be altered during construction shall be identified.

Noise measurements and traffic counts will be conducted at sites as needed to calibrate the traffic noise model and to ensure complete description of existing noise levels that are representative of the land uses along the proposed alignments. An estimate of 8 noise monitoring sites will be needed for this project. The task will include:

- A reconnaissance of the project study area to identify all of the land uses and locate noise sensitive properties within 500 feet of the project as described in 23 CFR Part 772. Physical and terrain features that affect noise propagation and features that may be altered during construction shall be identified.
- Conduct noise measurements and traffic count at sites as needed to calibrate the traffic noise model and to ensure complete description of existing noise levels that are representative of the land uses along the proposed alignments. An estimate of 8 noise monitoring sites will be needed for this project. Conduct measurements near existing active roadways for a 15-minute sampling period during daytime off-peak hours (10 AM to 4 PM) when traffic is moving freely. Traffic counts and classifications will be conducted concurrently with the noise measurements. All noise sources will be noted and those that may interfere with future determination of noise abatement will be identified. Due to the new roadway connection between Whitehawk Boulevard NW and Kansas Street SW, thirty (30) minute background measurements will be taken at sites along Groff Avenue NW, Orting Avenue NW, and Burnett Court NW. Measurements in these areas will be used for comparison with the 10 dB substantial increase criteria. The measured data and traffic counts will be used to help establish the existing noise levels in those areas with no existing roadways or minimal existing traffic.
- Predict traffic noise levels at each validation measurement site using the FHWA Traffic Noise Model (TNM, version 2.5) using the existing roadway configurations and the traffic counts from the noise measurement survey. The sound level predictions will be compared with the measured sound levels to reach close agreement of +/- 2 dB.
- Locate representative noise modeling sites throughout the project study area based on site visits, review of aerial mapping, and land use inspection. Frequently, one modeling location will be used to represent several nearby locations expected to have noise levels that are the same, or slightly less, than the modeling location. The number of modeling sites will be sufficient to accurately predict existing (2019), future (year 2040) No-Build and future Build traffic noise levels, identify all potential traffic noise impacts, and evaluate traffic noise abatement measures. It is estimated that 20 to 25 noise modeling sites may be needed to provide representative noise levels along the project corridor. Using the validated model, existing peak hour traffic volumes from project Traffic Engineers will be used with posted speed limit

speeds to calculate existing peak hour noise levels at each of the modeling sites from above. In locations where there are no existing roadways or very low existing traffic volumes, noise measurements, along with supporting noise levels from the noise model (where possible), will be used to represent the existing noise levels. Traffic noise levels projections will also be performed for the same sites using the future No-Build traffic volumes. These predicted noise level will be used for comparison with the future Build noise levels and to aid in the understanding of the potential change in project area noise levels.

- Model future Build noise levels during peak hour at the selected noise sensitive sites with the proposed new and improved roadways and ancillary facilities included. The future Build traffic noise levels will be compared to the approach or exceed and allowable increase noise criteria using the WSDOT policy. For residences, noise impacts occur if future traffic noise levels approach or exceed 66 dBA Leq during peak hours. The connection of Whitehawk Boulevard NW and Kansas Street SW could result in impacts under the WSDOT Substantial Increase Criteria of 10 dB or more over the existing traffic noise levels.
- Consider noise abatement measures at locations along the alignments where traffic noise impacts are predicted in accordance with FHWA and WSDOT requirements. Due to limited right-of-way, it is assumed that noise abatement measures considered will be limited to noise walls, as there is not sufficient right-of-way to consider berms in most sections of the corridor. If noise walls are necessary, the subconsultant shall provide location, length, height, profile, estimated cost (using WSDOT Policy) and number of benefiting noise sensitive properties for each proposed barrier. This information will be used to show compliance with WSDOT criteria for reasonable and feasible noise abatement for any recommended noise barriers. For those areas with noise impacts and no recommended noise abatement measures, the analysis will provide a discussion for these impacts and specifically note reasons for not including any noise abatement.
- Qualitatively assess construction activities that may cause annoyance at nearby noise sensitive land uses in accordance with WSDOT's procedures. The subconsultant will discuss local laws applying to construction noise.
- The contractor shall prepare a noise technical report summarizing the finding of the noise study. The contents will include an introduction to acoustics, land use, methodology, existing noise levels, future No-Build and Build noise levels, noise impacts, and recommended mitigation. The noise report will follow the WSDOT policy for a traffic noise technical analysis. The report will include maps of existing and proposed alignments on vicinity scale maps. Impacts, monitoring locations and sensitive receivers will be shown on area maps at an appropriate scale. Tables, with comparisons, will be prepared to aid in the understanding of project impacts and mitigation. A discussion of potential impacts to future land uses in the context of existing and planned land uses will be provided. Construction noise impacts and local regulations, as described above, will be discussed. The initial report will be submitted in MS Word for review and comments from the City, project shareholders and WSDOT. After revisions based on the comments are completed, a final report will be produced in PDF electronic format.

Product(s):

- Noise Analysis Technical Report (draft and final)
- Noise monitoring sheets and details
- Noise wall locations and heights (where applicable)
- TNM Files

Assumption(s):

- Work will be performed by Michael Minor and Associates, Inc., as a subconsultant to Parametrix. Noise analysis will be conducted from the proposed new signal at SR 162 to the project terminus at Calistoga St W and Kansas St W.
- The study will be based on the current Federal Aid Policy Guide, Sub-chapter H, Part 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise, Federal Highway Administration (FHWA) and the 2011 Traffic Noise Policy and Procedures, Washington State Department of Transportation (WSDOT), October 2012. FHWA's Traffic Noise Model (TNM) 2.5 will be used.
- The future with project conditions will consist of one build alternative.
- One future year (design year) will be analyzed.
- No quantitative noise modeling will be done for construction noise effects.
- The Traffic Noise Analysis Report will not require more than two review cycles.
- WSDOT comments on draft deliverables will be submitted to Parametrix in a consolidated Excel spreadsheet comment form

Subtask 4 – Section 4(f) Evaluation

Parametrix will develop draft and final Section 4(f) de minimus documentation for WSDOT and FHWA approval if impacts to either Gratzler Park or Whitehawk Park are unavoidable. Parametrix will obtain approval from City of Orting Parks and Recreation and aid them with documentation and public notice requirements, as needed.

Product(s):

- Letter or similar for submission and presentation in City of Orting Parks and Recreation meeting.
- Draft and Final Section 4(f) de minimus use form (per WSDOT Local Programs CE guidebook and 23 CFR 774).

Assumption(s):

- The project will not result in significant impacts to Section 4(f) properties and a full Section 4(f) evaluation will not be necessary.

Subtask 5 – Cultural Resources Assessment

This task will identify cultural and historical resources potentially occurring or documented in the area in order to satisfy requirements of Section 106 of the National Historic Preservation Act and related regulations. Parametrix will provide a draft APE (Area of Potential Effect) to WSDOT Local Programs for DAHP approval. Subsequent to APE approval, a cultural resources subconsultant will complete the cultural resources field investigation and compile a report for submission to WSDOT for consultation with DAHP.

Product(s):

- Cultural and Historical Resources Memorandum.

Assumption(s):

- The cultural and historical resources study and memorandum will update any prior investigations conducted within the APE and include new areas not previously surveyed.
- Work will be performed by Cultural Resources Consultants, as a subconsultant to Parametrix.

Subtask 6 – Environmental Permits and Approvals

Under this task, Parametrix will prepare permit application materials needed to obtain necessary permits and approvals subsequent to NEPA approval by WSDOT and FHWA. It is anticipated that the following environmental permits will be needed.

- Individual Section 404 Permit from the US Army Corps of Engineers (Corps) and Individual 401 Water Quality Certification from the Washington Department of Ecology (Ecology)
- Critical Area Permit for City of Orting for impacts to wetlands and floodplains

Subtask 7 – Section 404 Permit and Section 401 Water Quality Certification

A Joint Aquatic Resources Permit Application (JARPA) at 30% design level will be prepared for submission to the Corps and to Ecology.

This task also includes ongoing coordination and support for the City during the preliminary design and environmental permitting phase. The City is anticipated to submit for the permits and review identified above using preliminary design information; therefore, Parametrix anticipates that ongoing coordination will be required to provide the City and regulatory agencies additional project information to support the permit application process, including the alternative analysis, as the design is advanced.

Product(s):

- Draft and Final Joint Aquatics Resources Permit Application (JARPA) for Section 404 permit and Section 401 water quality certification.
- Corps pre-application meeting materials package and meeting minutes

Assumption(s):

- The estimate includes preparing and submitting a JARPA for a Section 404 Permit and a Section 401 Water Quality Certification. The cost estimate does not include fees that may be required to obtain these permits.
- It is assumed that an HPA from WDFW will not be required.
- This task assumes preparation and attendance for a formal Corps/Ecology Section 404/401 preapplication meeting.
- This task includes preparation and attendance for a Corps Jurisdiction Determination (JD) field meeting at the project site.
- This task assumes up to 80 hours of coordination time with the City, Corps, and WSDOT and other applicable agencies.

Sub-task 8 – 404(b)(1) Alternatives Analysis

Based on initial research of the project site, it is anticipated that the project will not be able to be constructed without permanently impacting more than 0.5 acre of wetlands/waters of the US, which is typically the threshold between a Section 404 Nationwide Permit (NWP) and a Section 404 Individual Permit (IP). This will be confirmed with the wetland delineation. If more than 0.5 acre of wetlands/waters of the US will be impacted by the project, an IP will be required by the Corps, which also requires the completion of a 404(b)(1) Alternatives Analysis. In addition, an IP will also require an Individual 401 Water Quality Certification, typically performed by Ecology.

If an IP is required, Parametrix will prepare a 404(b)(1) Alternatives Analysis that will meet federal 404(b)(1) applicable provisions as set out in 40 CFR Part 230 in the context of the purpose and need of the project. Projects involving fill in waters of the U.S. that do not qualify for a general Nationwide Permit are required to evaluate "practicable alternatives" that would have less impact on the aquatic ecosystem. Parametrix will evaluate the Project following the Alternatives Analysis Guidelines developed by the Corps (2003).

The alternatives analysis will document the constraints that limited the project to the proposed design and evaluate how the on-site project alternative minimizes wetland impacts while still achieving the project purpose and need. Therefore, the alternatives analysis must be approved by the agencies prior to approval of the mitigation plan.

The draft alternatives analysis will rely heavily on pre-existing documents prepared for design and regulatory compliance, including, but not limited to, the JARPA, SEPA/NEPA documents, traffic study, and the critical areas report.

To complete a comprehensive analysis up to 3 alternatives (including the preferred alternative) will be evaluated for wetland impacts. This evaluation will be conducted primarily by a CADD designer, and the result will be documented numerically and as a graphic for the alternatives analysis. It is presumed that the proposed project will have less adverse impacts to aquatic resources, and as such is the least environmentally damaging practicable (e.g., available and capable of being done considering cost, technology, and logistics) alternative.

Following submittal of the draft alternative analysis, Parametrix will meet with the primary agencies (Corps and Ecology) to discuss the draft analysis and solicit comments. Parametrix will then review the comments and respond to them in the final alternative analysis, as appropriate.

Product(s):

- Draft and Final 404 (b)(1) alternatives analysis for Corps Section 404 Individual Permit
- Corps pre-application meeting materials package and meeting minutes

Sub-task 9 – Critical Area Report and Conceptual Mitigation Plan

Parametrix will prepare a Critical Areas Report (CAR) based on the wetland and stream delineation and previous studies, as applicable. The CAR will include wetland data sheets, categorization (according to Washington State Department of Ecology and City of Orting requirements), classification, buffers, functional assessment, and impact

analysis for the project. The CAR will include a description of mapped floodplain in the project area. The CAR will also include a conceptual wetlands mitigation plan.

- Mitigation Sequencing will follow the 404(b)(1) alternatives analysis.
- Developing a conceptual mitigation strategy for impacts associated with the preferred alignment.
- Coordinating and managing this task.

Product(s):

- Draft and Final Critical Areas Report, including conceptual mitigation plan (including electronic copy in PDF format).
- PDF versions of all draft and final documents will be provided in addition to up to six printed hard copies.

Assumption(s):

- The project alignment will be located and designed to minimize impacts to wetlands, streams, and buffers to the extent possible.
- The impacts analysis portion of the Critical Areas Report will be based on impacts identified per final design and location of the proposed alignment.
- The Critical Areas Report will address wetlands, streams (if present) and frequently flooded areas (floodplains). Geologic hazards will be addressed separately in the geotechnical report.
- The conceptual mitigation plan will consist of a chapter or section in the Critical Areas Report and will not include or consist of a separate document or construction documents.
- Any required mitigation will occur onsite or within close proximity to the project area. If a mitigation site is not easily identifiable, additional scope and budget may be needed to assist the City in finding a suitable site. A final mitigation plan will be created as a separate document or as part of the final engineering design construction documents.
- No onsite meetings with agencies will be required under this task.

Subtask 10 – Final Wetland Mitigation Plan

Parametrix will prepare a Final Wetland Mitigation Plan, based upon the conceptual mitigation plan. The mitigation plan will comply with Part 332 of the Federal Rule on Compensatory Mitigation for Losses of Aquatic Resources (33CFR Part 332, 2008) and the Washington State Wetland Mitigation Guidance (2006). The Final Wetland Mitigation Plan will include both landscape and grading drawings for the wetland mitigation site. The landscape plan drawings will include approximate planting areas with a hatch pattern that denotes a particular type of site preparation and planting regime. Notes and details will be included on plan sets showing typical plant size, spacing, layout, grading etc. The location of each individual plant will not be shown on the planting plans. **Grading plans will be developed for excavated wetland areas.**

After agency review, a Final Wetland Mitigation Plan will be prepared that incorporates agency comments.

Product(s):

- Draft and final Wetland Mitigation Plan

Assumption(s):

- All mitigation for the Project can be accomplished at the site identified in the conceptual mitigation plan.
- All mitigation for the project can be accomplished within an area up to 5 acres. If additional mitigation is needed, additional scope and budget may be needed to design the site.
- No additional studies will be required beyond those already specified in this scope of work.
- The Mitigation Design will comply with Part 332 of the Federal Rule on Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Part 332, 2008) to address the impacts to wetlands anticipated from project construction.

PHASE 3 – CONSTRUCTION SERVICES

Future Subtasks – Construction Services

Construction services have not been included as part of this Scope of Work and Budget. Upon completion of final design, a contract amendment will be prepared to cover this effort for your review.

Exhibit B
DBE Participation

HWA Geosciences Inc. 4%
PH Consulting LLC 13%

Agreement Number:

Exhibit C

Preparation and Delivery of Electronic Engineering and Other Data

In this Exhibit the agency, as applicable, is to provide a description of the format and standards the consultant is to use in preparing electronic files for transmission to the agency. The format and standards to be provided may include, but are not limited to, the following:

I. Surveying, Roadway Design & Plans Preparation Section

A. Survey Data

Raw data, collection files, text point files (comma delineated(

B. Roadway Design Files

AutoCAD, C3D

C. Computer Aided Drafting Files

AutoCAD, C3D

Agreement Number:

D. Specify the Agency's Right to Review Product with the Consultant

The Agency retains ownership of all electronic files created.

E. Specify the Electronic Deliverables to Be Provided to the Agency

AutoCAD, C3D drawings and signed and sealed PDFs

F. Specify What Agency Furnished Services and Information Is to Be Provided

Agreement Number:

II. Any Other Electronic Files to Be Provided

As deemed necessary by agreement of the Agency and Consultant.

III. Methods to Electronically Exchange Data

FTP, Email, CD or DVD

A. Agency Software Suite

N/A

B. Electronic Messaging System

N/A

C. File Transfers Format

N/A

Exhibit D
Prime Consultant Cost Computations

See Attached

Agreement Number:

Exhibit D

Prime Consultant Cost Computations

Project: Whitehawk Boulevard Extension

Direct Salary Cost (DSC):

Classification	Man Hours	=	Rate	=	Cost
Sr. Engineer	240	X	\$59.26		\$14,222.40
Sr. Project Controls Specialist	106	X	\$39.44		\$4,180.64
Sr. Consultant	16	X	\$87.67		\$1,402.72
Engineer III	756	X	\$38.46		\$29,075.76
Designer IV	638	X	\$43.58		\$27,804.04
Survey Supervisor	52	X	\$56.65		\$2,945.80
Technical Lead	40	X	\$37.26		\$1,490.40
Surveyor III	88	X	\$36.20		\$3,185.60
Surveyor II	88	X	\$26.85		\$2,362.80
Project Accountant	10	X	\$31.25		\$312.50
Sr. Publications Specialist	126	X	\$32.26		\$4,064.76
Sr. Planner	102	X	\$55.65		\$5,676.30
Sr. Scientist/Biologist	100	X	\$56.93		\$5,693.00
Scientist/Biologist IV	258	X	\$47.73		\$12,314.34
Scientist/Biologist II	132	X	\$32.09		\$4,235.88
Scientist III	174	X	\$41.83		\$7,278.42
Scientist/Biologist IV	72	X	\$49.00		\$3,528.00
Scientist/Biologist II	40	X	\$34.62		\$1,384.80
Sr. Planner	112	X	\$52.83		\$5,916.96
Technical Lead	78	X	\$44.74		\$3,489.72
Sr. GIS Analyst	84	X	\$33.37		\$2,803.08
Publications Supervisor	46	X	\$36.61		\$1,684.06
Planner IV	128	X	\$36.76		\$4,705.28
				Total DSC	= \$149,757.26

Overhead (OH Cost -- including Salary Additives):

OH Rate x DSC of	179.52	% x \$	\$149,757.26	\$268,844.23
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Fixed Fee (FF):

FF Rate x DSC of	30	% x \$	\$149,757.26	\$44,927.18
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Reimbursables:

Mileage (\$0.58/mile)	\$800.00
Lodging	\$484.00
Survey Equipment (\$155/Use)	\$1,240.00

Subconsultants:

Contract Land Services	\$64,078.49
Cultural Resource Consultants, LLC	\$6,050.00
HWA Geosciences Inc.	\$24,967.80
Michael Minor & Associates	\$16,774.23

PH Consultings LLC

\$90,594.62

Grand Total

\$668,517.81

John Wright, PE

Date: 6/4/2019

Agreement Number:

WSDOT Form 140-089 EF Exhibit D

Page 1 of 1

Exhibit E

Sub-consultant Cost Computations

There isn't any sub-consultant participation at this time. The CONSULTANT shall not sub-contract for the performance of any work under this AGREEMENT without prior written permission of the AGENCY. Refer to section VI "Sub-Contracting" of this AGREEMENT.

See Attached

Agreement Number:

Exhibit E

Subconsultant Cost Computations

Project: Whitehawk Boulevard Extension

Direct Salary Cost (DSC):

<u>Classification</u>	<u>Man Hours</u>	=	<u>Rate</u>	=	<u>Cost</u>
Sr Vice President	12	X	\$79.00		\$948.00
Project Manager	35		\$52.88		\$1,850.80
Project Manager	20	X	\$43.27		\$865.40
Sr Right of Way Agent	185	X	\$38.46		\$7,115.10
Right of Way Agent	46	X	\$38.46		\$1,769.16
Right of Way Technician	50	X	\$32.33		\$1,616.50
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
		X			\$0.00
				Total DSC	\$14,164.96

Overhead (OH Cost -- including Salary Additives):

OH Rate x DSC of	1.54	% x \$	\$14,164.96	\$21,814.04
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Fixed Fee (FF):

FF Rate x DSC of	30	% x \$	\$14,164.96	\$4,249.49
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Reimbursables:

Title Reports	\$3,300.00
Appraisal Reports	\$15,400.00
Appraisal Reviews	\$4,950.00
Mileage (0.545)	\$200.00
	\$23,850.00

Subconsultants:

Grand Total	\$64,078.49
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Faith Roland	Date:	6/7/2019
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Agreement Number:

Subconsultant Fee Determination - Summary Sheet

Project: Whitehawk Boulevard Extension
 CRC #: 1904L - Parametrix, Inc.

Direct Labor Cost

<u>Classifications</u>	<u>Labor Hours</u>	x	<u>Rate</u>	=	<u>Cost</u>
Principal Investigator	3.0		\$ 54.64		\$ 163.92
Projects Manager	2.0		\$ 40.00		\$ 80.00
Project Archaeologist I	24.0		\$ 42.60		\$ 1,022.40
Project Archaeologist II	0.0		\$ 34.42		\$ -
Project Archaeologist III	0.0		\$ 25.75		\$ -
Field Archaeologist I	8.5		\$ 22.66		\$ 192.61
Field Archaeologist II	0.0		\$ 21.12		\$ -
Field Archaeologist III	0.0		\$ 19.11		\$ -
Historic Architect	20.0		\$ 52.46		\$ 1,049.20
Project Historian	0.0		\$ 35.00		\$ -
Office Manager	2.0		\$ 39.25		\$ 78.50
Office Assistant	0.0		\$ 16.00		\$ -
	59.5				\$ 2,586.63
Overhead (OH Cost - - including Salary Additives):					
OH Rate x DLC of:	110.00%	%x\$	\$ 2,586.63		\$ 2,845.29
Fixed Fee (FF):					
FF Rate x DLC of:	20.00%	%x\$	\$ 2,586.63		\$ 517.33
Reimbursables:					
Photo & Graphic Supplies					\$ 5.00
Lodging:					\$ -
Per Diem:					\$ -
Mileage:					\$ 95.75
					<u>\$ 100.75</u>
Grand Total:					\$ 6,050.00

Prepared by: Teresa Peterson, Office Manager
 DOT Form 140-089 EF Exhibit G-1

Date: 22-Apr-19

Exhibit E
Consultant Fee Determination - Fee Summary
Bozong - Whitehawk Blvd Extension

PH Consulting Staff Category	Hours	Rate	Cost
Principal	14	\$ 75.00	\$ 1,050.00
Project Manager	220	\$ 55.00	\$ 12,100.00
Project Engineer	349	\$ 50.00	\$ 17,450.00
CAD Designer	236	\$ 25.00	\$ 5,900.00
Office Administrator	18	\$ 35.00	\$ 630.00
Office Assistant	6	\$ 25.00	\$ 150.00
Total Hours	843		\$ 37,280.00

Direct Labor Cost	\$ 37,280.00
Overhead Rate @ 110% of Direct Labor	\$ 41,008.00
Fee @32% of Direct Labor	\$ 11,929.60

Direct Salary Cost **\$ 90,217.60**

Direct Expenses	Unit	Cost	Total
Traffic Counts			\$ -
Reproduction Costs			
Full Sized Copies (Bond)			\$ -
Full Sized (PVC)			\$ -
Reprographics	1	200	\$ 200.00
Parking/Tolls		0	\$ -
2019 Mileage Rates	324.8	\$0.58/Mi	\$ 177.02
		0	
		0	

Sub-Total Direct Expenses **\$ 377.02**

Total Fee **\$ 90,594.62**

Exhibit E
Consultant Fee Determination - Task Budget Detail
Orting - Whitehawk Blvd Extension

Task No.	Task Description	Principal (Pablo)	Project Manager (Maryanne)	Project Engineer (Pablo)	CAD Designer (Amy)	Office Administrator (Sariah)	Office Assistant (TBD)	PH Total
	ANTE Rates	\$ 75.00	\$ 55.00	\$ 50.00	\$ 25.00	\$ 35.00	\$ 25.00	
	Full Burden	\$ 181.50	\$ 133.10	\$ 121.00	\$ 60.50	\$ 84.70	\$ 60.50	
1.0	PROJECT MANAGEMENT AND COORDINATION							
1.1	Coordination with Prime Consultant PMX		18	18				36
1.2	Kickoff Meeting		4	4				8
1.3	Project Monitoring and Reporting		18	9		18		45
1.4	Sub-Consulting Coordination							0
	Task 1.0 Total Hours	0	40	31	0	18	0	89
	Subtotal Task 1.0	\$ -	\$ 5,324.00	\$ 3,751.00	\$ -	\$ 1,524.60	\$ -	
2.0	DESIGN AND STUDIES							
2.1	WSDOT Design Documentation and Approval Review	4	32	24	12			72
2.2	Field Review & Data Collection		10	16	8		4	38
2.3	Environmental Studies and Permitting							0
2.4	Geotechnical		2	2				4
2.5	PIF Identification and/or Submittals		4	8	4			16
2.6	Traffic Engineering	2	8	40	24			74
2.7	Construction Sequencing and Temporary Traffic Control Plan							
	Task 2.0 Total Hours	6	56	90	48	0	4	204
	Subtotal Task 2.0	\$ 1,089.00	\$ 7,453.60	\$ 10,890.00	\$ 2,904.00	\$ -	\$ 242.00	
3.0	PREPARATION OF PS&E DOCUMENTS							
3.1	30 Percent Design/Estimate		24	60	60			144
3.2	City Review of 60% PS&E		4	8	4			16
3.3	Preliminary Design Review Meeting		4	4				8
3.4	90 Percent PS&E	4	60	120	80			264
3.5	WSDOT Review and Approval		4	4	4			12
3.6	City Review of 90%		4	4	4			12
3.7	Final Design Review Meeting		4				1	5
3.8	100 Percent PS&E	4	16	24	32			76
3.9	City Review of 100%		4	4	4		1	13
	Task 3.0 Total Hours	8	124	228	188	0	2	550
	Subtotal Task 4.0	\$ 1,452.00	\$ 16,504.40	\$ 27,588.00	\$ 11,374.00	\$ -	\$ 121.00	
	PH TOTAL HOURS	14	220	349	236	18	6	843
	TOTAL ALL TASKS	\$ 2,541.00	\$ 29,282.00	\$ 42,229.00	\$ 14,278.00	\$ 1,524.60	\$ 363.00	

ANTE Rate Schedule

PH Consulting LLC
 Summary of Direct Labor Costs
 Effective January 1, 2019-December 31, 2019

Job Classifications	Maximum Direct Labor Rate	Safe Harbor Overhead 110%	Revised Fixed Fee 32%	Maximum Billing Rate
Quality Manager	\$ 85.00	\$ 93.50	\$ 27.20	\$ 205.70
Principal-PP	\$ 75.00	\$ 82.50	\$ 24.00	\$ 181.50
Sr Project Manager	\$ 70.00	\$ 77.00	\$ 22.40	\$ 169.40
Project Manager	\$ 56.00	\$ 61.60	\$ 17.92	\$ 135.52
PM-MZ	\$ 55.00	\$ 60.50	\$ 17.60	\$ 133.10
Project Engineer-PP	\$ 50.00	\$ 55.00	\$ 16.00	\$ 121.00
Associate Engineer	\$ 38.00	\$ 41.80	\$ 12.16	\$ 91.96
Assistant Transportation Engineer	\$ 35.00	\$ 38.50	\$ 11.20	\$ 84.70
Senior Construction Manager	\$ 58.00	\$ 63.80	\$ 18.56	\$ 140.36
Construction Manager	\$ 45.00	\$ 49.50	\$ 14.40	\$ 108.90
Construction Inspector	\$ 40.00	\$ 44.00	\$ 12.80	\$ 96.80
Engineering Intern II	\$ 25.00	\$ 27.50	\$ 8.00	\$ 60.50
Engineering Intern I	\$ 20.00	\$ 22.00	\$ 6.40	\$ 48.40
CAD Designer - PP	\$ 40.00	\$ 44.00	\$ 12.80	\$ 96.80
CAD Designer - AL	\$ 25.00	\$ 27.50	\$ 8.00	\$ 60.50
CAD Technician	\$ 30.00	\$ 33.00	\$ 9.60	\$ 72.60
CAD Technician -	\$ 20.00	\$ 22.00	\$ 6.40	\$ 48.40
Senior Graphics Editor	\$ 40.00	\$ 44.00	\$ 12.80	\$ 96.80
Marketing Lead	\$ 35.00	\$ 38.50	\$ 11.20	\$ 84.70
Office Administrator - SP	\$ 35.00	\$ 38.50	\$ 11.20	\$ 84.70
Office Assistant - TBD	\$ 25.00	\$ 27.50	\$ 8.00	\$ 60.50

Direct non-salary costs will be billed at actual costs.

Direct Mileage will be billed at current approved IRS mileage rate.

Exhibit F

Title VI Assurances

During the performance of this AGREEMENT, the CONSULTANT, for itself, its assignees, and successors in interest agrees as follows:

1. **Compliance with Regulations:** The CONSULTANT shall comply with the Regulations relative to non-discrimination in federally assisted programs of the AGENCY, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the "REGULATIONS"), which are herein incorporated by reference and made a part of this AGREEMENT.
2. **Non-discrimination:** The CONSULTANT, with regard to the work performed during this AGREEMENT, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-consultants, including procurement of materials and leases of equipment. The CONSULTANT shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the REGULATIONS, including employment practices when this AGREEMENT covers a program set forth in Appendix B of the REGULATIONS.
3. **Solicitations for Sub-consultants, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiations made by the CONSULTANT for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-consultant or supplier shall be notified by the CONSULTANT of the CONSULTANT's obligations under this AGREEMENT and the REGULATIONS relative to non-discrimination on the grounds of race, color, sex, or national origin.
4. **Information and Reports:** The CONSULTANT shall provide all information and reports required by the REGULATIONS or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the AGENCY, the STATE, or the Federal Highway Administration (FHWA) to be pertinent to ascertain compliance with such REGULATIONS, orders and instructions. Where any information required of a CONSULTANT is in the exclusive possession of another who fails or refuses to furnish this information, the CONSULTANT shall so certify to the AGENCY, the STATE, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Non-compliance:** In the event of the CONSULTANT's non-compliance with the non-discrimination provisions of this AGREEMENT, the AGENCY shall impose such AGREEMENT sanctions as it, the STATE, or the FHWA may determine to be appropriate, including, but not limited to:
 - Withholding of payments to the CONSULTANT under this AGREEMENT until the CONSULTANT complies, and/or;
 - Cancellation, termination, or suspension of this AGREEMENT, in whole or in part.
6. **Incorporation of Provisions:** The CONSULTANT shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the REGULATIONS, or directives issued pursuant thereto. The CONSULTANT shall take such action with respect to any sub-consultant or procurement as the STATE, the AGENCY, or FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a CONSULTANT becomes involved in, or is threatened with, litigation with a sub-consultant or supplier as a result of such direction, the CONSULTANT may request the AGENCY enter into such litigation to protect the interests of the STATE and/or the AGENCY and, in addition, the CONSULTANT may request the United States enter into such litigation to protect the interests of the United States.

Agreement Number:

Exhibit G

Certification Documents

- Exhibit G-1(a) Certification of Consultant
- Exhibit G-1(b) Certification of City of Orting
- Exhibit G-2 Certification Regarding Debarment, Suspension and Other Responsibility Matters - Primary Covered Transactions
- Exhibit G-3 Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying
- Exhibit G-4 Certificate of Current Cost or Pricing Data

Agreement Number:

Exhibit G-1(a) Certification of Consultant

I hereby certify that I am the and duly authorized representative of the firm of
Parametrix, Inc.

whose address is

1019 39th Ave SE, Ste. 100, Puyallup, WA 98374

and that neither the above firm nor I have:

- a) Employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above CONSULTANT) to solicit or secure this AGREEMENT;
- b) Agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out this AGREEMENT; or
- c) Paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above CONSULTANT) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out this AGREEMENT; except as hereby expressly stated (if any);

I acknowledge that this certificate is to be furnished to the
and the Federal Highway Administration, U.S. Department of Transportation in connection with this
AGREEMENT involving participation of Federal-aid highway funds, and is subject to applicable State and
Federal laws, both criminal and civil.

Parametrix, Inc.

Consultant (Firm Name)

Signature (Authorized Official of Consultant)

Date

Agreement Number:

Exhibit G-1(b) Certification of City of Orting

I hereby certify that I am the:

Agency Official

Other

of the Local Agency City of Orting, and Parametrix, Inc.

or its representative has not been required, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this AGREEMENT to:

- a) Employ or retain, or agree to employ to retain, any firm or person; or
- b) Pay, or agree to pay, to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind; except as hereby expressly stated (if any):

I acknowledge that this certificate is to be furnished to the Washington Department of Transportation and the Federal Highway Administration, U.S. Department of Transportation, in connection with this AGREEMENT involving participation of Federal-aid highway funds, and is subject to applicable State and Federal laws, both criminal and civil.

Signature

Date

Agreement Number:

Exhibit G-2 Certification Regarding Debarment, Suspension and Other Responsibility Matters - Primary Covered Transactions

- I. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - B. Have not within a three (3) year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - C. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - D. Have not within a three (3) year period preceding this application / proposal had one or more public transactions (Federal, State and local) terminated for cause or default.
- II. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Parametrix, Inc.

Consultant (Firm Name)

Signature (Authorized Official of Consultant)

Date

Agreement Number:

Exhibit G-3 Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative AGREEMENT, and the extension, continuation, renewal, amendment, or modification of Federal contract, grant, loan or cooperative AGREEMENT.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative AGREEMENT, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000.00, and not more than \$100,000.00, for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier sub-contracts, which exceed \$100,000, and that all such sub-recipients shall certify and disclose accordingly.

Parametrix, Inc.

Consultant (Firm Name)

Signature (Authorized Official of Consultant)

Date

Agreement Number:

Exhibit G-4 Certificate of Current Cost or Pricing Data

This is to certify that, to the best of my knowledge and belief, the cost or pricing data (as defined in section 2.101 of the Federal Acquisition Regulation (FAR) and required under FAR subsection 15.403-4) submitted, either actually or by specific identification in writing, to the Contracting Officer or to the Contracting Officer's representative in support of Whitehawk Boulevard Extension * are accurate, complete, and current as of June 4, 2019 **.

This certification includes the cost or pricing data supporting any advance AGREEMENT's and forward pricing rate AGREEMENT's between the offer or and the Government that are part of the proposal.

Firm: Parametrix, Inc.

Signature

Senior Vice President

Title

Date of Execution***:

*Identify the proposal, quotation, request for pricing adjustment, or other submission involved, giving the appropriate identifying number (e.g. project title.)

**Insert the day, month, and year, when price negotiations were concluded and price AGREEMENT was reached.

***Insert the day, month, and year, of signing, which should be as close as practicable to the date when the price negotiations were concluded and the contract price was agreed to.

Agreement Number:

Exhibit H

Liability Insurance Increase

To Be Used Only If Insurance Requirements Are Increased

The professional liability limit of the CONSULTANT to the AGENCY identified in Section XII, Legal Relations and Insurance of this Agreement is amended to \$

The CONSULTANT shall provide Professional Liability insurance with minimum per occurrence limits in the amount of \$

Such insurance coverage shall be evidenced by one of the following methods:

- Certificate of Insurance.
- Self-insurance through an irrevocable Letter of Credit from a qualified financial institution.

Self-insurance through documentation of a separate fund established exclusively for the payment of professional liability claims, including claim amounts already reserved against the fund, safeguards established for payment from the fund, a copy of the latest annual financial statements, and disclosure of the investment portfolio for those funds.

Should the minimum Professional Liability insurance limit required by the AGENCY as specified above exceed \$1 million per occurrence or the value of the contract, whichever is greater, then justification shall be submitted to the Federal Highway Administration (FHWA) for approval to increase the minimum insurance limit.

If FHWA approval is obtained, the AGENCY may, at its own cost, reimburse the CONSULTANT for the additional professional liability insurance required.

Notes: Cost of added insurance requirements: \$

- Include all costs, fee increase, premiums.
- This cost shall not be billed against an FHWA funded project.
- For final contracts, include this exhibit.

Agreement Number:

Exhibit I

Alleged Consultant Design Error Procedures

The purpose of this exhibit is to establish a procedure to determine if a consultant's alleged design error is of a nature that exceeds the accepted standard of care. In addition, it will establish a uniform method for the resolution and/or cost recovery procedures in those instances where the agency believes it has suffered some material damage due to the alleged error by the consultant.

Step 1 Potential Consultant Design Error(s) is Identified by Agency's Project Manager

At the first indication of potential consultant design error(s), the first step in the process is for the Agency's project manager to notify the Director of Public Works or Agency Engineer regarding the potential design error(s). For federally funded projects, the Region Local Programs Engineer should be informed and involved in these procedures. (Note: The Director of Public Works or Agency Engineer may appoint an agency staff person other than the project manager, who has not been as directly involved in the project, to be responsible for the remaining steps in these procedures.)

Step 2 Project Manager Documents the Alleged Consultant Design Error(s)

After discussion of the alleged design error(s) and the magnitude of the alleged error(s), and with the Director of Public Works or Agency Engineer's concurrence, the project manager obtains more detailed documentation than is normally required on the project. Examples include: all decisions and descriptions of work; photographs, records of labor, materials and equipment.

Step 3 Contact the Consultant Regarding the Alleged Design Error(s)

If it is determined that there is a need to proceed further, the next step in the process is for the project manager to contact the consultant regarding the alleged design error(s) and the magnitude of the alleged error(s). The project manager and other appropriate agency staff should represent the agency and the consultant should be represented by their project manager and any personnel (including sub-consultants) deemed appropriate for the alleged design error(s) issue.

Step 4 Attempt to Resolve Alleged Design Error with Consultant

After the meeting(s) with the consultant have been completed regarding the consultant's alleged design error(s), there are three possible scenarios:

- It is determined via mutual agreement that there is not a consultant design error(s). If this is the case, then the process will not proceed beyond this point.
- It is determined via mutual agreement that a consultant design error(s) occurred. If this is the case, then the Director of Public Works or Agency Engineer, or their representatives, negotiate a settlement with the consultant. The settlement would be paid to the agency or the amount would be reduced from the consultant's agreement with the agency for the services on the project in which the design error took place. The agency is to provide LP, through the Region Local Programs Engineer, a summary of the settlement for review and to make adjustments, if any, as to how the settlement affects federal reimbursements. No further action is required.
- There is not a mutual agreement regarding the alleged consultant design error(s). The consultant may request that the alleged design error(s) issue be forwarded to the Director of Public Works or Agency Engineer for review. If the Director of Public Works or Agency Engineer, after review with their legal counsel, is not able to reach mutual agreement with the consultant, proceed to Step 5.

Agreement Number:

Step 5 Forward Documents to Local Programs

For federally funded projects all available information, including costs, should be forwarded through the Region Local Programs Engineer to LP for their review and consultation with the FHWA. LP will meet with representatives of the agency and the consultant to review the alleged design error(s), and attempt to find a resolution to the issue. If necessary, LP will request assistance from the Attorney General's Office for legal interpretation. LP will also identify how the alleged error(s) affects eligibility of project costs for federal reimbursement.

- If mutual agreement is reached, the agency and consultant adjust the scope of work and costs to reflect the agreed upon resolution. LP, in consultation with FHWA, will identify the amount of federal participation in the agreed upon resolution of the issue.
- If mutual agreement is not reached, the agency and consultant may seek settlement by arbitration or by litigation.

Agreement Number:

Exhibit J

Consultant Claim Procedures

The purpose of this exhibit is to describe a procedure regarding claim(s) on a consultant agreement. The following procedures should only be utilized on consultant claims greater than \$1,000. If the consultant's claim(s) are a total of \$1,000 or less, it would not be cost effective to proceed through the outlined steps. It is suggested that the Director of Public Works or Agency Engineer negotiate a fair and reasonable price for the consultant's claim(s) that total \$1,000 or less.

This exhibit will outline the procedures to be followed by the consultant and the agency to consider a potential claim by the consultant.

Step 1 Consultant Files a Claim with the Agency Project Manager

If the consultant determines that they were requested to perform additional services that were outside of the agreement's scope of work, they may be entitled to a claim. The first step that must be completed is the request for consideration of the claim to the Agency's project manager.

The consultant's claim must outline the following:

- Summation of hours by classification for each firm that is included in the claim;
- Any correspondence that directed the consultant to perform the additional work;
- Timeframe of the additional work that was outside of the project scope;
- Summary of direct labor dollars, overhead costs, profit and reimbursable costs associated with the additional work; and
- Explanation as to why the consultant believes the additional work was outside of the agreement scope of work.

Step 2 Review by Agency Personnel Regarding the Consultant's Claim for Additional Compensation

After the consultant has completed step 1, the next step in the process is to forward the request to the Agency's project manager. The project manager will review the consultant's claim and will meet with the Director of Public Works or Agency Engineer to determine if the Agency agrees with the claim. If the FHWA is participating in the project's funding, forward a copy of the consultant's claim and the Agency's recommendation for federal participation in the claim to the WSDOT Local Programs through the Region Local Programs Engineer. If the claim is not eligible for federal participation, payment will need to be from agency funds.

If the Agency project manager, Director of Public Works or Agency Engineer, WSDOT Local Programs (if applicable), and FHWA (if applicable) agree with the consultant's claim, send a request memo, including backup documentation to the consultant to either supplement the agreement, or create a new agreement for the claim. After the request has been approved, the Agency shall write the supplement and/or new agreement and pay the consultant the amount of the claim. Inform the consultant that the final payment for the agreement is subject to audit. No further action is needed regarding the claim procedures.

If the Agency does not agree with the consultant's claim, proceed to step 3 of the procedures.

Agreement Number:

Step 3 Preparation of Support Documentation Regarding Consultant's Claim(s)

- If the Agency does not agree with the consultant's claim, the project manager shall prepare a summary for the Director of Public Works or Agency Engineer that included the following:
 - Copy of information supplied by the consultant regarding the claim;
 - Agency's summation of hours by classification for each firm that should be included in the claim;
 - Any correspondence that directed the consultant to perform the additional work;
 - Agency's summary of direct labor dollars, overhead costs, profit and reimbursable costs associated with the additional work;
 - Explanation regarding those areas in which the Agency does/does not agree with the consultant's claim(s);
 - Explanation to describe what has been instituted to preclude future consultant claim(s); and
 - Recommendations to resolve the claim.

Step 4 Director of Public Works or Agency Engineer Reviews Consultant Claim and Agency Documentation

The Director of Public Works or Agency Engineer shall review and administratively approve or disapprove the claim, or portions thereof, which may include getting Agency Council or Commission approval (as appropriate to agency dispute resolution procedures). If the project involves federal participation, obtain concurrence from WSDOT Local Programs and FHWA regarding final settlement of the claim. If the claim is not eligible for federal participation, payment will need to be from agency funds.

Step 5 Informing Consultant of Decision Regarding the Claim

The Director of Public Works or Agency Engineer shall notify (in writing) the consultant of their final decision regarding the consultant's claim(s). Include the final dollar amount of the accepted claim(s) and rationale utilized for the decision.

Step 6 Preparation of Supplement or New Agreement for the Consultant's Claim(s)

The agency shall write the supplement and/or new agreement and pay the consultant the amount of the claim. Inform the consultant that the final payment for the agreement is subject to audit.

Agreement Number:



**City Of Orting
Council Agenda Summary Sheet**

Subject: Selection of Deputy Mayor, 2020		Committee	Study Session	Council
	Agenda Item #:	N/A	AB19-64	AB19-64
	For Agenda of:		9.18.19	9.25.19
	Department:	Council		
	Date Submitted:	9.10.19		
Cost of Item:	_ \$			
Amount Budgeted:	_ \$			
Unexpended Balance:	_ \$			
Bars #:				
Timeline:	Per Council Rule 8.5 process starts in September and Concludes in October.			
Submitted By:	City Clerk			
Fiscal Note:				
Attachments:	Council Rule 8.5 and 3.9.B			
SUMMARY STATEMENT:				
<p>SUMMARY STATEMENT: <i>Per the City Council Rules of Procedure:</i> Chapter 8 section 5 - <u>Selecting Deputy Mayor:</u> <i>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 3.9B)</i></p> <p>Chapter 3 section 9 (B) - <u>Deputy Mayor--Duties:</u> <i>Annually, in September, the outgoing Deputy Mayor, with the help of two councilmembers, will solicit and recommend a candidate for Deputy Mayor with confirmation from the entire council for his/her replacement in January.</i></p>				
RECOMMENDED ACTION: Deputy Mayor Solicit two councilmembers for nomination committee.				
FUTURE MOTION: To appoint _____ as Deputy Mayor for the year 2020 effective January 1, 2020.				

ATTACHMENT /EXERPTS FROM COUNCIL RULES

3.9 Deputy Mayor -- Duties:

- (A) Term of the Deputy Mayor shall be one year.
(January 01 through December 31st).
- (B) Annually, in September, the outgoing Deputy Mayor, with the help of two councilmembers, will solicit and recommend a candidate for Deputy Mayor with confirmation from the entire council for his/her replacement in January.

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.