

**Councilmembers**

- Position No.
- 1. Tod Gunther
- 2. John Kelly
- 3. Michelle Gehring
- 4. Dave Harman
- 5. Nicola McDonald
- 6. Greg Hogan
- 7. Scott Drennen



**Orting City Council**  
**Special Meeting & Special Study**  
**Session Meeting Agenda**  
 Orting Multi-Purpose Center  
 202 Washington Ave. S, Orting, WA  
 November 14<sup>th</sup>, 2018  
 6p.m.

**Mayor Joshua Penner, Chair – Special Meeting**  
**Deputy Mayor Dave Harman- Chair –Special Study Session Meeting**

***\*The Special Meeting Starts at 6:00pm, followed by the Special Study Session Meeting.***

**SPECIAL MEETING**

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

**2. PUBLIC COMMENTS-** *Persons wishing to address the City Council regarding items that are not on the agenda are encouraged to do so at this time. In the case of a question, the chair will refer the matter to the appropriate administrative staff member or committee.*

**3. PUBLIC HEARING**

**A. AB18-92-2019 Budget -Ordinance No. 2018-1037, An Ordinance Of The City Of Orting, Washington Relating To The Annual Budget For Fiscal Year 2019; Adopting The City Of Orting 2019 Budget; Adopting The Job Classification And Pay Range For Employees.**

- *Scott Larson*

***Open the Hearing and Announce the Title, Read the Rules. Briefing by Staff, Public Comments Taken, Council Comments or Questions, Close Hearing.***

**Requests for Consent Agenda Items to Be Pulled For Discussion.**

**4. CONSENT AGENDA**

- A. Study Session Minutes of October 17<sup>th</sup>, 2018.
- B. Special Meeting Minutes of October 30, 2018.
- C. Payroll and Claims Warrants.

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

**Motion:** *To approve Consent Agenda with the exception of agenda item(s) #\_\_\_\_\_.*

**Consent Agenda Items Pulled For Discussion.**

**5. COMMISSION REPORTS**

- Planning Commission

**6. BUSINESS**

**A. AB18-103- Council Committee Assignments**

- *Deputy Mayor Harman*

**B. AB18-104-Helix- Scope and Budget**

- **Mark Bethune**

**Motion:** *To authorize the Mayor to enter into a contract and execute all related documents for the services outlined in the scope and budget for architectural services for the new public facilities in the amount of \$462,088 including the additions of an alternative foundation design and "as built" drawings.*

**C. AB18-105- Civil Service Attorney Selection.**

- **Scott Larson**

**Motion:** *To appoint W. Scott Snyder of Ogden Murphy Wallace PLLC as the attorney representing the Civil Service Commission, and allowing for the Mayor to negotiate a contract with the same.*

**D. AB18-106- Council Legislative Priorities for 2019.**

- **CM McDonald /CM Gunther**

**Motion:** *To adopt the Council Legislative Priorities for 2019 as prepared.*

**7. EXECUTIVE SESSION**

**8. ADJOURNMENT**

**Motion:** *Move to Adjourn.*



**SPECIAL STUDY SESSION MEETING**

**1. CALL MEETING TO ORDER**

**2. AGENDA ITEMS**

**A. AB18-107-Utility Billing Policy.**

- **Scott Larson**

**B. AB18-108-Side Sewer Ownership Discussion.**

- **Greg Reed**

**C. AB18-109- Resolution No. 2018-20, Relating To General Facility Charges and Setting Charges for 2019.**

- **Scott Larson**

**D. BUDGET – 2019 Budget Discussions**

- **Mayor Penner/Mark Bethune/Scott Larson**

**3. ADJOURNMENT**

**Motion:** *To Adjourn.*



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject: 2019 Budget Hearing-</b> Ordinance No. 2018-1037, An Ordinance Of The City Of Orting, Washington Relating To The Annual Budget For Fiscal Year 2019; Adopting The City Of Orting 2019 Budget; Adopting The Job Classification And Pay Range For Employees.		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>	N/A	<b>AB18-92</b>	<b>AB18-92</b>
	<b>For Agenda of:</b>	N/A	<b>10/17/18</b>	11.14.18
	<b>Department:</b>	Finance		
<b>Date Submitted:</b>	October 11, 2018			
<b>Cost of Item:</b>	<u>Approximately \$21 million</u>			
<b>Amount Budgeted:</b>	<u>N/A</u>			
<b>Unexpended Balance:</b>	<u>N/A</u>			
<b>Bars #:</b>	N/A			
<b>Timeline:</b>	N/A			
<b>Submitted By:</b>	Scott Larson			
<b>Fiscal Note:</b> N/A				
<b>Attachments:</b> A copy of the budget is available online or in City Hall.				
<b>SUMMARY STATEMENT:</b> This item will consist of a hearing on the 2019 budget. The Draft Ordinance will be handed out at the meeting.				
<b>RECOMMENDED ACTION:</b> Move Forward to the next Council meeting on November 28 <sup>th</sup> .				



# **NOTICE OF ORTING CITY COUNCIL PUBLIC HEARINGS**

Notice is hereby given that the Orting City Council will be conducting A public hearing during a special City Council meeting on November 14th, 2018, at 6:00pm, or as soon thereafter as possible to consider the following:

- 1) Proposed 2019 Budget

All members of the public may provide testimony during the public hearing or they may submit written comments prior to the public hearing. The City Council meets at Orting Multi-Purpose Center, 202 Washington Ave. S, Orting WA 98360.

**Any person may submit written or oral comments at the public hearing. Written comments may be submitted to the Clerk's office at 110 Train St. SE, PO Box 489, Orting, WA, 98360 no later than 1:00 p.m. on November 14th, 2018; otherwise, comments must be submitted at the hearing. Jane Montgomery, City Clerk, at [jmontgomery@cityoforting.org](mailto:jmontgomery@cityoforting.org), 360-893-2219 Ext. 133 Posted October 30th, 2018  
Published: November 2nd , and November 9th, 2018.**

## **COUNCILMEMBERS**

### **Position No.**

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



## **ORTING CITY COUNCIL**

### **Study Session Minutes**

Orting Multi-Purpose Center  
202 Washington Ave. S, Orting, WA  
October 17, 2018  
**6pm**

### **CHAIR, DEPUTY MAYOR DAVE HARMAN**

#### **1. CALL MEETING TO ORDER PLEDGE AND ROLL CALL**

Deputy Mayor Harman called the meeting to order at 6:06pm.

**Councilmembers Present:** Deputy Mayor Dave Harman, Councilmembers Nicola McDonald, Tod Gunther, John Kelly, Scott Drennen, Michelle Gehring and Greg Hogan.

**Staff Present:** Mark Bethune, City Administrator, Jane Montgomery, City Clerk, Scott Larson, Treasurer, Greg Reed, PW Director, Chris Gard, Chief of Police, Charlotte Archer, City Attorney.

Deputy Mayor Harman stated that they needed to add an Executive session at the end of the study session which will be item N. He also stated that items A and F needed to be pulled from the agenda.

Councilmember Drennen arrived at 6:06pm.

#### **2. COMMITTEE REPORTS**

##### **Public Works**

Councilmember Drennen briefed on the following that they are working on:

- Kansas Street/Calistoga sidewalk alignment;
- SR 162 Pedestrian Evacuation Bridge- waiting for Geo-Tech study to be done;

Councilmember Gehring briefed on:

- Sidewalk projects;
- Rocky Road easement.

##### **Public Safety**

Councilmember Hogan and Kelly briefed on the following:

- Surplus of Motorcycle;
- Surplus of Vehicles;
- RV Ordinance still in process.

##### **Community and Government Affairs**

Councilmember McDonald briefed that most items are on the agenda she would like to coordinate the RV ordinance with the Public Safety Committee. The items on the agenda are City website, term limits and a video to promote tourism.

#### **3. STAFF REPORTS**

Administrator Bethune briefed that he has been working on the following:

- Surplus of Cemetery Property;
- New Facility's, floor plan;
- Land Use issues;

- Earthquake drill will be on the 18<sup>th</sup> of October- City hall will participate and shut down from 10:00am until noon.
- Working on economic development- Saturday Market
- Real estate purchase.

Treasurer Larson briefed that he is working on the budget and that the Auditor is working at the City.

Mark Barfield, Public Works Supervisor briefed that they are:

- Cleaning out the property to get ready for the new Public Works facility;
- Maintaining right of ways;
- NPDES stormwater inspections going on;
- WWTP- preparation for winter time.

Kaaren Woods briefed that the Code Smart vendor had a family emergency and was not able to give his presentation which was scheduled on this agenda. He hope to be able to make a November agenda.

Mayor Penner briefed that Chief Gard is at Emergency Management training.

Mark Bethune briefed that he had spoken to Chief Gard and was told that Pumpkin Fest was very successful. The Police had a popcorn booth which had lines of 50 or more people. They also are working on their upcoming Christmas projects.

#### **4. AGENDA ITEMS**

**A. AB18-97- Code Smart.** - Pulled from the agenda.

**B. AB18-84- Property Tax Levy 2019- Resolution No. 2018-15, a Resolution of the City Orting, Washington, Requesting the Highest Lawful Levy.**

Treasurer Larson briefed that there have not been any changes since the hearing on the 10<sup>th</sup> of October. This resolution will raise our property tax cap by \$206,412.96 to \$1,288,969.50, which is an increase of 19.07% over the prior years' levy which was \$1,082,556.54.

**Action:** Move forward for a hearing for the meeting of October 30<sup>th</sup>.

**C. AB18-87- Declaring Surplus Property- Resolution No. 2018-16, a Resolution of the City Of Orting, Washington, Declaring Surplus Property and Authorizing Its Disposal.**

Treasurer Larson briefed on the vehicles that the City would like to surplus. Some of the vehicles were purchased with Public Works funds so a hearing will be required prior to surplus. Officer Isenhart will run the surplus event which will be by sealed bid.

**Action:** Move forward for hearing for the meeting of October 30<sup>th</sup>.

**D. AB18-89- Vehicle and Equipment Maintenance and Replacement Policy.**

Treasurer Larson briefed that this policy was reviewed by the Public Works and the Public Safety Committee. The intent of the Policy is to control the overall cost of operating and maintaining the municipal fleet of vehicles and equipment, and maintain vehicles and equipment in a manner that extends their useful life, to control the growth of the fleet and standardize the composition of the fleet and to accurately budget for maintenance and replacement costs. This policy will also

bring additional accountability to managers within the City for how they procure, maintain and dispose of their vehicles and equipment.

**Action:** Place on the consent agenda for the October 30<sup>th</sup> Council meeting.

#### **E. AB18-90- Calistoga Street West Stormwater Improvements - Scope and Budget.**

Councilmember Gehring briefed that this project scope and budget is for updating the existing storm drainage system due to inadequate capacity for existing land use and change in FEMA FIS 100-year flood elevation. The project will start in 2018 and carry over in to the 2019 budget.

**Action:** By consensus moved forward to the consent agenda for the October 30<sup>th</sup> Council meeting.

#### **F. Discussion-Kansas St. Sw. Design- Scope of Work**

This agenda item was pulled from the agenda.

#### **G. AB18-91-RFP City Website.**

City Attorney briefed that although Council does not approve RFP's this is before them to solicit any information about what Council may wish to see in a new website. The RFP was reviewed by the City's IT department. Council will provide any input by October 26<sup>th</sup>. The plan is to send the RFP out in November.

#### **H. AB18-92- BUDGET**

Scott Larson provided an updated budget reflecting the revisions that were discussed at the budget retreat on the 13<sup>th</sup> of October. Treasurer Larson also provided some information on additional items that were not discussed at the retreat. They looked at Revenues and Expenses. Staff ranked the order of priority for the items they had requested. Discussion followed. Councilmember Gunther would like to put some money in a fund for Calistoga Park Phase II. Council will digest the materials and provide the Treasurer feedback by the 30<sup>th</sup> of October.

**Action:** Move to the Meeting of the 30<sup>th</sup> and the Treasurer will update with the items he is provided by Council.

#### **I. AB18-93- Term Limits.**

Councilmember McDonald briefed that this came out of CGA Committee and she would like to know if Council is interested in further discussion about implementing term limits. Councilmember Gunther is not in favor of term limits. The Mayor added that it may not be a bad idea to put the idea forward to the public for a vote, Cost of a ballot measure was a factor in the discussion. After discussion it was determined that the majority of Councilmembers would like to discuss this further. More work was determined to be needed on this topic.

**Action:** This will go back to CGA for further discussion.

#### **J. AB18-94-City Video to Promote Tourism.**

City Administrator Bethune briefed that the Lodging Tax committee recommended a video to promote tourism back in 2017. The City awarded RCC/RMC (PCTV) the contract to put together a tourism video of the city in 2017 for \$5,000. RCC provided a video example. The Lodging Tax Committee could not reach consensus on the finished product. The CGA Committee inherited the functions of the Lodging Tax committee but in its most recent meeting could also not reach consensus on the video product and agreed to send it on to Study Session for Council to debate. The fund currently has \$6,168 in reserve for a tourism product. Administrator Bethune played a tourism video from Tacoma and Councilmember Gunther had an example on video that he presented. Another suggestion was to use the funds for the Daffodil Float.

**Action:** Take back to CGA Committee for more concepts to be developed and share both videos with PCTV.

**K. AB18-96- Review and Discussion of Proposed Amendments to City Council’s Rules of Procedure.**

Deputy Mayor Harman briefed that he had made the proposed amendments to memorialize the process that the Council is currently participating in to move legislation forward from Committee to study session and then finally to a regular Council meeting. Discussion followed. The requested changes related to who and when an item can be added to an agenda and the responsibilities of the Deputy Mayor will be brought back to the consent agenda for the October 30<sup>th</sup> Council meeting.

**L. AB18-98- Adopting Amended Fee Schedule – Resolution No. 2018-17.**

Treasurer Larson briefed that the new planner who was hired in May was tasked with updating Land Use and Building and permit fees. Most of the other fees will remain the same. Discussion followed.  
**Action:** Staff will bring this back to a regular meeting after more clarification from the City Planner.

**M. AB18-99- Orting Library & MPC Re-Roof and R&R of Siding.**

Administrator Bethune briefed that the library/MPC roof is at life end. The City and Pierce County Library are in a partnership to share the cost of a re-roof. The city went out for bids to 14 roofing contractors but only received one bid from D&D Construction of Orting. The overall cost for a 50 year heavy laminated shingle and hardy plank shingle siding is \$52,332.86. Orting’s share is \$26,166.53.

**Action:** Move forward to the consent agenda for the October 30<sup>th</sup> meeting.

**N. Executive Session**

City Clerk, announced that there would be an Executive Session per RCW 42.30.110(b) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price, 10 minutes, No action is anticipated after returning to open session.

Deputy Mayor Harman recessed to Executive session at 9:30pm

- 9:30pm- Recessed to session
- 9:40pm- Extended for 5 minutes
- 9:45pm- Extended for 5 Minutes
- 9:50pm- Extended for 5 minutes

Deputy Mayor Harman called the meeting back to order at 9:55pm

**5. ADJOURNMENT**

Deputy Mayor Harman adjourned the meeting at 9:55pm.

ATTEST:

\_\_\_\_\_  
*Jane Montgomery, City Clerk, CMC*

\_\_\_\_\_  
*Joshua Penner, Mayor*

**Upcoming Meeting: Next Regular Meeting: October 31<sup>st</sup>, 2018, 7pm, (MPC)**



CITY OF ORTING  
VOUCHER/WARRANT REGISTER  
FOR NOVEMBER 14, 2018 COUNCIL

CLAIMS/PAYROLL VOUCHER APPROVAL

CITY OF ORTING

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

CLAIMS WARRANTS #46607 THRU #46666  
IN THE AMOUNT OF \$ 393,269.40  
EFT \$9,635.57

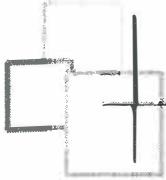
PAYROLL WARRANTS # 23408 THRU #23422  
IN THE AMOUNT OF \$170,252.95

ARE APPROVED FOR PAYMENT ON NOVEMBER 14, 2018

COUNCILPERSON \_\_\_\_\_

COUNCILPERSON \_\_\_\_\_

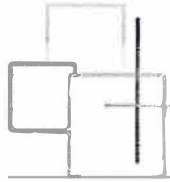
CITY CLERK \_\_\_\_\_



# Fund Transaction Summary

Transaction Type: Invoice  
Fiscal: 2018 - November 2018 - 1st Council

Fund Number	Description	Amount
001	Current Expense	\$45,525.65
101	City Streets	\$382.82
104	Cemetery	\$4,645.25
105	Parks Department	\$95,895.03
401	Water	\$231,767.33
408	Wastewater	\$13,026.33
410	Stormwater	\$2,026.99
	<b>Count: 7</b>	<b>\$393,269.40</b>

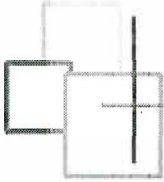


# Register

Fiscal: 2018  
Deposit Period: 2018 - November 2018  
Check Period: 2018 - November 2018 - 1st Council

Number	Name	Print Date	Clearing Date	Amount
<b>Key Bank</b>	<b>2000073</b>			
<b>Check</b>				
<u>46607</u>	Frost Landscape	11/2/2018		\$8,039.17
<u>46608</u>	Department of Health-Office of Drinking Water	11/5/2018		\$182,761.41
<u>46609</u>	Department of Health-Office of Drinking Water	11/5/2018		\$35,020.96
<u>46610</u>	Sound Law Center	11/5/2018		\$4,165.00
<u>46611</u>	DB Audio	11/5/2018		\$1,093.00
<u>46612</u>	Cascade Floral Products INC	11/7/2018		\$670.09
<u>46613</u>	ACRnet CBS Branch	11/14/2018		\$58.00
<u>46614</u>	Anytime Fitness	11/14/2018		\$200.00
<u>46615</u>	Arrow Lumber	11/14/2018		\$275.16
<u>46616</u>	Arthur J Gallagher-Risk Management Services, INC	11/14/2018		\$100.00
<u>46617</u>	Associated Petroleum Products INC	11/14/2018		\$2,193.01
<u>46618</u>	BlueTarp Credit Services	11/14/2018		\$78.56
<u>46619</u>	Bratwear-Sound Uniform Solutions	11/14/2018		\$575.82
<u>46620</u>	Brisco Inc.	11/14/2018		\$214.86
<u>46621</u>	Buell Recreation LLC	11/14/2018		\$87,056.36
<u>46622</u>	CenturyLink/Qwest	11/14/2018		\$274.99
<u>46623</u>	Comcast	11/14/2018		\$502.48
<u>46624</u>	Core & Main	11/14/2018		\$2,715.29
<u>46625</u>	Dell Financial Services Payment Processing Services	11/14/2018		\$1,235.41
<u>46626</u>	DM Disposal Co., Inc	11/14/2018		\$1,143.25
<u>46627</u>	Ferguson Waterworks #3011	11/14/2018		\$87.92
<u>46628</u>	Foxcroft Equipment & Service CO Inc	11/14/2018		\$1,119.53
<u>46629</u>	Harter, Larry	11/14/2018		\$42.00
<u>46630</u>	Helix Design Group	11/14/2018		\$10,481.56
<u>46631</u>	Hernandez, Johnny	11/14/2018		\$1,306.80
<u>46632</u>	Hot Off The Press	11/14/2018		\$30.06
<u>46633</u>	Huffman, ED	11/14/2018		\$42.00
<u>46634</u>	Kainoa, Kim	11/14/2018		\$54.50
<u>46635</u>	Knotty Tree Service	11/14/2018		\$4,645.25
<u>46636</u>	Konica Minolta Business-Usa Inc	11/14/2018		\$188.90
<u>46637</u>	Korum Automotive Group	11/14/2018		\$363.37
<u>46638</u>	Logan Enterprises INC	11/14/2018		\$395.00
<u>46639</u>	Milo's Locksmith Company	11/14/2018		\$127.48

Number	Name	Print Date	Clearing Date	Amount
46640	Murphy-Brown, Mary	11/14/2018		\$1,165.00
46641	Nelson Truck Equipment Co. Inc	11/14/2018		\$694.06
46642	Opportunity Center Of Orting	11/14/2018		\$625.00
46643	O'Reilly Auto Parts	11/14/2018		\$55.61
46644	Orting School Dist #344	11/14/2018		\$1,330.00
46645	Orting Valley Fire & Rescue	11/14/2018		\$2,979.17
46646	Orting Valley Senior Cent	11/14/2018		\$1,083.33
46647	P.c. Budget & Finance	11/14/2018		\$2,735.52
46648	Platt	11/14/2018		\$13.32
46649	Pollard Water-Ferguson Enterprises INC #3326	11/14/2018		\$3,596.08
46650	Puget Sound Energy	11/14/2018		\$48.40
46651	Pumptech Inc	11/14/2018		\$3,472.46
46652	Sarco Supply	11/14/2018		\$859.63
46653	Sound Municipal Consultants-Emily Terrell	11/14/2018		\$10,706.50
46654	Spectral Laboratories	11/14/2018		\$168.00
46655	Staples Advantage	11/14/2018		\$60.34
46656	Sumner Lawn'n Saw	11/14/2018		\$27.64
46657	Tacoma News INC	11/14/2018		\$515.34
46658	The Walls Law Firm	11/14/2018		\$1,875.00
46659	UniFirst Corporation	11/14/2018		\$367.60
46660	US Bank Equipment Finance	11/14/2018		\$327.83
46661	Usabluebook	11/14/2018		\$722.12
46662	Utilities Underground Location Center	11/14/2018		\$123.20
46663	Wa. State Dept. of Ecolog	11/14/2018		\$2,001.58
46664	Washington State Criminal Justice Training Comm	11/14/2018		\$600.00
46665	Water Management Lab Inc.	11/14/2018		\$131.00
46666	Wells Fargo Financial Leasing	11/14/2018		\$92.91
EFT-MasterCard	Keybank-MasterCard	11/8/2018		\$9,635.57
		<b>Total</b>	<b>Check</b>	<b>\$393,269.40</b>
		<b>Total</b>	<b>2000073</b>	<b>\$393,269.40</b>
		<b>Grand Total</b>		<b>\$393,269.40</b>



# Custom Council Report

Vendor	Number	Invoice	Account Number	Notes	Amount
ACRnet CBS Branch	46613	8732	001-518-10-41-01	Background Check-Lolohea	\$58.00
				<b>Total</b>	<b>\$58.00</b>
Anytime Fitness	46614	Nov2018-207	001-521-20-21-01	Gym Membership-November 2018	\$200.00
				<b>Total</b>	<b>\$200.00</b>
Arrow Lumber	46615	600186-Nov2018	001-513-10-31-00	Landscape Cord-Event Booth	\$24.04
			001-514-21-48-01	Pumkin Fest	
			001-514-21-48-01	Hillman Fasteners	\$3.06
			001-521-50-48-02	Acetone-Removing Decals for PD Vehicles	\$8.41
			001-521-50-48-04	Bucket for Pumpkin Fest	\$5.45
			001-575-50-48-00	Garbage Bags-MPC	\$32.77
			101-542-30-31-00	Prem Tan-Eldredge Crosswalks	\$7.09
			101-542-30-48-02	Duct Tape	\$6.11
			105-576-80-48-00	Paint for Fields	\$43.87
			105-576-80-48-03	Batteries-Park Bathroom	\$9.60
			401-534-50-35-00	Lumber Crayon-Cable Ties	\$12.95
			401-534-50-35-00	Shovel-Trowel-Duct Tape-Rags-FA1074	\$22.64
			401-534-50-35-00	Hammers-Hacksaw Blade FA1028	\$41.38
			401-534-50-48-03	Brooder Lamp-Harmam Springs	\$17.47
			401-534-50-48-06	Tubeing	\$3.48
			408-535-50-35-00	Shovel-Trowel-Duct Tape-Rags-FA1074	\$22.64
			410-531-38-31-00	Work Light-Storm Water Inspection	\$14.20
				<b>Total</b>	<b>\$275.16</b>
Arthur J Gallagher-Risk Management Services, INC	46616	2762702 - CITYOFO-11	101-542-30-31-00	WSDOT Blanket Bond for Franchises & Permits	\$100.00
				<b>Total</b>	<b>\$100.00</b>
Associated Petroleum Products INC	46617	1329125-IN	101-542-30-32-00	Fuel	\$151.40
			401-534-80-32-00	Fuel	\$605.60
			401-534-80-32-01	Fuel	\$305.55
			408-535-80-32-00	Fuel	\$605.60
			408-535-80-32-01	Fuel	\$305.55

Vendor	Number	Invoice	Account Number	Notes	Amount
Associated Petroleum Products INC	46617	1329125-IN	410-531-38-32-01	Fuel	\$151.41
			410-531-38-32-02	Fuel	\$67.90
				<b>Total</b>	<b>\$2,193.01</b>
BlueTarp Credit Services	46618	D05054	401-534-50-48-02	Bulbs for High Cedars	\$78.56
				<b>Total</b>	<b>\$78.56</b>
Bratwear-Sound Uniform Solutions	46619	201810B011	001-521-20-31-01	Uniform Items for Officer Taylor	\$575.82
				<b>Total</b>	<b>\$575.82</b>
Brisco Inc.	46620	Nov2018-203	001-514-23-31-02	Fuel	\$13.46
			001-524-20-32-01	Fuel	\$47.00
			410-531-38-32-02	Fuel	\$76.01
			410-531-38-32-02	Fuel	\$78.39
				<b>Total</b>	<b>\$214.86</b>
Buell Recreation LLC	46621	WAORT 102918	105-594-76-63-07	Calistoga Park Playground Equipment	\$87,056.36
				<b>Total</b>	<b>\$87,056.36</b>
Cascade Floral Products INC	46612	XMAS-12036	105-576-80-31-04	Garland for City Decorating	\$670.09
				<b>Total</b>	<b>\$670.09</b>
CenturyLink/Qwest	46622	464B-Nov2018	001-521-20-45-02	Cell Connection	\$116.86
		465B-Nov2018	001-521-20-45-02	Cell Connection	\$81.86
		492B-Nov2018	001-521-20-45-02	Cell Connection	\$76.27
			<b>Total</b>	<b>\$274.99</b>	
Comcast	46623	0221105-Nov2018	001-514-23-42-00	City Hall Internet	\$62.81
			001-524-20-31-00	City Hall Internet	\$62.81
			401-534-10-42-01	City Hall Internet	\$62.81
			408-535-10-42-01	City Hall Internet	\$62.81
		0221113-Nov2018	001-521-50-42-00	PSB Internet	\$251.24
				<b>Total</b>	<b>\$502.48</b>
Core & Main	46624	J550629	401-534-50-48-02	Setter-Tubing	\$214.31
		J709102	401-534-50-48-02	Setter-Tubing	\$2,500.98
			<b>Total</b>	<b>\$2,715.29</b>	
DB Audio	46611	2018-35	001-511-60-31-01	LCD Projector	\$500.00
			101-542-30-31-00	LCD Projector	\$50.00
			105-576-80-31-00	LCD Projector	\$50.00
			401-534-10-31-00	LCD Projector	\$200.00
			408-535-10-31-00	LCD Projector	\$200.00
			410-531-38-31-00	LCD Projector	\$93.00
				<b>Total</b>	<b>\$1,093.00</b>

Vendor	Number	Invoice	Account Number	Notes	Amount
Dell Financial Services Payment Processing Services	46625	79713677	001-594-12-41-01	PSB Server	\$25.00
			001-594-14-41-02	City Hall Server	\$50.00
			001-594-21-41-01	PSB Server	\$753.41
			001-594-24-41-01	City Hall Server	\$37.00
			001-594-76-41-01	City Hall Server	\$12.00
			101-594-42-41-01	City Hall Server	\$12.00
			105-594-76-41-01	City Hall Server	\$12.00
			401-594-34-42-02	City Hall Server	\$111.00
			408-594-35-64-44	City Hall Server	\$149.00
			410-594-31-41-41	City Hall Server	\$74.00
			<b>Total</b>		<b>\$1,235.41</b>
Department of Health-Office of Drinking Water	46609	00-65120-018/570	401-591-34-78-01	DWSRF-Harman/Wingate-00-65120-018/570	\$31,923.72
			401-592-34-83-01	DWSRF-Harman/Wingate-00-65120-018/570	\$3,097.24
	46608	DM09-952-022/594	401-591-34-78-02	DWSRF-North Reservoir-DM09-952-022/594	\$153,429.37
			401-592-34-83-02	DWSRF-North Reservoir-DM09-952-022/594	\$29,332.04
			<b>Total</b>		<b>\$217,782.37</b>
DM Disposal Co., Inc	46626	8128908	408-535-60-47-00	WWTP-Garbage Service	\$1,143.25
			<b>Total</b>		<b>\$1,143.25</b>
Ferguson Waterworks #3011	46627	0702467	408-535-50-48-04	Body Gasket for Check Valve	\$87.92
			<b>Total</b>		<b>\$87.92</b>
Foxcroft Equipment & Service CO Inc	46628	16124	401-534-50-48-04	Water Analyzer Parts for Well 1	\$1,119.53
			<b>Total</b>		<b>\$1,119.53</b>
Frost Landscape	46607	11906	105-576-80-48-08	Landscape Services-Sept 2018	\$8,039.17
			<b>Total</b>		<b>\$8,039.17</b>
Harter, Larry	46629	2307-Water	401-534-90-49-00	WaterWorks Renewal-GRCGR1000012879	\$42.00
			<b>Total</b>		<b>\$42.00</b>
Helix Design Group	46630	0000001-A18-021-04	001-518-20-40-02	City Hall Facilities 25	\$673.75
			001-521-50-46-07	City Hall Facilities 50	\$1,347.50
			401-534-10-40-01	City Hall Facilities 10	\$269.50
			408-535-10-40-01	City Hall Facilities 10	\$269.50
			410-531-31-40-01	City Hall Facilities 5	\$134.75

Vendor	Number	Invoice	Account Number	Notes	Amount
Helix Design Group 46630	0000003-A18-021.05		001-518-20-40-02	City Hall Facilities 25	\$98.55
			001-521-50-46-07	City Hall Facilities 50	\$197.10
			401-534-10-40-01	City Hall Facilities 10	\$39.42
	0000004-A18-021.06		408-535-10-40-01	City Hall Facilities 10	\$39.42
			410-531-31-40-01	City Hall Facilities 5	\$19.71
			001-518-20-40-02	City Hall Facilities 25	\$206.25
			001-521-50-46-07	City Hall Facilities 50	\$412.50
			401-534-10-40-01	City Hall Facilities 10	\$82.50
			408-535-10-40-01	City Hall Facilities 10	\$82.50
	0000007-A18-021-02		410-531-31-40-01	City Hall Facilities 5	\$41.25
			001-518-20-40-02	City Hall Facilities	\$1,641.84
			001-521-50-46-07	City Hall Facilities	\$3,283.68
			401-534-10-40-01	City Hall Facilities	\$656.74
			408-535-10-40-01	City Hall Facilities	\$656.73
				410-531-31-40-01	City Hall Facilities
			<b>Total</b>		<b>\$10,481.56</b>
Hernandez, Johnny 46631	Nov2018-206		001-521-23-41-01	Property Evidence- 8-17-18 thru 11/02/2018	\$1,306.80
			<b>Total</b>		<b>\$1,306.80</b>
Hot Off The Press 46632	10239		001-571-20-31-32	Volleyball Shirts	\$30.06
			<b>Total</b>		<b>\$30.06</b>
Huffman, ED 46633	2311		401-534-50-49-15	Water Certification Renewal Reimbursement- GRCGR100001349 5 ID12243	\$42.00
			<b>Total</b>		<b>\$42.00</b>
Kainoa, Kim 46634	Nov2018-202		001-512-50-49-03	Mileage for Court Training	\$54.50
			<b>Total</b>		<b>\$54.50</b>
Keybank- MasterCard	EFT- MasterCard	1181-Nov2018-Lincoln	001-524-20-31-00	Chair-Office Supplies	\$171.19
			001-524-20-31-01	Danner Boots- Lincoln	\$162.00
			001-524-20-32-01	Fuel-Rental Car- Training	\$44.00
			001-524-20-41-05	Meal for Training- Building Seminar	\$12.85
			001-524-20-41-05	Meal for Training- Building Seminar	\$24.53
			001-524-20-41-05	Meal for Training- Building Seminar	\$34.31
			001-524-20-41-05	Rental Car-Building Seminar	\$148.55
			001-524-20-41-05	Hotel for Bulding Seminar	\$179.22
			001-524-20-41-05	Hotel for DMCMA Training	\$123.20
		1513-Nov2018-Kainoa	001-512-50-49-03		



Vendor	Number	Invoice	Account Number	Notes	Amount		
Keybank- MasterCard	EFT- MasterCard	1668-Nov2018-City Card	001-511-60-31-01	Office Supplies	\$38.86		
			001-512-50-31-01	Postage Machine Sealant	\$10.59		
			001-513-10-31-01	Postage Machine Sealant	\$3.53		
			001-514-23-31-01	Postage Machine Sealant	\$21.17		
			001-514-23-31-02	Office Supplies	\$38.86		
			001-521-20-31-03	Office Supplies	\$38.86		
			001-521-20-31-07	Postage Machine Sealant	\$3.53		
			001-558-60-31-02	Postage Machine Sealant	\$10.59		
			001-575-50-31-01	Office Supplies	\$20.75		
			001-575-50-31-01	Office Supplies	\$38.87		
			401-534-10-31-00	Postage Machine Sealant	\$7.06		
			401-534-10-31-00	Fuel for Vision Training	\$12.99		
			401-534-10-31-00	Office Supplies	\$38.87		
			401-534-10-31-00	Hotel for Vission Conference-Carona	\$124.77		
			401-534-10-31-00	Hotel for Vission Conference-Helgelien	\$124.77		
			408-535-10-31-00	Postage Machine Sealant	\$7.06		
			408-535-10-31-00	Fuel for Vision Training	\$12.99		
			408-535-10-31-00	Office Supplies	\$38.87		
			408-535-10-31-00	Hotel for Vission Conference-Helgelien	\$124.77		
			408-535-10-31-00	Hotel for Vission Conference-Carona	\$124.77		
			410-531-38-31-00	Postage Machine Sealant	\$7.06		
			410-531-38-31-00	Fuel for Vision Training	\$13.00		
			410-531-38-31-00	Office Supplies	\$38.86		
			410-531-38-31-00	Hotel for Vission Conference-Carona	\$124.77		
			410-531-38-31-00	Hotel for Vission Conference-Helgelien	\$124.77		
			1731-Nov2018-Reed	001-511-60-31-01	Pizza for Council Retreat	\$28.93	
				401-534-90-49-00	Hotel for Transportation Conference	\$70.10	
				408-535-90-49-00	Hotel for Transportation Conference	\$70.11	
			1823-Nov2018-Larson	410-531-31-40-06	Hotel for Transportation Conference	\$70.11	
				001-514-23-31-02	Hotel forVision Training	\$106.11	
				401-534-10-31-00	Meals for Vision Training-Corona-Larson-Helgelien	\$10.16	
					401-534-10-31-00	Hotel forVision Training	\$106.11

Vendor	Account Number	Exp Date	Account Number	Notes	Amount
Keybank- MasterCard	EFT- MasterCard	1823-Nov2018-Larson	408-535-10-31-00	Meals for Vision Training-Corona- Larson-Helgelien	\$10.16
			408-535-10-31-00	Hotel for Vision Training	\$106.11
			410-531-38-31-00	Meals for Vision Training-Corona- Larson-Helgelien	\$10.16
			410-531-38-31-00	Hotel for Vision Training	\$106.11
		4050-Nov2018-PD	001-521-20-31-03	Bio Hazard Packaging for Sending Items to Lab	\$49.14
			001-521-20-31-03	Office Supplies	\$138.54
			001-521-20-31-07	Certified Mair-No Trespass Notice	\$3.95
			001-521-40-49-00	Meal for Blue Courage Training- Cassatt	\$38.31
			001-521-40-49-00	Law Enforcement Training-Boone	\$611.64
			001-521-40-49-00	Hotel for Blue Courage Training- Cassatt	\$638.37
		5423-Nov2018-Public Works	001-524-20-31-00	CRS Re-Cert Mailing	\$24.70
			101-542-30-31-00	Binders	\$7.82
			401-534-10-31-00	Binders	\$7.83
			401-534-10-31-00	Copy Paper	\$36.06
			401-534-10-31-00	USd Drive-Legal Pads	\$40.81
			401-534-10-31-00	Earthquake Bags	\$50.62
			401-534-50-48-04	Filter Kits	\$31.86
			401-534-50-48-04	Tool Box-Fuel Hose-2in Ball-Hook	\$159.81
			401-534-50-48-04	Fuel Tank & Pump	\$652.18
			401-534-50-48-04	Drum Pump Set with Tube	\$1,541.68
			401-534-90-49-00	WETRC-WW Lab Class-Barfield	\$200.00
			408-535-10-31-00	Binders	\$7.83
			408-535-10-31-00	Copy Paper	\$36.06
			408-535-10-31-00	Earthquake Bags	\$50.62
			408-535-10-31-00	USd Drive-Legal Pads	\$145.29
			408-535-50-48-04	Filter Kits	\$15.93
			408-535-50-48-04	Fuel Tank & Pump	\$81.52
			408-535-50-48-04	Tool Box-Fuel Hose-2in Ball-Hook	\$159.81
			408-535-90-49-00	WETRC-WW Lab Class-Barfield	\$200.00
			410-531-38-31-00	USd Drive-Legal Pads	\$27.29
			410-531-38-31-00	Earthquake Bags	\$50.63
			410-531-38-48-01	Filter Kits	\$15.93
			410-531-38-48-01	Fuel Tank & Pump	\$81.53
			410-531-38-48-01	Tool Box-Fuel Hose-2in Ball-Hook	\$185.79
		5725-Nov2018-Bethune	001-511-60-31-01	Items for City of Orting Booth @ Pumpkin Feast	\$13.18

Vendor	Account Number	Invoice	Account Number	Notes	Amount		
Keybank- MasterCard	EFT- MasterCard	5725-Nov2018-Bethune	001-513-10-31-00	Items for City of Orting Booth @ Pumpkin Feast	\$17.98		
			001-513-10-31-00	Items for City of Orting Booth @ Pumpkin Feast	\$24.80		
			001-513-10-31-00	Items for City of Orting Booth @ Pumpkin Feast	\$27.29		
			001-513-10-31-00	Items for Meeting	\$35.17		
		6144-Nov2018-Meek	001-571-20-31-01	Park & Rec Storage	\$175.00		
			001-571-20-31-23	Trophies	\$9.83		
			001-571-20-31-23	Trophies	\$89.84		
			001-571-20-31-27	Paint for Art Class	\$20.38		
			001-571-20-31-32	Trophies	\$9.83		
			001-571-20-31-32	Trophies	\$111.04		
			001-575-50-49-02	National Notary-Training	\$320.86		
		7599-Nov2018-PD	001-521-20-31-01	Boots for Officer Boone	\$240.46		
			001-521-50-48-04	Hard Drive for Desktop	\$67.03		
		7765-Nov2018-Montgomery	001-511-60-31-01	Monthly Drop Box	\$10.98		
			001-511-60-31-01	Items for Council Workshop	\$21.77		
			001-511-60-31-01	Items for Council	\$37.05		
		8794-Nov32018-Woods	001-511-60-31-01	Items for Council	\$39.99		
			001-512-50-31-00	Office Supplies	\$326.53		
						<b>Total</b>	<b>\$9,635.57</b>
		Knotty Tree Service 46635	442897	104-536-50-48-00	3 Trees Removed from Orting Cemetery	\$4,645.25	
<b>Total</b>	<b>\$4,645.25</b>						
Konica Minolta Business-Usa Inc	46636	254974530	001-521-10-40-06	Copier Lease PD	\$188.90		
			<b>Total</b>	<b>\$188.90</b>			
Korum Automotive Group	46637	5210722	408-535-50-48-04	Side Steps for FA-1031	\$314.00		
			001-521-50-48-02	Brakes Repaired on 06 Ford Exploer-81375	\$49.37		
		6661516	<b>Total</b>	<b>\$363.37</b>			
Logan Enterprises INC	46638	16988	001-514-21-41-01	Monthly Janitorial	\$98.75		
			001-524-20-49-02	Monthly Janitorial	\$19.75		
			001-575-50-41-01	Monthly Janitorial	\$79.00		
			401-534-10-31-00	Monthly Janitorial	\$79.00		
			408-535-10-31-00	Monthly Janitorial	\$79.00		
			410-531-38-31-00	Monthly Janitorial	\$39.50		
				<b>Total</b>	<b>\$395.00</b>		
Milo's Locksmith Company	46639	73817	401-534-50-48-03	Re-key Harman Springs-New Door	\$127.48		
			<b>Total</b>	<b>\$127.48</b>			

Vendor	Number	Invoice	Account Number	Notes	Amount
Murphy-Brown, Mary	46640	NOV-201	001-571-20-31-27	Art Class- 10/20/2018 & 10/28/2018	\$90.00
		NOV-205	001-571-20-31-21	Dance Class-Oct 2018	\$1,075.00
		<b>Total</b>			<b>\$1,165.00</b>
Nelson Truck Equipment Co. Inc	46641	672954	401-534-50-48-06	Amber Lightbar- Rocker Swith & Install-FA1029	\$138.82
			408-535-50-48-08	Amber Lightbar- Rocker Swith & Install-FA1029	\$555.24
			<b>Total</b>		<b>\$694.06</b>
O'Reilly Auto Parts	46643	1265583-Nov2018	401-534-50-48-06	Light Bulb-FA1067	\$6.47
			401-534-50-48-06	Pin & Clip-FA1031 & FA1068	\$17.47
			408-535-50-48-02	Car Cleaning Items	\$20.75
			410-531-38-48-01	Truck Mirror for Stormwater Inspections	\$10.92
			<b>Total</b>		<b>\$55.61</b>
Opportunity Center Of Orting	46642	1171	001-571-20-31-14	Orting Opportunity Center Grant- November 2018	\$625.00
<b>Total</b>				<b>\$625.00</b>	
Orting School Dist #344	46644	541-Sept2018	001-571-20-31-32	Gym Fee for Volleyball-Sept 2018	\$380.00
		542-Oct2018	001-571-20-31-32	Gym Fee for Volleyball-Oct 2018	\$950.00
		<b>Total</b>		<b>\$1,330.00</b>	
Orting Valley Fire & Rescue	46645	Lease Payment #11	001-512-50-41-04	Payment # 11 Lease for PSB- Court	\$297.92
			001-521-50-41-07	Payment #11 Lease for PSB- Police	\$2,681.25
			<b>Total</b>		<b>\$2,979.17</b>
Orting Valley Senior Cent	46646	NOV2018-200	001-571-20-31-06	Monthly Support- November 2018	\$1,083.33
<b>Total</b>				<b>\$1,083.33</b>	
P.c. Budget & Finance	46647	CI 258889 C-104188	001-554-30-50-01	Pierce County Animal Control-Sept 2018	\$2,735.52
<b>Total</b>				<b>\$2,735.52</b>	
Platt	46648	T655305	408-535-50-48-02	WWTP-Headworks Control Panel	\$13.32
<b>Total</b>				<b>\$13.32</b>	

Vendor	Invoice Number	Invoice Date	Account Number	Notes	Amount
Pollard Water-Ferguson Enterprises INC #3326	46649	0122952	401-534-50-48-04	Inner Case & Gears-Outer Casing-Seat Wrench	\$3,596.08
				<b>Total</b>	<b>\$3,596.08</b>
Puget Sound Energy	46650	200019646914-NOV2018	101-542-63-47-03	Street Lights	\$48.40
				<b>Total</b>	<b>\$48.40</b>
Pumpstech Inc	46651	0135554-IN	408-535-50-48-04	WWTP Reuse Water Cornell-Bearing Frame Pump	\$3,472.46
				<b>Total</b>	<b>\$3,472.46</b>
Sarco Supply	46652	1116422	001-575-50-48-00	Bathroom Supplies-MPC	\$307.89
		1116559	408-535-10-31-00	Bathroom Supplies-Public Works	\$237.29
		1116561	001-513-10-31-00	Council-Bathroom & Cleaning Supplies-20%	\$0.00
			001-521-20-31-03	Police-Bathroom & Cleaning Supplies-40%	\$0.00
			408-535-10-31-00	Bathroom Supplies-Parks	\$314.45
				<b>Total</b>	<b>\$859.63</b>
Sound Law Center	46610	2154	001-515-30-41-02	Ethics Investigation	\$4,165.00
				<b>Total</b>	<b>\$4,165.00</b>
Sound Municipal Consultants-Emily Terrell	46653	2018-052	001-558-60-41-02	Contracted Planning Consultant	\$10,706.50
				<b>Total</b>	<b>\$10,706.50</b>
Spectral Laboratories	46654	134534	408-535-10-41-03	Lab Testing	\$168.00
				<b>Total</b>	<b>\$168.00</b>
Staples Advantage	46655	3392595573	001-513-10-31-00	Office Supplies	\$60.34
				<b>Total</b>	<b>\$60.34</b>
Sumner Lawn'n Saw	46656	17324	410-531-38-48-01	Clamping Collar Kit	\$27.64
				<b>Total</b>	<b>\$27.64</b>
Tacoma News INC	46657	257635-Nov2018	001-511-60-49-03	ORD 2018-1035 Publications	\$117.27
			001-511-60-49-03	Meeting Publication Time	\$119.78
			001-511-60-49-03	Meeting Publication Time	\$161.02

Vendor	Invoice	Account Number	Notes	Amount
Tacoma News INC 46657	257635-Nov2018	001-558-60-31-03	DNS Water System Publications	\$117.27
			<b>Total</b>	<b>\$515.34</b>
The Walls Law Firm 46658	32	001-515-30-41-03	Prosecuting Attorney-October 2018	\$1,875.00
			<b>Total</b>	<b>\$1,875.00</b>
UniFirst Corporation 46659	3301457968	408-535-10-31-03	WWTP-Supplies & Protective Services	\$92.67
	3301460049	408-535-10-31-03	WWTP-Supplies & Protective Services	\$160.84
	3301462110	408-535-10-31-03	WWTP-Supplies & Protective Services	\$114.09
			<b>Total</b>	<b>\$367.60</b>
US Bank Equipment Finance 46660	369889910	001-594-14-41-04	City Hall Copier Lease	\$327.83
			<b>Total</b>	<b>\$327.83</b>
Usabluebook 46661	714683-193610	401-534-50-48-02	White Tubing Assembly for A101 Pumps-Cimarec String Plate	\$136.48
		408-535-50-48-02	White Tubing Assembly for A101 Pumps-Cimarec String Plate	\$585.64
			<b>Total</b>	<b>\$722.12</b>
Utilities Underground Location Center 46662	8100208	401-534-60-41-00	Locates-Oct 2018	\$61.60
		408-535-60-41-00	Locates-Oct 2018	\$61.60
			<b>Total</b>	<b>\$123.20</b>
Wa. State Dept. of Ecolog 46663	2019-BA0020303	408-535-50-51-02	Biosoilds Permit-2019-BA0020303	\$2,001.58
			<b>Total</b>	<b>\$2,001.58</b>
Washington State Criminal Justice Training Comm 46664	201131266	001-521-40-49-00	Blue Courage Training-Officer Cassatt	\$600.00
			<b>Total</b>	<b>\$600.00</b>
Water Management Lab Inc. 46665	171278	401-534-10-41-03	Lab Testing	\$131.00
			<b>Total</b>	<b>\$131.00</b>
Wells Fargo Financial Leasing 46666	Invoice - 11/6/2018 10:07:30 AM	105-576-80-31-00	Public Works Copier	\$13.94
		401-534-10-31-00	Public Works Copier	\$46.46
		408-535-10-31-00	Public Works Copier	\$18.58

Vendor	Number	Invoice	Account Number	Notes	Amount
Wells Fargo Financial Leasing	46666	Invoice - 11/6/2018 10:07:30 AM	410-531-38-31-00	Public Works Copier	\$13.93
				<b>Total</b>	<b>\$92.91</b>
				<b>Grand Total</b>	<b>\$393,269.40</b>



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject:</b> Council Committee selection for the year 2019		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>	N/A		<b>AB18-103</b>
	<b>For Agenda of:</b>			11.14.18 11.28.18
	<b>Department:</b>	Clerk/Deputy Mayor		
	<b>Date Submitted:</b>			
<b>Cost of Item:</b>	<u>\$0</u>			
<b>Amount Budgeted:</b>	<u>\$0</u>			
<b>Unexpended Balance:</b>	<u>\$0</u>			
<b>Bars #:</b>				
<b>Timeline:</b>	Last Meeting in November			
<b>Submitted By:</b>	Deputy Mayor Harman			
<b>Fiscal Note:</b>				
<b>Attachments:</b> Current Council Assignments				
<b>SUMMARY STATEMENT:</b> The process for assigning Committees is outlined in the Council Rules.				
<p>3.9.E An appointment committee consisting of the Deputy Mayor, one councilmember and the Mayor shall recommend assignments for the Council Committee Chair and Vice-Chair positions, in accordance with the following procedure:</p> <ul style="list-style-type: none"> <li>a) The appointment committee shall provide recommendations for Council Committee assignments to the full Council for its approval no later than the first regular meeting in January.</li> <li>b) Each Council member shall be assigned to at least one (1) Council Committee, with the exception of the Deputy Mayor who shall chair the study session.</li> <li>c) Chairperson selection shall be based on seniority, balance of experience, knowledge and interest prior to assignment.</li> <li>d) The appointment committee shall give weighted consideration for those working on long range project.</li> </ul>				
<b>RECOMMENDED ACTION:</b> Deputy Mayor Harman And The Mayor Will Solicit One Councilmember To Assist In Bringing Recommendations For Committee Assignments Back To Council On November 28 <sup>th</sup> .				



## 2018 Council Committee Meetings

Public Works: Michelle Gehring, & Scott Drennen - **First Wednesday of the month at 9:30 at City Hall.**

**Goal: Ongoing issues, develop briefing for Council meeting #1 and details for Study Session**

**Attendance: 2-3 council, PW staff, admin.**

- Utilities, Technology, Streets/Transportation, Emergency Bridge.  
\* Facilities related to Public Works.

**Responsibility of Chairs- Identify/prepare/provide items to City Clerk for Council Study Sessions.**

\*\*\*\*\*

Public Safety: John Kelly, & Greg Hogan- **First Friday of each month at 9:30am at PSB**

**Goal: Ongoing issues, develop briefing for Council meeting #1 and details for Study Session**

**Attendance: 2-3 council, PS staff, admin**

- Public Safety, Emergency Preparedness.  
\*Facilities related to Public Safety

**Responsibility of Chairs- Identify/prepare/provide items to City Clerk for Council Study Sessions.**

\*\*\*\*\*

Community and Governmental Affairs: Nicola McDonald, & Tod Gunther- **First Thursday of each month at 3:00pm at City Hall.**

**Goal: Ongoing issues, develop briefing for Council meeting #1 and details for Study Session**

**Attendance: 2-3 council, Parks staff, admin**

- Economic Development, Grants, Sponsorship, Lodging Tax, Cemetery, Parks Advisory Board.  
\*Facilities related to Administration.

**Responsibility of Chairs- Identify/prepare/provide items to City Clerk for Council Study Sessions.**

\*\*\*\*\*

Study Session: Dave Harman, Chair & Scott Drennen, Co-Chair- **Third Wednesday of each month at 6:00pm at the MPC.**

**Goal: Introduction & first pass at ordinances and resolutions. Deep dive into committee matters. Legal review and staff discussion.**

**Attendance: Full Council, as necessary (admin, legal, and others)**

- General, Finance, Leg Priorities, Government relations.

**Responsibility of Chairs- Identify/prepare/provide items to City Clerk for Regular Meeting/Consent Agenda.**

\*\*\*\*\*

Council Meeting #1 & 2- **2<sup>nd</sup> and last Wednesday of each month at 7:00pm at the MPC.**

**Goal: Business of the council (appointments, public hearings, public input, presentations, proclamations, etc.), assignment of topics to committees. Passing/debating consent agenda from study session.**



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject: Helix - Architectural scope and budget</b>		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>	N/A		<b>AB18-104</b>
	<b>For Agenda of:</b>	N/A		<b>11/14/18</b>
	<b>Department:</b>	City Administrator		
<b>Date Submitted:</b>	<b>11/6/19</b>			
<b>Cost of Item:</b>	<u>\$462,088</u>			
<b>Amount Budgeted:</b>	<u>N/A</u>			
<b>Unexpended Balance:</b>	<u>N/A</u>			
<b>Bars #:</b>	TBD			
<b>Timeline:</b>	Urgent			
<b>Submitted By:</b>	Bethune			
<b>Fiscal Note:</b>				
<b>Attachments:</b> Scope and Budget				
<p><b>SUMMARY STATEMENT:</b> Helix is presenting the city with anticipated expenses and services to complete all design and engineering work for the new civic center. These costs are in line with the most recent cost estimates of architectural, engineering and soft costs associated with the project. The amount is \$445,738, and this scope includes three additional services that are optional to the city.</p> <ul style="list-style-type: none"> <li>- First is for landscape design for \$7,260.</li> <li>- Second is for designing and engineering an alternative and more resilient foundation for \$12,500.</li> <li>- Third is for providing “as built” of the city for \$3,850.</li> </ul> <p>Administration is recommending the addition of the alternative foundation design, engineering and the “as built”</p> <p>We are not recommending the landscape design due to the small amount of space to be designed and the city’s public works ability to provide sufficient landscaping.</p> <p>The total of the scope and budget including the 2 additions recommended by staff is \$462,088.</p>				
<p><b>RECOMMENDED ACTION: MOTION:</b> To authorize the Mayor to enter into a contract and execute all related documents for the services outlined in the scope and budget for architectural services for the new public facilities in the amount of \$462,088 including the additions of an alternative foundation design and “as built” drawings.</p>				



**Helix**  
design group

November 1, 2018

Mr. Mark Bethune, City Administrator  
City of Orting  
PO Box 489  
Orting, WA 98360

**RE: New Orting Civic Center / Police Station and City Hall | Revised**

Dear Mark;

We are very pleased to know that the City has decided to move forward with the next phases in the development of the new Civic Center project. This continues to be a very exciting opportunity for us, and we look forward to continuing our enjoyable working relationship with you and the City of Orting. We have prepared the following proposal addressing the next steps in the development process.

Following comments and discussions pursuant to our October 22, 2018 proposal, we have discovered certain inconsistencies and omissions in our proposal. These have now been corrected and we respectfully submit the following revised proposal for your consideration.

**I. SCOPE OF WORK**

With the schematic design (SD) phase complete, the next phases will be the development and completion of design development (DD) and construction documents (CD). We will prepare full design documents based on the completed schematic design (SD) for the new building and site. The approved concept features a single story, wood frame building with a floor area of 11,805 SF. Using this information, we will prepare and provide:

**A. DESIGN**

- Review and adjust SD documents as necessary.
- Prepare plans, specifications and cost estimates (building and site) and submit for City review at completion of DD and CD phases.
- Attend review meetings (2); solicit comments; implement requested adjustments.
- Prepare final set of construction documents (drawings and specifications) ready for bid solicitation.
- Prepare and submit building permit application.
- Coordination meetings with City representatives.
- Attend up to three (3) City Council meetings; present.
- Prepare 3D colored rendering of building design.

**B. BIDDING**

We will provide support as needed to solicit contractor bids, and will answer questions during the bid period; issue necessary addenda (if any); and generally support the process.

**C. CONSTRUCTION (CA)**

Services construction will include, but not necessary be limited to the following:

- Visit site at appropriate intervals to verify that construction meets the design intent, and attend construction meetings.
- Respond to construction questions, RFI's, etc.
- Review submittals and shop drawings.
- Review and respond to change order requests.
- At City's option review and approve contractor's payment requests.

**D. CLOSE-OUT (CO)**

Services Include:

- Prepare punch lists at substantial and final completion stages.
- Review O&M manuals submitted by GC .
- Support as necessary during the warranty period.

**II. FEE**

As before, we propose to use the State of Washington’s “Guidelines for Determining Architect/Engineer Fees for Public Works Building Projects” (July 1, 2015), copy previously provided. The fee schedule covers full services in architecture, mechanical, electrical and structural engineering. Civil engineering, landscape design, and cost estimating are typically “outside” the schedule, and special meetings/presentations, renderings, etc. and are considered “extras” also. Our fee proposal is as follows.

**A. Architecture, Mechanical/Electrical and Structural Engineering**

**1. Basic Services**

The fee schedule establishes fees as a percentage of the Maximum Allowable Construction Cost (MACC). In the following calculations, we are using adjusted cost in the City of Orting’s cost analysis as the MACC. The fee will be adjusted once the final cost estimate (and MACC) has been prepared and approved. We also strongly recommend that we target a base bid at 90% of the MACC with 10% in alternates.

MACC:		\$ 5,076,488
Fee % per Schedule ‘B’:		8.775%

<b>FEE (Total)</b>	<b>\$ 5,076,488</b>	<b>X 8.775% =</b>	<b>\$ 445,462</b>
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The above total fee is for all phases of the project. However, SD, at 18% of the total, has already been completed. The fees for the remaining phases are as follows, with fee by phase broken down as a percentage of the total fee.

<i>Phase</i>	<i>Percentage</i>	<i>Fee</i>
DD	20 %	\$ 89,093
CD	31 %	\$ 138,093
Bid	2 %	\$ 8,909
CA	27 %	\$ 120,275
CO	2 %	\$ 8,909
	<b>82 %</b>	<b>\$ 365,279</b>

**2. Additional Services**

**a) City Council Meetings**

3 @ 3.5 hours; Principal + PM	<b>\$ 3,465</b>
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**b) Renderings**

Allowance	<b>\$ 2,750</b>
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<b>TOTAL:</b>	<b>\$ 371,494</b>
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**B. Cost Estimating**

Per Attachment ‘A’

Fee:	\$ 12,760
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Helix mark-up @ 10%	1,276
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<b>TOTAL</b>	<b>\$ 14,036</b>
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**C. Civil Engineering**

Per Attachment ‘B’

Fee:	\$ 54,800
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Helix mark-up @ 10%	5,480
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<b>TOTAL</b>	<b>\$ 60,208</b>
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**D. Fee Summary**

**TOTAL FEE, SERVICES** **\$ 445,738**

**E. Reimbursable Expenses**

Reimbursable expenses – e.g. copies, prints, mileage – have **not** been included in our proposed fees. Such expenses will be invoiced at cost +10%; personal auto mileage at \$0.545/mile.

**III. OPTIONAL SERVICES**

**A. Landscape Design**

This project component was deleted from our scope of work, per the City’s request, but may be provided as an option.

Per Attachment ‘C’

Fee:	\$ 6,600
Helix mark-up @ 10%	660
<b>TOTAL</b>	<b>\$ 7,260</b>

**B. Alternative Foundation System**

In addition to using structural fill and spread footings, design “alternative” foundation system using “geo piers”.

Fee:	\$ 10,000
Helix mark-up @ 10%	1,000
<b>Sub-total</b>	<b>\$ 11,000</b>
Helix Coordination	1,500
<b>TOTAL:</b>	<b>\$ 12,500</b>

**C. FF&E**

Helix can work with the City, if requested, to select furniture, fixtures and equipment (FF&E), provide lay-out, and purchasing specifications.

**FEE** **Hourly / TBD**

**D. Signage**

Helix can prepare signage design and layouts. Installation details to be provided by signage manufacturers.

**FEE** **Hourly / TBD**

**E. As-Built / Record Drawings; Civil Engineering**

These can be provided at Owner’s option

Fee:	\$ 3,500
Helix mark-up @ 10%	350
<b>TOTAL</b>	<b>\$ 3,850</b>

**IV. ASSUMPTIONS**

- A. Site survey, geotechnical and hazardous material investigations will be provided by the City.
- B. Landscape design is not included in the current scope of work, but has been included in this proposal as an “optional service.”
- C. All permitting fees to be paid directly by the City
- D. Value Engineering and Constructability Reviews have **not** been included in our proposal.
- E. LEED certification will not be pursued for this project, and sustainable design features beyond what is considered good practice will not be developed.
- F. Project commissioning services have not been included.

- G. Preparation of civil engineering as-built / record drawings has **not** been included, but can be provided as an additional service. See III. E. above. As-built drawing preparation for architectural, mechanical, electrical and structural engineering documents is included in Basic Services under "Close-out" / "CO"

We hope this proposal is acceptable. If you have any questions please let us know. Upon your approval of this proposal we will at your option prepare an appropriate AIA type contract covering our agreement.

Sincerely yours,  
HELIX DESIGN GROUP, INC.

A handwritten signature in black ink, appearing to read "E. Prestegaard", written in a cursive style.

Erik Prestegaard, Principal

Attachments

ATTACHMENT A

# **Bill Acker Consulting Services**

*Information Generated from Practical Experience in the Current Market Place*

PHONE (360) 895-1756 • FAX (360) 874-2062

P.O. BOX 1213

GIG HARBOR, WA 98335

LICENSE I.D. #601 251 587

October 18, 2018

Helix Design Group  
6021 12<sup>th</sup> Street East, Suite 201  
Tacoma, WA 98424

Dear Erik Prestegaard:

Thank you for considering my services to provide estimates on the upcoming combined City of Orting Police, Courthouse and City Hall facility. My proposed estimate & review fees would be as follows:

DD estimate and review: 55 hours x \$116 per hour = \$6,380.

CD estimate and review: 55 hours x \$116 per hour = \$6,380.

This adds up to \$12,760 for both estimates. If desired, these may be considered hourly not-to-exceed fees.

Thank you again for the consideration. Please do not hesitate to call if you have any questions, or additional information is desired.

Sincerely,



Bill Acker

Bill Acker Consulting Services

ATTACHMENT B

ADDENDUM NO. 1  
To HEDG0000-0018 ORTING CIVIC CENTER

This Addendum modifies the Agreement between DEA and Helix Design Group (CLIENT) entered into July 27, 2018 and known as Orting Civic Center.

- Change in schedule: Tasks listed in Addendum 1 will be performed on a mutually agreed upon schedule.
- Change in fee:

**Time and Expense Services:**

For the Items of the Specified Services listed below rendered under this Agreement, Client agrees to pay DEA an amount for the time of all personnel engaged directly under this Agreement based on DEA's Rates for Personnel plus an amount for incurred expenses based on DEA's Rates for Expenses. Any contract work remaining uncompleted through no fault of DEA after 180 days from the contract date will be subject to increased fees.

B. Design Development .....	\$ 14,100
C. Construction Documents .....	\$ 21,700
D. Construction Administration.....	\$ 9,000
E. Civil Plan Revisions .....	\$ 10,000 (estimate)
<b>TOTAL TIME &amp; EXPENSE ITEMS .....</b>	<b>\$ 54,800</b>

- Modifies the Agreement in the following manner:

**Task A per previous agreement.**

Per conversation with CLIENT, this addendum was prepared based on the following assumptions:

1. The Architectural Site Plan prepared by CLIENT, dated 09.26.18 will be used as the basis of design.
  - a. Off-site parking will include angle-in parking on Washington Avenue and parallel parking on Bridge Street.
2. No design work will occur on the Fraternal Order of Eagles property at this time.
3. The City of Orting will allow the angle-in parking as shown on Washington Avenue.
4. No work will occur on the north side of Washington Avenue. The existing pavement will be restriped to provide to provide approximately 10' wide travel lanes on Washington.
5. The existing storm system along the south side of Washington Avenue will remain in place. New pavement constructed south of the existing edge of pavement will slope north toward the existing edge of pavement (flow line).
6. A final site plan will be determined during the Design Development Phase. Construction documents will be based on the final site plan.
7. On-site stormwater management will include one infiltration gallery for roof drains and permeable pavement for parking areas.

**Task B. Design Development**

DEA will incorporate comments from the Schematic Design Submittal and further refine the site design components. This includes:

- Performing calculations for storm drainage flow control and water quality and treatment facility sizing.
- Providing locations, slopes, and elevations for storm drainage piping, manholes, catch basins, and infiltration trenches.
- Providing locations and sizing of utilities (water, sanitary sewer, electric, natural gas, phone, and CATV/Fiber Optics).
- Preparing a grading plan and calculating earthwork quantities.
- Layout of frontage improvements
- Providing quantities for site work improvements.



- Providing outline specifications

DEA will coordinate with the Architect and other design team members to properly accommodate architectural, mechanical, and electrical components. DEA will submit one progress set and one final set of the Design Development plans and outline specifications to the Architect. DEA will attend up to 2 hours of meetings, including travel time.

### **Task C. Construction Documents**

DEA will further refine the Design Development plans to include details, notes, and specifications normally required to construct the civil improvements shown. All documents will be prepared one time and provided to the CLIENT for submittal to the City of Orting. Revisions will be performed on an hourly basis.

1. All drawings will be in AutoCAD format with a 22" x 34" sheet size:
  - a. Cover Sheet
  - b. Civil Site Plan
  - c. Temporary Erosion and Sediment Control Plan
  - d. TESC Notes and Details
  - e. Grading and Storm Drainage Plan
  - f. Grading and Storm Drainage Notes and Details (up to two (2) sheets)
  - g. Water and Sanitary Sewer Plan
  - h. Water and Sanitary Sewer Notes and Details (one sheet)
  - i. Dry Utilities Plan
2. Prepare the following reports/documents:
  - a. Storm Drainage/Technical Information Report
  - b. Construction Phase SWPPP
  - c. Storm Drainage Operation and Maintenance Plan
  - d. Site Work Specifications

All documents will comply with City of Orting standards and will be provided to the CLIENT for submittal to the city. All documents will be prepared and submitted one time. Revisions will be addressed on a Time and Expense basis under Task E. DEA will attend up to 2 hours of meetings, including travel time.

### **Task D. Construction Administration**

DEA will assist CLIENT during the construction phase of the project. Assistance will be in the form of reviewing contractor pay requests, reviewing submittals, addressing contractor questions, and attending periodic construction progress meetings.

### **Task E. Civil Plan Revisions**

DEA will make revisions of the above-listed plans and documents on a Time and Expenses basis. DEA will provide a budget for those revisions once the extent of the revisions is known.

### **Assumptions**

1. All design work will be for the subject property only, except to the extent explicitly stated above.
2. All utilities required by the project are located immediately adjacent to the project and possess sufficient capacity to serve the project without further analysis.
3. The storm drainage system will consist of roof infiltration trenches and permeable pavement for the new parking lot.
4. No improvements other than trenching for the sanitary sewer will occur on the Fire Station lot.
5. No variances or design deviations will be required.
6. CLIENT will provide DEA with a geotechnical report that indicates the required pavement design, soil stripping depth, infiltration rates used for storm drainage design, slope recommendations, and any other geotechnical considerations pertinent to the project.
7. The CLIENT's Architect will provide a site plan to DEA in AutoCAD 2004 format that is dimensionally correct and can serve as the basis for civil design.

8. The CLIENT will pay all application submittal fees, review fees, and permit fees.
9. DEA will not be providing structural engineering services at this time. If a storm vault or retaining wall is required, DEA will simply show the internal dimensions of the vault and top and toe of any walls. Structural design of these items, if required, will be by others.
10. No upstream or downstream analysis of the adjacent storm network will be required.
11. DEA cannot guarantee that earthwork quantities will balance.
12. The project will be designed and submitted at one time with all construction occurring in one phase.
13. All storm and sanitary sewer systems will be gravity operated only.
14. No easement preparation, subdivision, lot line adjustments, or boundary line adjustments, other than explicitly noted above, will be required.

ACCEPTED FOR CLIENT:  
HELIX DESIGN GROUP

BY \_\_\_\_\_  
 NAME \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 DATE \_\_\_\_\_

ACCEPTED FOR DEA:  
DAVID EVANS AND ASSOCIATES, INC.

BY \_\_\_\_\_  
 NAME Marc Pudists, P.E.  
 TITLE Vice-President  
 DATE \_\_\_\_\_

ATTACHMENT C

**DOUGLAS H. TUMA, ASLA**                      **LANDSCAPE ARCHITECT**  
12321 Southwest Cove Road, Vashon Island, WA 98070                      TEL (206) 463-3897

October 18, 2018

Erik Prestegaard  
Helix Architecture  
6021 12<sup>th</sup> street east, suite 201  
Tacoma, WA 98424

RE: ORTING CITY HALL LANDSCAPE AND IRRIGATION PROPOSAL

Dear Erik,  
Thank you for asking me to submit a proposal for this project. For the  
landscape/irrigation plan and working with the city of Orting I require the following fee:

LANDSCAPE AND IRRIGATION DESIGN, MEETINGS & PLANT  
GRAPHICS    66 HOURS @ \$100.00=                      \$6600.00

Administration – Hourly as requested at \$100.00 estimated 10 Hours

Thank you,



Douglas H. Tuma

Landscape Architect



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject: Civil Service Commission Attorney Appointment</b>		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>			<b>AB18-105</b>
	<b>For Agenda of:</b>			<b>11/14/18</b>
	<b>Department:</b>	Finance		
	<b>Date Submitted:</b>	11/7/18		
<b>Cost of Item:</b>		<u>TBD</u>		
<b>Amount Budgeted:</b>		<u>\$2,500</u>		
<b>Unexpended Balance:</b>		<u>N/A</u>		
<b>Bars #:</b>		001-521-20-41-02		
<b>Timeline:</b>		ASAP		
<b>Submitted By:</b>		Scott Larson		
<b>Fiscal Note:</b>				
<b>Attachments:</b> Engagement Letter				
<b>SUMMARY STATEMENT:</b>				
<p>The City has started a Civil Service promotion process, and during these types of promotion process the Civil Service Commission often has appeals from the candidates. The appeals that the Civil Service Commission hears are handled by an attorney appointed that has specific civil service expertise. Staff is recommending that this attorney be appointed prior to any matter that may arise out of the promotion process as the Civil Service Commission is obligated to respond within a very short period of time.</p> <p>To find an attorney to represent the Civil Service Commission, staff reached out to three law firms (per the City of Orting Purchasing Policy) that have expertise in civil service matters, two responded, and we are recommending that Council proceed with appointing W. Scott Snyder of Ogden Murphy Wallace PLLC as the attorney representing the Orting Civil Service Commission.</p>				
<b>RECOMMENDED ACTION: Motion: To appoint W. Scott Snyder of Ogden Murphy Wallace PLLC as the attorney representing the Civil Service Commission, and allowing for the Mayor to negotiate a contract with the same.</b>				

*W. Scott Snyder*  
*ssnyder@omvlaw.com*

November 8, 2018

Scott Larsen, Treasurer  
CITY OF ORTING  
110 Train Street SE  
P. O. Box 489  
Orting WA 98360

Charlotte Archer, City Attorney  
KENYON DISEND  
11 Front Street South  
Issaquah, WA 98027-3820

RE: Hearing Examiner Services

Dear Scott and Charlotte:

Thank you for retaining me to assist the Orting Civil Service Commission as counsel and on the Commission's authorization as Hearing Examiner on an on-call basis. I wanted to take this opportunity to outline the scope and some of the details of our firm's representation of you in this regard. My services will be performed for the City and its Civil Service Commission, under the direction of the Commission.

#### **Scope of Services**

As a Counsel and Hearing Examiner, I would meet with your Civil Service Commission for brief training and for authorization of a resolution appointing me as their Hearing Examiner and detailing the scope of my authority. I would draft that resolution for the Commission. Should an appeal be filed, I will conduct a pre-hearing conference with the parties, advise the Commission and conduct a hearing to commence. I will then meet in Executive Session with the Civil Service Commission for its deliberation, receive its direction, review the briefing of the parties, and prepare draft Findings of Fact and Conclusions of Law for the Commission. The Hearing Officer in this context is not a decision-maker, but rather conducts the hearing, makes evidentiary rulings, preserves the record, and generally assists the Commission in reaching its decision. With your authorization, I will also review the Commission's rules and make recommendations for revision (if needed).

Scott Larsen  
Charlotte Archer  
November 8, 2018  
Page 2

### **Legal Fees**

The usual basis for determining our fees is the time expended by attorneys, paralegals and legal assistants of the firm. You will be billed for my services on an hourly basis. My present billing rate is \$325.00 per hour for Civil Service Counsel and Hearing Examiner services.

We will bill you monthly for all the time spent on your project and for other costs incurred relating to our work or on your behalf. The activities for which our time will be billed will include: conference time, whether in person or on the telephone; document preparation and revision; negotiations; correspondence; staff or attorney supervision; factual and legal research and analysis; travel on your behalf; and other matters directly pertinent to and related to your business and/or litigation matters handled by our firm. Some of our costs include an allocation for administrative services that is shared among the firm's clients. Typical of the costs for which you will be billed would be: filing fees; delivery fees; computer assisted legal research; and copying. Travel time will be billed but not travel expenses.

### **Termination**

The Civil Service Commission may terminate our representation at any time, with or without cause, by notifying us. Upon such action, all fees and expenses incurred before the termination are due to the firm. If such termination occurs, your original papers will be returned to you promptly upon receipt of payment for outstanding fees and costs. If you wish to have a copy of your file at the conclusion of our representation, we will provide it to you at the current copy rate per page then in effect at this firm.

### **Estimates**

You may, from time to time, ask us for estimates of our fees and expenses either in whole or in part. We are hesitant to give estimates because of their potential inaccuracy. However, if you require it, and if we do provide you with such estimates, they will be based upon our professional judgment, but always with a clear understanding that it is not a maximum or fixed fee quotation. We cannot guarantee that the actual fees and expenses will be at or below the estimates because of factors outside the control of the firm.

### **Dispute Resolution**

If you disagree with the amount of our fee, please take up the question with your principal attorney contact or with the firm's managing member, Geoff Bridgman. Typically, such disagreements are resolved to the satisfaction of both sides with little inconvenience or formality. The Washington State Bar Association has a Fee Arbitration Board to assist in the settlement of any fee disputes. Any disputes relating to the terms of engagement or the amount of legal fees related thereto, will be submitted to the Fee Arbitration Board of the Washington State Bar Association for arbitration

Scott Larsen  
Charlotte Archer  
November 8, 2018  
Page 3

and prompt resolution, according to its then-effective rules, and Ogden Murphy Wallace and you agree to be bound by the results of such arbitration. In the event of non-payment such that we have to pursue collection of your account, you agree to pay the costs of collecting the debt, including court costs and fees, and a reasonable attorney's fee.

**Withdrawal**

We reserve the right to withdraw from representing you for any reason allowed by law, including, without limitation, failure to timely pay our fees in accordance with this Agreement.

**Disclaimer**

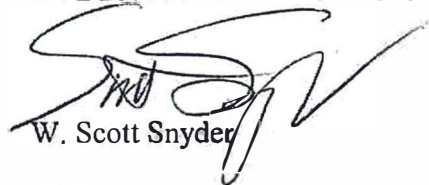
You acknowledge that we have made no guarantees regarding the disposition, outcome, or results of your legal or business matters, and all expressions we have made relevant thereto are only our opinions as lawyers based upon the information available to us at the time.

**Selection of Ogden Murphy Wallace, P.L.L.C.**

Thank you again for selecting our firm. Please sign a copy of this letter within the next week and return it to our office. If I do not receive it from you within the next ten days, I will bill you for the work I will have completed by that date and refrain from any further representation until I hear from you.

Very truly yours,

OGDEN MURPHY WALLACE, PLLC



W. Scott Snyder

WSS/gjz

I hereby accept the above terms and conditions.

CITY OF ORTING  
CIVIL SERVICE COMMISSION

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Scott Larsen, Treasurer



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject:</b> AWC Legislative Goals and Council Legislative Priorities for 2019		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>	N/A		<b>AB18-106</b>
	<b>For Agenda of:</b>	11.01.18		11.28.18
	<b>SUMMARY STATEMENT:</b>			
	<b>Department:</b>	Administration & CGA Committee		
	<b>Date Submitted:</b>	<b>10.23.18</b>		
<b>Cost of Item:</b>	<u>\$0</u>			
<b>Amount Budgeted:</b>	<u>\$0</u>			
<b>Unexpended Balance:</b>	<u>\$0</u>			
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>Bethune</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b>	Recommended Leg priorities			
<b>SUMMARY STATEMENT:</b>  The City Council typically approve Council legislative priorities each year before the legislative session begins in January. The Current Legislative priorities were drawn up by the City Administrator and presented to the Community and Government Affairs Committee. AWC's legislative priorities were taken into consideration.				
<b>RECOMMENDED ACTION: MOTION: To adopt the Council Legislative Priorities for 2019 as prepared.</b>				



## City of Orting Legislative Priorities October 1, 2018

1. **Maintain flexible use of Real Estate Excise Tax.** After the loss of the car tab fees Orting as well as other Washington cities had insufficient funds for street and park maintenance. The advent of flexible use of REET funds in 2011 revived these funds and has provided a bare minimum of funding. City parks are an invaluable asset for low cost child and family recreation. This flexible use has been further constrained by new legislation EHB2122 that allows maintenance only on REET built assets. It is impossible to determine what particular (%) of capital assets have been built with REET as most capital projects in streets and parks had mixed funding. It is paramount that our legislators approve an amendment to EHB 2122 for more flexible use of REET Funds in the 2019 session.
2. **Transportation priorities:** A gas tax has been approved for improvements to SR167, but capacity improvements to SR162/SR 162-Hwy 410 interchange have not been included. These projects are not included in the state's future transportation capital plan and funding at this time. We need a new initiative to keep them in the state transportation plan. The City will lobby against new home expansion in unincorporated Pierce County, particularly Tehaleh and South Hill until there is sufficient capacity improvements to SR162.
3. **Halt and refrain from raiding infrastructure funds like the Public Works Trust Fund and Model Toxics Control Accounts and build them back to health.** Our infrastructure is aging and we can't keep up with state regulatory requirements. Great cities don't just happen – we need planned and sustained investments in infrastructure in order for Washington to thrive. Orting's sewer plant, well and new reservoir would not have been built without the low interest loan from the Public Trust Fund. The City supports full funding of the Public Works Board's \$217 million budget funded from the current stream of loan repayments and the 2% of REET dedicated to the account. Additionally we look to strengthen the program by ending REET fund diversions from the account now instead of waiting until 2023.
4. **Planning and development for disaster preparedness.** Orting as well as all of western Washington is at high risk for hazards including volcanic eruption, lahar flows, and extreme earthquakes. The Orting Pedestrian Evacuation Bridge system (Bridge For Kids), infrastructure protection, improved current evacuation plans, and resiliency to disasters require state and federal financial support. Analysis indicates that during school time, some children will not make a walk to high ground in sufficient time to escape a volcanic lahar from Mt. Rainier. City infrastructure is also vulnerable earthquakes especially the future highly destructive subduction zone quake.
5. **Local Community Capital Grant from State:** The current city hall is about 100 years old and will probably not be able to withstand future geologic catastrophes. The cost to even bring the building up to current building code and ADA accessibility, is about \$2 million which would be the cost of a new city hall. The City is seeking \$1.7 million from the state local capital grants to help pay for a new police station, court and council chambers and a city hall.
6. **Postpone/reduce requirements of National Pollutant Discharge Elimination System (NPDES) permit 2.** Orting has met NPDES requirements to date but the 2012-2014 requirements are vague or not yet stated. The known requirements will be expensive to implement, and still contain significant unfunded liability. This is not the time for unfunded mandates, new expenses, and risk for cities.
7. **Public Records requests:** Establish new statewide policies and procedures for Public Records Requests that set common sense limits on requests and penalties and provides remuneration to the City. A recent public records request in Seattle seeks all the video from police cameras from the last 5 years. All these videos must have redactions. The expense will be in the hundreds of thousands and could take up to 3 years to complete. Recently Orting received a public records request from a national data gathering for-profit business requiring the city to provide details of every purchase made since 2008 including all vendors' information during that time, electronically (no hard copies). State regulations do not provide a way for the City to recoup this expense. What will keep other commercial interests from requesting this level and volume of information in the future?

**SPECIAL STUDY  
SESSION  
MEETING**



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject: Utility Billing Policies</b>		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>	N/A	<b>AB18-107</b>	
	<b>For Agenda of:</b>	11/7/2018	11/14/2018	11/28/2018
	<b>Department:</b> Finance/Utility Billing			
	<b>Date Submitted:</b> November 1, 2018			
<b>Cost of Item:</b>		<u>N/A</u>		
<b>Amount Budgeted:</b>		<u>N/A</u>		
<b>Unexpended Balance:</b>		<u>N/A</u>		
<b>Bars #:</b>		N/A		
<b>Timeline:</b>		N/A		
<b>Submitted By:</b>		Scott Larson		
<b>Fiscal Note:</b>				
<b>Attachments:</b> Utility Billing Draft Policies.				
<b>SUMMARY STATEMENT:</b>				
<p>This policy document would formalize our practices for how we work with customers during the utility billing process. The Utility Billing Policies document reflects our current practices while working with customers, however staff wanted to formalize our practices and document them so that we would have something to give customers when they request a copy of various policies.</p>				
<b>RECOMMENDED ACTION: Move to consent agenda for council meeting on November 28, 2018.</b>				



**City Council of the City of Orting, Washington**

**Policy No. 2018-02**

**Utility Billing Policy**

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## Rates & Fees

City fees are established by the City Council and published on the City of Orting's *Fee Schedule*.

Governing Laws:

- OMC 9-1D-3

## Senior/Disabled Utility Rates

It is the policy of the City of Orting to provide the opportunity for customers to apply for senior or disabled utility rates on owner occupied property.

The city will recognize a customer's provided proof of the senior/disable rate through the Pierce County Assessor Treasurers Office for the land taxes of their property. Once the customer is no longer living on the property, the senior/disabled rate will discontinue, following the same guidelines from the Pierce County Assessor Treasurers Office.

The Senior/Disabled rate is set by the council when annual utility rates are adopted.

Governing Laws:

- OMC 9-1D-3

## Snow Bird Utility Rates

It is the policy of the City of Orting to offer a Snow Bird rate for customers that reside inside the city limits, who relocate during the winter months. Customers requesting the Snow Bird rate will have their water meters locked off for the duration of their absence from the property and will have a discounted sewer rate for that period, but will continue to pay the base rates on water and stormwater management.

The Snow Bird sewer rate is set by the council when utility rates are adopted.

Governing Laws:

- OMC 9-1D-3

## Rental Property - Utility Accounts

It is the policy of the City of Orting to allow property owners approve the utility account in the renter's name.

The property owner is ultimately responsible for the billing if the renter vacates the property and does not settle the final billing.

If a property owner fails to pay the utility bill for a tenant, the tenant has the right to assume the billing for the account. A statement will continue to be sent to the owner.

Property owners do not have the right to discontinue services on an account when a tenant remains on the property.

Governing Laws:

- RCW 59.18.300
- RCW 35.21.217

### Billing Dates and Due Dates

The City of Orting mails out utility bills on approximately the first business day of the month.

Utility bills are due by 8 am on the 26<sup>th</sup> of the month, or the next business day if the 26<sup>th</sup> falls on a weekend or holiday. Customers who do not pay their by this date and time are assessed a penalty as set by resolution.

Utility service will be discontinued starting at 8 am on the fifteenth calendar day following the bill due date and assessed an administrative fee as set by resolution.

Governing Laws:

- OMC 9-1D-1

### Unlocking Water Meter for Property Inspections and Water Turn-off for Leaks

It is the policy of the City of Orting to unlock water meters at the request of the customer and/or real estate personnel if the property is for sale. The water meter will be unlocked only for the day of the inspection. If the inspection is on a weekend, the Utility Billing Department will approve or disapprove the request based on Public Works availability. Upon the second request for the same property a fee may be charged. That fee is established by the City Council and published on the City of Orting's *Fee Schedule*.

It is also a policy of the City of Orting to provide emergency shut-off of water in the case of a water leak. If the request is made after regular business hours, a fee may be charged. Upon the second request for the same property a fee may be charged.

### Utility Payment Arrangement Requests

It is the policy of the City of Orting to allow utility customers to make payment arrangements for payments, given the following:

- Arrangements may be made two (2) business days prior to the 25<sup>th</sup> of each month. Although the due date/time is the 26<sup>th</sup> of each month at 8:00am, the city does not open its doors for business until 9:00am, payment is already late at that time.

- Arrangements may also be made two (2) business days prior to the shutoff due date; this date fluctuates month to month based on the 15 additional days allowed to pay when a payment due by the 26<sup>th</sup> of the month has not been met.
- Utility billing staff will review the customer's account prior to approval of the arrangement.
- Accounts that have a history of six (6) late payments within a 12 month period not be granted an arrangement.
- Arrangements are not allowed each month.
- Arrangements are not allowed for both the 26<sup>th</sup> deadline and the shutoff deadline for the same billing period.
- Arrangements are limited to three (3) in any 12 month period.
- If the arrangement is not met, the penalty will be charged to the account.
- If the arrangement is made prior to the shutoff and if the arrangement is not met, the shut-off penalty will be charged to the account and the water meter will be locked off within 24 hours after the previously agreed due date without further notice.
- Appeals for denial of an arrangement may be made in writing to the City Treasurer.

### Utility Service Interruption and Removal/Cut Meter Fee

It is the policy of the City of Orting to lock off water meters when a utility account has been unpaid by the second due date (8am, 15 days after the 26<sup>th</sup> of each month) of the billing period.

The city mails a late notice on or about the 27<sup>th</sup> of each month, notifying a customer of their pending water termination for nonpayment of their utility bill. Paperless customers will receive the delinquency notice through the mail as well. That delinquency notice shall provide the amount currently past due, the specific due date of 8am on the 15<sup>th</sup> day after the 26<sup>th</sup> of the month, and when their water service will be interrupted. Lock-off of the meter will occur normally within two (2) days of this second due date however, per WAC 480-100-128(G)(C), the city does have up to ten (10) days to lock-off the water service. Customers who pay after the shutoff due date, but before the service is terminated, will still be charged a penalty, as if their water was were shut off.

Water meters for unpaid accounts will be locked off by Public Works (PW) staff. The PW staff will leave a yellow notice on the front door of the house informing the customer that their water service has been interrupted for a past due bill.

Payments must be made by 4:45pm on shut off day to have service re-instated that day. Once payment has been received, The PW staff will remove the lock and reinstate water service.



For payments made after 4:45pm, water service will be re-instated the next morning.

PW staff do not collect payments and do not reinstate service after the normal business hours for PW Staff (8am-4pm).

Any customer that has either moved in or moved out, with notification to Utility billing, during the month of the utility bill being considered for shut-off, will not incur that \$50 penalty, nor have service interrupted.

If a PW staff member finds that upon their return to the property to unlock the meter that the lock has been remove and/or cut, there will be a fee for destruction of city property (the lock). The meter will be re-locked and the Shut off fee will be charged.

Governing Law:

- RCW 35.21.300
- WAC 480-110-355
- OMC 9-1D-2

## Rejected Payment

It is the policy of the City of Orting that any rejected payment from either a financial institute or through Invoice Cloud will incur a service fee. If the rejection is an error made by either the financial institute or Invoice Cloud that service fee may be waived, given the following procedure is followed. If the rejection from Invoice Cloud labels the rejection as “unable to locate”, which represents a customer has made an error in entering personal account numbers, the service fee will not be charged.

Repayment of a rejection must be made in cash or if paying through Invoice Cloud payments made be made with a debit or credit card.

Upon two (2) rejected payments, within a twelve (12) month period, the utility account may become a “Cash Only” account. If there are three (3) rejections for the “unable to locate” through Invoice Cloud, the city may charge the service fee.

If the rejected payments are all through the Invoice Cloud electronic payment option, the utility account, upon approval of the City Treasurer, will be blocked from the Invoice Cloud payment option.

The city may at its discretion refuse payments made by personal or business checks.

Governing Law:

- WAC 480-110-355
- OMC 9-1D-1(D)

## Waiving Penalties and Rejected Payment Fee

It is the policy of the City of Orting to review customer requests to waive penalties and other fees after the customer has submitted a written request. All requests must be approved of the City Treasurer.

The City will waive one late fee per rolling 12 month period.

## Water Leak Adjustments

It is the policy of the City of Orting to offer an adjustment to a customer utility bill after a water leak has been repaired.

The customer will be required to submit a *Utility Adjustment Request* to the Utility Billing Department, with proof of repair.

If the adjustment is approved, the affected water billing will be adjustment based on the average use for the past 12 month. Adjustment request must be within 30 days from the invoice date for the month the customer is seeking an adjustment for.

Adjustments for water leaks are limited to one during an 18 month period.

The request will be forwarded to the City Treasurer for review and approval.

Governing Law:

- OMC 9-1D-4

## Collections & Liens

It is the policy of the City of Orting to forward customer's unpaid billings to an external collection agency or process a lien against the property. Any additional cost to file a lien that is charged will be the responsibility of the customer to pay.

Although the city utility accounts do follow the property, there are times when said accounts may require transfer to a collection agency. In addition there may be an unpaid invoice from another city department that may require the submittal to a collection agency.

Governing Law:

- RCW 4.16.040
- RCW 19.16.500
- RCW 19.16.500

## Closed Utility Account Balances

It is the policy of the City of Orting to refund any credit balances on the customer's utility account. If the credit is \$2.00 or less the refund will not occur, without a request from the customer. If the account is a renter's account the credit will remain on the account.

If a customer's account has a balance due, the final billing will be sent to the customers forwarding address. However, if the balance is \$5.00 or less, the amount due will be waived and not collected from the customer.

If the utility account holder is a renter, and the remaining balance is not paid, it will be the responsibility of the property owner (landlord) to settle the unpaid balance.

If the property has been sold, vacated or foreclosed and the remaining balance has not been paid, it will be the responsibility of the new owner to settle the unpaid balance unless the city is prohibited from collecting by law.



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject: Side Sewer Ownership Discussion</b>		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>	N/A	<b>AB18-108</b>	
	<b>For Agenda of:</b>	11/7/18	11/14/18	TBD
	<b>Department:</b>	Public Works		
	<b>Date Submitted:</b>	11/8/18		
<b>Cost of Item:</b>		<u>NA</u>		
<b>Amount Budgeted:</b>		<u>N/A</u>		
<b>Unexpended Balance:</b>		<u>N/A</u>		
<b>Bars #:</b>		N/A		
<b>Timeline:</b>		N/A		
<b>Submitted By:</b>		Greg Reed		
<b>Fiscal Note:</b>				
<b>Attachments:</b> AGO Opinion,				
<b>SUMMARY STATEMENT:</b>				
<p>The City currently does not have a formal policy or practice for the ownership and maintenance of side sewers within the right-of-way. In the past, we have both fixed side sewers and told homeowners that they are responsible for their repair and maintenance.</p> <p>Staff have reviewed the policies of other cities, along with a State Attorney General opinion, and reviewed the increased cost that ratepayers would need to bare if the city were to own the side sewer. The Attorney General says that the homeowner owns the side sewer from the main to their house, and is responsible for repairs and maintenance with some limited exceptions. That said, the city could create a policy where we own the side sewer within the right-of-way.</p> <p>Staff reviewed the costs of replacing side sewers, which needs to be done approximately every 50 years, and the current estimate to replace the average side sewer is \$10,000, which equates to an additional \$17 per month in sewer fees that the city would need to collect to be able to fund this burden.</p> <p>The staff recommendation is that since the side sewer would not exist without the home or business, and both serve a private purpose, the city should not own any part of a side sewer unless there is a pre-existing agreement that we do own it, and staff recommend that we update our code to reflect this policy.</p>				
<b>RECOMMENDED ACTION: Discussion item only.</b>				



Washington State  
Office of the Attorney General

Attorney General  
Bob Ferguson

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How may we help you?



Home | AGO Opinion | Use of public funds to repair or replace side sewers

# USE OF PUBLIC FUNDS TO REPAIR OR REPLACE SIDE SEWERS



AGO 2009 No. 5 - Aug 27 2009

Attorney General Rob McKenna

SEWER DISTRICTS — PUBLIC FUNDS — GIFT OF PUBLIC FUNDS — GIFTS — LOANS — Use of public funds to repair or replace side sewers.

**Municipal sewer districts have statutory authority to use public funds to repair or replace side sewers located on private property if doing so will increase sewer capacity by reducing infiltration and inflow. Use of public funds to do so does not constitute an unconstitutional gift or loan of public funds if the district acts without donative intent and can demonstrate that the action will result in significant benefit to the public.**

\*\*\*\*\*

August 27, 2009

Representative Ruth Kagi  
State Representative, 32nd District  
P. O. Box 40600  
Olympia, WA 98504-0600

Cite As:  
AGO 2009 No. 5

Dear Representative Kagi:

By letter previously acknowledged, you have requested our opinion with respect to the following question:

**May a municipal sewer district repair or replace private side sewers as part of a district-wide infiltration and inflow reduction program where (a) aging and inadequate side sewers are the most significant contributor to infiltration and inflow in the district’s entire system; (b) the purpose of the program is to benefit the district and the public through lower long-term capital and maintenance costs, not private property owners; (c) repair or replacement would be subject to a right of entry from the private property owner; and (d) the program costs will be paid back through the district’s bi-monthly sewer rates?**

## BRIEF ANSWER

Municipal sewer districts have statutory authority to maintain or operate the sewer system by repairing or replacing side sewers if doing so results in increased sewer capacity by reducing infiltration and inflow into the sewer system. The exercise of this statutory authority does not constitute a gift of public funds if the municipal sewer district does not have a donative intent and it is able to demonstrate that the expense will result in sufficient benefit to the public.

## BACKGROUND

Your question concerns a municipal sewer district that owns and operates sewer mains and lift stations that transport wastewater and sewage to treatment plants. [1] Side sewer lines **[original page 2]** collect waste and stormwater from individual homes and buildings and connect to the sewer district's system of pipes and pumps. The side sewer lines are owned by individual property owners, not the sewer district.

The sewer district is experiencing infiltration and inflow from the side sewer lines. Infiltration takes place when groundwater enters the side sewers through deteriorated or damaged side sewer pipes. U.S. Env'tl. Prot. Agency, *Sewer System Infrastructure Analysis and Rehabilitation* 91 (1991). Inflow occurs when stormwater is discharged into side sewers or the sewer system through direct connections, such as downspouts, foundation drains, and driveway drains. *Id.* Infiltration and inflow "is the major deterrent to the successful performance of a wastewater conveyance or treatment system." *Sewer System Infrastructure* at 19 (citing *Technology and Design Deficiencies at Publicly Owned Treatment Works*, Water Env't & Tech., (Dec. 1989)). It can cause excessive wear on pumping station equipment, high power costs, and the need for construction of new or additional sewer facilities earlier than the date projected. *Id.* Infiltration and inflow can also cause overloaded sewer systems and treatment plants to flood streets and basements and release untreated wastewater into waterways. *Id.*

## ANALYSIS

A municipal sewer district may repair or replace private sewers if it has statutory authority to do so, and if paying for such repairs or replacements would not violate the state constitutional prohibition against the gifting or lending of public funds. We conclude that municipal sewer districts have the necessary authority and that its exercise would not transgress the state constitution.

We begin by briefly considering the statutory authority of municipal sewer districts. RCW 57.08.005(5) provides authority to municipal wastewater districts "to construct, condemn and purchase, add to, maintain, and operate" sewer systems for a variety of purposes, including provision of "an adequate system of sewers" and "control of pollution from wastewater." In addition to possessing the authority granted by RCW 57.08, municipal sewer districts are authorized to exercise any of the powers granted to cities and counties with respect to the maintenance and operation of waterworks and systems of sewage and drainage. RCW 57.08.005(21). Cities and towns have authority to "construct, condemn and purchase, acquire, add to, maintain, conduct, and operate" sewer systems "together with additions, extensions, and betterments thereto, within and without its limits." RCW 35.67.020(1). Counties have similar authority to "establish . . . operate, and maintain" a sewer system. RCW 36.94.020.

The statutory authority of a municipal corporation is limited to the power conferred by statute and the constitution, necessarily implied or incident to the powers expressly granted, or essential to the declared objects and purposes of the corporation. *Okeson v. City of Seattle*, 159 Wn.2d 436, 445, 150 P.3d 556 (2007). The Washington Supreme Court has explained that "if municipal utility actions come within the purpose and object of the enabling statute and no express limitations apply, [the] court leaves the choice of means used in operating the utility to the discretion of municipal authorities." *City of Tacoma v. Taxpayers of Tacoma*, 108 Wn.2d 679, 695, 743 P.2d 793 (1987).

**[original page 3]** The Washington Supreme Court considered the scope of similar municipal utility authority in *Taxpayers of Tacoma*. That case involved RCW 35.92.050, which provides cities authority to "maintain and operate" electrical facilities, and purchase and sell power to its residents. Tacoma's electric utility invested in energy conservation audits and paid for the installation of conservation measures on the private property of its ratepayers. *Taxpayers of Tacoma*, 108 Wn.2d at 683. The evidence in the record demonstrated

that that “investment in conservation is considered the equivalent of purchasing electricity or of purchasing an electric generating facility.” *Id.* at 693. In determining whether the expenditures were permitted, the Court considered whether the conservation program bore a “sufficiently close nexus to the purpose and object” of the city’s statutory authority to operate the electrical utility. *Id.* at 696. The Court found that “the policy underlying legislative authorization of municipal utilities was the belief that municipalities could provide lower cost and more efficient electrical service.” *Id.* Noting the “heavy environmental and financial costs” of generating additional power, the Court stated conservation “offers the cheapest and cleanest alternative for meeting future electrical supply needs.” *Id.* at 696-97. The Court concluded that Tacoma had not exceeded its authority “to own and manage an electric utility and to purchase and sell power”. *Id.* at 700.

As with the conservation measures considered in the Tacoma case, expending funds to repair side sewers that are causing infiltration or inflow is within the statutory authority to construct, maintain, and operate a sewer system. RCW 57.08.005(5); RCW 35.67.020(1); RCW 36.94.020. In addition, repair and replacement falls within the sewer district’s statutory authority to control “pollution from wastewater” if it prevents an overloaded system from polluting streets, waterways, and private property with untreated wastewater. RCW 57.08.005(5).

In exercising its statutory authority, a municipality may not act contrary to constitutional limitations. *Okeson*, 159 Wn.2d at 447. The Washington Constitution prohibits state and local governments from giving or loaning public funds to private individuals, companies, or associations. Article VIII, section 5 states: “The credit of the state shall not, in any manner be given or loaned to, or in aid of, any individual, association, company or corporation.” Article VIII, section 7 states:

No county, city, town or other municipal corporation shall hereafter give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation.

Although sections 5 and 7 are worded differently, the Washington Supreme Court has held that they have the same meaning and are to be analyzed in the same manner. *CLEAN v. State*, 130 Wn.2d 782, 797, 928 P.2d 1054 (1996). The purpose of the provisions is “to prevent state funds from being used to benefit private interests where the public interest is not primarily served.” *Id.* (quoting *Japan Line, Ltd. v. McCaffree*, 88 Wn.2d 93, 98, 558 P.2d 211 (1977)). The question of whether a gift of public funds has occurred is resolved by (1) determining whether the governmental body had a donative intent and (2) examining the consideration received by the public. *CLEAN*, 130 Wn.2d at 798.

**[original page 4]** The Washington Supreme Court’s analysis of these factors in the *Taxpayers of Tacoma* case is closely analogous to the question you have presented. In *Taxpayers of Tacoma*, the Court found that despite the fact that the conservation measures benefitted individuals by decreasing their utility bills, the city did not act with donative intent. “Aid to individuals is not absolutely prohibited under our law but is only improper where public money is used solely for private purposes.” *Taxpayers of Tacoma*, 108 Wn.2d at 705 (quoting *State v. Ralph Williams’ N. W. Chrysler Plymouth, Inc.*, 82 Wn.2d 265, 277, 510 P.2d 233 (1973)). The Court found that any benefit received by individuals was incidental to the public benefit of meeting future power needs by using the energy saved through the conservation measures. As in the *Taxpayers of Tacoma* case, private property owners may benefit from the repair or replacement of side sewers. However, if the private benefit is merely incidental to the public benefit of increasing sewer capacity, there would not be a donative intent.

In determining whether the consideration received by the public as a result of the energy savings was acceptable, the Court applied a legal sufficiency test. *Taxpayers of Tacoma*, 108 Wn.2d at 703; see also *King Cy.*, 133 Wn.2d at 597. The Court stated that if the consideration received is not “grossly inadequate,” the courts will not analyze whether the public received consideration that was equal to the expenditure. *Taxpayers of Tacoma*, 108 Wn.2d at 703. In *Taxpayers of Tacoma*, the Court found that the consideration was not grossly inadequate, because the city demonstrated the number of kilowatts of electricity that were likely to be saved in the first year after installation of the conservation measures. *Id.* at 703-4. As in the *Taxpayers of Tacoma* case, a municipal sewer district could demonstrate the adequacy of consideration by analyzing the amount of increased sewer capacity it predicts will be obtained through the repair or replacement of side sewers. If the sewer district does not have a donative intent, and it is able to provide an analysis of the predicted increased sewer capacity, we do not believe the repairs or replacement would constitute a gift of public funds.

Our analysis of whether the repairs would constitute a gift of public funds is not affected by article VIII, section 10 of the state constitution.

Section 10 contains an exception to the state constitution's prohibition on gifts of public funds. It states:

Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of water, energy, or stormwater or sewer services may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of water, energy, or stormwater or sewer services to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of water, energy, or stormwater or sewer services in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing for energy conservation authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another.

**[original page 5]** In *Taxpayers of Tacoma*, the Washington Supreme Court examined a prior version of section 10. Const. art. VIII, § 10 (as originally adopted as Amendment 70 (1979)). Like the current version of section 10, it permitted loans of public money to help property owners acquire equipment for energy conservation, but it did not include sewer systems or sewer equipment. The Court found that section 10 was proposed by the Legislature, and ratified by the people, for "the limited purpose of carving out an exception to the lending of credit prohibition" in the state constitution. *Taxpayers of Tacoma*, 108 Wn.2d at 688. The Court held that the question of whether Tacoma could *purchase* conservation measures from private parties was a question "totally separate from, and uninfluenced by" the exception in article VIII, section 10 for the provision of *loans* to private parties for conservation measures.

In 1997, section 10 was amended to add municipal sewer services and sewer equipment. Const. amend. 91 (H.J.R. 4209 (1997)). The legislative history of amendment 91 indicates that the Legislature's intent was to permit lending of public credit to finance sewer improvements, not to address the use of public funds for the purchase of improvements. H.B. Rep. on H.J.R. 4209, 55th Leg. (1997). The voters pamphlet reflects the same intent. The ballot title submitted to the voters asked: "Shall the Constitution be amended to permit local governments to make loans for the conservation or the more efficient use of stormwater or sewer services?" Voters Pamphlet for State General Election 18 (1997). As with the original enactment of section 10, there is no indication that amendment 91 was intended to create a negative implication that the purchase of conservation equipment would be prohibited. Accordingly, the amendment does not affect a municipal sewer district's authority to use public funds to repair or replace side sewers.

We trust that the foregoing will be useful to you.

ROB MCKENNA  
Attorney General

ANNE EGELER  
Deputy Solicitor General

:pmd

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[1] Treatment plants may or may not be owned and operated by the municipal sewer system. They may be operated by other governmental entities.



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### Consumer Protection

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Protection Unit  
Hanford Litigation  
Campaign Finance Law  
Enforcement

### Criminal Justice & Public

### Safety

Crime & Safety  
Criminal Litigation Division  
Sexually Violent Predators  
Homicide Investigation Tracking  
System (HITS)  
Financial Crimes Unit  
Death Penalty Cases  
Firearms

Open Government  
Wing Luke Civil Rights Unit  
Environmental Protection  
Combating Human Trafficking  
Combating Dark Money/Campaign  
Finance Unit  
Opioid Epidemic  
Veterans Advocacy  
Legislative Priorities  
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and Collection  
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**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject: Resolution No. 2018-20, Relating To General Facility Charges And Setting Charges For 2019</b>		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>	N/A	<b>AB18-109</b>	
	<b>For Agenda of:</b>	N/A	11/14/2018	11/28/2018
	<b>Department:</b>	Finance/Public Works		
	<b>Date Submitted:</b>	November 8, 2018		
<b>Cost of Item:</b>	N/A			
<b>Amount Budgeted:</b>	N/A			
<b>Unexpended Balance:</b>	N/A			
<b>Bars #:</b>	N/A			
<b>Timeline:</b>	N/A			
<b>Submitted By:</b>	Scott Larson			
<b>Fiscal Note:</b>				
<b>Attachments:</b> GFC Resolution No 2018-20				
<b>SUMMARY STATEMENT:</b>				
<p>Pursuant to OMC 9-1B-3, the City levies general facilities connection (“GFC”) charges on all property owners seek to connect to, or increase the demand on, the City’s utilities system. By this Resolution, the City Council will be setting the GFC charges for 2019. The rate increase over the 2018 rate proposed by staff is 7.1% and was calculated using the June 2017 to June 2018 Seattle Construction Cost Index as published by Engineering News-Record.</p>				
<b>RECOMMENDED ACTION: Move to consent agenda for Council meeting on November 28, 2018.</b>				

**CITY OF ORTING**  
**WASHINGTON**  
**RESOLUTION NO. 2018-20**

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**A RESOLUTION OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO GENERAL FACILITY  
CHARGES AND SETTING CHARGES FOR 2018.**

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**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**, the City of Orting levies general facility connection charges to maintain financially stable utilities and to promote a fair and equitable allocation of water, sewer, and storm-water system costs to its customers; and

**WHEREAS**, the City strives to ensure that general facility connection charges are set so that property owners shall bear their equitable share of the cost of the utilities system, including facilities planned for future construction contained in an adopted comprehensive plan; and

**WHEREAS**, City staff and/or consultants periodically review the applicable general facility connection charges to determine whether any adjustments should be made to the existing connection charges; and

**WHEREAS**, the City desires to update and amend its current general facility charges, taking into consideration the cost of its existing general facilities, and the facilities that are planned for construction which are contained in the adopted comprehensive plan; and

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

**Section 1. Revised and Updated General Facility Charges.** Effective January 1, 2019, the general facility connection charges and surcharges therefor identified in **Exhibit A**, attached hereto and incorporated herein, shall be paid and/or applied when property owners seek to connect to, or increase the demand on, the City's utilities system, in accordance with Orting Municipal Code 9-1B-3.

**Section 2. Severability.** Should any section, paragraph, sentence, clause or phrase of this Resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution 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 Resolution or its application to other persons or circumstances.

**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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

CITY OF ORTING

\_\_\_\_\_  
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Jane Montgomery, City Clerk, CMC

Approved as to form:

\_\_\_\_\_  
Charlotte A. Archer  
Kenyon Disend, PLLC  
City Attorney

**Exhibit A- Resolution No. 2018-20**  
City of Orting  
General Facility Charges (GFC)

Water GFC's per OMC 9-1B-3(A)

<u>Fee Type</u>	<u>Effective Date</u>	<u>Fee</u>
GFC	January 1, 2019	\$4,264.97
1% Surcharge	January 1, 2019	\$42.65

Sewer GFC's Per OMC 9-2B-2(D)

<u>Fee Type</u>	<u>Effective Date</u>	<u>Fee</u>
GFC	January 1, 2019	\$9,168.73
1% Surcharge	January 1, 2019	\$91.69

Stormwater GFC's per OMC 9-5C-9

<u>Fee Type</u>	<u>Effective Date</u>	<u>Fee</u>
GFC	January 1, 2019	\$1,022.56
1% Surcharge	January 1, 2019	\$10.23

Item	Cost (estimated)	Staff Comments
Council Cell Phones	\$7,700 (first year including cost of hardware)	<p>From City Attorney:</p> <p>-Under the PRA, the call log of a city-issued phone is a public record, as are any and all messages sent using said phone. If a city-issued phone is used for personal purposes, those messages cannot be redacted in the event of a Public Records Request; they would be turned over to the requestor.</p> <p>-Under the PRA, the call log of a personal phone – even if that personal phone is used for city-business – is not a public record. Text messages relating to city-business are considered public records, and would need to be retained in accordance with the retention standards set by the state, and turned over to the city in the event of a request.</p>
E-bike for Police	\$6,000	The Police Chief has requested that this item be struck from the budget.
Code Enforcement Officer – Full Time	\$45,000 additional	The initial request was to hire a full time code enforcement officer and add some of the ancillary police duties to their job description. Upon further discussion with staff, we are now recommending that we keep the code enforcement officer at 24 hours per week, and have them focus exclusively on code enforcement work.
Permit Clerk – Strike from budget	\$76,000	Hire a 24 hour per week term limited permits coordinator.
Economic Development Plan Alternative	\$32,500	Staff recommends leaving the full amount in to allow the City to pursue opportunities. Council will have final authority to approve any plan staff comes up with.
Hazard Mitigation Planning	\$40,000	Staff recommends leaving the full amount in the budget to develop a professional CEMP and COOP because of the unique vulnerabilities that our city faces. These plans would be comprehensive and professional.
Drone – Cost	\$16,500	This amount will be 100% paid for by a FEMA grant.
Digital First Aid Stations	\$7,000	Staff recommends leaving the full amount in the budget for these digital first aid stations. Most of the city staff are not trained first aid responders that practice this every day. This tool would provide both the first aid supplies, and digital prompts to be able
Council Streaming Request – Current Facilities	\$2,000	Staff will work on a proposal for council in early 2019, but staff concern will be how much staff time during council will be used during a council meeting to make sure the system is working and who this will be – presumably it will be an additional staff person that is required to attend the meeting.
Calistoga Park Reserve	TBD	The parks fund is projected to be drawn down substantially through the end of 2018 and through 2019. Staff

		recommends a new source of funding if this item is to be funded.
Additional Property Tax	\$68,000	Staff recommends that the tax be collected to fund capital facilities.
Puyallup River Lift Station	\$1,030,000 (currently in budget for \$425,000)	From City Engineer:  I recommend increasing the design budget to \$110,000 and the construction budget to \$800,000 to account for the current bidding climate. For both Rainier Meadows and Puyallup River I recommend a combined budget of \$1.5 million (which includes construction management). I noticed the latest draft shows \$0 for construction management. We currently have \$73,870 approved for design. We have not had a chance to fully budget the change in scope, but if there is a desire to advertise for construction in the early spring, we could continue to work and provide a budget amendment to the Utility Committee in December. As Veterans Village comes online, it will contribute additional flow to the already undersized station. Veterans Village will be contributing \$102,867 in GFCs based off of fixture unit analysis calculations.