

**CITY OF ORTING  
WASHINGTON**

**RESOLUTION NO. 2014-2**

---

**A RESOLUTION OF THE CITY OF ORTING,  
WASHINGTON, APPROVING, AND AUTHORIZING THE  
MAYOR TO EXECUTE, AN INTERLOCAL AGREEMENT  
WITH THE PIERCE COUNTY FLOOD CONTROL ZONE  
DISTRICT TO FUND, IN PART, THE CALISTOGA  
SETBACK LEVEE**

**WHEREAS**, the City adopted a Comprehensive Flood Hazard Management Plan in June 2009, which contains the determination that setback levees would provide protection of persons and property by increasing flood storage capacity, reducing downstream flood impacts, restoring channel processes and restoring natural habitat; and

**WHEREAS**, the City has identified a site located on the right bank of the Puyallup River and extending approximately 7,500' from river mile 19.8 to the Calistoga St. W Bridge in Orting (approximate river mile 21.3), for the construction of a setback levee known and referred to as the "Calistoga Setback Levee"; and

**WHEREAS**, the County Council formed the Pierce County Flood Control Zone District (the "District") by passing Ordinance 2011-95s on April 3, 2012; and

**WHEREAS**, the District is authorized under RCW 86.15.080(8) to enter into cooperative agreements with other governments, such as the City of Orting, to carry out the flood and stormwater control mission of Chapter 86.15 RCW; and

**WHEREAS**, the City has requested that the District provide funding for the construction of the Calistoga Setback Levee; and

**WHEREAS**, in Resolution 2013-3s, passed on September 11, 2013, the District Board of Supervisors ("Board") adopted the 2014 District budget, which includes the capital projects and improvements that will be funded by the District in 2014; the Calistoga Setback Levee is listed in the Resolution as one of such capital projects and improvements ("Project"); and

**WHEREAS**, in Resolution No. 2013-1, passed on June 5, 2013, the Board approved an interlocal agreement between the District and Pierce County ("District/County ILA"), pursuant to which the District authorized and directed Pierce County to administer and implement the District's budget and work program, which includes design and construction of capital projects and improvements in the District's annual budget and the CPOD; and

**WHEREAS**, consistent with the District/County ILA, Pierce County and the City intend to enter into an interlocal agreement to design, construct, operate, maintain, repair and replace

the Project ("City/County ILA"); the City/County ILA will acknowledge that funding for the Project will be provided in part by the District, subject to the terms and conditions of the attached interlocal agreement between the City and the District; and

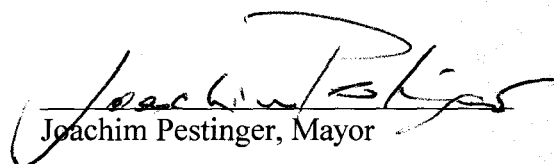
**WHEREAS**, pursuant to Chapter 39.34 RCW and RCW 86.15.080, the Parties desire to enter into this Agreement to establish the terms and conditions of District funding for the Project;

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


Section 1. Approving Interlocal Agreement. That the Interlocal agreement with the Pierce County Flood Control Zone District, attached hereto as Exhibit "A" and authorizing funding for the Calistoga Setback Levee, is hereby approved and the Mayor is hereby authorized to execute said agreement on behalf of the City.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 29<sup>th</sup> DAY OF Jan, 2014.


CITY OF ORTING

  
Joachim Pestinger, Mayor

ATTEST/AUTHENTICATED:

  
Mark Bethune, City Clerk/Treasurer

Approved as to form:

  
Chris Bacha,  
Kenyon Disend, PLLC  
City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Resolution No.:  
Date Posted:

EXHIBIT A

*(Interlocal Agreement with Pierce County Flood Control Zone District)*