

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. Chris Moore
3. Don Tracy
4. Jeff Sproul
5. Stanley Holland
6. Greg Hogan
7. Melodi Koenig



ORTING CITY COUNCIL
Regular Business Meeting Agenda
104 Bridge Street S, Orting, WA
Zoom – Virtual
October 30th, 2024
7:00 p.m.

Mayor Joshua Penner, Chair

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

This meeting is being held in person and through the platform zoom. A link for virtual participation can be found on the agenda or on the City's website:

<https://us06web.zoom.us/j/88609858490?pwd=XDE2rB4EpxHHHFknE6uwlvUJcJPMnb.1>

Telephone: 1-253-215-8782 - Meeting ID: 886 0985 8490 and the passcode 560286.

2. REQUEST FOR ADDITIONS OR MODIFICATIONS TO THE AGENDA.

3. PUBLIC COMMENTS.

Comments may be sent to the City Clerk at clerk@cityoforting.org by 3pm on October 30th, 2024 and will be read in to the record at the meeting. In person attendees may provide public comment at the meeting. In the case of a question, the chair will refer the matter to the appropriate administrative staff member or committee. Written comments that come in after the 3pm deadline will be read in to the record at the next Council meeting.

4. PUBLIC HEARING.

All members of the public may provide testimony during the public hearing via the call-in number and meeting ID listed on the agenda, in person at the meeting located at Orting City Hall, or they may submit written comments prior to the public hearing on no later than 3:00 pm on October 30th, 2024 to Kim Agfalvi, City Clerk, at clerk@cityoforting.org.

A. AB24-27 – RV Code Amendments.

Motion: To adopt ordinance no. 2024-1133, an ordinance of the City of Orting, Washington, relating to the City's regulations for the parking and temporary occupation of recreational vehicles within the City; amending Orting Municipal Code (OMC) chapter 10-14, OMC 13-2-19, OMC 13-4-2, and OMC 13-5-3.K.1a; providing for severability; and establishing an effective date.

B. AB24-111 – 2025 Property Taxes.

Motion: To approve Resolution No 2024-24, a resolution of the City of Orting requesting the highest lawful levy.

5. CONSENT AGENDA.

A. Claims Voucher.

Claims voucher list dated October 30th, 2024 which includes voucher number 56457 through 56521 in the amount of \$168,370.72 & electronic fund transfers in the amount of \$22,143.52 for a grand total of \$190,514.24.

B. Payroll Voucher.

Payroll check numbers 24280 through 24281 in the amount of \$15,246.41 & electronic deposit transmissions in the amount of \$211,880.98 for a grand total of \$227,127.39 for the period covering October 1st – 15th, 2024.

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

Next Regular Meeting: November 13th, 2024 – 7:00pm

- C. Meeting Minutes – September 25th, 2024, October 9th, 2024 and October 16th, 2024.
- D. AB24-100 – 2025 Fee Schedule – CGA Committee.
- E. AB24-103 – Personnel Manual Updates – CGA Committee.
- F. AB24-101 – Endangerment with a Controlled Substance – Public Safety Committee.
- G. AB24-105 - Brightly Asset Management Solutions Service Contract – Public Works Committee.

Motion: *To approve the consent agenda as prepared.*

6. NEW BUSINESS.

- A. AB24-79 – 2025 Grants – CGA Committee.

Motion: *To adopt Resolution No. 2024-18, 2024-19, 2024-20, 2024-21, 2024-22, and 2024-23 resolutions of the City of Orting, Washington, declaring a public purpose and authorizing a City grant of funds to Orting Chamber of Commerce, Orting Food Bank, Orting Senior Center, Recovery Café of Orting Valley, Orting Valley Farmer’s Market, and Opportunity Center of Orting (The Haven).*

- B. AB24-113 – 2025 Budget Discussion – City Administrator Scott Larson.

Motion: *Discussion item.*

7. EXECUTIVE SESSION.

8. ADJOURNMENT.

Items by Page Number

4. PUBLIC HEARING.

- A. AB24-27 – RV Code Amendments. – Page 4**
- B. AB24-111 – 2025 Property Taxes. – Page 20**

5. CONSENT AGENDA.

- A. Claims Voucher. – Page 33**
- B. Payroll Voucher. – Page 33**
- C. Meeting Minutes – September 25th, 2024, October 9th, 2024 and October 16th, 2024. – Page 46**
- D. AB24-100 – 2025 Fee Schedule – CGA Committee. – Page 56**
- E. AB24-103 – Personnel Manual Updates – CGA Committee. – Page 72**
- F. AB24-101 – Endangerment with a Controlled Substance – Public Safety Committee. – Page 144**
- G. AB24-105 - Brightly Asset Management Solutions Service Contract – Public Works Committee. – Page 150**

6. NEW BUSINESS.

- A. AB24-79 – 2025 Grants – CGA Committee. – Page 181**
- B. AB24-113 – 2025 Budget Discussion – City Administrator Scott Larson. – Page 202**



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee:	Study Session Dates	Regular Meeting Dates
Subject: Recreational Vehicle (RV) Code Amendments	AB24-27	CGA 3.6.2024 4.3.2024 10.2.2024	9.18.2024 10.16.2024	10.30.2024
	Department:	Community Development Department		
	Date Submitted:	10.17.2024		
Cost of Item:	N/A			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:	Hold public hearing at Council regular meeting on 10.30.2024 with possible action to follow.			
Submitted By:	Kim Mahoney			
Fiscal Note:	None			

Attachments: RV Code Amendment Planning Commission Staff Report; Draft Ordinance No. 2024-1133.

SUMMARY STATEMENT:

In March, the Community and Government Affairs (CGA) Committee met to discuss proposed amendments to various sections of the Orting Municipal Code (OMC) to address inconsistencies in the regulation of temporary occupation of recreational vehicles (RVs).

Following a public hearing on September 5, 2024 on the matter, the Planning Commission recommended the City Council approve Ordinance No. 2024-1133, attached to this summary sheet and including supplemental edits that were discussed with CGA at their October 2, 2024 meeting.

The proposed amendments would:

- Permit temporary occupancy of an RV on private property for 180 days in a year, if accessory to an active building or remodel permit on the same lot, or following destruction or damage of the principal dwelling by a disaster;
- Permit temporary occupancy of an RV for 14 days in a 6-month period when issued a temporary use permit and located on a parcel in the residential zoning districts;
- Prohibit parking RVs in the public right-of-way (ROW) other than for an emergency 24-hour stop;
- Prohibit leak or discharge to City stormwater, surface water, or sewer infrastructure;
- Prohibit the storage of RVs and boats in front yards, and;
- Prohibit the storage of more than one RV, or more than one boat, or more than one RV and one boat, on parcels in the City’s residential zoning districts.

RVs still may not be parked on City streets and may not overhang public sidewalks and right-of-way.

RECOMMENDED MOTION: Motion:

To Adopt Ordinance No. 2024-1133, an ordinance of the City of Orting, Washington, relating to the City's regulations for the parking and temporary occupation of recreational vehicles within the City; amending Orting Municipal Code (OMC) chapter 10-14, OMC 13-2-19, OMC 13-4-2, and OMC 13-5-3.K.1a; providing for severability; and establishing an effective date.



Staff Report

Project Name:	Code Amendments to OMC 10-14, 13-2-19, 13-4-2, and 13-5-3:K.1.a regarding temporary occupation of recreational vehicles (RVs)
Date of Staff Report:	October 18, 2024
Date of Meeting:	October 30, 2024
City Staff Contact:	Kim Mahoney - Community Development Director
60-Day Notice:	Distributed to the Department of Commerce on August 6, 2024 for 60-day notice.
Public Notice & SEPA:	<p>Notice of a Planning Commission public hearing was published in the Tacoma News Tribune and posted online and at City Hall on August 21, 2024, per OMC 15-7-3.</p> <p>A Notice of SEPA Threshold Determination Issuance was also published in the Tacoma News Tribune on the same day; the SEPA comment period closed with no timely comments having been submitted to staff by the general public. One comment was submitted by the Department of Health.</p> <p>Notice of a City Council public hearing was published in the Tacoma News Tribune and posted online and at City Hall on October 18, 2024, per OMC 15-7-3.</p>

Exhibits:

1. Draft Ordinance and proposed changes to the Orting Municipal Code (OMC)

Background

The Orting Municipal Code (OMC) contains conflicting regulations regarding when and where recreational vehicles (RVs) may be occupied and there are no provisions for short-term occupancy of an RV outside of RV parks. For instance, the building codes in OMC 10-14 allow occupation of an RV on private property anywhere in the city for up to 180 days with the possibility for an extension of another 180 days; however, the zoning code states in multiple chapters that RVs may not be occupied on lots outside of approved RV parks.

Staff have recently fielded many questions from the public about long-term and short-term occupation of RVs. The City Council asked the Planning Commission to consider updates to the conflicting municipal code sections related to RVs and to consider revisions to the codes to allow short-term occupancy of RVs in residential zoning districts. Staff drafted updates to the applicable code sections and the Planning Commission held three workshops to refine the amendments. At the conclusion of the third workshop, the Planning Commission set the public hearing for September 5, 2024, to provide an opportunity for the public to comment on the proposed changes to the Building and Zoning codes. The public hearing occurred on September 5, 2024 with no comments from the public being entered into the open record at the hearing.

The public hearing closed with the Planning Commission recommending approval of the draft ordinance amending OMC provisions regulating temporary occupancy of RVs, with one noted edit to the draft OMC 13-4-2(D)(8). The edit removed a previous prohibition on RVs being located in any critical area or its buffer, given the comment from DOH (Exhibit 3) identifying that much of Orting is within a critical aquifer recharge area (CARA), a regulated critical area. Given that the storage of RVs in a CARA is not a prohibited action as per Orting's Critical Area Ordinance, OMC 13-4-2(D)(8) has been redrafted to read: "The unit shall comply with all applicable requirements in Title 11 - Critical Areas and Shoreline Management."

Staff presented the Planning Commission's recommendation on the draft ordinance to City Council at their study session meeting on September 18, 2024. At this meeting, the City Council expressed concern with some of the language recommended for approval by the Planning Commission, particularly as it related to the storage of RVs and boats within front yards on parcels within the city's residential zoning districts. The draft ordinance was taken to the Community and Government Affairs (CGA) Committee meeting on October 2, 2024 to recraft language in the draft ordinance (Exhibit 1) that better reflects the desire of the Council. Staff revised the language in Exhibit 1 following guidance from CGA and presented the revisions to City Council at their study session on October 16, 2024. Council moved the ordinance forward to their October 30, 2024 regular meeting for public hearing and possible action to follow. A Notice of Public Hearing was published in the Tacoma News Tribune and posted online and at City Hall on October 18, 2024; at the time of this staff report's preparation, no public comments have been received.

Proposal

The proposal to amend the Building and Zoning codes includes updating several code sections pertaining to RVs to align the codes and ensure consistency. Providing cohesive regulations allows predictability for those wishing to live temporarily in an RV and clarifies the rules for permit reviewers and enforcement staff.

In addition to minor text changes throughout that are necessary for clarity, Staff is proposing the following updates:

OMC 10-14: removing references to mobile homes from the code sections related to temporary uses. The term "mobile home" refers to a product that has not been built since 1976.

OMC 10-14-1: adding OMC 10-14-1:C to reference the definition of recreational vehicle that is in Title 13.

OMC 10-14-2: adding a time limit of 24 hours in a 180-day period for emergency or temporary parking of RVs in the right-of-way.

OMC 10-14-3: removing the section regarding RVs on public property because City staff and the City attorney have determined that it is unnecessary and possibly inappropriate for the regulations pertaining to RVs in the right-of-way to be located in the building and zoning codes. Further, the Right-of-Way code would supersede the Building and Zoning codes, there is not an appeal process that correlates with provisions as located, and the City Council is the appropriate body to establish the limits for RVs in rights-of-way.

OMC 10-14-3:C: changing to resolve the conflict between the building codes and zoning codes to allow temporary occupation of an RV for 180 days when it is located on a permitted remodeling or building site in a residential zoning district (with the potential to renew for another 180 days). Staff proposes additional updates to specify that when temporary occupancy is allowed permit fees must be paid, the RV may not be located in the right-of-way, and the RV must not be leaking illicit discharges.

OMC 10-14-5: repealing this section because permit fees are not determined by resolution of the Mayor and City Council, and to avoid redundancy with OMC 10-14-3:C.

OMC 13-2-19: revising the definition of recreational vehicle to include travel trailers and other types.

OMC 13-4-2:C: creating a new section for temporary classrooms to provide clarity and provisions for the use. Temporary classrooms are currently an allowed temporary use listed under the section titled "Temporary Housing Unit."

OMC 13-4-2:D: revising the section titled "Temporary Housing Unit" to ensure consistency with OMC 10-14-3:C. Such revisions include requiring compliance with OMC 10-14-3, requiring placement on a site consistent with OMC 13-5-3, requiring provisions for water and sewer, and clarifying that the regulations do not pertain to RVs located in an approved RV Park.

OMC 13-4-2:E: adding OMC 13-4-2:E to allow short-term occupancy of an RV, for a period no greater than 14 days, pursuant to the granting of a temporary use permit, when the RV is not located in the right-of-way, and the RV is not connected to sewer or water. Providing also that RVs shall comply with applicable critical area and shoreline management requirements set forth in Title 11, OMC.

OMC 13-5-3: updating the section to clarify that either one RV or one boat may be stored on a parcel in the City's residential zoning districts, and to clarify that RVs and boats may only be stored in side or rear yards, and not in front yards. Add specificity in this section as to what constitutes "screening" of RVs and boats in side and rear yards.

Public Comments

As of the time of the report, the City has not received comments from the general public and has received one comment from the Department of Health (DOH). The comment from DOH resulted in an edit to OMC 13-4-2(D)(8), which now reads: "The unit shall comply with all applicable requirements in Title 11 - Critical Areas and Shoreline Management." The intent of this edit is to address previously-crafted draft language prohibiting RVs from parking in critical areas; that language was identified as

problematic by DOH due to the proliferation of critical aquifer recharge areas (CARAs) in the City. The City's critical area regulations (Title 11, OMC) do not prohibit the parking of RVs in CARAs.

SEPA Environmental Review

The City issued a Determination of Nonsignificance (DNS) on August 21, 2024. Staff issued the Notice of DNS by publishing in the newspaper of record, posting on the City's website, and posting on-site at City Hall, per OMC 15-14-5-3. The comment period for the DNS concluded on September 4, 2024, and the City had not received any comments. Anyone may file an application to appeal the City of Orting's environmental determination within 10 days of the end of the final SEPA comment period pursuant to OMC 15-14-7-5. No appeals were timely filed against the project's SEPA threshold determination.

Findings and Review

The draft Ordinance, as provided with this staff report under Exhibit 1, shows the suggested findings for the adoption of the ordinance.

Recommendation

Staff recommends the City Council consider adoption of Ordinance No. 2024-1133.

Public Hearing

A public hearing is scheduled and will take place Council's regular meeting on October 30, 2024.

Appeal

Per OMC 15-10-4, appeals to City Council must be filed within 10 days of the date of the recommendation or decision. No appeals to Planning Commission's recommendation to Council have been timely filed.

CITY OF ORTING

WASHINGTON

ORDINANCE NO. 2024-1133

AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, RELATING TO THE CITY'S REGULATIONS FOR THE PARKING AND TEMPORARY OCCUPATION OF RECREATIONAL VEHICLES WITHIN THE CITY; AMENDING ORTING MUNICIPAL CODE (OMC) CHAPTER 10-14, OMC 13-2-19, OMC 13-4-2, AND OMC 13-5-3.K.1.a; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Orting, Washington is fully planning under the state Growth Management Act (GMA); and

WHEREAS, in 1973 the City of Orting adopted regulations prohibiting the parking and occupation of a mobile home, or factory-built homes anywhere in the city outside of an approved mobile home park; and

WHEREAS, the City of Orting amended sections of Titles 10, 13, and 14 of the Orting Municipal Code (OMC) relevant to the parking and occupation of recreational vehicles (RVs) through Ordinance 2019-1053; and

WHEREAS, there are conflicting regulations within various code sections of the Orting Municipal Code regarding temporary occupation and parking of RVs; and

WHEREAS, the City of Orting desires to clarify and amend the regulations pertaining to the occupation and parking of RVs; and

WHEREAS, the City Council intends by this ordinance to allow very short-term occupancy of RVs on lots in the residential zoning districts; and

WHEREAS, the Planning Commission held a public hearing and considered this Ordinance on September 5, 2024; and

WHEREAS, a 60-day notice of intent to adopt the proposed amendments in this Ordinance was provided to Department of Commerce on August 6, 2024; and

WHEREAS, on October 30th, 2024 the City Council held a public hearing on the proposed code amendments in this Ordinance; and

WHEREAS, the City Council has determined that the proposed code amendments in this Ordinance are consistent with the goals and policies of the City’s comprehensive plan, and will serve the public health, safety and general welfare;

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

Section 1. Amendment: Orting Municipal Code (OMC) Chapter 10-14, OMC 13-2-19 (definition of “Recreational Vehicle” only), OMC 13-4-2, and OMC 13-5-3.K.1.a, and are hereby amended as set forth in **Attachment A**, attached hereto.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this Ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this Ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

Section 5. Effective Date. This Ordinance shall take effect and be in force five (5) days after its approval, passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th day of October, 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, CMC
City Clerk

Approved as to form:

Kendra S. Rosenberg
Kenyon Disend
City Attorney

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

Attachment A

TITLE 10 BUILDING AND CONSTRUCTION

CHAPTER 14 PARKING AND OCCUPYING ~~MOBILE HOMES~~ RECREATIONAL VEHICLES

10-14-1 : UNLAWFUL PARKING OR OCCUPATION OF ~~MOBILE HOME OR~~ RECREATIONAL VEHICLES:

- A. Prohibition: It is unlawful, within the City limits, for any person to park or occupy any ~~mobile home~~ ~~or~~ recreational vehicle within the City except as provided in this Chapter.
- B. Exception: This Section shall not apply to manufactured homes as defined in OMC 13-2-14. (1973 Code § 14.40.010; amd. Ord. 2019-1053, 11-25-2019)
- C. For purposes of this chapter, "recreational vehicle" shall have the same meaning as stated in OMC 13-2-19.

10-14-2 : EMERGENCY OR TEMPORARY STOPPING OR PARKING:

Emergency or temporary stopping or parking of ~~a mobile home or a~~ recreational vehicle is permitted on any street, alley or highway for a period of no longer than twenty-four (24) hours in a 180-day period, and subject to any other regulation or ordinance prohibiting or restricting parking. (1973 Code § 14.40.020; amd. Ord. 2019- 1053, 11-25-2019)

10-14-3 PERMISSIBLE PARKING OF ~~MOBILE HOMES AND~~ RECREATIONAL VEHICLES:

No person shall park or occupy a ~~mobile home or~~ recreational vehicle within the City outside of an approved manufactured home park, or recreational vehicle park/campground, except:

A. Within A Building: ~~That the~~ The parking of one unoccupied ~~mobile home or~~ recreational vehicle in a private garage building is permitted, provided no living quarters shall be maintained or any business practiced in said ~~mobile home or~~ recreational vehicle;

B. Selling or Renting: ~~That the~~ The parking of an unoccupied ~~mobile home or~~ recreational vehicle in a lot devoted for the purpose of selling, renting or otherwise disposing of ~~mobile homes~~ recreational vehicles is permitted provided ~~the mobile home~~ each recreational vehicle is ten feet (10') or more from any other ~~mobile home~~ recreational vehicle, building or structure;

C. Temporary Parking for a Mobile Home or Recreational Vehicle:

~~1. Mobile Homes: That a mobile home may be parked for a period not to exceed one hundred eighty (180) days on private property, provided the person desiring to so park and occupy the same shall first apply and obtain from the Code Enforcement Officer, a permit to do so, which application shall~~

~~state the location at which the mobile home is to be parked, the motor vehicle license number and a general description of the mobile home for which permission is requested, and shall pay a permit fee in an amount set by Resolution of the City Council; provided, further, that such occupancy shall at all times comply with all regulations relating to health and sanitation, and shall also comply with electrical requirements of applicable ordinances. The permit to park and occupy the mobile home may be extended by the Code Enforcement Officer upon written request setting forth the need of extending the time, but such extension shall not exceed one hundred eighty (180) additional days. Parking and occupancy of recreational vehicles and mobile homes shall continue to be subject to restrictions set forth in OMC 13-5-3(k)(1)(a).~~

~~2. Recreational Vehicles On Public Property: No recreational vehicle shall stand or be parked on any street, right-of-way, alley or public place in the City for a period exceeding seventy two (72) hours in a one week period, provided that the Recreational Vehicle is parked in compliance with all provisions of the OMC, including but not limited to Title 7, and state law, including but not limited to WAC 308-330 et seq. No recreational vehicle shall stand or be parked for any period of time between sunset and sunrise in any City park or upon any other City owned property, excluding a street or right of way, unless that area is posted granting permission to so use or as specified in this code.~~

~~3. Recreational Vehicles on Private Property: A recreational vehicle may stand or be parked and used or occupied on private property with the permission of the lawful occupant thereof~~ owner of the lot upon which it will be placed, for a period not to exceed one hundred eighty (180) days within a twelve (12)-month period. ~~;~~ provided, that: The temporary occupation of the recreational vehicle shall be accessory to an active building or remodel permit that has been issued for construction located on the same lot where the recreational vehicle is placed and is subject to the following:

1.a. The lawful occupant of the ~~premises~~ recreational vehicle shall register with the Code Enforcement Officer prior to occupying the recreational vehicle on the premises, and pay required permit fees as established by resolution of the City Council; ~~and~~

2.b. The recreational vehicle shall be inspected by the City if connected to sewer or to a Tacoma-Pierce County health department approved septic system.;

3.e. The recreational vehicle shall be located on ~~the premises~~ a lot in a residential zoning district in accordance with the provisions of OMC Title 13, Chapter 5; ~~and~~

4.d. Such use or occupancy shall not create a public health hazard or nuisance, as determined by the City;-

5.e. The recreational vehicle ~~Shall~~ shall not be parked on or overhanging a public right of way (street or sidewalk); and

6.f. The recreational vehicle shall not leak or cause illicit discharges to stormwater drainage systems, surface water or groundwater in accordance with OMC 9-5A-9:H; sites are subject to inspection for illicit discharges in accordance with OMC 9-5B-10.

7. Once a recreational vehicle is registered for occupation on private property for a period of one hundred eighty (180) days, the one hundred eighty (180) day period may be extended by the Code Enforcement Officer, upon written request setting forth the need of extending the time, but such extension shall not exceed one hundred eighty (180) additional days.

D. Outdoor Storage Of Recreational Vehicles: The outdoor storage of unoccupied recreational vehicles in the residential zones is permitted without a permit, pursuant to OMC 13-5-3.

10-14-4 : ~~FACTORY-BUILT HOUSING~~ PENALTY:

A. Any person violating any of the provisions of this Chapter is guilty of a civil infraction with penalties, plus statutory assessments, as follows:

1. The maximum penalty and the default amount for a first offense within a one year period, designated as a Class 4 civil infraction, shall be sixty dollars (\$60), not including statutory assessments;

2. The maximum penalty and the default amount for a second offense within a one year period, designated as a Class 3 civil infraction, shall be one hundred twenty dollars (\$120), not including statutory assessments;

3. The maximum penalty and the default amount for a third offense within a one year period, designated as a Class 2 civil infraction, shall be three hundred dollars (\$300), not including statutory assessments;

4. The maximum penalty and the default amount for a fourth offense and each additional offense within a one year period, designated as a Class 1 civil infraction, shall be six hundred dollars (\$600), not including statutory assessments.

B. Joint and Several Responsibility And Liability: Responsibility for violations subject to enforcement under this chapter is joint and several, and the city is not prohibited from taking action against a party where other persons may also be potentially responsible for a violation, nor is the city required to take action against all persons potentially responsible for compliance. (1973 Code § 14.40.080; amd. Ord. 2019-1053, 11- 25-2019)

10-14-5 : ~~PERMIT TO PARK ON PRIVATE LAND; FEES~~ REPEAL

~~Permits for parking on private land shall cost such sum as provided by resolution of the Mayor and City Council for each trailer. (1973 Code § 14.40.060; 1996 Code)~~

10-14-6 : ~~VIOLATION~~; PENALTY:

Any person violating any of the provisions of this Chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in Section 1-4-1 of this Code. (1973 Code § 14.40.080)

TITLE 13 - CHAPTER 2 (partial)

OMC 13-2-19: . . .

RECREATIONAL VEHICLE: A recreational vehicle is a factory built vehicular structure designed only for recreational use and not as a primary residence or for permanent occupancy, built and certified in accordance with NFPA 1192–15 or ANSI A119.5–09 consensus standards for recreational vehicles and not certified as a manufactured home. It is designed to be self-propelled or permanently towable and shall include, but not be limited to, travel trailers, campers, motor homes, and camping trailers.

. . .

TITLE 13 - CHAPTER 4 TEMPORARY USES/TEMPORARY HOUSING UNITS

13-4-1 : PURPOSE:

The purpose of this chapter is to establish allowed temporary uses and structures and provide standards and conditions for regulating such uses and structures. (Ord. 792, 7-29-2004)

13-4-2 STANDARDS

A. Temporary Construction Buildings: Temporary structure for the storage of tools and equipment or containing supervisory offices in connection with major construction projects, may be established and maintained during the progress of such construction on such projects, and shall be abated within thirty (30) days after completion of the project or thirty (30) days after cessation of work or for a period not to exceed the duration of the building permit, whichever is greater.

B. Temporary Real Estate Office: One temporary real estate sales office may be located on any new subdivision in any zone, provided the activities of such office shall pertain only to the selling of lots within the subdivision upon which the office is located; and provided further, that the temporary real estate office shall be removed at the end of a twelve (12) month period, measured from the date of the recording of the map of the subdivision upon which such office is located or at the time specified by the city council.

C. Temporary Classrooms: Portable, modular, or mobile structures that provide classrooms or other school related space are allowed as part of K-12 school facilities and are subject to the provisions of the underlying permit.

DC. Temporary Housing Unit: ~~Singlewide mobile homes or manufactured homes~~ A factory built structure may be placed in any zone to provide on-site security and surveillance for public facilities, or a recreational vehicle may be placed in any residential zone for occupancy during the ~~period of time necessary to construct~~ construction or renovation of a permanent dwelling on the same lot or tract, ~~to provide on-site security and surveillance for public facilities, to provide classrooms or other school related space for public schools,~~ or to provide for residential occupancy when permanent homes have been destroyed or damaged by a disaster, provided:

1. The unit meets all applicable codes and regulations including OMC 10-14-3. ~~-is removed from the site within thirty (30) days after final inspection of the project, or within one year from the date the~~

~~unit is first moved to the site, whichever may occur sooner.~~ A recreational vehicle may remain on site unoccupied as long as it meets all applicable development standards in Title 13 OMC;

2. The mobility gear is not removed from the unit and the unit is not permanently affixed to the site on which it is located.;

3. The ~~unit recreational vehicle~~ is located on private property in a manner consistent with OMC 13-5-3; ~~not located in any required front or side yard where a rear yard is reasonably accessible, or a side yard is of sufficient size to accommodate the recreational vehicle;~~

4. A temporary permit is issued by the building department prior to occupancy of the unit on the ~~construction~~ site.;

5. Prior to the issuance of a temporary permit for a unit allowed per this section, the site shall be reviewed by the Pierce County health department to determine additional requirements for water supply and/or septic waste disposal or adequacy of existing utilities. The recreational vehicle may be inspected by the City if connected to sewer or to a Tacoma-Pierce County health department approved septic system;

6. In the event the site contains trees or other natural vegetation of a type and quantity to make it possible to partially or totally provide screening on one or more sides of the ~~security~~ unit, the city may require the unit be located so as to take advantage of the natural growing material available to screen said unit from adjacent properties.;

7. Prior to the issuance of a temporary housing permit, the city shall review the application and may require installation of such fire protection/detection equipment as may be deemed necessary as a condition to the issuance of the temporary housing permit.;

and

8. The unit shall comply with all applicable requirements in Title 11 - Critical Areas and Shoreline Management.

9. Recreational vehicles located within an approved recreational vehicle park are not subject to the standards set forth in this Section.

E. A recreational vehicle may be occupied for up to 14 (fourteen) days in a six (6) month period, with one potential extension of 14 (fourteen) additional days, per year, with a temporary use permit when located on a parcel in the RC, RU, or RMF zoning districts, provided:

1. The recreational vehicle shall not be parked on or overhanging a public right of way (street or sidewalk), and

2. The recreational vehicle shall not be connected to sewer or water systems~~except as approved by the City after review of the temporary use permit.~~

The following code sections are included only to demonstrate that the numbering/lettering of sections would change with the proposed changes above. No other updates to the following sections are proposed at this time.

FD. Cargo Containers; When Allowed: Except pursuant to subsections A, "Temporary Construction LM and PF zones pursuant to a type 1 permit as an accessory use and in the RU zone pursuant to a type 3 permit as a conditional accessory use, subject to the following limitations as determined by the city administrator:

1. Only two (2) cargo containers will be allowed per lot with a maximum length of forty feet (40') per cargo container.

2. The cargo container must be located to minimize the visual impact to adjacent properties, parks, trails and rights of way. Property located across a public right of way is not regarded as adjacent property.

3. The cargo container must be sufficiently screened from adjacent properties, parks, trails and rights of way, as determined by the city administrator. Screening may be a combination of solid fencing, landscaping, or the placement of the cargo containers behind, between or within buildings. If a cargo container is located on a lot adjacent to a residential zone, the cargo container shall be no greater in size than ten by twenty feet (10 x 20'), and shall have a stick built structure, with a peaked roof, constructed to completely enclose the container. No stick built structure shall be required if the cargo container is totally screened from adjacent residential properties as determined by the city administrator.

4. If located adjacent to a building, the outdoor cargo container must be painted to match the building's color.

5. Cargo containers may not occupy any required off street parking spaces.

6. Cargo containers may not be used as an accessory dwelling unit.

7. Cargo containers shall meet all setback requirements for the zone.

8. Outdoor cargo containers may not be refrigerated.

9. Outdoor cargo containers may not be stacked.

10. Outdoor cargo containers must comply with all applicable requirements of title 11, "Critical Areas And Shoreline Management", of this code, as now or hereafter amended.

11. Cargo containers shall be prohibited from having windows, heating and cooling, plumbing, or multiple entrances. Cargo containers are allowed to have electric, ventilation, and drainage systems installed that would be necessary to meet the minimum codes and standards for lighting, circulation, and drainage.

12. No signage shall be allowed on any cargo container unless approved in accordance with section 13-7-1 of this title, as now or hereafter amended.

13. Cargo containers shall not be visible from any site designated or identified as a local or national historic landmark or natural area. This includes significant vegetative features, stream and creek corridors, buildings, sites, structures and/or identified viewsheds of historic and/or cultural significance.

14. Cargo containers shall be safe, structurally sound, stable, and in good repair.

15. The location of the cargo container shall not block or impede fire or emergency access and shall not be located within or upon the public right of way except as may be permitted by the governing body managing or controlling the public right of way.

16. Conditional use permit for placement in the RU zone requires that the property be at least five (5) acres or more in size.

GE. Temporary Portable Storage:

1. When Allowed: Cargo containers used for temporary portable storage may be located on property in all residential zones subject to the following:

a. Such cargo containers may be located on property within the city for a period not exceeding fourteen (14) consecutive days in duration from and including the date of delivery to the date of

removal, without registering the property upon which such cargo container is located as provided at subsection ~~E2~~G.2. of this section;

b. No more than one such cargo container may be located on a specific property within the city at one time and each such cargo container shall be individually limited in duration to the time period established herein;

c. Such cargo container may not be removed and relocated on a specific property more than two (2) times in any given thirty (30) calendar day period;

d. Such cargo container shall be located, if feasible, no closer than five feet (5') to the property line;

e. Such cargo container shall be placed on an existing impervious surface; provided that, in the event that it is unfeasible to place the cargo container on an existing impervious surface, the cargo container may be placed anywhere on the property that is otherwise in compliance with this subsection ~~E1~~G.1.;

f. It shall be the obligation of the owner or user of such cargo container to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the cargo container. In the event of high winds or other weather conditions in which such structure may become a physical danger to persons or property, the appropriate law enforcement officers may require the immediate removal of such temporary structure;

g. No such cargo container shall be located in a manner that blocks access to a fire hydrant or obstructs the view of street intersections;

h. No such cargo container shall contain toxic or hazardous materials;

i. No such cargo container shall be located in the public right of way; and

j. No such cargo container shall be used to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, or commercial goods (i.e., used for retail sales), or personal property not from the residential property where the cargo container is located.

k. "Temporary portable storage" shall mean an unoccupied cargo container that is used on a temporary basis for the transient storage of personal property of any kind and which is located for such purposes outside an enclosed building.

2. Registration Required: The owner or occupant of the residential property upon which a cargo container is located pursuant to this subsection ~~E~~G, shall not cause or allow such cargo container to remain on such property beyond the duration specified in subsection ~~E1a~~G.1.a. of this section, unless the property upon which such cargo container has been located is registered with the city administrator and the ten dollar (\$10.00) nonrefundable registration fee has been paid. The registration application shall contain the name of the applicant, whether the person owns, rents, occupies, or controls the property, the street address at which the cargo container has been placed (and assessor's tax parcel number if available), the delivery date, removal date, and a description of the cargo container and its location on the registered property. The effective date of the registration shall be the date of approval of the registration application and the registration shall be conspicuously posted on the cargo container. A cargo container may be located upon the registered property for a period not to exceed sixty (60) days from the date of approval. No property may be registered more than one time in any one hundred eighty (180) day period.

3. Revocation: A violation of any of the provisions of this subsection ~~E~~ shall, in addition to any other penalties provided herein, subject the registration approval to revocation by the city administrator.

4. Removal: The owner or occupant of the residential property is responsible for removing the cargo container from the property at the expiration of the registration approval or sooner if the registration is revoked by the city administrator.

5. Penalties: A violation of any of the provisions of this subsection ~~E~~ shall be and constitute a class IV civil infraction for each day that such violation continues, and any person found to have committed such a violation shall be subject to a maximum fine of twenty five dollars (\$25.00) for each such violation. Imposition of such penalties shall not preclude the city from exercising any other rights or remedies it may have to require or seek removal of a cargo container located in violation of this subsection ~~E~~. (Ord. 889, 9-8-2010)

TITLE 13 – CHAPTER 5 (partial) DEVELOPMENT STANDARDS

13-5-3: LOADING AREA AND OFF STREET PARKING REQUIREMENTS

K. Commercial Vehicles, Recreational Vehicles, And Boats: The following special requirements and performance standards shall apply to private properties located in the Residential-Urban, Residential-Multi-Family, and Residential-Conservation Zones, except as otherwise authorized by the City through a conditional use permit:

1. Outdoor Storage Of Vehicles: The outdoor storage of commercial vehicles, recreational vehicles, boats, and vehicle accessories is permitted in the residential zones, provided the following standards are met. For purposes of this section, "storage" means the keeping of such vehicles and accessories on any portion of any parcel of property for a period of seventy two (72) continuous hours or longer.

a. Recreational Vehicles And Boats: ~~Where a rear yard is reasonably accessible or a side yard is of sufficient size to accommodate the recreational vehicle, said r~~A recreational vehicle or boat shall not be stored in the front yard of a lot. In no instance shall a recreational vehicle or boat be stored such that any portion of the vehicle encroaches upon a site distance area that would create a traffic hazard; nor shall a recreational vehicle or boat be stored on or overhang a public right-of-way. A maximum of one recreational vehicle and/or one boat may be located at a parcel in the residential zones. It is prohibited to store two recreational vehicles or two boats in the City's residential zoning districts. If located within a required ~~front or street~~ side yard that fronts a street, the storage area for a recreational vehicle or boat shall be improved with a durable and dustless surface and screened from views from adjacent properties. In this context, a boat or recreational vehicle shall be considered to be "screened from views" provided an opaque fence of at least 6-feet in height separates the boat or recreational vehicle from public view, or similar vegetative or structural screening as approved by staff separates the boat or recreational vehicle from public view. See OMC 13-5-1(D) for provisions related to the dimensional and permitting requirements for fences.



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: 2025 Property Tax Public Hearing.	AB24-111			10.30.2024
	Department:	Finance		
	Date Submitted:	10.17.2024		
	Cost of Item:	N/A		
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:	No later than November 30, 2024			
Submitted By:	Gretchen Russo			
Fiscal Note:				
Attachments: Pierce County Highest Lawful Levy Limit, Resolution 2024-24 – Property Tax Resolution.				
SUMMARY STATEMENT:				
<p>The current 2024 draft budget is based upon raising the City’s property tax by \$14,432.40 to \$1,457,671.25. The draft budget shows \$1,464,687.74 because this amount includes the additional revenue from new construction.</p> <ul style="list-style-type: none"> Assessed valuation for 2023 and 2024 are \$1,342 million and \$1,437 million, an increase of \$95 million The rate that would be paid by citizens would decrease to approximately \$1.06 per \$1,000 of assess valuation. The rate in 2024 was \$1.08. Estimated impact to citizens – net increase to average homeowner of \$8.29 for 2025. 				
RECOMMENDED ACTION:				
To approve Resolution No 2024-24, a resolution of the City of Orting, Washington, requesting the highest lawful levy.				

City of Orting Property Tax

Gretchen Russo, Finance Director



Property Tax Basics

- Property tax is expressed in dollars per thousand of assessed valuation e.g. \$1.60 per \$1,000
- There are two limiting factors on the amount that the City can levy:
 - Levy Lid Limits:
 - All cities are limited by RCW 84.55.005 which says that taxes are limited to the highest lawful levy amount charged beginning with the 1985 levy times the limit factor of 1.01 (1%) plus new construction and improvements
 - Statutory Rate Limitation:
 - Cities are generally limited in the maximum amount they can levy by RCW 84.52.043 which is \$3.375 per \$1,000 of assessed valuation; however
 - Since the City has annexed into a rural library district, our rate is limited slightly higher, at \$3.60 per \$1,000 of assessed valuation as per RCW 27.12.390



Property Tax Basics:

Calculating the Limits

1. Highest lawfully levied tax (usually last year's tax):

This year we can only request up to 1% of last year's levy amount plus the assessed value of new construction & improvements.

- Our highest regular tax levy is \$1,443,238 ($1,443,238 * 1.01 = \$1,457,670$)
- This means that our upper limit for this method would be \$1,457,670 plus new construction plus refunds for a Total of: \$1,464,688.

2. Rate Limit:

We can only request up to \$1.60 per thousand of the City's assessed valuation (based upon Library and Fire District's 2025 estimated portion of the \$3.60 limit)

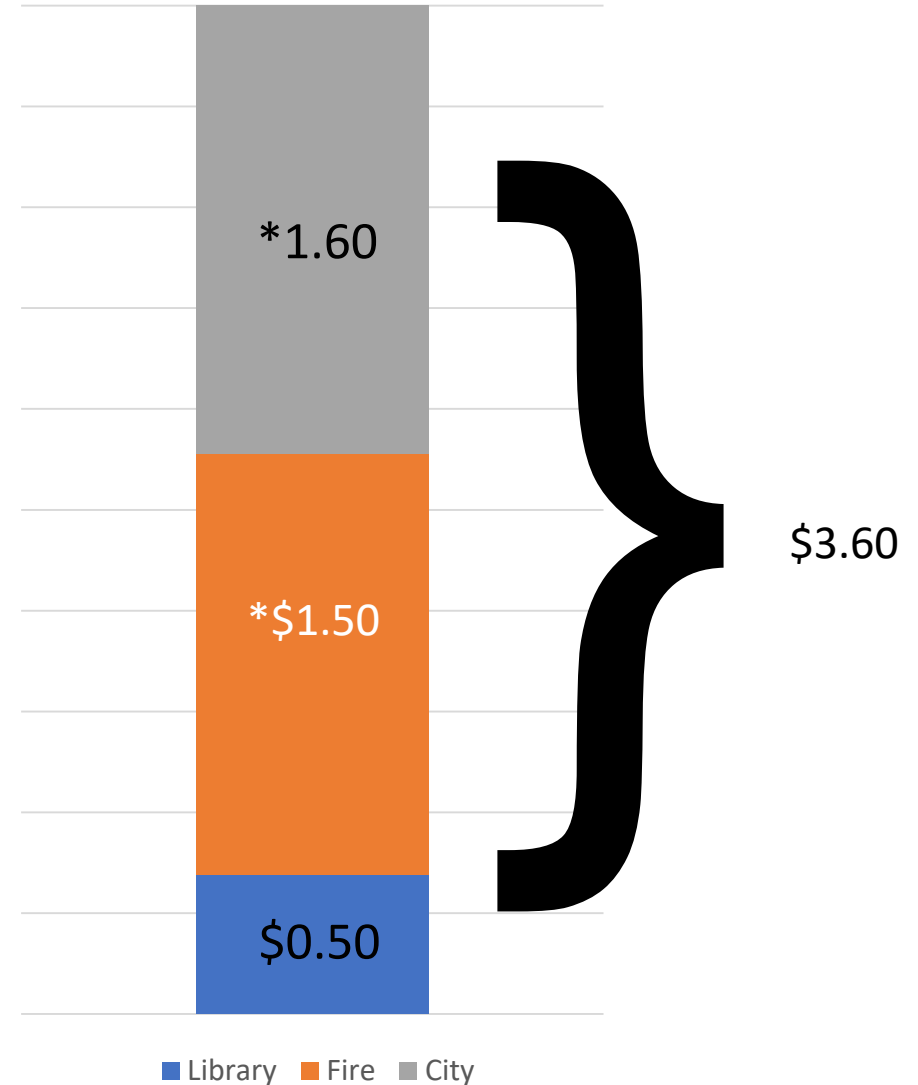
- This year our assessed valuation is estimated at **\$1,437,167,938** which is divided by 1000 then multiplied by the rate of \$1.60 ($1,437,167,938 / 1000 * 1.60$)
- These means that our upper limit for this method would be **\$2,229,469.**

- The lesser amount - **\$1,464,688** is the highest property tax we can request from our citizens.

Statutory Rate Limit

- Our statutory \$3.60 (as allowed under RCW 27.12.390) is limited by how much the Fire District is allowed to levy (max of \$1.00) and how much the Rural Library District is allowed to levy (max of \$0.50)
- If the Fire District and the Library District take their full statutory amount, the rate calculation is for Orting is:
 - \$3.60 – Rural Library District Levy (up to \$0.50) – Fire District Levy (\$1.50) = \$1.60 (City Property Tax Rate)
- If the Library and the Fire District take their full levy amount, the City would be limited to \$1.60.
- If the Library and Fire District do not or can not levy their full statutory amount, the City is entitled to take the amounts they don't levy, up to \$3.60 (if they both took nothing).
- Last year our limit was set at \$2.26.

* In 2021, The Orting Valley Fire & Rescue (District #18) was authorized to impose benefit charges each year for six years. This reduced their maximum property tax rate from \$1.50 to \$1.00 and increased our authorized base rate from \$1.60 to \$2.10.



Property Tax Limits

Regular Levy Limit	2020	2021	2022	2023	2024	2025
<u>Highest Previous Lawful Levy</u>	1,291,337	1,330,986	1,349,365	1,373,838	1,426,143	1,443,238
Limit Factor	1.01	1.01	1.01	1.01	1.01	1.01
Limit Factor Amount	1,304,251	1,344,296	1,362,859	1,387,576	1,440,405	1,457,670
Plus New Tax from Construction & Improvement	26,735	5,069	10,979	38,567	2,833	7,016
Regular Property Tax	1,330,986	1,349,365	1,373,838	1,426,143	1,443,238	1,464,687
<u>Statutory Rate Limitation</u>						
City's Assessed Valuation	868,366,873	961,158,709	1,134,141,423	1,369,190,103	1,341,979,738	1,437,167,938
Rate	1.6	1.6	2.1	2.1	2.2666	1.6
Rate Limit Amount	1,389,387	1,537,854	2,381,697	2,875,299	3,041,731	2,299,469
Highest Allowed Levy (lowest of the two)	1,330,986	1,349,365	1,373,838	1,426,143	1,443,238	1,464,687

Where are my property taxes going?



2024 Tax Rates			
State	\$2.31	28.10%	
Orting School District	\$1.89	23.00%	
Fire District 18	\$1.43	17.40%	
City of Orting	\$1.08	13.10%	
County	\$0.74	9.00%	
Pierce County Rural Library	\$0.34	4.10%	
Central Puget Sound RTA	\$0.16	2.00%	
Port of Tacoma	\$0.14	1.70%	
Flood Control Zone	\$0.10	1.20%	
Conservation Futures	\$0.03	0.30%	
Total:	\$8.22	100.00%	

28.27% Voter Approved

Only 13.1% of the property tax paid is remitted to the City of Orting for its operations.

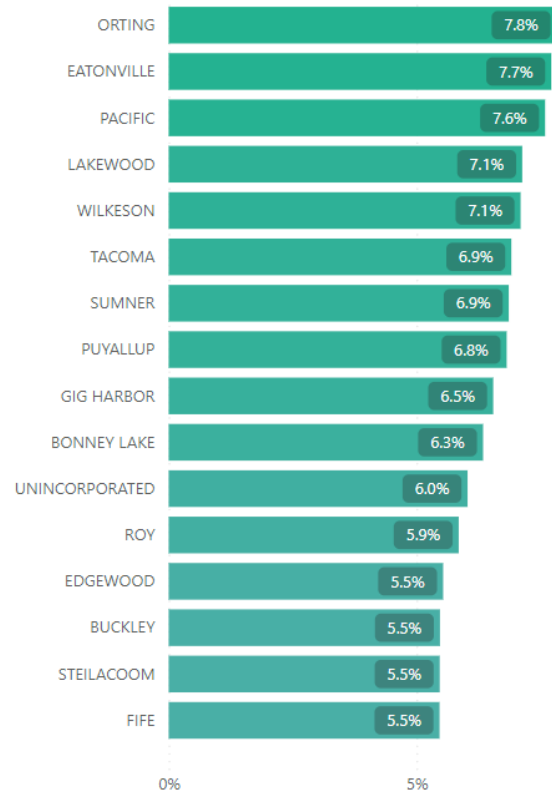
City of Orting Property Tax

- In 2024 homeowners paid \$1.08 per \$1,000
- In 2023 homeowners paid \$1.04 per \$1,000
- In 2022 homeowners paid \$1.21 per \$1,000
- In 2021 homeowners paid \$1.39 per \$1,000
- In 2020 homeowners paid \$1.54 per \$1,000
- In 2019 homeowners paid \$1.60 per \$1,000

In 2024 a house in Orting that is valued at \$450,000 would pay \$486.00 (450 X \$1.08) in property taxes for city services which include police, court and the maintenance of our streets and parks.

My home value increased. Does this mean I pay more taxes?

AV Change (%) Residential -10.0% 0.0% 10.0%



- When the value of a home goes up, this doesn't mean that you are paying more property taxes.
- Since the City can only request a certain amount of revenue and this revenue is shared between homeowners, a rate is established for the property owners.
- Normally when home values go up, the annual rate diminishes and when the home values go down, the annual rate per thousand increases.
- This new rate is the same for all property owners but the homes with a higher value pay a higher share of the city taxes.

Lower Property Values:

Requested Taxes: \$1,400,000

City Assessed Value: \$1,300,000,000

$\$1,400,000 / 1,300,000 = \1.08 per thousand

Higher Property Values:

Requested Taxes: \$1,400,000

City's Assessed Value: \$1,500,000,000

$\$1,400,000 / 1,500,000 = \$.93$ per thousand

What does this mean for a homeowner in 2025?

Impact to Homeowner	2020	2021	2022	2023	2024	2025
Average House Value	292,081	324,468	381,518	443,439	418,175	450,904
City Property Tax Rate	1.54	1.39	1.21	1.04	1.08	1.02
Property Tax to City	\$449.80	\$451.01	\$461.64	\$461.18	\$451.63	\$459.92
Annual Change	\$16.77	\$1.21	\$10.63	-\$0.46	-\$9.55	\$8.29

In 2025 we are estimating that an average homeowner in Orting will pay \$8.29 more for City services if the \$1,443,238 amount is authorized.

Summary:

2023	
City's Property Tax Revenue	\$ 1,426,143.25
Total increase from previous year	\$ 52,305.57
Average homeowner's cost	\$ 461.18

2024	
City's Property Tax Revenue	\$ 1,447,529.37
Total increase from previous year	\$ 21,386.12
Average homeowner's cost	\$ 444.66

Estimated annual decrease for the average homeowner
\$16.52

Total property tax to the city will be \$21,386.12 higher than last year

Questions?



Pierce County

Mike Lonergan, Assessor-Treasurer

2401 South 35th Street
Tacoma, WA 98409-7498
(253) 798-6111 FAX (253) 798-3142
ATLAS (253) 798-3333
www.piercecountywa.org/atr

PRELIM LAWFUL LEVY LIMIT 2024 FOR 2025

ORTING
< 10,000

REGULAR TAX LEVY LIMIT:

	2023
A. <u>Highest regular tax which could have been lawfully levied beginning with the 1985 levy</u> [refund levy not included] times limit factor (as defined in RCW 84.55.005).	1,443,238.86 1.01 1,457,671.25
B. Current year's assessed value of new construction, improvements and wind turbines in original districts before annexation occurred times last year's levy rate (if an error occurred or an error correction was made in the previous year, use the rate that would have been levied had no error occurred).	1,141,900 1.075455023003 1,228.06
C. Tax increment finance area increment AV increase (RCW 84.55.010(1)(e)) Current Year's A.V. less base year's A.V., the result to be multiplied by last year's regular levy rate (or the rate that should have been levied)	0.00 0.00 0.00 1.075455023003
D State assessed property value in original district if annexed less last year's state assessed property value. The remainder to be multiplied by last year's regular levy rate (or the rate that should have been levied). PRIOR YEAR'S REVENUE AS PLACE HOLDER	11,277,334 11,277,334 0.00 1.075455023003 0.00
E REGULAR PROPERTY TAX LIMIT (A + B + C)	1,458,899.31

ADDITIONAL LEVY LIMIT DUE TO ANNEXATIONS:

F To find rate to be used in F, take the levy limit as shown in Line D above and divide it by the current assessed value of the district, excluding the annexed area.	1,458,899.31 1,437,167,938 1.015120969113
G Annexed area's current assessed value including new construction and improvements times rate found in F above.	0.00 1.015120969113 0.00
H NEW LEVY LIMIT FOR ANNEXATION (E + G)	1,458,899.31

LEVY FOR REFUNDS:

I RCW 84.55.070 provides that the levy limit will not apply to the levy for taxes refunded or to be refunded pursuant to Chapters 84.68 or 84.69 RCW. (D or G + refund if any)	1,458,899.31 <u>5,788.43</u> 1,464,687.74
J TOTAL ALLOWABLE LEVY AS CONTROLLED BY THE LEVY LIMIT	1,464,687.74
K Amount of levy under statutory rate limitation.	1,437,167,938 1.600000000000 2,299,468.70

L HIGHEST LAWFUL LEVY FOR THIS YEAR	1,464,687.74
--------------------------------------------	---------------------

M New Highest Lawful Levy since 1985 (Lesser of H & K minus C, unless A (before limit factor increase) is greater than H or K minus C, then A before the limit factor increase	1,458,899.31
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**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2024-24**

**A RESOLUTION OF THE CITY OF
ORTING, WASHINGTON, REQUESTING
THE HIGHEST LAWFUL LEVY**

WHEREAS, the City Council of the City of Orting, Washington (hereinafter, the “City”) has met and considered its budget for the calendar year 2025; and

WHEREAS, the City’s actual levy amount from the previous year was \$1,443,238.85; and

WHEREAS, the population of this City is less than 10,000; and

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

Section 1. Declaration of Highest Lawful Levy. Be it resolved by the governing body of the taxing City that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2025 tax year.

The dollar amount of the increase over the actual levy amount from the previous year shall be \$14,432.40 which is a percentage increase of 1.0 percent from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in value of state assessed property, any annexation that have occurred and refunds made.

Section 2. Effective Date. This Resolution shall be effective immediately upon passage, and shall be implemented for the 2024 tax year, as stated above.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF OCTOBER 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, CMC, City Clerk

Approved as to form:

Kendra Rosenberg, City Attorney
Kenyon Disend PLLC.

October 30 2024 Council Meeting

Claims Vouchers

Claims voucher list dated October 30 2024 which includes voucher number 56457 through 56521 in the amount of \$ 168,370.72 & electronic fund transfers in the amount of \$ 22,143.52 for a grand total of \$ 190,514.24

Payroll Voucher

Payroll Check Numbers 24280 through 24281 in the amount of \$ 15,246.41 & electronic deposit transmissions in the amount of \$ 211,880.98 for a grand total of \$ 227,127.39 for the period covering October 1-15 2024.

WARRANT/CHECK REGISTER

City of Orting

Time: 16:18:45 Date: 10/23/2024

09/19/2024 To: 10/30/2024

Page: 9

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
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VOUCHER/WARRANT REGISTER
 FOR _____ 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 JUST, DUE, AND UNPAID OBLIGATION AGAINST THE CITY OF ORTING, AND THAT WE ARE AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

COUNCILPERSON: _____

COUNCILPERSON: _____

CITY CLERK: _____

WARRANT/CHECK REGISTER

City of Orting

Time: 16:18:45 Date: 10/23/2024

09/19/2024 To: 10/30/2024

Page: 1

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
5764	10/08/2024	Claims	631	56457	Trailers Plus Olympia	14,282.96	TRPL80-18291-7X20 Hydraulic Tilt Trailer-14K TRPL80-18292-7X14 Single Axle Tilt Trailer-7K
		APs	Amount		PO For		
		2965	14,282.96		TRPL80-18291-7X20 Hydraulic Tilt Trailer-14K		TRPL80-18292-7X14 Single Axle Tilt
5793	10/10/2024	Claims	631	56458	AT&T Mobilty	3,538.69	387300949706X10041204-PD-Court Cell; 287309454338X10042024-Cell Phones & Data-City Hall & Public Works
		APs	Amount		PO For		
		2966	1,383.63		387300949706X10041204-PD-Court Cell		
		2967	2,155.06		287309454338X10042024-Cell Phones & Data-City Hall & Public Works		
5794	10/10/2024	Claims	631	56459	Washington State Department of Agricultu	75.00	Pesticide License Exam-Devon Ryder
		APs	Amount		PO For		
		2968	75.00		Pesticide License Exam-Devon Ryder		
6013	10/23/2024	Claims	631	56460	Big J'S Outdoor Store	215.50	Oct2024-400-Monthly Statement
		APs	Amount		PO For		
		3112	215.50		Oct2024-400-Monthly Statement		
6014	10/23/2024	Claims	631	56461	Brouillette, Ken	600.00	2024-13 Fire Sprinkler & Fire Alarm Inspection-202 Washington-1301 Kaposowin-24-0003
		APs	Amount		PO For		
		3075	600.00		2024-13 Fire Sprinkler & Fire Alarm Inspection-202 Washington-1301 Kaposowin-24-		
6015	10/23/2024	Claims	631	56462	Business Solutions Center	399.68	113752-113760-Monthly Statement
		APs	Amount		PO For		
		3094	399.68		113752-113760-Monthly Statement		
6016	10/23/2024	Claims	631	56463	Capital One Trade Credit	527.26	J18398/3-Plastic to Cover Charter Park Restrooms; J09693/3-Tamper Steel Handle; 9202183/3-Treat Wood-WO12733; J20189/3 -Corner Zip Ties WO12733
		APs	Amount		PO For		
		2978	65.69		J18398/3-Plastic to Cover Charter Park Restrooms		
		2979	54.74		J09693/3-Tamper Steel Handle		
		2980	364.96		9202183/3-Treat Wood-WO12733		
		2981	41.87		J20189/3 -Corner Zip Ties WO12733		
6017	10/23/2024	Claims	631	56464	CenturyLink-Lumen	3,997.19	708237543-City Internet Service
		APs	Amount		PO For		
		2982	3,997.19		708237543-City Internet Service		
6018	10/23/2024	Claims	631	56465	Centurylink	1,441.41	488147600-OCT2024

WARRANT/CHECK REGISTER

City of Orting

Time: 16:18:45 Date: 10/23/2024

09/19/2024 To: 10/30/2024

Page: 2

Trans	Date	Type	Acct #	War #	Claimant	Amount	Memo
		APs	Amount	PO	For		
		3045	1,441.41		488147600-OCT2024		
6019	10/23/2024	Claims	631	56466	Cintas Corporation #461	571.08	4207196244-Uniform Services; 4207939103-Uniform Services
		APs	Amount	PO	For		
		2984	285.54		4207196244-Uniform Services		
		3068	285.54		4207939103-Uniform Services		
6020	10/23/2024	Claims	631	56467	CivicPus LLC	1,000.00	#317825-Archive Social Account Activation & Setup
		APs	Amount	PO	For		
		3019	1,000.00		#317825-Archive Social Account Activation & Setup		
6021	10/23/2024	Claims	631	56468	Corona, Jennifer	112.44	400-Wellness Fair Supplies
		APs	Amount	PO	For		
		2983	112.44		400-Wellness Fair Supplies		
6022	10/23/2024	Claims	631	56469	James R Creamer	1,400.00	501 Kansas St SW-Temporary Easement
		APs	Amount	PO	For		
		3071	1,400.00		501 Kansas St SW-Temporary Easement		
6023	10/23/2024	Claims	631	56470	Culligan Seattle WA	78.93	0824718-Water for Police
		APs	Amount	PO	For		
		2977	78.93		0824718-Water for Police		
6024	10/23/2024	Claims	631	56471	Curry & Williams, P.I.L.C	2,210.00	October2024-Municipal Court Judge
		APs	Amount	PO	For		
		3061	2,210.00		October2024-Municipal Court Judge		
6025	10/23/2024	Claims	631	56472	Data Bar	737.18	268418-Mailing of Delinquent Statements
		APs	Amount	PO	For		
		2986	737.18		268418-Mailing of Delinquent Statements		
6026	10/23/2024	Claims	631	56473	C/O Dell USA L.P Dell Marketing L.P.	1,385.07	10776252596-Dell Latitude Computer-Lincoln
		APs	Amount	PO	For		
		3092	1,385.07		10776252596-Dell Latitude Computer-Lincoln		
6027	10/23/2024	Claims	631	56474	Department of Ecology	3,095.00	25-WAR045016-1 2025-Municipal Stormwater Phase 2
		APs	Amount	PO	For		
		2985	3,095.00		25-WAR045016-1 2025-Municipal Stormwater Phase 2		

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6028	10/23/2024	Claims	631	56475	Drain-Pro INC	1,928.80	134491-Sanican-Cemetery; 134492--Sanican-101 Washingotn Ave N; 134493-Sanican-Main Park; 134494-Sanican-412 Orting Ave NW; 134495-Sanican-Public Works Shop; 134496-Sanican Well 1; 134497-Sanican-Gratz
		APs	Amount	PO	For		
		2987	96.75		134491-Sanican-Cemetery		
		2988	208.05		134492--Sanican-101 Washingotn Ave N		
		2989	314.50		134493-Sanican-Main Park		
		2990	114.50		134494-Sanican-412 Orting Ave NW		
		2991	114.50		134495-Sanican-Public Works Shop		
		2992	114.50		134496-Sanican Well 1		
		2993	343.50		134497-Sanican-Gratz Park		
		2994	114.50		134498-Sanican Skate Park		
		2995	114.50		134499-Sanican WWTP		
		2996	114.50		134500-Sanican Calistoga & River		
		3067	279.00		135258-Sanican Service-102 Train St SW		
6029	10/23/2024	Claims	631	56476	E-Squared Systems,LLC	197.10	4905-Alarm Monitoring-WWTP
		APs	Amount	PO	For		
		2997	197.10		4905-Alarm Monitoring-WWTP		
6030	10/23/2024	Claims	631	56477	Employment Security Dept	2,760.00	Unemployment Compensation-3rd QRT
		APs	Amount	PO	For		
		3074	2,760.00		Unemployment Compensation-3rd QRT		
6031	10/23/2024	Claims	631	56478	Debora Erickson	1,000.00	409 Kansas St SW-Temporary Easement Kansas ST SW Reconstruction
		APs	Amount	PO	For		
		3072	1,000.00		409 Kansas St SW-Temporary Easement Kansas ST SW Reconstruction		
6032	10/23/2024	Claims	631	56479	Ewing Irrigation Products INC	211.77	23506651-Marking Paint
		APs	Amount	PO	For		
		3021	211.77		23506651-Marking Paint		
6033	10/23/2024	Claims	631	56480	Galls LLC	5,100.68	099166329-Jacket/Emblems Hobbs; 029178055-Fleece Liner-Coat -Hobbs; 029260988-1Pair Trouser Pants-Hobbs; 028982437-2 Shirts & Tie Bar-Hobbs; 029047970-2-Academy Shrits-Hobbs; 02087932-3 Custom Collar;
		APs	Amount	PO	For		
		3048	341.79		099166329-Jacket/Emblems Hobbs		
		3049	89.88		029178055-Fleece Liner-Coat -Hobbs		
		3050	131.49		029260988-1Pair Trouser Pants-Hobbs		
		3051	58.08		028982437-2 Shirts & Tie Bar-Hobbs		
		3052	23.28		029047970-2-Academy Shrits-Hobbs		
		3053	38.46		02087932-3 Custom Collar Brass-Hobbs		

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		APs	Amount	PO	For		
		3054	19.75		029060264-Velcro Tie-Hobbs		
		3055	164.23		029071333-Wool Shirt & Emblems		
		3056	34.94		029048023-Name Plate-Hobbs		
		3057	25.17		029047977-Crewneck Sweatshirt-Hobbs		
		3058	794.66		029123553-Jumpsuit-Officer Kidwell		
		3059	700.98		029123560-Jumpsuit-Officer Kidwell		
		3060	1,029.43		029209790-Jumpsuit-Sergeant		
		3098	38.81		029110800-Uniform Items for -Guyette		
		3099	125.79		029166324-Trouser Pant -Guyette		
		3100	179.75		029023798-Wool Shirt-Emblems-Tie Bar-Guyette		
		3101	238.04		029060152-HandCuffs(2) Gloves		
		3102	65.23		029060268-Handcuff Keys-Aerosol Pouch-Guyette		
		3103	215.55		029065602-Flashlight-Safety Eyewear-Guyette		
		3104	31.74		029070406-Name Plate-Guyette		
		3105	202.53		029178154-Polo Shirts-Emblem-Tac Pants-Guyette		
		3106	23.10		029286551-Emblems-Guyette		
		3107	57.27		029154032-Polos Shirts & Emblems-Det. Gibs		
		3108	58.71		029298236-Carhart Jacket-Det. Gibbs		
		3109	91.98		029213934-Tac Pants-Det. Gibbs		
		3110	171.94		029047979-T-Shirts-Polo Shirt-Sweatshirt-Gyette		
		3111	19.93		029101494- Velcro Ties-Guyette		
		3119	128.17		028993751-Polos & Emblems-Hobbs		
6034	10/23/2024	Claims	631	56481	GreatAmerica Financial Svcs	1,132.82	37661525-Phone Lease
		APs	Amount	PO	For		
		3070	1,132.82		37661525-Phone Lease		
6035	10/23/2024	Claims	631	56482	Hometown Consulting	3,000.00	13-Lobbing Services July-Sept 2024
		APs	Amount	PO	For		
		2999	3,000.00		13-Lobbing Services July-Sept 2024		
6036	10/23/2024	Claims	631	56483	Industrial Software Solutions	6,684.98	SIN011637-Aveva Flex Credits
		APs	Amount	PO	For		
		3022	6,684.98		SIN011637-Aveva Flex Credits		
6037	10/23/2024	Claims	631	56484	Insight Public Sector Sled	1,535.17	0336898896-Microsoft 365-Subscription
		APs	Amount	PO	For		
		3116	1,535.17		0336898896-Microsoft 365-Subscription		
6038	10/23/2024	Claims	631	56485	Ironclad Company	673.43	29073-Street Sweeper-Gutter Broom
		APs	Amount	PO	For		
		3000	673.43		29073-Street Sweeper-Gutter Broom		
6039	10/23/2024	Claims	631	56486	Jeffrey Jonientz	1,000.00	508 Kansas St SW-Temporary Easement Kansas ST SW Reconstruction
		APs	Amount	PO	For		
		3115	1,000.00		508 Kansas St SW-Temporary Easement Kansas ST SW Reconstruction		

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6040	10/23/2024	Claims	631	56487	Kelley Create	871.62	IN1762268-KYCIT4110-Copier Usage
		APs	Amount	PO	For		
		3002	871.62		IN1762268-KYCIT4110-Copier Usage		
6041	10/23/2024	Claims	631	56488	Law Office of Holmes Weddle & Barcott	255.00	843912-Legal Fees PD; 843913-Legal Fees PD
		APs	Amount	PO	For		
		2998	205.00		843912-Legal Fees PD		
		3118	50.00		843913-Legal Fees PD		
6042	10/23/2024	Claims	631	56489	Law Offices of Matthew J Rusnak	2,295.33	465-October24-Public Defender Services
		APs	Amount	PO	For		
		3093	2,295.33		465-October24-Public Defender Services		
6043	10/23/2024	Claims	631	56490	Lentz, Karen S PLLC	2,200.00	1186-Prosecuting Attorney Services-SEPT24
		APs	Amount	PO	For		
		3001	2,200.00		1186-Prosecuting Attorney Services-SEPT24		
6044	10/23/2024	Claims	631	56491	Lincoln Logging Tree Care LLC	21,352.50	1728-1729-1730-Tree Removal-Windall Trees in Main Park-Removed Dogleg Tree-Cemetery-Removed 3 Cottonwood Trees From Stormpounds
		APs	Amount	PO	For		
		3005	21,352.50		1728-1729-1730-Tree Removal-Windall Trees in Main Park-Removed Dogleg Tree-Cen		
6045	10/23/2024	Claims	631	56492	Lyons, Jane	87.50	2024-04-Painting Class 9/29/24
		APs	Amount	PO	For		
		3004	87.50		2024-04-Painting Class 9/29/24		
6046	10/23/2024	Claims	631	56493	Matthew W. Cockrell & Associates	1,179.35	3858-Recovery Fee
		APs	Amount	PO	For		
		3043	1,179.35		3858-Recovery Fee		
6047	10/23/2024	Claims	631	56494	Miwall Corporation	2,294.03	1013369-Ammunition-9MM
		APs	Amount	PO	For		
		3097	2,294.03		1013369-Ammunition-9MM		
6048	10/23/2024	Claims	631	56495	Nelson Truck Equipment Co. Inc	3,034.35	755750-Battery& Box FA1031; 756510-Motor for Crane-FA1031
		APs	Amount	PO	For		
		3065	2,077.10		755750-Battery& Box FA1031		
		3066	957.25		756510-Motor for Crane-FA1031		
6049	10/23/2024	Claims	631	56496	O'Reilly Auto Parts	183.60	1265583-OCT2024
		APs	Amount	PO	For		
		3069	183.60		1265583-OCT2024		

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6050	10/23/2024	Claims	631	56497	Orca Pacific, Inc	2,426.89	#INV0611112-Hypochorite Solution
		APs	Amount	PO	For		
		3006	2,426.89		#INV0611112-Hypochorite Solution		
6051	10/23/2024	Claims	631	56498	P.C. Budget & Finance	9,805.98	CI-358428 C-104188-1st QRT Peg Fees; CI-358418 C-104188-Roadway Striping
		APs	Amount	PO	For		
		3008	3,520.04		CI-358428 C-104188-1st QRT Peg Fees		
		3062	6,285.94		CI-358418 C-104188-Roadway Striping		
6052	10/23/2024	Claims	631	56499	Public Safety Testing	1,189.00	2024-1000-3rd QRT Recruiting Assistance-Police; 2024-795-April-June 2024-PST Candidate Agency Test
		APs	Amount	PO	For		
		3009	157.00		2024-1000-3rd QRT Recruiting Assistance-Police		
		3010	1,032.00		2024-795-April-June 2024-PST Candidate Agency Test		
6053	10/23/2024	Claims	631	56500	Puget Sound Energy	88.29	220028112518-OCT2024-Street Lights; 200019646914-OCT2024-Street Lights
		APs	Amount	PO	For		
		3046	14.21		220028112518-OCT2024-Street Lights		
		3047	74.08		200019646914-OCT2024-Street Lights		
6054	10/23/2024	Claims	631	56501	PumpTech, LLC	4,160.56	0210835-IN-Repair Mounting Brackets-Fire Flow Pump Skid
		APs	Amount	PO	For		
		3007	4,160.56		0210835-IN-Repair Mounting Brackets-Fire Flow Pump Skid		
6055	10/23/2024	Claims	631	56502	Puyallup, City of	1,085.94	2033-September Jail Fees; 2049-Emergency Management-Sept 2024
		APs	Amount	PO	For		
		3044	496.44		2033-September Jail Fees		
		3113	589.50		2049-Emergency Management-Sept 2024		
6056	10/23/2024	Claims	631	56503	Rugged Books INC	3,664.97	E-5442- Refurbished Panasonic Toughbook
		APs	Amount	PO	For		
		3117	3,664.97		E-5442- Refurbished Panasonic Toughbook		
6057	10/23/2024	Claims	631	56504	Secure Pacific Corp/Mountain Alarm	284.46	419286-WWTP-Alarm Monitoring
		APs	Amount	PO	For		
		3023	284.46		419286-WWTP-Alarm Monitoring		
6058	10/23/2024	Claims	631	56505	Seekins Precision Inc	1,967.72	130251-Hit Swiss Roll-Hit Precision Mount-Swat Gear-Kenyon
		APs	Amount	PO	For		

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		APs	Amount	PO	For		
		3096	1,967.72		130251-Hit Swiss Roll-Hit Precision Mount-Swat Gear-Kenyon		
6059	10/23/2024	Claims	631	56506	Serenity Air	643.86	029060268-Handcuff Keys-Aerosol Pouch-Guyette
		APs	Amount	PO	For		
		3011	643.86		029060268-Handcuff Keys-Aerosol Pouch-Guyette		
6060	10/23/2024	Claims	631	56507	Sonsray Machinery LLC	827.19	PSO153601-1-Hytran 5 Gallon
		APs	Amount	PO	For		
		3024	827.19		PSO153601-1-Hytran 5 Gallon		
6061	10/23/2024	Claims	631	56508	South Sound 911	36,232.50	2904-South Sound 911-4th QRT
		APs	Amount	PO	For		
		3013	36,232.50		2904-South Sound 911-4th QRT		
6062	10/23/2024	Claims	631	56509	Spectra Laboratories	300.00	5008749-Lab Testing
		APs	Amount	PO	For		
		3012	300.00		5008749-Lab Testing		
6063	10/23/2024	Claims	631	56510	Jeffery Sproul	844.40	AWC-WA-CRLI Program-Reimbursement-Mileage -Meals-Hotel
		APs	Amount	PO	For		
		3073	844.40		AWC-WA-CRLI Program-Reimbursement-Mileage-Meals-Hotel		
6064	10/23/2024	Claims	631	56511	Summit Law Group PLLC	1,271.00	157722- General Employment
		APs	Amount	PO	For		
		3095	1,271.00		157722- General Employment		
6065	10/23/2024	Claims	631	56512	Brain Sunderland	900.00	505 Kansas St SW-Temporary Easement Kansas ST SW Reconstruction
		APs	Amount	PO	For		
		3114	900.00		505 Kansas St SW-Temporary Easement Kansas ST SW Reconstruction		
6066	10/23/2024	Claims	631	56513	Sunset Ford	3,649.59	FOCS342533-17743-2017 Police Interceptor-Tune up-Front Brakes-Oil Change
		APs	Amount	PO	For		
		3014	3,649.59		FOCS342533-17743-2017 Police Interceptor-Tune up-Front Brakes-Oil Change		
6067	10/23/2024	Claims	631	56514	Tacoma Diesel & Equipment	589.82	142436-Village Crest Lift Station-Annual Service & Load Bank Testing FA1007
		APs	Amount	PO	For		
		3064	589.82		142436-Village Crest Lift Station-Annual Service & Load Bank Testing FA1007		
6068	10/23/2024	Claims	631	56515	Tara Dunford CPA	416.25	2539-Sept24-Internal Audit
		APs	Amount	PO	For		
		3020	416.25		2539-Sept24-Internal Audit		

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6069	10/23/2024	Claims	631	56516	US BankNA Custody Treasury Div-Mony Cntr	192.00	122-3RD QRT Safekeeping Fees
		APs	Amount	PO	For		
		3026	192.00		122-3RD QRT Safekeeping Fees		
6070	10/23/2024	Claims	631	56517	UniFirst Corporation	256.22	2220138898-Uniform Services; 2220145287-Uniform Services
		APs	Amount	PO	For		
		3015	128.11		2220138898-Uniform Services		
		3025	128.11		2220145287-Uniform Services		
6071	10/23/2024	Claims	631	56518	Usabluebook	111.39	INV00504687-White Board
		APs	Amount	PO	For		
		3017	111.39		INV00504687-White Board		
6072	10/23/2024	Claims	631	56519	Utilities Underground Location Center	97.68	4090205-Locates September 2024
		APs	Amount	PO	For		
		3016	97.68		4090205-Locates September 2024		
6073	10/23/2024	Claims	631	56520	Water Management Lab Inc.	522.45	223258-Lab Testing; 223603-Lab Testing
		APs	Amount	PO	For		
		3018	492.45		223258-Lab Testing		
		3063	30.00		223603-Lab Testing		
6074	10/23/2024	Claims	631	56521	Wex Bank	2,197.14	100300509-Fuel PD
		APs	Amount	PO	For		
		3042	2,197.14		100300509-Fuel PD		
						87,226.53	
						11,008.37	
						1,253.18	
						18,225.76	
						19,060.96	
						18,185.48	
						13,410.44	
						168,370.72	Claims: 168,370.72
						168,370.72	

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VOUCHER/WARRANT REGISTER
 FOR _____ 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 JUST, DUE, AND UNPAID OBLIGATION AGAINST THE CITY OF ORTING, AND THAT WE ARE AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

COUNCILPERSON: _____

COUNCILPERSON: _____

CITY CLERK: _____

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5970	10/21/2024	Claims	1	EFT	Keybank-MasterCard	628.29	5884-SEPT24-Mahoney
		APs/Invoices	Amount	PO	For		
		3090	628.29		5884-SEPT24-Mahoney		
		5884-SEPT24-MAH	628.29		5884-SEPT24-Mahoney		
5971	10/21/2024	Claims	1	EFT	Keybank-MasterCard	641.73	6607-SEPT24-Finance
		APs/Invoices	Amount	PO	For		
		3091	641.73		6607-SEPT24-Finance		
		6607-SEPT24-FIN	641.73		6607-SEPT24-Finance		
5972	10/21/2024	Claims	1	EFT	Keybank-MasterCard	10,442.52	5423-SEPT24-Public Works
		APs/Invoices	Amount	PO	For		
		3076	10,442.52		5423-SEPT24-Public Works		
		5423-SEPT24-PW	10,442.52		5423-SEPT24-Public Works		
5973	10/21/2024	Claims	1	EFT	Keybank-MasterCard	313.35	3196-SEPT24-Larson
		APs/Invoices	Amount	PO	For		
		3077	313.35		3196-SEPT24-Larson		
		3196-SEPT24-LAR	313.35		3196-SEPT24-Larson		
5974	10/21/2024	Claims	1	EFT	Keybank-MasterCard	847.00	6691-SEPT24-McBee
		APs/Invoices	Amount	PO	For		
		3078	847.00		6691-SEPT24-McBee		
		6691-SEPT24-MCE	847.00		6691-SEPT24-McBee		
5975	10/21/2024	Claims	1	EFT	Keybank-MasterCard	4,107.63	1112-SEPT24-Daskam
		APs/Invoices	Amount	PO	For		
		3079	4,107.63		1112-SEPT24-Daskam		
		1112-SEPT24-DAS	4,107.63		1112-SEPT24-Daskam		
5976	10/21/2024	Claims	1	EFT	Keybank-MasterCard	2,041.06	1920-SEPT24-Gabreluk
		APs/Invoices	Amount	PO	For		
		3080	2,041.06		1920-SEPT24-Gabreluk		
		1920-SEPT24-GAB	2,041.06		1920-SEPT24-Gabreluk		
5977	10/21/2024	Claims	1	EFT	Keybank-MasterCard	121.89	1513-SEPT24-Kainoa
		APs/Invoices	Amount	PO	For		
		3081	121.89		1513-SEPT24-Kainoa		
		1513-SEPT24-KAIN	121.89		1513-SEPT24-Kainoa		
5978	10/21/2024	Claims	1	EFT	Keybank-MasterCard	319.06	7675-SEPT24-Kenyon
		APs/Invoices	Amount	PO	For		
		3082	319.06		7675-SEPT24-Kenyon		
		7675-SEPT24-KEN	319.06		7675-SEPT24-Kenyon		

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		APs/Invoices	Amount	PO	For		
5979	10/21/2024	Claims	1	EFT	Keybank-MasterCard	32.80	1397-SEPT24-Turner
		APs/Invoices	Amount	PO	For		
		3083	32.80		1397-SEPT24-Turner		
		1397-SEPT24-TUR	32.80		1397-SEPT24-Turner		
5980	10/21/2024	Claims	1	EFT	Keybank-MasterCard	287.92	9733-SEPT24-Ek
		APs/Invoices	Amount	PO	For		
		3084	287.92		9733-SEPT24-Ek		
		9733-SEPT24-EK	287.92		9733-SEPT24-Ek		
5981	10/21/2024	Claims	1	EFT	Keybank-MasterCard	645.64	3589-SEPT24-Alfiere
		APs/Invoices	Amount	PO	For		
		3085	645.64		3589-SEPT24-Alfiere		
		3589-SEPT24-ALFI	645.64		3589-SEPT24-Alfiere		
5982	10/21/2024	Claims	1	EFT	Keybank-MasterCard	1,272.81	7626-SEPT24-Wetzel
		APs/Invoices	Amount	PO	For		
		3086	1,272.81		7626-SEPT24-Wetzel		
		7626-SEPT24-WET	1,272.81		7626-SEPT24-Wetzel		
5983	10/21/2024	Claims	1	EFT	Keybank-MasterCard	441.82	0525-SEPT24-Agfalvi
		APs/Invoices	Amount	PO	For		
		3087	441.82		0525-SEPT24-Agfalvi		
		0525-SEPT24-AGF,	441.82		0525-SEPT24-Agfalvi		

001 Current Expense	6,283.22
101 City Streets	379.69
105 Parks Department	33.55
120 Police Department Drug	286.84
401 Water	5,647.60
408 Wastewater	6,508.54
410 Stormwater	3,004.08

	Claims:	22,143.52
	22,143.52	

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. Chris Moore
3. Don Tracy
4. Jeff Sproul
5. Stanley Holland
6. Greg Hogan
7. Melodi Koenig



ORTING CITY COUNCIL
Regular Business Meeting Agenda
104 Bridge Street S, Orting, WA
Zoom – Virtual
September 25th, 2024
7:00 p.m.

Mayor Joshua Penner, Chair

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

Mayor Penner called the meeting to order at 7:00pm. Deputy Mayor Gunther led the Pledge of Allegiance.

Councilmembers present: Councilmembers Don Tracy, Jeff Sproul, Greg Hogan, Melodi Koenig and Deputy Mayor Gunther.

Virtual: Councilmember Stanley Holland.

Absent: Councilmember Chris Moore.

Staff present: City Clerk Kim Agfalvi, City Attorney Charlotte Archer, Public Works Director Ryan McBee, Police Chief Devon Gabreluk, Engineer JC Hungerford.

Executive: Mayor Penner.

Motion: Councilmember Koenig made a motion to excuse Councilmember Moore. Seconded by Deputy Mayor Gunther.

Motion passed (6-0).

2. REQUEST FOR ADDITIONS OR MODIFICATIONS TO THE AGENDA.

No requests were made.

3. PUBLIC COMMENTS.

No public comments were made.

4. PRESENTATION.

A. AB24-99 – Jones Levee Presentation.

Kevin Dragon and Ryan Miller presented a PowerPoint presentation and updated on the Jones Setback Levee project. Council discussion followed.

5. PUBLIC HEARING.

A. AB24-30 – D.M. Disposal Franchise Agreement – CGA Committee.

Mayor Penner laid out the rules for the public hearing and opened the public hearing at 7:27pm.

Councilmember Sproul and City Administrator Scott Larson briefed on a proposed franchise agreement with D.M. Disposal for garbage and other waster services. Council discussion followed.

Mayor Penner closed the public hearing at 7:33pm.

Motion: Councilmember Hogan made a motion to authorize the Mayor to enter into a contract with D.M Disposal Co. Inc for garbage and other waste collection services. Seconded by Councilmember Sproul.

Motion passed (6-0)

6. CONSENT AGENDA.

A. Claims Voucher.

Claims voucher list dated September 25th, 2024 which includes voucher number 56339 through 56385 in the amount of \$435,231.80 & electronic fund transfers in the amount of \$21,971.54 for a grand total of \$457,203.34.

B. Payroll Voucher.

Payroll check numbers 24274 through 24275 in the amount of \$14,677.43 & electronic deposit transmissions in the amount of \$191,425.56 for a grand total of \$206,102.99 for the period covering September 1-15 2024.

C. Meeting Minutes – September 11th, 2024.

D. AB24-74 – Comprehensive Emergency Management Plan (CEMP) – Public Safety Committee.

E. AB24-96 – Purchasing Policy Update – Public Works Committee.

F. AB24-76 – 2025 SCORE Jail Interlocal Agreement – Public Safety Committee.

G. AB24-77 – 2024-2026 School Resource Officer Interlocal Agreement – Public Safety Committee.

H. AB24-80 – Big J’s Holiday Rental Agreement – CGA Committee.

I. AB24-81 – Budget Amendment – REET – CGA Committee.

J. AB24-82 – Capital Assets Policy – CGA Committee.

K. AB24-85 - Sourcewell Interlocal Agreement – CGA Committee.

L. AB24-94 – Police Vehicle Purchase – Public Safety Committee.

Councilmember Sproul asked to pull item C for discussion and Mayor Penner stated the item would be moved to item 7A.

Motion: Deputy Mayor Gunther made a motion to approve the consent agenda with the exception of item C. Seconded by Councilmember Hogan.

Motion passed 6-0.

7. NEW BUSINESS.

A. Meeting Minutes – September 11th, 2024.

Councilmember Sproul stated that the motion made at the meeting on September 11th, 2024 was to appoint Ryan McBee to the position of Public Works director and briefed that the motion made did not include executing an employment contract with the same. City Clerk Kim Agfalvi stated she would revise the minutes and resubmit them for approval at the October 9th, 2024 meeting.

Action: Resubmit meeting minutes of September 11th, 2024 for approval at the October 9th, 2024 Council meeting.

B. AB24-91 – Public Works Director Contract – Mayor Penner.

Mayor Penner briefed that Council unanimously appointed Ryan McBee to the position of Public Works director at the September 11th, 2024 Council meeting but the motion did not include authorizing the Mayor to execute and employment agreement with the same. He stated the item was brought back to the meeting for Council consideration to authorize the Mayor to execute an employment contract with Public Works Director Ryan McBee.

Motion: Councilmember Sproul made a motion to authorize the Mayor to execute an employment agreement for the position of Public Works Director with Ryan McBee. Seconded by Councilmember Koenig.

Motion passed (6-0).

C. AB24-88 – Orting Yard ADA Parking Spot Lease – CGA Committee.

City Clerk Kim Agfalvi briefed that the City received a request from the Orting Yard to lease a parking space in the North Park to meet the ADA Parking obligation and that staff have reviewed the request and prepared a lease agreement and a joint use parking agreement for Council consideration. Council discussion followed.

Motion: Councilmember Koenig made a motion to authorize the Mayor to sign a joint use parking agreement and enter into a lease agreement with the Orting Yard for an ADA Parking Spot. Seconded by Councilmember Sproul.

Motion passed (6-0).

D. AB24-89 – Legal Services Contract – CGA Committee.

City Clerk Kim Agfalvi briefed on the Request for Proposals that the City published for legal services and stated that staff evaluated the proposals, held interviews, and are recommending entering into a contract for legal services with Kenyon Disend.

Motion: Councilmember Hogan made a motion authorize the Mayor to enter into a contract with Kenyon Disend for legal services. Seconded by Deputy Mayor Gunther.

Motion passed (6-0).

8. EXECUTIVE SESSION.

City Attorney Charlotte Archer stated that Council would be entering into an executive session pursuant to RCW 42.30.110 (1)(i) to discuss legal risks of a proposed action where public discussion may have adverse consequences for five minutes with no action to follow.

Executive session began at 7:47pm.

Executive session ended at 7:52pm.

The meeting returned to open session at 7:52pm

9. ADJOURNMENT.

Motion: Deputy Mayor Gunther made a motion to adjourn. Seconded by Councilmember Koenig.

Motion passed (6-0).

Mayor Penner adjourned the meeting at 7:52pm.

ATTEST:

Joshua Penner, Mayor

Kimberly Agfalvi, CMC, City Clerk

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. Chris Moore
3. Don Tracy
4. Jeff Sproul
5. Stanley Holland
6. Greg Hogan
7. Melodi Koenig



ORTING CITY COUNCIL

Regular Business Meeting Minutes
104 Bridge Street S, Orting, WA
Zoom – Virtual
October 9th, 2024
7:00 p.m.

Mayor Joshua Penner, Chair

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

Mayor Penner called the meeting to order at 7:00pm. Councilmember Sproul led the Pledge of Allegiance.

Councilmembers present: Councilmembers Chris Moore, Don Tracy, Jeff Sproul, Stanley Holland, Greg Hogan, Melodi Koenig and Deputy Mayor Gunther.

Staff present: City Administrator Scott Larson, City Clerk Kim Agfalvi, Finance Director Gretchen Russo, City Attorney Kendra Rosenberg, Public Works Director Ryan McBee, Capital Projects Manager Ashley DeGraffenreid, Engineer JC Hungerford.

Executive: Mayor Penner.

2. REQUEST FOR ADDITIONS OR MODIFICATIONS TO THE AGENDA.

No requests were made.

3. PUBLIC COMMENTS.

No comments were made.

John Selby, presenting as Sasquatch, from the Foothills Rails to Trails Coalition presented Mayor Penner with Mayor's cup trophy and stated team #willrunforcarbs won the Mayor's cup for the third year in a row for the City of Orting.

4. PRESENTATION.

A. AB24-107 – WA DOT Corridor Study Update – Washington State Department of Transportation.

Richard Warren and Jessica Brackin presented a power point presentation on the Washington State Department of Transportation State Route 162 Center Turn Lane Planning and Pre-Design study. Council discussion followed.

Maxine Herbert-Hill from the SR 162 Corridor Improvement Group commented on the SR 162 Corridor Improvement Group's efforts to champion transportation improvements to SR 162.

5. CONSENT AGENDA.

A. Claims Voucher.

Claims voucher list dated October 9th, 2024 which includes voucher number 56386 through 56456 in the amount of \$308,649.49 & electronic fund transfers in the amount of \$0.00 for a grand total of \$308,649.49.

B. Payroll Voucher.

Payroll check numbers 24276 through 24279 in the amount of \$9723.43 & electronic deposit transmissions in the amount of \$285,238.17 for a grand total of \$294,961.60 for the period covering September 16th-30th, 2024.

C. Meeting Minutes – September 11th, 2024 and September 18th, 2024.

Motion: Councilmember Sproul made a motion to approve the consent agenda as prepared. Seconded by Councilmember Moore.

Motion passed (7-0).

6. EXECUTIVE SESSION.

City Attorney Kendra Rosenberg stated that the meeting will enter into an executive session pursuant to RCW42.30.110.(1)(i) pertaining to pending litigation or proposed legal risk of a proposed action when public discussion would have adverse legal or financial consequences, for ten minutes, to begin at 7:58pm, with potential action to follow.

7:58pm – executive session began.

8:08pm – executive session extended for 5 minutes.

8:13pm – executive session extended for 5 minutes.

8:18pm – executive session extended for 5 minutes.

8:23pm – executive session extended for 5 minutes.

8:28pm – executive session extended for 5 minutes.

8:33pm – executive session extended for 5 minutes.

8:38pm – executive session ended and meeting returned to regular session.

7. NEW BUSINESS.

A. AB24-106 – Orting Evacuation Bridge Construction Temporary Easement – Public Works Committee.

Councilmember Moore briefed on the proposed temporary construction easements that the City needed to acquire before beginning construction on the Orting Evacuation Bridge. Council discussion followed.

Councilmember Hogan made a motion to authorize the Mayor and city staff to negotiate on behalf of the council with property owners to secure Temporary Construction Easements for the Evacuation Bridge Construction with final approval by Council. Seconded by Councilmember Koenig.

Motion passed (5-2). Nay – Moore and Tracy.

8. ADJOURNMENT.

Motion: Deputy Mayor Gunther made a motion to adjourn. Seconded by Councilmember Holland.

Motion passed (7-0).

Mayor Penner adjourned the meeting at 8:54pm.

ATTEST:

Joshua Penner, Mayor

Kimberly Agfalvi, CMC, City Clerk

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. Chris Moore
3. Don Tracy
4. Jeffery Sproul
5. Stanley Holland
6. Greg Hogan
7. Melodi Koenig



ORTING CITY COUNCIL
Study Session Meeting Minutes
104 Bridge Street S, Orting, WA
Zoom – Virtual
October 16th, 2024
6:00 p.m.

Deputy Mayor Tod Gunther, Chair

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

Deputy Mayor Gunther called the meeting to order at 6:00pm. Councilmember Moore led the pledge of allegiance, and then roll call was taken.

Councilmembers present: Councilmembers Chris Moore, Don Tracy, Jeff Sproul, Stanley Holland, Greg Hogan, Melodi Koenig, and Deputy Mayor Tod Gunther.

Councilmember Hogan joined the meeting at 6:22pm.

Virtual: Mayor Penner.

Staff present: City Administrator Scott Larson, Public Works Director Ryan McBee, City Clerk Kim Agfalvi, Finance Director Gretchen Russo, Executive Assistant Danielle Charchenko, Community Development Director Kim Mahoney, Capital Projects Manager Ashley DeGraffenreid.

2. COMMITTEE REPORTS.

A. Public Works - CM Moore & CM Koenig.

- Building department updates.
- Committee goals.
- Kansas Street improvements open house.
- Pedestrian Bridge temporary construction easement update.
- Project updates.
- Stormwater Plan update.
- WRRF design update.

B. Public Safety - CM Tracy & CM Holland.

- Automated school zone enforcement camera ordinance.
- Pierce County services ILA.
- Committee Goals.

C. Community and Government Affairs - CM Hogan & CM Sproul.

- Institutional Calendar.
- Fisherman Parking.
- Council Goals.
- All other items are on the agenda.

3. STAFF REPORTS.

Finance.

Finance Director Gretchen Russo briefed on the following:

- Quarterly financial reports.
- Updated budget has been emailed.

Public Works.

Public Works Director Ryan McBee briefed on the following:

- New Capital Projects Manager Ashley DeGraffenreid was introduced.
- Hiring update of Public Works Superintendent.
- Conference update for the American Public Works Association.
- New lead and copper rules from EPA.
- Radio water meter reading has been implemented.
- Well 1 pump update.
- Wastewater manhole updates.
- Stormwater master plan.
- Street sweeping.
- Readerboard update.
- Cemetery irrigation update.
- Telemetry Master Plan.
- Transportation and Capital Improvement Plan.
- Project updates.

City Clerk and Activities/Events.

City Clerk Kim Agfalvi briefed on the following:

- Archive Social implementation.
- Barracuda implementation and working with IT to complete transition to cloud and Microsoft 365.
- Fall Conference.
- Event updates – Red Hat Days, Harvest Festival, and Home for the Holidays event.
- Fall and winter activities – dance, painting classes, wiggles and giggles, fall fitness, and holiday events such as Cookies and Cocoa with Mrs. Claus.

Community Development.

Community Development Director Kim Mahoney briefed on the following:

- Code enforcement.
- Bridgewater update.
- Shoreline Management Act.
- Improvements to State Route 162.
- Safe Parking.

Administration.

City Administrator Scott Larson briefed on the following:

- Temporary construction easements on Kansas St SW.
- Budget meeting October 23rd, 2024 at 6:00pm.
- Facilities assessment.
- November meeting date for last meeting – move to another date since it is the day before Thanksgiving.
- Possible parking code amendments.

Executive.

Mayor Penner briefed on the following:

- No updates.

4. AGENDA ITEMS.

A. AB24-108 – 2024 Comprehensive Plan Periodic Update.

To view the 2024 Comprehensive Plan Update:

<https://www.cityoforting.org/home/showpublisheddocument/6709/638642410098698013>

Community Development Director Kim Mahoney briefed on the 2024 Comprehensive Plan Periodic Update and stated that the full plan has been added to the City of Orting website and is linked on the agenda. She briefed that a public hearing occurred at the Planning Commission on October 7th, 2024 and that there were no public comments made at the meeting. Community Development Director Kim Mahoney briefed that the draft plan has been sent to the Puget Sound Regional Council and the Washington State Department of Commerce and the City of Orting Planning Commission will hold a special meeting on November 18th, 2024 to make their recommendation to Council. Council will receive and discuss the recommendation at the November Study Session and the item will move through the Council process for possible adoption before the end of year. Council discussion followed.

Action: Informational item only. Planning Commission will hold a Special Meeting on November 18th, 2024 for recommendation.

B. AB24-27 – RV Code Amendments - CGA Committee – CM Hogan and CM Sproul.

Councilmember Hogan briefed on potential RV code amendments being proposed amendments that include:

- Permit temporary occupancy of an RV on private property for 180 days in a year, if accessory to an active building or remodel permit on the same lot, or following destruction or damage of the principal dwelling by a disaster;
- Permit temporary occupancy of an RV for 14 days in a 6-month period when issued a temporary use permit and located on a parcel in the residential zoning districts;
- Prohibit parking RVs in the public right-of-way (ROW) other than for an emergency 24-hour stop;
- Prohibit leak or discharge to City stormwater, surface water, or sewer infrastructure;
- Prohibit the storage of RVs and boats in front yards, and;
- Prohibit the storage of more than one RV, or more than one boat, or more than one RV and one boat, on parcels in the City's residential zoning districts.

Councilmember Hogan stated that RVs shall not be parked on City streets and may not overhang public sidewalks and right-of-way and must be screened from view. Council discussion followed.

Action: Move forward to City Council meeting on October 30th, 2024 for public hearing with possible action to follow.

C. AB24-100 – 2025 Fee Schedule - CGA Committee – CM Hogan and CM Sproul.

Councilmember Hogan briefed on potential updates to the current fee schedule to include cleanup items and additions and changes to staff hourly rate fees. Council discussion followed.

Action: Move forward to the regular business meeting on October 30th, 2024 as a consent agenda item.

Deputy Mayor Gunther stated the Council would recess for a five-minute break to begin at 8:02pm and end at 8:07pm.

Council returned to regular session at 8:07pm.

D. AB24-103 – Personnel Manual Updates - CGA Committee - CM Hogan and CM Sproul.

Councilmember Hogan briefed on proposed updates to the City of Orting Personnel Manual to include:

- Updated titles for continuity.
- Department manager to department director and City Personnel Director to Human Resources.
- Adding language to clarify absence notification chain of command and procedures.
- Adding language regarding parameters of step increase for non-represented employees for time of year hired (Step increase effective January 1 of the year following 6 months of service in hired position)
- Removing list of specified comparable cities
- Adding language regarding benefits for part-time & term-limited employees
- Adding FMLA & WA-PFML policy (which subsequently removes need for pregnancy leave and disability leave articles).

Council discussion followed.

Action: Move item forward to regular business meeting on October 30th, 2024 as a consent agenda item.

E. AB24-101 – Endangerment with a Controlled Substance - Public Safety Committee – CM Tracy and CM Holland.

Councilmember Tracy briefed that Pierce County Council recently adopted a local ordinance (Ordinance 02024-524s -Endangerment with a Controlled Substance) to address deficiencies in State law relating to exposing children and dependents to harmful drugs. Currently, RCW 9A.42.100 (Endangerment with a controlled substance, a Felony crime) only includes the drug methamphetamine and fails to protect children and dependents from other drugs currently being encountered. Council discussion followed.

Action: Move item forward to regular business meeting on October 30th, 2024 as a consent agenda item and add this item to the City of Orting legislative priorities for 2025.

F. AB24-105 – Brightly Asset Management Solutions Service Contract - Public Works Committee – CM Moore and CM Koenig.

Councilmember Moore briefed on a proposed service contract with Brightly Asset Management Solutions for work management solution software. Council discussion followed.

Action: Move item forward to regular business meeting on October 30th, 2024 as a consent agenda item.

G. AB24-79 – 2025 Grants - CGA Committee – CM Hogan and CM Sproul.

Councilmember Hogan briefed on 2025 grant requests received and stated the City received 5 applications timely and 1 application after the due date, which the CGA Committee decided to accept as a one-time courtesy. Council discussion followed.

Action: Move item forward to regular business meeting on October 30th, 2024 as a standalone agenda item.

H. AB24-64 – Council Code of Ethics Policy - CGA Committee – CM Hogan and CM Sproul.

Councilmember Hogan briefed that the CGA Committee reviewed the Council Code of Ethics Policy and has no recommended changes. Council discussion followed.

Action: Informational item only.

I. AB24-98B – Council Rule of Procedure - CGA Committee – CM Hogan and CM Sproul.

Deputy Mayor Gunther briefed and stated that Councilmember Koenig and Deputy Mayor Gunther are proposing an addition to the Council Rules of Procedure section 1.7 (Right of Floor).

Current rules state any Councilmember desiring to speak shall be recognized by the Chair and shall confine his/her remarks to one subject under consideration or to be considered. Councilmembers may speak about the subject under consideration for a reasonable length of time.

Addition to rules added as a separate paragraph to section 1.7 (Right of Floor): If this is the first round of Council discussion on a topic, members are asked to confine their remarks to five minutes (additional time may be permitted by the Chair). This will help to ensure a more equitable and timely starting contribution by all members.

Committee discussion followed.

Action: Move forward to CGA Committee meeting on November 6th, 2024 for Committee consideration.

AB24-98 - Council Rules of Procedure – CGA Committee – CM Hogan and CM Sproul.

Councilmember Moore asked that the Council Rules of Procedure, section 2.3 be added to the study session agenda to clarify how items move in the event the committee chair and vice chair are not able to come to a unanimous decision. Council discussion followed.

Action: Informational item only.

5. EXECUTIVE SESSION.

No executive session.

6. ADJOURNMENT.

Deputy Mayor Gunther adjourned the meeting at 9:00pm.

ATTEST:

Joshua Penner, Mayor

Kimberly Agfalvi, CMC, City Clerk



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: 2025 Fee Schedule.	AB24-100	CGA		
		10.2.2024	10.16.2024	10.30.2024
	Department:	Finance		
	Date Submitted:	9.27.2024		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	None			
Submitted By:	Gretchen Russo			
Fiscal Note: None				
Attachments: Draft 2025 Fee Schedule				
SUMMARY STATEMENT:				
<p>This is an annual update to the City’s fee schedule. Changes include clean up, updating staff hourly rates, and updates to the land use fees.</p>				
RECOMMENDED MOTION: <u>Motion:</u>				
<p>To adopt the 2025 fee schedule as presented.</p>				

2025 ADMINISTRATIVE & PERSONNEL FEES

Category	Fees
Annual Business License	
Business Licenses are obtained from the State of Washington through their licensing program. Business Licenses are required for all businesses (for profit and not for profit) located within City limits, including home business and any business that provides services within city limits,- including solicitors. See Orting Municipal Code Title 3, Chapter 2	
	No Fee
Businesses with over \$10K revenue	\$ 50.00
Itinerant Food Vendor - Food Truck Program	\$ 50.00
Special Events	See Park & Facility Rentals
Public Records Request/Duplication	
Single Sided (8.5 x 11 & 8.5 X 17)	\$.15/page
Double Sided (8.5 x 11 & 8.5 X 17)	\$.30/page
Document Scan - Single sided (8.5 x 11 & 8.5 X 17)	\$.10/page
Document Scan - Double sided (8.5 x 11 & 8.5 X 17)	\$0.20/page
Sizes beyond 8.5 x 17	Cost + 15% Administration fee
Deposit for large jobs	10% of estimated cost
IT Expertise Required (quoted)	Cost + 15% Administrative fee
Postage (letter or manila envelope)	Cost
Postage & Mailing Container	Cost + 15% Administrative fee
Verbatim Transcript (vendor service)	Cost + 15% Administrative fee
Electronic Record: email, cloud storage, or other electronic delivery system	\$.05/ every 4 electronic files & \$.10/gigabyte
Electronic Storage Device: thumb drive, flash drive, DVD, CD, or other electronic device	Cost + 15% Administrative fee
Police body camera or dash camera video redactions (redacting, altering, distorting, pixelating, suppressing or otherwise obscuring) per RCW 42.56.240(14)**	\$55.00 per hour
Certified Copy (per document)	\$ 1.00
Card Usage Fees (\$300 max sale w/ exception to Utility Bills)	
Debit Card	\$ 1.00
Credit Card	\$ 2.00
Passport Processing Fee	\$ 35.00
Bank Fees	
Rejected/Returned Payment Fee	\$ 40.00
Stop Payment Fee	\$ 40.00
Seasonal Parking Fee for Fishing Sep-Nov	\$ 10.00
Seasonal Parking (Fisherman parking Sep-Nov)	\$ 10.00
Gravel - Delivered (per yard- 2 yards maximum annually)	\$ 15.00

Staff Hourly Rates	Per Hour Rates
City Administrator	\$ 150.00
City Engineer	\$ 140.00
Community Development Director	\$ 140.00
Capital Projects Manager	\$ 100.00
Finance Director	\$ 120.00
City Clerk	\$ 100.00
Finance Staff	\$ 70.00
Public Works Director	\$ 140.00
Public Works Maintenance Staff	\$ 80.00
Public Works Utility Staff	\$ 90.00
Event Coordinator	\$ 80.00
Police Chief	\$ 140.00
Police Clerk	\$ 80.00
Police Officer	\$ 130.00
Court Administrator	\$ 85.00
Court Staff	\$ 70.00
Building Official	\$ 100.00
Building Staff	\$ 80.00
Third Party Reviewers	Cost + 15% Administrative fee
Fees	
Lien Fees	Cost + 15% Administrative fee
Telephone Utility Tax	6% of Gross Sales
Franchise Fee	Per Contract
Peg Fee	Per Contract
Gambling Tax - Nonprofit	10% of Net
Gambling Tax - For Profit	4% of Gross Sales

2025 BUILDING PLAN REVIEW AND FEES	
Category	Fees
Architectural Design Review - Commercial & Multi-Family	
Exterior Paint Color	\$ 50.00
Exterior Lighting Fixtures	\$ 50.00
Exterior Remodel of Building	\$ 250.00
Exterior Signage - Permanent, Sandwich Boards	\$ 50.00
Commercial Fencing	\$ 25.00
New Construction Design	\$ 250.00
Work Performed Prior to Permit Approval	Double Permit Fee
Residential (and Accessory) Building Valuation	
New construction, and remodels are valued per the most current version of the International Code Council's (ICC) Building Valuation Data for the specified occupancy.	
Private garages, storage buildings, green houses and similar structure shall be valued as Utility, Miscellaneous.	
Remodels are based in the table value from the ICC Building Valuation for the occupancy specified.	
Note: all footnotes from the Building Valuation Data as published by the ICC shall apply.	
Commercial Structures and Improvements Valuation	
New construction, and remodels, of all occupancies, are valued per the most current version of the (ICC) International Code Council's Building Valuation Data for the specified occupancy.	
Written Contractor's Bid or Engineer's Estimate of cost if not specified in the published Building Valuation Data.	

Remodels permit and plan review fees shall be based upon the valuation for the occupancy group listed in the Building Valuation Data as published by the ICC.

Buildings Permit Fees - per 2021 International Code Council (ICC)

*Building Permits & Fees are due at the time of building permit issuance. Includes Manufactured Buildings.

If Valuation is Between:	Fees
\$1 to \$500	Base Fee of \$100
\$501 to \$2,000	\$100 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, up to and including \$2,000
\$2,001 to \$40,000	\$200 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, up to and including \$40,000.
\$40,001 to \$100,000	\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof up to and including \$100,000.
\$100,001 to \$500,000	\$1,027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, up to and including \$500,000.
\$500,001 to \$1,000,000	\$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000.
\$1,000,001 top \$5,000,000	\$6,327 for the first \$1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000.
\$5,000,001 and up	\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof.

Miscellaneous Valuations

Covered Decks/Carport	(per square foot)	\$	40.00
Decks	(per square foot)	\$	30.00
Retaining Walls			Valuation

**Retaining walls that are 4ft or less do not required a permit

Single Family and Duplex Combination Building Permit Fees

Combination Building Fees are required for each new single-family residential structure and duplex, and are payable prior to the issuance of a building permit.

Plumbing up to 3,000sf	Change to 20% this has not changed in last 10 plus years?	20% of building permit
Plumbing over 3,000sf		15% of building permit
Mechanical up to 3,000sf		15% of building permit

Mechanical over 3,000sf	15% of building permit
Building Plan Review Deposit & Fees	
New Single-Family Homes The \$500 has been removed and they are required to pay the plan review fee in full since our permit program will not except the deposit	\$500 Deposit toward 65% of the Permit Fee
Detached Garage Remove deposit and require Plan review fee to be paid in full on all reviews.	\$100 Deposit toward 65% of the Permit Fee
Multi-family Project Remove deposit and require Plan review fee to be paid in full on all reviews.	\$1,000 Deposit toward the Permit Fee (formula below)
New Commercial Project Remove deposit and require Plan review fee to be paid in full on all reviews.	\$1,000 Deposit toward 65% of the Permit Fee
Expedited Plan Review Fee	Deposit (above) plus \$200.00
Plan Review Revisions (<i>per Hour</i>)	\$100
Plan review fees for compliance to the Non-Residential Energy Code. (<i>per Hour with one (1) hour minimum charge</i>)	\$100
For Multi-Family construction; the plan review fee will equal to 65% of the permit fee or a rate of \$100/hour with a one-hour minimum, as determined by the Building Official. Multi-Family Plan Review Fees are payable upon Building Official notification. Includes up to two (2) review cycles.	
The Plan Review Deposit for Single-Family Residences, Multi-Family Projects and Detached Garages are due upon submittal of application. Includes up to two (2) review cycles.	
Manufactured Buildings	
Manufactured Building Title Elimination	\$100
Manufactured Building Runners/Tie downs	\$ 200.00
State Building Code Fee	
Residential Single Family Residence (SFR) Fee	\$ 6.50
Multi-family Fee - per unit	\$ 6.50
Commercial Fee	\$ 25.00
Flood Elevation Certificate Review	\$ 250.00

FEMA Letter of Map Amendment (SFR/1 Unit)	\$	250.00
Miscellaneous Permit Fees		
Backflow/Irrigation Permit	\$	100.00
Foundation Only		Valuation
Commercial Roofing- based upon the Contractor's Bid or Engineer's Estimate, or by valuation of the project, whichever is greater. Additionally, IFC and IBC plan check fees may apply.		Valuation
Addressing Fee	\$	175.00
Large Scale Copies (Plans- DRE 24x36)		Cost + 15% Administrative fee
Structures or work requiring permits for which no fee is specifically indicated, signs, pools, etc., will be valued utilizing submitted written contractor's bid or engineer's cost information, or closest related item for which a fee is determined. A minimum fee of \$100.00 will be assessed, or adjusted fee assigned at the discretion of the Building Official.		
Below Ground Tank installation, or removal, permit fees will be valued per the written Contractor's Bid or Engineer's Estimate, or will be a minimum base fee of \$225.00 , whichever is greater. Additionally, International Fire Code (IFC) and International Building Code (IBC) plan check fees may apply.		
Change in Commercial Tenant Applications - Additionally, IFC and IBC plan check fees may apply.		Valuation
Mobil Commercial Vendors. A separate plan review fee and building permit fee will be charged for additional structures, such as landings, ramps, etc.	\$	500.00
Modular structures placed on permanent foundation system. A separate plan review fee and building permit fee will be charged for additional structures, such as landings, ramps, etc.		Valuation
Fence Permit - Commercial		\$.50 per linear foot - with \$0 minimum
International Fire Code/Associated Fees		
Plan review for fire code compliance of building plan review shall be established at 50% of the IBC plan review fee or a rate of \$100/hour with a one hour minimum (whichever is greater)		Valuation
Fire related reviews and site visits for large lot short plat/subdivisions are based on the cost.		Cost + 15% Administrative Fee
Automatic Fire Alarms - Fees assessed based upon submitted Contractor Bid and the Building Valuation schedule.		Cost + 15% Administrative Fee
Fixed Fire Suppression - Fees assessed based upon submitted Contractor Bid and the Building Valuation schedule.		Cost + 15% Administrative Fee
Automatic Sprinklers - Fees assessed based upon Building Permit Valuation schedule or upon submitted Contractor Bid at the discretion of the Fire Marshal.		Cost + 15% Administrative Fee
Fire Apparatus Road Review		Cost + 15% Administrative Fee
Fireworks Related Fees - Local Permit and License Fees (Limits pursuant to RCW 70.77.555.)		
Retail Fireworks Stand Permit: \$200.00 for one retail sales permit per fireworks stand in a year. Cost includes processing, permit and Inspections.		

Public Fireworks Display Permit: \$250.00 minimum permit fee and minimum 1/2 hour plan review or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include an hourly cost plus a 15% overhead fee for administrative costs. In no case shall total costs total more than \$5,000 for any one display permit.

Inspections Beyond Review Cycles (per trip)	
Site Inspection/Investigation	\$ 100.00
Final Inspection/Expired Permit	\$ 100.00
Re-inspect Fee on 3rd Re-Inspection	\$ 100.00
Third Party Review	
Geotechnical/Stormwater Review	Cost + 15% Administrative Fee
Appeals of Administrative Decisions	Cost + 15% Administrative Fee
Land Use Prosecutor/Deputy Prosecutor and or Legal Consultation Fee	Cost + 15% Administrative Fee
Any other Expedited or Third Party Review Fees	Cost + 15% Administrative Fee
Mechanical Permits & Fees - Multi-Family (3 or more units) and Commercial	
Basic permit fee plus itemized fees below:	\$ 100.00
Heating and AC System or Air Handling Unit including ducts and vents	\$ 100.00
Boiler or Compressor - Residential	\$ 100.00
Boiler or Compressor - Commercial	\$ 100.00
Commercial Refrigeration	\$ 100.00
Ventilation/Exhaust Fan - Residential	\$ 100.00
Ventilation/Exhaust Fan - Commercial, except as covered above in Heating or AC System above	\$ 100.00
Commercial Hood, per mechanical exhaust and including ducts	\$ 100.00
Incinerator - installation or relocation	\$ 100.00
Appliance not otherwise covered	\$ 100.00
Fuel Gas Piping - Each system of 1-4 outlets	\$ 100.00
Fuel Gas Piping - Each additional outlet over 4 outlets	\$ 100.00
Plumbing Permits & Fees - Multi-Family (3 or more units) and Commercial	
Basic permit fee plus itemized fees below:	\$ 100.00
Per plumbing fixture or set of fixtures on one trap	\$ 100.00
For meter to house service	\$ 100.00
Fuel Gas Piping - Each system of 1-4 outlets	\$ 100.00
Fuel Gas Piping - Each additional outlet over 4 outlets	\$ 100.00
Per Drain for rainwater systems	\$ 100.00
Per Lawn Sprinkler System, includes backflow prevention	\$ 100.00
Per fixture for repair or alteration of drainage vent or piping	\$ 100.00
Per vacuum breaker or backflow protection device on tanks, vats, etc.	\$ 100.00
Per interceptor for industrial waste pretreatment	\$ 100.00
Medical Gas Piping - Each gas piping system of 1-5 outlets	\$ 100.00
Medical Gas Piping - Each additional outlet over 5 outlets	\$ 10.00
Demolition Permit	
Demolition Permit - Single Family Residential and Duplex	\$ 300.00

Demolition Permit - Commercial and Multi-family	\$	500.00
Stormwater Management and Erosion Control Fees		
Grade & Fill Plan Review: In addition to the license fees, a grading/drainage plan review fee is charged for all grading licenses requiring plan review. Before accepting a set of plans and specifications for checking, the Building Official or City Engineer shall collect a plan checking fee.		
50 cubic yards or less	\$	125.00
51-100 cubic yards	\$	240.00
101-1,000 cubic yards	\$	500.00
1,001-10,000 cubic yards	\$	750.00
10,001-100,000 cubic yards	\$	1,000.00
100,001 cubic yards and up	\$	1,200.00
<i>Grade and Fill Permit: Fees shall be based on the volume of the excavation and fill.</i>		
50 cubic yards or less	\$	125.00
51-100 cubic yards	\$	150.00
101-1,000 cubic yards	\$	175.00
1,001-10,000 cubic yards	\$	225.00
10,001-100,000 cubic yards	\$	300.00
100,001 or more cubic yards	\$	600.00
Disturbed Area Permit for erosion control (per square yard)	\$	0.25

Disturbed Area for erosion control (per Square yard) - No import/export	\$	0.10
2025 ORTING CEMETERY		
Category		Fees
Lots		
Full Sized Resident	\$	1,700.00
Full Sized Non-Resident	\$	2,000.00
Cremaains Resident	\$	650.00
Cremaains Non-Resident	\$	950.00
Child Sized Lot	\$	300.00
Columbaria		
Resident	\$	800.00
Non-Resident	\$	1,000.00
Concrete Liners (plus current state tax rate)		
Adult Grave Liner	\$	650.00
Child Grave Liner	\$	400.00
Cremaains Grave Liner	\$	400.00
Opening & Closing Fees		
Adult Liner	\$	850.00
Adult Vault	\$	1,000.00
Cremaains	\$	500.00
Child Liner	\$	300.00
Child Vault	\$	300.00
Disinterment Fees		
Adult	\$	3,500.00
Child	\$	1,232.00
Marker Setting Fees		
Flat Marker	\$	350.00
Resetting Fee	\$	250.00
Other Fees		
Set Up Fee	\$	150.00
Saturday Service	\$	600.00
Vase Setting	\$	95.00
Weekday Overtime (per hour)	\$	150.00

Category	Fees
General Facility Charges (GFC) (per *ERU)	
Water - General Facility Charges - Inside/ Outside City Limits	\$ 5,140.48
1% Water Facility Enhancement Surcharge	\$ 51.40
Sewer - General Facility Charges - Inside/ Outside City Limits	\$ 11,050.89
1% Wastewater/Sewer Facility Enhancement Surcharge	\$ 110.51
Storm - General Facility Charges - Inside City Limits Only	\$ 1,232.47
1% Stormwater Surcharge	\$ 12.32
Impact Fees	
Park Impact Fee	\$ 1,492.00
Transportation Impact Fee (per PM Peak Hour Trip)	\$ 2,149.00
*ERU - Equivalent Residential Unit	

Per RCW 36.70A.681(1)(a), the City may not assess impact fees on the construction of ADUs that are greater than 50% of the impact fees that would be imposed on the principal unit.

2025 LAND USE

The City may charge and collect fees from any applicant to cover costs incurred by the City in the review of plans, studies, monitoring reports and other documents to ensure code compliance, to mitigate impacts to critical areas and for all code-required monitoring.

The applicant shall pay the following Land Use Review Deposit to cover third party review and administrative expenses. These fees are billed at cost for time and materials from third party reviewers plus a 15% administrative fee.

Fees and deposits are charged per category and are cumulative.

If the initial deposit is expended prior to the completion of project approval, the City will collect either an additional deposit in the amounts below, or an amount as estimated by the staff as needed to complete project review. Any fees not expended will be returned to the applicant.

Category	Deposit
Annexation, Comprehensive Plan Amendments & Rezones	
Annexation	\$ 2,000.00
Code Text Amendment	\$300.00/deposit plus Time & Materials
Comprehensive Plan Map or Text Amendment - including rezones (each)	\$ 2,500.00
Conditional Use Permits, Development Agreements, Site Plans & Special Use Permits	
Conditional Use Permit	\$ 1,500.00
Development Agreement	\$ 1,500.00
Site Plan Review	\$ 1,500.00
Site Plan Review - Minor Change	\$ 500.00
Site Plan Review - Major Change	\$ 1,500.00
Inhouse Engineer Review	\$ 125.00 per hour
Special Use Permit	\$ 1,200.00
Hearings and Appeals	
Appeal of Hearing Examiner's Decision, Administrative Decision or Environmental Decision	\$ 750.00

Hearing Examiner Review	\$ 1,000.00
Environmental Review	
Critical Areas Review - for those projects that propose impacts to critical areas, billed at the cost of contract biologist's review	\$750 + City third-party biologist's review time
SEPA Environmental Checklist Review and Determination	\$ 1,000.00
Environmental Impact Statement - includes coordination, review and appeal of draft and final EIS	\$2500.00/deposit plus Time & Materials
Pre-Application Meeting	\$ 400.00
Developer's Extension Agreement for all Binding Site Plans, Short Plats, Preliminary Plats, Cottage Housing, Developers Agreements and Planned Unit Developments	
Binding Site Plan	\$1500.00 plus Time & Materials
Boundary Line Adjustment	\$ 500.00
Short Plat	\$ 1,400.00
Preliminary Plat	\$ 4,000.00
Final Plat, PUD or Binding Site Plan	\$ 1,500.00
Cottage Housing Development	\$ 1,500.00
Plat Alteration - Minor Change	\$ 500.00
Plat Alteration - Major Change	\$ 1,500.00
Plat Vacation	\$ 300.00
Planned Unit Development	\$ 4,000.00
Flood Plain Development Permit	\$ 1,500.00
Shorelines	
Shoreline Substantial Development Permit	\$ 2,500.00
Shoreline Conditional Use Permit	\$ 1,500.00
Shoreline Variance	\$ 2,000.00
Variances (except Shoreline) and Nonconforming Review	
General Variance (Zoning)	\$1,500 + Hearing Examiner Deposit
Administrative Variance	\$ 1,000.00
Critical Areas/Flood Variance	\$ 2,000.00
Variances Noise	\$ 100.00
Variances Sign Code	\$ 250.00
Nonconforming Review	\$ 800.00
Zoning Compliance Letter	\$ 400.00

Home Occupation Permits	\$	250.00
Code Enforcement		
Voluntary Correction Agreement (VCA)	\$	600.00
Administrative Interpretation	\$	600.00
Administrative Interpretation Appeal	\$	700.00
Alternative Landscape Plan	\$	800.00
Temporary Use Permit	\$	250.00
2025 PARKS/RECREATION & FACILITY RENTALS		
Category		Fees
Gazebo and/or Barbeque Pit - Hourly Rental Fees - 5 Hour Max		
Resident: Monday - Thursday	\$	10.00
Resident: Friday - Sunday	\$	20.00
Non-Resident: Monday - Thursday	\$	20.00
Non-Resident: Friday - Sunday	\$	30.00
Non-Profit: Monday - Thursday	\$	5.00
Non-Profit: Friday - Saturday	\$	10.00
Multipurpose Center (MPC) - Hourly Rental Fees		
Resident: Monday - Thursday	\$	30.00
Resident: Friday - Sunday	\$	50.00
Non-Resident: Monday - Thursday	\$	50.00
Non-Resident: Friday - Sunday	\$	70.00
Non-Profit: Monday - Thursday	\$	15.00
Non-Profit: Friday - Sunday	\$	20.00
Orting Station - Hourly Rental Fees		
Resident: Monday - Thursday	\$	20.00
Resident: Friday - Sunday	\$	40.00
Non-Resident: Monday - Thursday	\$	30.00
Non-Resident: Friday - Sunday	\$	50.00
Non-Profit: Monday - Thursday	\$	10.00
Non-Profit: Friday - Sunday	\$	10.00
Event Fees		
Special Event	\$	200.00
Blanket Vendor Permit	\$	100.00
Deposits		
Gazebo, BBQ	\$	50.00
MPC w/ Alcohol Served: Banquet Permit & Liability Insurance Required	\$	300.00
MPC	\$	150.00
Orting Station	\$	100.00

Orting Station w/ Inflatables	\$	200.00
Per Hour Rates - Minimum 2 hour charge for all rentals		
Gratzer & Multi-Use Field - Rental Fees (prepped Fields)		
Resident	\$	25.00
Non-Resident	\$	30.00
Non-Profit	\$	15.00
Gratzer & Multi-Use Field - Rental Fees w/ Field Prep for Tournaments		
1-Day Resident	\$	550.00
1-Day Non-Resident	\$	650.00
1-Day Non-Profit	\$	400.00
1-Day Holiday Resident	\$	900.00
1-Day Holiday Non-Resident	\$	1,100.00
1-Day Holiday Non-Profit	\$	600.00
2-Day Resident	\$	700.00
2-Day Non-Resident	\$	800.00
2-Day Non-Profit	\$	550.00
2-Day Holiday Resident	\$	1,200.00
2-Day Holiday Non-Resident	\$	1,400.00
2-Day Holiday Non-Profit	\$	900.00
Gratzer & Calistoga Parks - Additional Fees		
Game Prep: Dragging, Lining & Bases (per Prep)	\$	40.00
Portable Mounds (per Day)	\$	50.00
Special Events & Additional Fees		
Special Event Permit	\$	200.00
Vendor Blanket Permit	\$	100.00
Vendor 1-Day Event Permit	\$	25.00
City Service: 1 Public Works Employee (per Hour)	\$	75.00
City Service: 1 Police Officer (per Hour)	\$	100.00
City Service: 1 Dumpster		City Cost
City Service: 1 Porta Potties	\$	100.00
City Service: Elec/Spider Boxes	\$	50.00
City Service: Barricades/Cones/Signs	\$	50.00
City Service: Portable Trailer Sign (per Trailer, per Day)	\$	50.00
City Service: Banner Across Hwy 162	\$	195.00
2023 UTILITIES & STREETS		
Category		Fees
Water Disconnect/Meter Removal Fees	\$	200.00

Sewer Connect Fees	
Residential - Inside City Limits	\$ 200.00
Residential - Outside City Limits	\$ 300.00
Commercial - Inside City Limits	\$ 300.00
Commercial - Outside City Limits	\$ 400.00
Sewer Disconnect Fees	
Residential - Inside City Limits	\$ 100.00
Residential - Outside City Limits	\$ 200.00
Commercial - Inside City Limits	\$ 200.00
Commercial - Outside City Limits	\$ 300.00
Bulk Water Usage Fees	
Hydrant Permit	\$ 100.00
Hydrant Damage Deposit	\$ 1,500.00
Fee for Opening Hydrant (without permit)	\$200 + cost of water
Water Hookup Fees (includes meter)	
Inside City Limits	\$ 475.00
Outside City Limits	\$ 515.00
Wastewater Hookup Fees	
Inside City Limits	\$ 460.00
Outside City Limits	\$ 506.00
Backflow/Irrigation Inspection	\$ 30.00
Late Payment Fees	
Late Payment Fee - 1st Due Date	\$ 10.00
Late Payment Fee - 2nd Due Date before Shut Off	\$ 50.00
Other Fees	
Meter Padlock Removal Penalty	\$ 100.00
Side Sewer on 3rd Re-Inspection	\$ 100.00
Final Sewer on 3rd Re-Inspection	\$ 100.00
Water Availability Letter	\$ 50.00
Water Meter Drop 3rd Re-Inspection	\$ 100.00
After Hours Emergency Water Shut Off (2hr Call Out)	\$ 150.00
Property Inspection (water on/off) - Beyond 1st request for same property	\$ 50.00
Commercial Right of Way Use Permit (Sidewalk)	Annual \$20.00
Onsite RV Resident Permit (Private property with single family home)	Monthly \$20.00
Streets Fees	
Street Opening Permit	\$50 + 5% project cost
Street Sweeping (per Hour)	\$ 150.00
Water, Sewer & Storm Water Monthly Rates: See Utility Rates on website www.cityoforting.org	



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Personnel Policy Updates.	AB24-103	CGA		
		10.2.2024	10.16.2024	10.30.2024
	Department:	Human Resources		
	Date Submitted:	9.19.2024		
Cost of Item:	N/A			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:				
Submitted By:	Shawna Punzalan – Human Resources			
Fiscal Note:				
Attachments: Orting Personnel Policy & Procedure Manual – redline copy				
SUMMARY STATEMENT:				
<p>Staff are recommending edits to the Orting Policy & Procedure Manual (OPPM) to update the following items:</p> <ul style="list-style-type: none"> • Update titles for continuity. Department Manager to Department Director and City Personnel Director to Human Resources. • Adding language to clarify absence notification chain of command and procedures • Adding language regarding parameters of step increase for non-represented employees for time of year hired (Step increase effective January 1 of the year following 6 months of service in hired position) • Removing list of specified comparable cities • Adding language regarding benefits for part-time & term-limited employees • Adding FMLA & WA-PFML policy (which subsequently removes need for pregnancy leave and disability leave articles) 				
RECOMMENDED MOTION: <u>Motion</u>:				
To approve the amended Orting Policy and Procedure Manual as presented.				



CITY OF ORTING

PERSONNEL POLICIES & PROCEDURES
MANUAL

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CITY OF ORTING PERSONNEL POLICIES & PROCEDURES MANUAL

1. INTRODUCTION

1.01 Purpose.

The City of Orting places the highest value on its employees. We wish to see satisfied workers, with the support necessary to achieve the objectives of each position. The City believes that clear, consistent personnel policies contribute to greater job satisfaction. All employees and new hires are required to be familiar with these policies.

These personnel policies serve as a guide to the City of Orting's current employment practices and procedures. The City of Orting retains the right to repeal, suspend, revoke, terminate, revise or modify these policies and every effort will be made to promptly inform employees of any changes to these policies.

If an employee has any questions about the policies herein or would like to seek clarification, the employee must promptly contact his/her supervisor or ~~the City Personnel Director~~ Human Resources.

1.02 Intent of Policies.

These policies, and this handbook, are not a contract, express or implied, or any type of promise or guarantee of specific treatment upon which an employee may rely, or a guarantee of employment for any specific duration. Although the City desires long-term employment relationships, it is recognized this may not always occur and either the employer or employee may decide to terminate employment. Unless specific rights are granted in written employment contracts, civil service rules, or collective bargaining agreements, all employees of the City are considered at-will employees and may be terminated from City employment at any time, with or without cause and with or without notice. No supervisor, Department ~~Manager~~ Director or representative of the City, other than the Mayor or their designee, has authority to enter into any agreement with an employee for employment for any specified period or duration, or to make any written commitments to the contrary.

These personnel policies apply to all City of Orting employees. In cases where these policies conflict with any Civil Service rules and regulations, provisions of a collective bargaining agreement, City ordinance or state or federal law, the terms of that law, rule or agreement prevail. In all other cases, these policies apply. In the event of the amendment of any ordinance, rule, or law incorporated in this document or upon which these provisions rely, these personnel policies shall be deemed amended in conformance with those changes.

As the need arises, the City Council may modify these policies and, by ordinance or resolution, may enact changes to compensation or benefit levels. The City Administrator may deviate from these policies in particular situations, especially in an emergency, to achieve the primary mission of serving the City's citizens. Employees may request specific changes to these policies by submitting suggestions to their Department ~~Manager~~ Director or the City Administrator or ~~City Personnel Director~~ Human Resources.

The City retains the right to administer or implement these policies appropriate to the particular situation or occurrence. The City also retains the right to revise, supplement or rescind these policies without prior notice to employees. However, union representatives for the respective bargaining units representing City

employees will be given a copy of any proposed changes to these policies for a 14-day (two (2) weeks) comment period prior to implementation.

1.03 Equal Employment Opportunity Policy.¹

The City of Orting is an Equal Opportunity Employer. All employees have the right to work in a discrimination-free environment. The City will not permit or condone any unlawful discrimination in the workplace. All employment decisions will be made without regard to race, color, sex, sexual orientation/gender identity, sexual identity, creed, religion, age, marital status, national origin, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, genetic information, military or honorably discharged veteran status, or any other basis prohibited by state, local or federal laws.

If you experience or witness conduct that you feel is discriminatory, please promptly raise the matter for discussion and review so that the City can investigate and take appropriate action. You are encouraged to approach and report observations and experiences to your supervisor or the City Administrator or ~~the City Personnel Director~~[Human Resources](#), as you feel is appropriate.

Retaliation against an employee who brings a complaint of discrimination, reports allegations of discrimination, or participates in an investigation of a complaint is prohibited and shall not be tolerated.

1.04 Reasonable Accommodation of Disabilities.

The City complies with the Americans with Disabilities Act (ADA) and all applicable state and local fair employment practice laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, the City will provide a reasonable accommodation to qualified employees with a disability requesting the reasonable accommodation if such an accommodation will allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship or a direct threat to the health or safety of others.

If you would like to request reasonable accommodation, please contact the City Administrator or ~~the City Personnel Director~~[Human Resources](#) who will work with you and your health care provider to evaluate the need for reasonable accommodation.

1.05 Reasonable Accommodation of Religious Beliefs.

The City respects the religious beliefs and practices of all employees and will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship for the City's business or operations. If you would like to request reasonable accommodation, please contact the City Administrator or ~~the City Personnel Director~~[Human Resources](#).

1.06 Workplace Anti-Harassment Policy.

It is the City of Orting's policy to foster and maintain a work environment free from discrimination, harassment, and intimidation. The City will not tolerate unlawful harassment of any employee, whether from a co-worker, member of the public, or other third party.

Employees are expected to show respect for each other and the public at all times, despite individual differences.

Harassment is defined as verbal or physical conduct that demeans or shows hostility or aversion toward another employee or member of the public due to that individual's race, color, sex, sexual orientation/gender identity, sexual identity, creed, religion, age, marital status, national origin, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, genetic information, military or honorably discharged veteran status. Examples of unlawful harassment include, but are not limited to, slurs or demeaning comments to employees or members of the public relating to race, ethnic background, gender, religion, sexual orientation (including gender identity), age, disability, marital status, military status or any other legally protected status.

Any conduct implicating a protected status that has the effect of substantially interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment may be considered harassment. Any harassment of a fellow employee or member of the public will be cause for disciplinary action, up to and including termination of employment.

Examples of behaviors which are inappropriate and/or illegal on the job referring to (but not limited to) gender, ethnic background, race or any other protected status include negative or offensive comments; jokes; slang names or labels; talking about or calling attention to another employee's physical or mental capacity in a derogatory or offensive manner; displaying nude or sexual pictures, cartoons or calendars on City property.

Retaliation against an employee who brings a complaint of discrimination or harassment, reports allegations of discrimination or harassment, or participates in an investigation of a complaint is prohibited and shall not be tolerated. "Retaliation" means an adverse job action(s) taken against an employee because he or she has complained about discrimination or harassment, given a statement about a discrimination or harassment investigation, participated in an investigation, or supported a complainant.

See Discrimination/Harassment Complaint Procedure for reporting guidance.

1.07 Sexual Harassment Prohibited.

Sexual harassment is a form of discrimination and it is illegal and violates federal and state law and the City's policies. Sexual harassment is also inappropriate and offensive and will not be tolerated by the City of Orting. The City considers sexual harassment a serious offense, and an employee who harasses other employees or members of the public will be disciplined as in any other case of serious employee misconduct.

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment position or compensation;
- b. Submission to or rejection of such conduct is used as the basis for employment decisions affecting the member; or
- c. Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment is not welcome and is personally offensive, interfering with the effectiveness or creating discomfort on the job.

Written examples of sexual harassment include suggestive or obscene letters, emails, notes and invitations. Verbal examples include derogatory comments, slurs, unwanted sexual comments, suggestions, jokes or pressure for sexual favors. Physical examples include assault, pats or squeezes, repeated brushing against someone's body, touching, impeding or blocking movements. Visual examples include leering, sexually-oriented gestures, or display of sexually suggestive or derogatory objects, pictures, cartoons, or posters. Other examples include the threat or insinuation that lack of sexual favors will result in reprisal, such as: withholding support for job appointment, promotion or transfer; rejection on trial period; punitive actions; change of assignments; or a poor performance report.

It is the policy of the City of Orting to prevent and/or eliminate sexual harassment in the workplace, as well as to alleviate any effects sexual harassment may have on the working conditions, or work environment, of an employee. In response to reports of sexual harassment, the City will seek to protect all parties involved from retaliation, false accusations, or future harassment and, where appropriate, will take prompt and adequate remedial measures.

Employees engaging in sexual harassment are subject to discipline, up to and including termination. Retaliation against an employee who brings a complaint of harassment, reports allegations of harassment, or participates in an investigation of a complaint is prohibited and shall not be tolerated. "Retaliation" means an adverse job action(s) taken against an employee because he or she has complained about harassment, given a statement about a harassment investigation, participated in a harassment investigation, or supported a harassment complainant.

See Discrimination/Harassment Complaint Procedure for reporting guidance.

1.08 Discrimination/Harassment Complaint Procedure.

Each employee is responsible for creating an atmosphere free of discrimination and unlawful harassment in any form. Each employee is responsible for respecting the rights of co-workers and others, including the public.

The procedure an employee is to follow: The following procedure outlines the steps an employee should follow if the employee believes he/she is experiencing harassment or discrimination on the job:

- (1) If comfortable doing so, identify the offensive behavior to the harasser and request that the offensive behavior stop. If such informal, direct communication is impractical or uncomfortable, or if the offensive behavior does not immediately cease, then proceed to Step (2); and
- (2) Report the incident(s) to the immediate non-involved supervisor within the department, the Department ~~Manager~~Director, ~~City Personnel Director~~Human Resources, and/or the City Administrator.

When possible, reports should include specific allegations, date(s) of the occurrence(s), the individuals involved, and the names of any witness(es). A non-involved supervisor is defined as the first supervisor in an employee's department who is not the object of the complaint and is not otherwise involved in the harassing behavior. In the event that there is no non-involved supervisor, and the behavior involves the Department ~~Manager~~Director, ~~the City Personnel Director~~Human Resources, and the City Administrator,

the employee should report the incident to the City Attorney.

Any employee involved in reporting a concern, or who participates in an investigation, may request that his /her identity be kept confidential. City officials and those involved in the investigation will honor this request to the extent possible under law, business necessity, and the needs of the investigation. Confidentiality, however, cannot be guaranteed.

The City prohibits retaliation against those who have reported a concern in good faith or participated in the investigation. Violations of the City's prohibition on retaliation will result in disciplinary action, up to and including termination

Employees are encouraged to take all action necessary to correct a workplace problem or harassment, so problems can be identified and corrected. They should not refrain from taking these steps due to a fear of retaliation. If retaliation occurs, promptly report such conduct in the same manner as outlined in this section. With a prompt complaint from employees, the City will take all appropriate steps to correct a problem of harassment, discrimination or retaliation in the workplace and will assist the employee affected if further problems arise. Thus, employees are encouraged to utilize these procedures to resolve concerns about workplace discrimination before they allow such conduct to interfere with their performance or such conduct affects their satisfaction with the workplace.

The procedure a supervisor is to follow: Supervisors who are aware of situations involving discrimination, harassment or retaliation must respond to such situations regardless of whether or not a complaint is received. Supervisors who receive complaints or become aware of such incidents must:

- (1) Take prompt action to insure the behavior is not repeated; and
- (2) Promptly notify the appropriate director and ~~the City Personnel Director~~ Human Resources or the City Administrator of the allegations, including all information known to or received by the supervisor.

Supervisors shall be required to take the above steps and are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint.

Supervisors must maintain open channels of communication to permit employees to raise concerns of sexual or other workplace harassment or discrimination without fear of retaliation, promptly stop any observed harassment or discrimination, and treat harassment and discrimination matters with sensitivity, confidentiality, and objectivity.

A supervisor's failure to carry out these responsibilities may result in disciplinary action up to and including termination.

The investigation process: Employees are prohibited from interfering in any investigation or retaliating against anyone who in good faith has filed a complaint or participated in an investigation of such a complaint. The City requests full, good faith cooperation during the investigation process.

It is the policy of the City that all complaints of discrimination or harassment shall be promptly and thoroughly investigated. The investigation may include interviews with the directly involved parties, and where necessary, with employees who may have observed the alleged harassment or who may be similarly situated with the complaining employee, and who may be able to testify to similar experiences with the

accused employee.

The individual assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any employees involved. No influence will be used to suppress any complaint and no employee will be subject to retaliation or reprisal for filing a complaint in good faith, encouraging others to file a good faith complaint or for offering testimony or evidence in any investigation. Retaliation is prohibited. Employees participating in an investigation shall refrain from discussing the investigation process, interviews, or issues under investigation with other potential witnesses to prevent harmful gossip and to prevent the possibility of tainting the investigation, to the extent permitted by law.

All complaints will be kept confidential to the fullest extent possible during the investigation, and will be disclosed only as necessary to allow an investigation and respond to the complaint and as consistent with the law. Confidentiality, however, cannot be guaranteed. The Public Records Act may require disclosure of an investigation report after an investigation has concluded.

The results of each investigation shall be written and a finding made regardless of whether or not there is a basis for disciplinary action. Disciplinary action, if necessary, may range from a verbal warning to termination, depending on the seriousness of the harassment. If an investigation determines the accused employee engaged in harassment, discrimination or retaliation, appropriate action will be taken, as in the case of any other serious employee misconduct. Such actions may include warnings, verbal and/or written reprimands, a letter to the employee's file, or an employee transfer, demotion, suspension or termination. An employee may at his/her request have a statement of rebuttal or correction placed in his/her personnel file.

Retaliation is prohibited against an employee who brings a complaint of discrimination, reports allegations of discrimination, or participates in an investigation of a complaint and shall not be tolerated.

1.09 Employment of Relatives.

Business necessity requires the establishment of policies regarding the employment of immediate family and members of the same household in order to avoid conflicts of interest or the perception of favoritism and to assure and maintain accountability.

The immediate family or any member of the same household of current City employees will not be employed by the City under any of the following circumstances:

- (1) When one of the parties would have authority or practical power to supervise, appoint, remove, influence salary or compensation decisions or discipline the other;
- (2) When one party would handle confidential material that creates improper or inappropriate access to that material by the other;
- (3) When one party would be responsible for auditing the work of the other; or
- (4) When other circumstances exist that might lead to potential conflict or appearance of a conflict among the parties or conflict between the interest of one or both parties and the best interests of the City.

1.10 Change in Circumstances/ Notification Requirement for Consensual Romantic Relationship.

Employees who become romantically involved with each other, begin sharing living quarters with one another, or become related by marriage must notify their manager and ~~the City Personnel Director~~Human Resources of the relationship and confirm in writing that it is consensual. Employees involved in a consensual relationship must conduct themselves in a professional manner at all times (both during and following the termination of the relationship, as applicable) and the relationship should not affect city business. If the relationship ends, the employees must conduct themselves professionally, and notify ~~the City Personnel Director~~Human Resources immediately should one party become hostile toward the other while at work. If employees involved in a consensual relationship are unable to work together in a professional, respectful and/or courteous manner as a result of the relationship and or a break-up, one or both of the employees may be required to terminate employment with the City. Employees involved in a consensual relationship may not supervise each other or otherwise create an actual or apparent conflict of interest. If employees involved in a consensual relationship occupy positions in which one directly or indirectly supervises the other or an actual or apparent conflict otherwise exists, the City will consider a transfer the least tenured employee, to the extent that such a transfer is available and/or feasible. However, if a transfer is not possible or practical, one of the employees will be required to terminate their employment relationship with the City. If the employees are unable to agree which employee is to terminate their employment relationship, the City will make the determination based on the needs and operations of the City.

1.11 Contact with News Media.

The Mayor or his/her designee or the City Administrator or his/her designee shall be responsible for all official contacts with the news media, including answering of questions from the media. The City Administrator may designate specific employees to give out procedural, factual or historical information on particular subjects. City employees will refrain at all times from disclosing confidential City information to the media. A violation of this provision may subject an employee to discipline, including termination.

2. EMPLOYMENT AND CLASSIFICATION

At the City of Orting, we want you to understand how your wages, benefits and job duties are affected by your employee classification and your job description or title. The City has a classification system that groups positions for compensation purposes based on knowledge, complexity, accountability and working conditions. More information about the classification system is available from ~~the City Personnel Director~~ [Human Resources](#).

The following are the main job classifications which are used throughout this Handbook.

Regular Full-Time Employee: Any employee who is regularly scheduled to work forty (40) hours per work week on a continuing basis.

Regular Part-time Employee: An employee who is regularly scheduled to work less than forty (40) hours per work week, on a continuing basis.

Temporary Employee: An Employee working a full or part-time schedule for a specified project or period of less than one (1) year (i.e. on-call, seasonal, Provisional Police Officer, emergency staff appointment, etc.).

Reserve Police Officer: A Police Officer who receives no compensation for volunteer police work performed but is entitled to paid sick leave benefits.

Non-exempt Employee: An employee who is not exempt from the minimum wage, overtime or timecard provisions of the wage and hour laws. Such employees may receive an hourly wage or a salary and are eligible for overtime pay at the rate of one and one-half times the regular rate of pay for all hours worked in excess of eight (8) hours per work day.

Exempt Employee: An employee who is exempt from the minimum wage or overtime. Exempt employees generally include supervisory, administrative, and professional employees who are paid on a salary basis. When employees are hired, they will be informed of whether their position is exempt or non-exempt. Exempt employees are not entitled to overtime but may be eligible for additional time off pursuant to the City's Overtime and Compensatory Time off Exempt Employee Policy within this handbook.

2.01 Employee Position Classifications.

A position classification plan will be maintained by the City based on investigation and analysis of the duties and responsibilities of each position. The completed plan will consist of a classification specification for each position, including appropriate title, description of duties and responsibilities, and minimum requirements and/or desirable training, experience or other qualifications.

The Mayor or his/her designee is responsible to assure the preparation of a plan which includes a specification for each classification. Specifications will be prepared after consultation with supervisors and other persons technically familiar with the duties and responsibilities of the job to be performed. Each position will be assigned by the Mayor to one of the classifications of the approved classification plan. Employees will be notified of the classification of their position. The title, as it appears on the specification, will be used to designate the position on official records and payroll.

The classification specifications are hereby declared to have the following definition and scope:

- a) They are explanatory only and not restrictive.
- b) In determining a position classification, the specification will be considered as a whole, comparing general duties, responsibilities, minimum qualifications and relationship to other positions in order to obtain an inclusive picture of the position and place it in the appropriate classification.
- c) The outline of principal duties of work performed applies to general duties or tasks and is not intended to prescribe the specific duties of a given position, nor to limit the alteration or modification of detailed tasks involved in the duties of any position, so long as they remain within the general definition of the classification.
- d) The classification specification may include additional requirements which are determined to be necessary for the best interests of the City. These requirements may include possession of a valid motor vehicle operator's license, physical ability, or any other bona fide occupational qualifications pertinent to the positions covered.
- e) Nothing in the classification specification is to be interpreted as restricting a supervisor from assigning an employee of one classification to perform some of the duties of a higher or lower classification for a limited period of time.

A classification may be reclassified at the request of the Department ~~Manager~~Director, employee, or City Administrator when it appears that the duties and responsibilities of an existing classification are changed. Reasons for the reclassification request are to be stated in writing and the Mayor will determine whether the present classification is correct or whether a reclassification is necessary. New or revised classification specifications will be prepared as provided in these policies and will become a part of the classification plan.

When reclassification occurs, an employee occupying the position may be retained in the position provided that the Mayor determines that the reclassification results from an official recognition of a change in duties and responsibilities which has already occurred and is a long-term inequity of classification. If the reclassification results in a higher maximum salary, such reclassification may constitute a promotion and the rules governing promotion with regard to salary apply. If the reclassification results in a lower maximum salary, such reclassification may constitute a demotion and the rules governing demotion with regard to salary apply.

2.02 Recruitment, Applications, and Selection.

This policy outlines the procedures for completing a job notice, posting a job vacancy, and extending an offer of employment. Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence without regard to any individual's sex, race, color, religion, national origin, sexual orientation, pregnancy, age, marital status, military status, genetic information, disability or any other characteristic protected by law.

Available positions are publicized for a reasonable period by announcements posted on city department bulletin boards and by such other means as deemed appropriate. Announcements may specify the title, rate of pay, duties to be performed and required minimum qualifications. All current employees are encouraged to apply for available positions if they so desire. The City of Orting is an equal opportunity employer and selection for any position will be based solely on merit, efficiency and fitness for that position.

Job Posting

An internal job posting will be placed in appropriate locations to allow current employees, who are qualified, an opportunity to apply for a vacant position. Notices will be posted for five (5) days. If it is determined that consideration of outside applicants is in the City's best interests, staff will begin the process of outside recruitment following the five (5) day internal posting period. If the City Administrator determines that there are unlikely to be any qualified internal candidates, for instance entry-level positions, outside recruitment can happen concurrently with the internal job posting. Current City employees are encouraged to apply for job openings.

Application for Employment

Each applicant shall complete and sign a City of Orting application form prior to being considered for any position. Resumes may supplement, but not replace, the City of Orting official application. The City "Application for Employment" form shall continue to be in conformance with all State and Federal laws pertaining to pre-employment inquiries. All application forms must be fully completed, signed and dated by the applicant to be valid. Applications will be accepted for open positions and will be considered only for that position. All applications must be received no later than 4:30 p.m. on the published closing date for filing. A closing date may be extended by the City Administrator. Applications, whether accepted or rejected, will not be returned. All statements submitted on the employment application or attached resume shall be subject to investigation and verification prior to appointment. Falsification of employment information may be grounds for rejection of an applicant or subsequent dismissal.

Confirmation Employment

The City may require the City Council's confirmation of employment for certain positions as provided by City Ordinance.

2.03 Promotions.

The City encourages promotion from within the organization whenever possible. The Mayor shall determine whether the promotional process for a position will be competitive or appointive. Before advertising a position to the general public, the City Administrator may choose to circulate a promotional opportunity within the City. Promotional opportunities may be posted on the City bulletin board. The City reserves the right to seek qualified applicants outside of the organization at the Mayor's sole discretion.

A promotion is an appointment to a position in a classification which has a higher maximum salary rate than the employee's present classification. The Mayor will determine the salary step of the promoted employee in the new salary range on the date of the promotion. The salary step of the promoted employee will be set so that the promoted employee's pay level is no more than two (2) salary steps higher than the employee's step prior to the promotion. If step one of the salary range to which the employee has been promoted is a pay level more than two (2) steps higher than the promoted employee's previous salary step, then the employee shall be assigned to step one of the higher salary range. When the date of promotion and the merit/step increase date coincide, the merit/step increase is paid prior to the promotional increase.

New Trial Period: After promotion to a new position, a new trial period of six (6) months must be completed. Successful completion of the trial period does not alter the employee's at-will employment. The Mayor may authorize or require an extension of a trial period for up to an additional six months. In the case of unsatisfactory performance, the employee may be transferred back to the previous position held by

the employee, if vacant, or to another position fitting the employee's skills and qualifications, within the limits of vacant authorized positions, or if no such vacant position is available in the Mayor's sole discretion, the employee may be terminated.

Temporary Promotions

A temporary appointment may be made to any position in the City of Orting. Temporary appointments are for a limited period of time and employees are not entitled to city benefits unless authorized by the Mayor as special conditions. All conditions of a temporary appointment will be specified in the letter of appointment or contract. Seasonal employment is considered temporary appointment status. Temporary employees do not attain regular status in the classification and may be terminated at will.

Acting Promotions

When the need arises to fill a position due to approved leave of absence, disciplinary actions or when a vacancy exists, a current regular status employee may be appointed "acting" to a position of higher pay grade or to a position of differing classification. Such appointments are for a limited time to fill a temporary vacancy and should not create a job expectancy. Employees will not attain regular status in the higher position from an acting appointment.

2.04 Hours of Work.

Everyone benefits from clarity regarding hours of work and scheduling. The following information may be helpful:

Work Week: For payroll and accounting purposes, the City of Orting's work week begins at 12:01 a.m. Monday and ends at midnight on Sunday.

Work Day: The normal work day for employees other than police department commissioned personnel consists of eight hours plus an unpaid meal period. Some employees or positions may have different work days determined by the needs of the City.

Scheduling: Work schedules are established by management. Unless otherwise scheduled, all employees are expected to work Monday through Friday. Requests for changes in schedules or for particular days off should be made in writing in a timely fashion and approved in advance by your supervisor. Some variation in schedule may be granted by mutual agreement between you and the City, so long as the needs of the department are met.

Rest Periods: All non-exempt employees receive one 10-minute break for each four (4) hours of working time. The break should occur near the mid-point of each four (4) hour work period, but scheduling will be done by your supervisor. Break periods are paid and may be used to extend a lunch period or to leave early provided that the total amount of time taken does not exceed the break and lunch periods and approved by your Department ~~Manager~~Director.

Meal Periods: If you are non-exempt and you work more than five (5) hours in a day, you will have a meal break after two (2) to five (5) hours into your shift. The minimal meal break is a thirty (30) minute unpaid period. The exact time and duration of your meal break will be scheduled by your supervisor to ensure appropriate coverage.

Rest/Meal Periods for Police Department Employees: While at lunch or on a rest/relief period, all Police

Department commissioned personnel will be subject to call.

Breaks for Nursing Mothers: Non-exempt employees who are nursing mothers are entitled to unpaid breaks during the workday for the purpose of expressing breast milk. Absent undue hardship, this entitlement shall continue for one year following childbirth. The City will provide a clean, suitable, and private location for these breaks.

Overtime: Overtime is time worked in excess of eight (8) hours of work in a work day. Holidays, Vacation and Sick leave are not considered time worked. The regular work week is forty (40) working hours for most employees, but on certain occasions, some overtime may be required. Any overtime work must be authorized by a supervisor in advance.

2.05 Attendance.

You are a member of a team and each member has an important contribution to make. Timely performance of your job is essential to maintaining the high-quality service our City government provides. It also shows your respect for your fellow employees who must assume your duties in your absence. You must report to work regularly and on time, in proper attire, with proper equipment, and ready to work at the starting time. ~~If you will be unable to report for work, will be late, or need to leave early, notify your supervisor as far in advance as possible. If your immediate supervisor is out or unavailable notify the department Director, Human Resources or the City Administrator. Failure to notify the City in a timely and appropriate manner may result in discipline.~~ If you will be unable to report for work, will be late, or need to leave early, notify the City Administrator, City Personnel Director, and/or your supervisor as far in advance as possible. Failure to notify the City in a timely and appropriate manner may result in discipline. You may be requested to present a physician's statement verifying the need for sick leave after being absent for more than three (3) days.

An employee who is absent without notification for three (3) consecutive days or shifts will be considered to have abandoned his/her position and may be terminated, subject to the provisions of the Washington Paid Sick Leave Act.

2.06 Personnel Records & Files.

Generally speaking, without specific written authorization from the employee, only the following will be released to anyone outside the employ of the City: job title, department, hire date, separation date and base salary. Generally, only the employee, Human Resources, the City Clerk, ~~the City Treasurer/City Personnel Director~~ and the City Administrator will have access to your personnel file internally.

Personnel records will show the employee's name, title of position held, the department assigned, salary, change in appointment status, training received (with the exception of Police in-service training maintained in Departmental files), performance evaluations, fringe benefits administration, including vacation and sick leave rates of accumulation and use, notes regarding disciplinary action or other counseling sessions, and such other information as may be considered pertinent.

When you move, change your telephone number or experience other changes in your personal information, please make sure you inform ~~the City Clerk's Office and/or the City Treasurer's Office~~ Human Resources of such changes. In this way, your personnel records will remain accurate and up-to-date.

You may review your personnel records at any mutually convenient time during normal business hours. Should you wish to do so, please make an appointment with ~~Human Resources~~ the City Treasurer. Human Resources

Resources or the City Clerk ~~or City Treasurer~~ will be present during any such review. While a City employee, you may include a personal memorandum in your file if you feel it is necessary to clarify or rebut file information.

Personnel records that are not confidential will be maintained and destroyed in accordance with established policy regarding retention of public records.

2.07 Performance Reviews.

Regular performance reviews conducted at appropriate intervals benefit you and the City by providing a written record of your performance and giving you the opportunity to discuss with your supervisor how well you are meeting the City's expectations, to clarify your job responsibilities, to set mutually agreed-upon goals and to explore your possibilities for advancement within the City of Orting.

Performance reviews are generally conducted annually and are part of your personnel records. You will be given an opportunity for written comment on your performance review. You will be asked to sign your performance review to document that you have read it and that you have had an opportunity to comment. Your signature does not imply agreement or disagreement with the evaluation. You will receive a copy of your review for your own records. Because your performance on the job affects your compensation and employment, your performance review deserves your active and constructive participation. Seasonal and temporary employees do not receive formal performance reviews, however, they are to be coached about work expectations and performance.

New Employees and New Positions

New employees and employees assigned to a new position will be evaluated by their supervisors during appropriate intervals. Successful completion of the six-month evaluation period does not modify the employee's at will employment.

If an employee's performance is not satisfactory during the probationary period, the supervisor may recommend termination of employment at any time during the probation or, in special circumstances, request that the Mayor to extend the probationary period up to an established period of time, specified in writing to the employee. In the event the employee's performance is still unsatisfactory, the employee may be terminated at any time within the extended probationary period.

Managerial Procedures

All employees who are promoted to a higher classified position or who assume the duties of a higher classified position will be evaluated by their supervisors during appropriate intervals.

The anniversary date will change to reflect the first date worked in the new position. Successful completion of an evaluation period does not modify the employee's at will employment.

2.08 Supervisor's Approach to Performance Reviews.

The performance review is a critical management tool for the City of Orting. It is an opportunity for managers to recognize employees' contributions to the City, to identify areas for growth and/or improvement, and to set forth goals and action plans for the coming year. The performance review is vital to City employees as well. The score the employee receives determines his/her compensation, and how the performance review conference is conducted affects the tone of the employee-supervisor relationship.

Supervisors are expected to review employees' performance with care, consideration, and candor.

2.09 Inadequate Job Performance – Corrective Action Plan.

Poor performance is a serious issue for the City and the employee. Any supervisor who concludes that an employee's performance is unacceptable in one or more categories should consult with ~~the City Personnel Director~~ Human Resources to determine whether the City should proceed with disciplinary action or implement a Corrective Action Plan (CAP).

If the employee's performance does not sufficiently improve under the CAP or if the employee continues to violate one or more City policies, the employee shall be subject to additional discipline up to and including termination.

A CAP is discretionary and an employee is not entitled to a CAP if employment issues arise.

2.10 Reduction-In-Force.

Fluctuating revenue and budget conditions may from time to time force the city to reduce personnel in one or more departments or programs. This reduction may be accomplished by either of the following methods:

- Lateral Transfer. This is a method of employee transfer from one classification to another classification with the same pay grade or within the same classification or pay grade from one department to another. When done for budgeting purposes, such transfer would normally be for the duration of the financial problem only. A lateral transfer must be approved by the Mayor.
- Layoff. A layoff is a method of permanent termination of the employee due to financial circumstances or a change in the need for which the position or positions was created. A layoff must be approved by the Mayor. No regular employee shall be laid off while another person in the same classification is employed on a probationary, temporary, acting or part-time basis. In determining which employees in any classification are to be laid off, consideration is to be given to individual performance and then to seniority in the positions to be affected.

2.11 Resignation.

An employee wishing to leave City service in good standing will file with ~~the City Personnel Director~~ Human Resources and/or City Administrator a written resignation, including a statement of the reasons for resigning and the effective date of resignation. The written resignation notice must be completed at least two (2) weeks prior to the effective date of resignation.

The City Administrator and Department Directors shall be required to give at least four (4) weeks' notice to the Mayor.

A copy of the resignation notice shall be placed in the personnel file of the employee.

2.12 Identification of Employees.

It is the policy of the City that when on duty, all employees be visible and identifiable to the public to the maximum extent compatible with assigned work duties. All City furnished uniforms or work clothing are to be maintained in a presentable manner by the employee.

City-furnished uniforms remain the property of the City at all times and must be returned immediately upon separation from employment. Uniforms will be worn only on duty or during additional approved volunteer activities that are identical to those performed while on duty. Wearing of uniform items while commuting between a home and the work location may be permitted providing that the wearer does not participate in any interim activity where the image and good name of the city might be negatively affected.

The outer garment of each uniform furnished by the City will bear the official insignia of the city and other such markings or emblems as each Department Director may specify, except that rain gear may be identified otherwise.

All employees who come in direct contact with the public outside the City-owned buildings may be required to carry an identification card issued by the City. The card will contain the name, title, department, address and telephone number of work location; and a head and shoulders photograph and certification that said person is an employee of the City of Orting.

All City-issued identification, uniforms and other City-owned materials or property in the employee's possession must be surrendered to the City immediately upon employment separation and no later than twenty-four hours after the employee's last day of employment with the City.

3. COMPENSATION

3.01 Your Paycheck.

Pay periods are from the first through the fifteenth (15th) day of the month, and the sixteenth (16th) day through the last day of the month. You will receive your paycheck by the fifth (5th) day following each pay period. You shall sign up for automatic deposit of your paycheck by contacting Human Resources.

All employees must complete an individual time record showing daily hours worked in order to be paid properly. In the case of exempt employees, this timesheet will account for daily attendance.

Deductions from your paycheck are those required by law (e.g., Medicare, workers' compensation premiums, court-ordered garnishments) and those approved by you in writing (e.g., Union dues as applicable, insurance premiums, etc.).

3.02 Complaints or Concerns.

If you believe there are any errors in your pay, including that you have been overpaid or underpaid, that improper deductions have been taken from your pay or that your pay does not accurately reflect all hours worked, including overtime, report your concerns to ~~the City Treasurer~~ Human Resources immediately. The City will promptly investigate all reported complaints and, if appropriate, take corrective action.

The City prohibits and will not tolerate retaliation against any employee because that employee filed a good faith complaint under this policy. Specifically, no one will be disciplined, intimidated or otherwise retaliated against because that person exercised rights under this policy or applicable law.

3.03 Employee Salary and Wage Plan.

The City of Orting strives to pay its employees' salaries and wages that are internally equitable and comparable to the pay scales of similar cities. While the City cannot pay City employees the same wages as larger cities, the City does consider the pay scales of other comparable cities for those job positions that are comparable to jobs at the City of Orting. The City maintains an Employee Salary and Wage Plan. The Mayor is responsible for recommendation to the City Council of adoption of a Salary Plan for the City of Orting. The Plan will include salaries for non-bargaining unit personnel as well as salary grades negotiated by employee representatives. Changes to employee salaries and wages are approved by the City Council as part of the budget process.

Qualified Payroll Period

When an employee has been in pay status fifteen or more calendar days, including holidays in any given calendar month, the payroll period will be considered qualified to accrue benefits, serve out probation, and for computation of merit increase dates. A new employee may be credited with the first payroll period if employed prior to the 16th of the month.

An employee will become eligible for Health and Medical benefits the first (1st) of the month following fifteen (15) calendar days of employment, including holidays.

Exempt and Non-Exempt Positions

All City positions are governed by the Federal Fair Labor Standards Act (FLSA) and the Washington Minimum Wage Act and are classified as either "exempt" or "non-exempt." Non-exempt employees are entitled to overtime pay; exempt employees are not. Most positions covered by the FLSA are non-exempt; thus, entitled to overtime. Anytime a position changes from non-exempt to exempt status, the incumbent shall be cashed out for any compensatory time that they have accrued up to the time of the change.

Exempt Employee

An employee who does not receive overtime pay for hours worked in excess of forty (40) hours per week as provided in the FLSA because the employee works in a bona fide executive, administrative, professional, or other exempt capacity covered by the FLSA and Washington Minimum Wage Act.

Non-Exempt Employee

An employee who receives overtime pay for hours worked beyond forty (40) hours in a standard work week in accordance with the FLSA and Washington Minimum Wage Act. The amount of overtime pay is one and one-half (1.5) times the regular rate of pay for actual hours worked.

NON-REPRESENTED EMPLOYEE SALARY AND WAGE PLAN

It is the policy of the City of Orting to provide a compensation program which enables the City to employ staff who possess the necessary skills and abilities to effectively:

- a) Manage the delivery of existing City services and the provision of essential municipal government support functions;
- b) Evaluate and plan future service needs;
- c) Advise and support the policy-making activities of the City's elected officials; and
- d) Implement policy changes enacted by the elected representatives of the citizens of Orting.

It is also the policy of the City of Orting to structure the classification and compensation program for management and professional staff in a manner which assures that:

- a) The actual duties assigned to a classification are appropriate to the assigned level of responsibility.
- b) Compensation levels are consistent with the level of responsibilities assumed by staff and appropriate to the city's financial circumstances.;
- c) Individual salary rates appropriately reflect each person's performance and experience at the responsibility level assumed with the City of Orting.

Applicability

The provisions of the program adopted by this chapter shall only apply to non-represented appointive positions designated as such and authorized in the City's annual budget.

Salary Plan

A salary plan for management and professional staff shall be established and salaries set for covered employees as follows:

- a) Each position included in the City's Job Classification and Pay Range document shall be assigned to a salary range. Assignment of positions to ranges shall be based upon general salary levels paid by municipal governments of comparable size, demography and financial resources for similar responsibilities. A list of comparable cities shall be adopted by Resolution of the Council, and it should be as similar to the comparable cities that are negotiated periodically with the collective bargaining units in the city. Assigned salary ranges shall not be changed or established without conducting a salary survey of comparable cities for the position being changed. All changes must be approved by the Mayor and City Council.
- b) Salary Comparison Surveys will be conducted annually for all non-represented positions or as requested by the Mayor or his designee for a specified position(s).
- c) The salary ranges shall be structured as follows:
 - (1) Range Differential. The percentage differential between the maximum rates of salary ranges shall be approximately three (3) percent.
 - (2) Ranges Steps for non-represented professional employees. Salary rates of a range shall have five (5) steps A, B, C, D, E. Step A through Step E in the range shall each be spread by approximately three (3) percent. The spread between the minimum and maximum steps shall be approximately twelve (12) percent.

Adjustment of Salary Range Levels

The City Council shall provide for adjustments to salary range levels as are consistent with the Council's CPI-U for the Seattle area salary adjustment policy each year.

Actual Salary Rate

Initial Rate

Management Director Level

The salary rate of an employee upon appointment to a management position at the Director level (as identified by the City's Budget Job Classification and Pay Range document) shall be set within the range assigned to the titled position. Increases in wages will be based off the calculated COLA increase of the budget year and the annual Salary Comparison Survey. Increases will be approved by the Mayor and City Council via an approved City Budget.

Professional Level Employees

The salary rate of an employee upon appointment shall be set no lower than Step A of the salary range to which an employee's position is assigned. When it is in the best interest of the City, the department heads

(with the Mayor's approval) may authorize an initial salary of a newly hired person at a rate which exceeds Step A.

Merit/Step Increases

- a) Salary Step Advancement. ~~Each person~~Employee shall be eligible for a salary step advancement effective January 1 of the year following a minimum of six (6) full months of regular (as opposed to interim) service in the applicable job title or classification.~~upon completion of twelve (12) full months of regular (as opposed to interim) service at each step in the salary range.~~ To receive a salary step advancement, the employee must be evaluated as "meets expectations" (or equivalent) on his or her work performance evaluation. Salary step advancements shall be an increase of one (1) step in the same salary band, if available.
- b) Additional Advancement. Those employees who receive a rating that exceeds the rating "meets expectations" (or equivalent) may be eligible to receive an additional salary step advancement for an increase of one (1) additional step in the same salary range, if available, above the initial step advancement provided in subsection (b)(1) of this section. This additional advancement shall require the recommendation of the department head, or equivalent, and approval of the Mayor and City Council.
- c) A step advancement that was denied may be granted following a minimum sixty (60) day review period of the employee's performance.
- d) Notwithstanding the above, when it is in the best interest of the City, City Administrator may authorize an in-range adjustment to provide additional salary in instances of promotion, to provide for internal equity corrections, or for another reason deemed appropriate by the City Council.

Changes to Employee Classifications

- a) Downgrading an Employee's Classification. Upon the City Council's approval of downgrading a person's classification to a lower salary range, the person's initial salary step will be set at the same rate in the new band that was in effect in the former salary range. In the event a person's salary rate exceeds the maximum step of the salary range to which his or her position is assigned on the date of downgrading, his or her actual salary rate shall be frozen until such time as the maximum step rate of the new band is equal to or greater than his or her actual salary and, at such time, the employee's salary step shall be set at the maximum step of the salary range to which his or her position is assigned.
- b) Upgrading an Employee's Classification. If an employee's classification is moved from one salary range to a higher range (excluding promotions), the employee's salary rate at the higher range shall be set at the next step which is higher than the salary the employee was receiving at the former range. The employee's salary step advancement date does not change.
- c) Promotions. In the event an employee is promoted from one classification to a higher classification (one (1) salary range to a higher salary range), the employee's salary rate at the higher range shall be set at the next step which is higher than the salary the employee was receiving at the former range. Promoted employees shall be eligible for a salary step advancement upon completion of twelve (12) full months of regular (as opposed to interim) service at each step in the new salary range, which shall be the employee's new salary step advancement date.

Initial Benefits for Department Heads

When it is in the best interest of the City, the City Council may authorize increased or additional benefits in hiring a department head beyond those specified in this chapter or sections 5.03 Sick Leave or 5.04 Vacation Time. Any extraordinary benefits must be included in the department head's employment contract and approved by the City Council.

REPRESENTED EMPLOYEE SALARY AND WAGE PLAN

When you begin your employment with the City, you will be paid a wage or salary consistent with the governing Collective Bargaining Agreement, the City's Employee Salary and Wage Plan and appropriate to the experience, educational background, training, and skills you bring to your position. Thereafter, you will only receive salary and wage adjustments based upon the CBA or promotions to higher classification. All salary and wage increases shall remain within the range for that position as approved by the City Council. Your eligibility for a pay increase may occur at the end of your first six (6) months of City employment.

Payment of Salaries

All represented employees are paid at an hourly rate, as specified in the City's annual budget document. Hourly employees are paid on the basis of actual number of hours worked, including authorized absences with pay and allowed holidays. Salary rates for temporary or part-time employees will be based on the pay for full-time positions in the same classification.

Beginning Salary

Each employee will be appointed at the first step of the range established for the classification. If it is determined that appointment of a non-management employee above the first step may be warranted, the following procedures will apply:

- a) The factors to be reviewed in approving appointment beyond the first step are: availability of applicants meeting the qualifications for the vacant position, relationship to other similar classifications, prior experience of a candidate in a comparable position, time available to continue the recruitment process, and budget considerations.
- b) The Department ~~Manager-Director~~ will submit a request for appointment at a higher step to the Mayor, or his designee, stating justification for the request. The Mayor will make a decision based upon the Department ~~Manager's-Director's~~ justification.

Step Increases – Represented Regular Status Employees

Wage increases for represented employees is directed by the applicable Collective Bargaining Unit for each employee. Typical wage or step increase schedule is:

- a) When a regular status employee has performed satisfactorily, as determined through the Performance Evaluation process, a merit/step increase may be granted, but not before the satisfactory completion of the employee's initial six-month probationary period. In the case of an

employee placed at the time of hire above Step One of the pay range, the initial in-class merit/step raise will be considered upon the completion of twelve months in class and at twelve (12) month intervals thereafter until the employee reaches the top step of the range.

- b) The annual merit/step increase date for an employee will change only if: 1) the employee is promoted or otherwise moved to a position assigned to another job class and is required to serve a trial performance period; and 2) the employee receives a merit/step adjustment as authorized by the Mayor.

Promotion

A promotion is an appointment to a position in a classification which has a higher maximum salary rate than the employee's present classification. The salary step of the promoted employee will be set so that the promoted employee's pay level is no more than two (2) salary steps higher than the employee's step prior to the promotion. If step one of the salary range to which the employee has been promoted is a pay level more than two (2) steps higher than the promoted employee's previous salary step, then the employee shall be assigned to step one of the higher salary range. When the date of promotion and the merit/step increase date coincide, the merit/step increase is paid prior to the promotional increase.

Demotions

A demotion is an appointment to a position in a classification which has a lower maximum salary rate than the employee's present classification. When a demotion occurs, the Department ~~Manager-Director~~ will recommend to the Mayor and/or City Administrator a salary for the demoted employee within the salary range of the lower classification which is less than or equal to the employee's present salary. The employee will retain the same anniversary date.

Transfer

- a) A position transfer is an appointment to a position in the same or different classification of the same pay grade.
- b) When an employee is transferred to a position in a different classification with the same pay grade, or is transferred to another department with the same classification, the employee will retain the same anniversary date for leave and length of service purposes.

Temporary Change of Classification

- a) A current employee assigned to a classification with a differing rate of pay in an "acting" appointment status will be compensated at the next higher step in the new range according to the policy on promotion.
- b) If the employee is promoted to the higher class with regular appointment status, all policies apply from the date of promotion.

Exemptions

The Mayor may recommend positions to be exempt from overtime provisions to the City Council on the basis of the nature of work, conditions of employment or by definition of administrative, supervisory and

professional classifications as provided by State and Federal laws. Such exemption is based upon special conditions to work or assignment, in accordance with the Fair Labor Standards Act.

3.04 Overtime and Compensatory Time Off.

At the City of Orting, we want our employees to work a reasonable number of hours. The regular work week is no more than forty (40) working hours in a week, except in the case of non-standard work schedules. On certain occasions some overtime may be required. You may request not to work overtime, but you may not refuse to work assigned overtime. Any overtime work must be authorized in advance by your supervisor or the City Administrator. If overtime is authorized or required, regular, full-time, nonexempt employees will be paid at one and one-half times the regular rate of pay for all hours worked in excess of eight (8) hours in a work day. Holiday, Vacation and Sick leave time are not considered hours worked. If overtime is authorized or required for temporary or part-time employees, they will be paid at one and one-half times the regular rate of pay for all hours worked in excess of eight (8) hours in one work day. Public safety employees (police) may be subject to alternative work periods and overtime standards, as set forth in an applicable labor agreement.

Nonexempt employees who work overtime have the option to choose compensatory time off that will be accrued at one and a half hours for every hour worked in lieu of overtime pay. You may accrue up to forty (40) hours of compensatory time off. Employees covered by a collective bargaining agreement may have different accrual limits. Compensatory time can be used at times mutually agreed to by you and your supervisor. Any compensatory time not used may be carried over to the next year (up to 40 hours). Upon separation of employment any compensatory time will be paid at your current rate of pay.

COMPARABLE CITIES

Municipal governments of comparable size, demography and financial resources for similar responsibilities ~~to~~ shall be used in salary comparisons and negotiations of collective bargaining units in the city.

~~Black Diamond~~
~~Buckley~~
~~DuPont~~
~~Milton~~
~~Pacific~~
~~Steilacoom~~
~~Yelm~~

4. EXPENSE REIMBURSEMENT: TRAVEL, MEALS, AND LODGING

4.01 Purpose and Administration.

The purpose of this travel policy is to identify and provide guidelines regarding the City's travel policies and to further delineate those valid business expenses for which an employee may qualify for payment or reimbursement.

4.02 City Employees and City Officials.

Meals

All City employees and officials claiming reimbursement for meals consumed while on City business shall be entitled to reimbursement based on the following per diem schedule listed in the most Current Per Diem Travel Map produced by OFM at: <http://www.ofm.wa.gov/resources/travel.asp>.

Reimbursement for gratuity is not authorized.

Mileage reimbursement for use of a personal vehicle shall following the most recent IRS schedule for standard mileage rates for business and medical and moving expenses.

Meals for which the costs are included in a City-paid registration fee cannot be claimed by an employee for reimbursement. All claims for meal reimbursements for conferences shall include a copy of the conference schedule for determining meals provided by such conferences.

Travel

No personal automobile use is permitted by City employees without prior express written consent by the City Administrator or his/her designee. City-owned vehicles should not be used for business travel when the destination is less than a half a mile away from the employee's normal area of work.

Reimbursement for reasonable costs of business travel is authorized. If available, the use of a City vehicle is **required**. If a personal car is used, the employee must maintain proper insurance and agree that his/her insurance will serve as primary insurance. All travel costs are subject to approval by the City Administrator and/or the Mayor. General guidelines are as follows:

City Vehicle

Out-of-area costs of vehicle operations are authorized for fuel, oil, tires, and necessary repairs.

Vehicle

Expenses shall be reimbursed for travel within a three hundred (300) mile radius of the City at such rate per mile as established by the United States Internal Revenue Service for deductions. Trips beyond this limit will be reimbursed at the lower of (a) the established rate per mile, or (b) the lowest available (other than nonrefundable) airfare obtainable by the City, plus mileage reimbursement at the then-current City rate, based upon the estimated distance between the airport and the destination.

Rental Vehicle

The cost of vehicle rental when out of town on business is an exception to this policy and must be submitted

in writing to the Department ~~Manager~~Director and approved by the City Administrator, prior to travel.

Air Travel

Whenever feasible, air travel arrangements should be purchased at least five (5) weeks in advance of departure date. The authorized procurer will arrange for air travel based on the lowest available airfare. A travel agency may be used. If personal travel is combined with business travel, the traveling employee is responsible for paying the increase in airfare if necessary to accommodate the personal part of the flight.

Miscellaneous Travel Expenses

Miscellaneous travel costs such as bus, taxi, bridge or other tolls, parking, ferry and the like are authorized. Whenever possible an original, itemized vendor's receipt will be required. If a receipt is not available log the time, date, facility or company, expense and reason a receipt could not be provided on the *Affidavit of Lost Receipt*, available from the Accounts Payable Department.

Out of State or Overnight Travel

To be eligible for any City reimbursement for overnight travel expense, the one-way travel distance must be greater than fifty (50) miles from the City or home. Approval for all overnight or out of state travel must be in writing by the Department ~~Manager~~Director or City Administrator.

Accommodations

Reasonable hotel/motel accommodations for employees and officials are acceptable and will be reimbursed for the single room rate. Exceptions may be requested in writing to the Department ~~Manager~~Director and approved by the City Administrator should a single room rate not be available. An original, itemized vendor's receipt is required for all claims.

Non-Allowable Expenses Include but Are Not Limited To:

Liquor, expenses of a spouse or other persons not authorized to receive reimbursement, beauty parlor or barber services, personal entertainment (movie rentals, etc.), theft, loss, or damage to personal property, damage costs caused by employee/officer actions, airline or other trip insurance, personal postage, reading materials, non-business-related telephone calls, laundry/dry cleaning, and personal toiletry articles.

Non-Travel Food and Beverage Reimbursement Policy

Reasonable expenses for refreshments including food and beverage that are associated with meetings, ceremonies or dedications whether attended solely by city employees or the public or some combination are considered legitimate City expenditures.

4.03 Advance Travel Funds.

The use of advance travel funds is authorized by the City. These are the guidelines for requests:

- Advance travel funds may be used for expenses incurred during the authorized overnight travel of a City employee or officer/elected official while on City business.
- Requests for advance travel funds shall be submitted to the City ~~Treasurer~~Finance Director on forms established by the City ~~Treasurer~~. Requests will be based on "per diem" rates for meals

and a reasonable estimate for those costs not directly billable to the City.

- The Advance Travel Request form will be submitted at least five (5) working days prior to departure, together with a copy of the agenda or conference/workshop application as verification of the purpose of the trip. Requests must be signed by the applicant and the individual's Department ~~Manager~~ Director. Meal allowances will not be paid for meals that are included in the registration fee, whether or not the employee partakes of the meal. A continental breakfast is not considered a meal, and therefore if a registration includes a continental breakfast, the City will reimburse the employee for the cost of a regular breakfast, if claimed. Advances will be based on "maximum per diem allowances" for the locality to which the individual is traveling.
- Air transportation and hotel/motel accommodations will be billed directly to the City by the Vendor.
- Settlements of the Advanced Travel will be made on or before the tenth (10th) day following the close of the travel period by submitting to the City ~~Treasurer~~ Finance Director a Travel and Personal Reimbursement Settlement Form. Any default in accounting for, or in repaying a travel advance shall render the "full unpaid" amount immediately due and payable with interest added at the rate of ten percent (10%) per annum, from the date of default until the advance is repaid. The City shall have the right to withhold any and all funds payable to such officer or employee to whom such advance has been made.
- No advance of any amount may be made to any officer or employee at any time when he/she is delinquent in accounting for or in repaying a prior cash advance.

4.04 Claims and Approval Process.

Travel and subsistence expenses will not be paid from Petty Cash

- Special approvals required by this policy shall be obtained by employees in advance. Such approvals shall be in advance of the event and by separate memo and the reasons for the exception.
- All claims by City Council members shall be approved by the Mayor.
- Claims that are rejected shall be reviewed by the Mayor for final disposition.

4.05 Use of City Charge Cards.

In its discretion, the City may issue charge cards to employees, elected officials, or appointed officials to cover authorized travel expenses and other purchases or acquisitions. The charge card users must submit fully itemized expense vouchers using the City of Orting Credit Card Expense Voucher form. Any charge not properly identified or not allowed following an audit must be repaid by the official or employee. If the amount owed is not repaid, the municipality may withhold all funds that would be payable to the officer or employee who used the charge card up to the amount of the disallowed charges. The card may not be used by any official or employee who has such charges outstanding, and it shall be surrendered upon demand of the Mayor, City Administrator, Department Director, City Clerk or Finance Director ~~City Clerk or City Treasurer~~.

The City's charge card may only be used for travel, training, local business meetings, meals, or authorized

City purchases and acquisitions. All State and City purchasing requirements must be followed when using credit cards for purchases and acquisitions. Personal expenses (i.e., telephone calls, purchases of items to be kept by the employee, etc.) are not allowed to be purchased on a City charge card, and cash advances are prohibited. Employees and elected or appointed officials using City credit cards are responsible for promptly reporting lost or stolen credit cards to the credit card company and to the City Clerk or City ~~Treasurer~~Finance Director.

Please return the City's charge card to the City Clerk's office within two (2) business days after you return from conducting City business. Within ten days of the return of the charge card to the City Clerk's office, the official or employee of the City who used the card must submit a fully itemized "Credit Card Expense Voucher." All employee expenditures require approval by the appropriate Department ~~Manager~~Director (or his/her designee) or by the City Administrator.

If a receipt is not available log the time, date, facility or company, expense and reason a receipt could not be provided, on the *Affidavit of Lost Receipt*, available from the Accounts Payable Department.

5. TIME OFF AND BENEFITS

5.01 Legal Holidays.

All regular status employees are entitled to an eight (8) hour paid holiday on the following days, observed in accordance with the official state calendar:

New Year's Day	Juneteenth	Thanksgiving Day
Martin Luther King Day	Independence Day	Day-after Thanksgiving
Presidents Day	Labor Day	Christmas Eve
Memorial Day	Veteran's Day	Christmas Day

For employees on a Monday through Friday work schedule, holidays will be observed in the following manner:

- a) When a holiday falls on a Saturday, the preceding Friday will be considered the holiday.
- b) When a holiday falls on a Sunday, the following Monday will be considered the holiday.

Any employee on vacation or sick leave during a holiday will not be charged vacation or sick leave for that day.

An employee who would otherwise be entitled to a holiday but is on leave without pay will receive compensation for the holiday, provided the employee has satisfied all of the qualifying payroll period provisions.

An employee on the payroll for less than a full month is eligible for a paid holiday provided the employee is in pay status a minimum of one working day immediately preceding and immediately following the holiday.

Floating Holiday

In addition to the above-listed holidays, two (2) eight (8) hour "floating" holidays, for all regular status employees who have completed at least six months of employment with the city, may be taken at the request of the employee and with the advance written approval of the Department ~~Manager~~Director each calendar year.

The floating holidays must be taken during the calendar year or entitlement to the day will lapse, except when an employee has requested a personal holiday and the request has been denied, by the Department ~~Manager~~Director, due to workload or scheduling.

5.02 Insurance Benefits.

The City endeavors to provide competitive benefits to its employees and their dependents. Information regarding current benefits as well as coverage and eligibility, is available from ~~Human Resources~~the City Personnel Director. The City of Orting will offer to regular full-time-status employees, their spouse (defined as the wife, ~~or~~ husband or registered domestic partner of an employee, not legally separated from the employee), and eligible dependents (defined as son, daughter, or stepchild), working at least forty (40) hours per week, insurance plans for medical, Long-Term Disability, Employee Assistance Plan (EAP),

vision, and dental benefits, to be used at the option of the employee, subject to the carrier's underwriting rules. For those employees not subject to a collective bargaining agreement, the City will contribute to the costs of such plans at least an equal amount to that of the Collective Bargaining Agreement for the Public Works and Office Workers. If insurance plan costs exceed the City benefit contribution, the remainder of costs incurred is the responsibility of the employee. All insurance premiums will be subject to applicable payroll taxes as required by the Internal Revenue Service.

Employees may waive the medical insurance benefit for themselves or dependents that are already covered under other medical insurance. Employees must provide proof of medical insurance coverage for themselves or their dependents. If waived, the City will increase the employee's compensation by fifty percent (50%) of the City's expense for the employee and/or dependent's premium. All applications for the waiver must be in writing and submitted to Human Resources~~the City Treasurer~~. If the City's insurance broker requires a minimum participation, then waivers will be granted on a first come, first served basis.

Part-Time & Term-Limited Employees

Term-Limited employees with terms under six (6) months and/or part-time employees working 24 hours or less per week are not eligible for medical benefits.

Term-Limited terms over six (6) months and/or part-time employees working 24-36 hours per week are eligible for employee *only* medical benefits, long-term disability and EAP benefits. Employee is eligible for medical insurance waiver if minimum participation requirements are met.

5.03 Sick Leave.

Reserve Police Officers, part-time employees working an average of 24 hours or less per week and temporary employees will accrue one hour of paid sick leave for every forty (40) hours worked, including overtime (hour for hour).

Regular full-time~~All other~~ employees will accrue eight (8) hours of paid sick leave per month or as specified in an applicable collective bargaining agreement.

Part-time employees working on average more than 24 hours per week will accrue a prorated sick leave amount as proportional to the FTE equivalent (ie: a .75 employee (working an average of 30 hours per week) will earn six (6) hours of paid sick leave per month).

Employees are not entitled to accrue paid sick leave for hours paid while not working (such as vacation, paid holidays, or while using paid sick leave). Employees are eligible to use accrued paid sick leave ninety (90) days after starting employment. The accrual year is January 1 - December 31.

Rate of Pay

Employees shall receive their hourly rate of pay in effect during the time employees use paid sick leave.

Non-represented employees who separate from City service due to retirement or death shall be compensated for their total unused sick leave accumulation at the rate of twenty-five (25%) percent. Employees who are choosing to retire and wish to receive a sick leave payment, must provide a resignation letter and appropriate documentation of their decision to retire to the ~~City's Personnel Director~~Human Resources. Employees who are terminated or fired shall not be eligible for compensation for unused sick leave.

Compensation shall be based upon the employee's rate of pay at the time of separation and shall be subject to applicable withholdings under state and federal law.

Carryover

Non-represented employees may carry over up to 960 hours of sick leave from one year to the next year as the accruals begin again every January 1st.

Reserve police officers may carry over up to 100 hours from one year to the next year.

Authorized Use

Employees may use their accrued, unused paid sick leave hours to care for themselves or a family member for:

- Mental or physical illnesses, injuries, or health conditions;
- Seeking medical diagnosis, care, or treatment of mental or physical illnesses, injuries, or health conditions; or
- Preventive medical care.

Sick leave is also authorized for health-related work site closures and for employee's child's school/daycare health-related closures. An employee may also use authorized sick leave if the employee or employee's family member is a victim of domestic violence, sexual assault, or stalking including seeking legal or law enforcement assistance under the Domestic Violence Leave Act.

Family member is defined as:

- Child regardless of age or dependence
 - Includes: biological, adopted, foster, step, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent
- Parent, including spouse's parent(s)
 - Includes: biological, adoptive, de facto, foster, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child
- Spouse & registered domestic partner
- Grandparent
- Grandchild
- Sibling

Incremental use of sick leave is allowed for all of the aforementioned reasons and may be taken in one hour or less increments.

Notification of Use of Leave

The City of Orting requires reasonable notice of anticipated absences. If the requested leave is foreseeable, the expectation is that an employee will provide ten (10) days advance notice to the employee's supervisor or provide as much advance notice as practicable. If the need for use of leave is unforeseeable, employees must provide notice as soon as possible to their supervisor prior to the start of their shift unless it is not practicable to do so. In the event it is impracticable for the employee to provide notice to their supervisor prior to the start of their shift, a person on the employee's behalf may provide notice to the employee's supervisor.

Verification

Absences extending longer than three (3) consecutive work days may require a doctor's note and are required within at least ten (10) calendar days following the first day of leave. There is no required verification if the leave is protected under the Domestic Violence Leave Act.

Employers may not require that the verification information provided explain the nature of the condition warranting sick leave. However, sick leave used for a purpose authorized under federal, state, or local law (e.g., FMLA, worker's compensation) permits an employer to request verification that complies with certification requirements.

If an employee believes that verification will result in an unreasonable burden or expense, he or she must provide a verbal or written statement that (i) the leave was for an authorized purpose and (ii) the verification requirement would cause an unreasonable burden or expense.

Retaliation

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is prohibited. Employees will not be disciplined for the lawful use of paid sick leave. If an employee believes he or she is being discriminated or retaliated against, promptly contact Scott Larson at: slarson@cityoforting.org.

If the employee is not satisfied with the response, the employee may contact the Washington State Department of Labor & Industries online at:

www.Lni.wa.gov/WorkplaceRights

Call: 1-866-219-7321, toll-free

Email: ESgeneral@Lni.wa.gov

Separation & Reinstatement

In the event an employee separates from the City of Orting, ~~there will not be financial reimbursement to the employee for accrued, unused paid sick leave balances available at the time of separation. If the employee separates~~ and is rehired within twelve (12) months, the ninety (90) day waiting period prior to use of paid sick leave is not imposed, and the City will reinstate the employees accrued, unused paid sick leave up to forty (40) hours.

5.04 Vacation Time

Non-Represented Management Director Level Employees:

Length of Service	Annual Accrual	Per Pay-Period
0 to 48 months (thru 4 years)	160	6.67
49 + months (beyond 4 years)	200	8.34

Non-Represented Professional Employees:

Length of Service	Annual Accrual	Per Pay-Period
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0 to 48 months (thru 4 years)	120	5
49 to 84 months (thru 7 years)	160	6.67
85 + months (beyond 7 years)	200	8.33

Acceleration of the accrual schedule may be allowable by authorization of the City Council and as specified in hiring letter and/or employee contract.

AFSCME Represented Employees:

Length of Service	Service Year(s)	Monthly Accrual
0 to 12 months	1st year	6.67
13 months through 48 months	2 - 4	8.0
49 months through 84 months	5 – 7	10.0
85 months through 120 months	8 – 10	12.0
121 months through 156 months	11 – 13	12.67
157 months through 192 months	14 – 16	13.33
193 months through 228 months	17 – 19	14.0
229 months through 288 months	20 – 24	14.67
289 months +	25+	16.67

Vacation time is accrued from the day you start working for the City, and it may be used after successful completion of your first six (6) months of actual service to the City. Vacation must be scheduled with the advance approval from your Department **Manager/Director** or from the City Administrator to limit interference with the operations of the City. Requests for vacation are to be submitted at least two (2) weeks in advance unless waived by the Department **Manager/Director**. Vacation time may be taken in one-half hour increments.

Vacation accrues according to the above schedule for regular Full Time Employees and will be prorated for Regular Part Time Employees. Temporary employee shall NOT be entitled to vacation time.

The Mayor may authorize the City Administrator to credit employees with a lump sum of vacation accrual for purposes of recruitment or retention. The amount of the lump sum will be at the sole discretion of the Mayor.

All vacations must be approved by the appropriate Department **Manager/Director**. Department **Manager/Director** vacations are approved by the City Administrator. City Administrator vacations are approved by the Mayor.

Vacation time may be accrued only to a maximum of 240 hours (30 days), except under unusual circumstances and with approval of the Department **Manager/Director** and the City Administrator. Unapproved accrual beyond the 240 hours limit will be forfeited by the employee. Non-represented employees may be credited with up to 120 excess vacation hours beyond the 240 maximum accrual limit. While not accrued for payout upon separation from employment, these excess vacation hours will be held on account for use by the employee subject to the provisions of this section governing use of vacation leave.

Upon separation from City employment, any regular status employee with more than the equivalent of six (6) months of service shall be paid for up to a maximum of 240 hours of accrued vacation. Compensation shall be based upon the employee's salary at the time of separation and shall be subject to applicable withholding under state and federal law.

Any holiday occurring during an approved vacation is not counted as a day of vacation taken.

Vacation Leave Sharing

- 1) Employees who are suffering from an illness, injury, impairment or physical or mental condition, which is of an extraordinary or severe nature and which has caused, or is likely to cause the employee to either be in a leave without pay status or to terminate employment with the city, may, subject to the provisions of this section or, for represented employees, subject to collective bargaining agreements addressing this issue, be permitted to receive donations of vacation leave from other employees.
- 2) Requests for Vacation Leave Donations: Employees who wish to receive donations of vacation leave must submit a request to the City Administrator. The request must include an explanation of the circumstances that make the donations necessary and must be supported by the opinion of a qualified medical professional.
- 3) Determination of Eligibility for Vacation Leave Donations: The City Administrator may authorize vacation leave donations if the employee has depleted or is about to deplete his/her annual leave and sick leave accruals.
- 4) Amount of Vacation Leave to be Donated: The total amount of vacation leave that can be donated to an employee will be determined by the City Administrator.
- 5) Eligibility for Donations: Any employee with more than eighty (80) hours of vacation leave accrued may authorize a donation of vacation leave to another employee who has been authorized by the City Administrator to receive vacation leave donations. In no event will an employee be allowed to donate more than twenty five percent (25%) of his/her accrued vacation leave.
- 6) Procedures:
 - a) While an employee is on leave donated under this section, he or she shall continue to be classified as a City employee and shall receive the same treatment in terms of salary, wages, and employee benefits as the employee would normally receive if using accrued annual leave.
 - b) Donated leave will be used on a 1st donated, 1st used process.
 - c) If any leave donated under this section is not used, it will be returned to the donating employee(s) provided that there is no reasonable expectation that the leave will be needed in the near future in connection with the illness or condition for the which the donation was permitted.

5.05 Bereavement Leave.

The City affords regular full-time and regular part-time employees time off with pay in the event of a death in the employee's immediate family. The employee's immediate family is defined as the employee's spouse, domestic partner, parents, step-parents, children, step-children, grandchildren, great-grandchildren, brothers, sisters, step-brothers, step-sisters, son in-law, daughter in-law and grandparents. The term also includes a spouse's parents, step-parents, brothers and sisters. Unusual circumstances shall receive individual consideration. In the event of a death in an eligible employee's immediate family, the employee

may receive up to three (3) days of Bereavement Leave with pay.

Employees on Bereavement Leave shall continue to accrue Sick Leave and Vacation benefits. Bereavement Leave is not cumulative nor payable upon termination of employment. The period of Bereavement Leave may be extended by the use of accrued Vacation time, or if warranted, Sick leave for a maximum five (5) additional days.

5.06 Jury Duty Leave.

Serving on a jury is a fundamental responsibility of citizenship, and the City supports this important role in our society. However, to ensure that we can provide proper service to the public, if you receive a notice for jury duty service, please contact your Department ~~Manager~~Director or City Administrator as soon as possible so that appropriate scheduling needs can be met. If your absence would pose a significant hardship for the City, you may be asked to request a postponement of jury duty from the court. Jury duty leave is paid at your regular rate for the time you are required to serve up to eighty (80) hours, less juror's fee received (excluding juror expense payments). You are expected to report to work on any day that you are released from service with four (4) or more hours left in your regular shift.

5.07 Military Leave.

We recognize the importance of enabling employees to serve in the military. An Employee who is a member of the Washington National Guard or of the Army, Navy, Air Force, Coast Guard, or Marine Corps reserve of the United States are entitled to a paid military leave of absence for a period not to exceed twenty-one (21) working days during each year beginning October 1 and ending the following September 30. Military leave shall be charged only for days that he or she is scheduled to work for the City. Military leave may be used for required military duty, training, or drills including those in the National Guard under Title 10 U.S.C., Title 32 U.S.C., or state active status. During the period of military leave, the officer or employee shall receive his/her normal pay. Military leave in excess of the twenty-one (21) days of paid time off will be unpaid, unless the employee elects to use accrued leave. All benefits continue to accrue during military leave of less than thirty (30) days.

An employee who enters the state or federal armed services for an extended tour of duty is eligible for an extended, unpaid military leave of absence, which may continue up to five (5) years, unless otherwise provided under federal law. Employees may use all accrued but unused vacation benefits as soon as their extended military leave begins. All insurance benefits will end on the last day of the month in which the extended military leave begins but the employee may extend medical coverage under COBRA if desired. Employees who leave work to serve in military duty are entitled to reemployment and benefit resumption consistent with relevant state and federal laws.

Employees should notify their Department ~~Manager~~Director as soon as they receive notice of the need to report for military duty or training, and should provide the Department ~~Manager~~Director with a copy of military orders.

5.08 Leave for Spouses/Domestic Partners of Military Personnel.

The Washington State Military Family Leave Act (MFLA) allows an employee whose spouse is a member of the United States armed forces, National Guard or reserves to take fifteen (15) days of leave when the

spouse is notified of an impending call to active duty or when the spouse is on leave from an active duty deployment.

The purpose of MFLA leave is for families of military personnel serving in military conflicts to spend time together. This leave may be used prior to deployment or during the spouse's leave from deployment, but may not be used at the end of the deployment. An employee must work for an average of twenty (20) or more hours per week to qualify for MFLA.

An employee who seeks to take family military leave should provide the City with notice of his/her intent to take leave within five (5) business days of receiving official notice that the employee's spouse/domestic partner will be on leave or of an impending call to active duty. An employee may elect to use the employee's accrued paid leave in connection with such leave.

5.09 FMLA and WA-PFML.

Family and Medical Leave Act (FMLA) Policy

The City of Orting complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of leave during a 12-month period to eligible employees (or up to 26 weeks of military caregiver leave).

The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. If you have any questions, concerns or disputes with this policy, please contact Human Resources.

Eligibility

To be eligible for leave under this policy, employees must meet **all** of the following requirements:

- Have worked at least twelve (12) months for the City of Orting.
- Have worked at least 1,250 hours for the City of Orting over the twelve (12) months preceding the date the leave would commence.
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

Reasons for Leave

To qualify as FMLA leave under this policy, the leave must be for one of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.

- For any qualifying exigency arising out of the fact that a spouse, child or parent is a military member on covered active duty or on call to covered active duty status.
- To care for a covered service member with a serious injury or illness.

Amount of Leave

An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. The City will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the City will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for the City may only take a combined total of 12 weeks of leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member).

Intermittent Leave or a Reduced Work Schedule

Employees may take FMLA leave in one consecutive block of time, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 work-weeks (or 26 work-weeks to care for an injured or ill service member) in a 12-month period.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the City's operations.

Employee Notice Requirement

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to the department director or Human Resources.

When the need for the leave is foreseeable, the employee must provide the City with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the City's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with a Notice of Eligibility and Rights and request a medical certification or other supporting documentation as necessary.

Designation of FMLA Leave

Within five business days after the employee has submitted the required certification or other documentation, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice.

Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all sick leave, paid vacation, comp time, personal and/or holiday leave prior to being eligible for unpaid leave. Paid leave will run concurrently with FMLA leave until all accrual banks are exhausted at which time the remainder of the FMLA leave will be designated as unpaid leave. Sick leave accruals may be used if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. The employee will be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation leave, comp time, personal holiday, holiday leave and/or sick leave (as long as the reason for the absence is covered by the City's sick leave policy) prior to being eligible for unpaid leave.

Employee Status and Benefits During Leave

The City of Orting will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.

While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the accounting department by the 25th day of each month. If the payment is more than 15 days late, the employee's health care coverage will be dropped for the duration of the leave. The City will provide 15 days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the City will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the City will discontinue coverage during the leave.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider. This requirement will be included in the City's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The City may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Washington Paid Family Medical Leave (WA-PFML)

Washington Paid Family and Medical Leave is a mandatory statewide insurance program that will provide almost every Washington employee with paid time off to give or receive care. If you qualify, this program will allow you to take up to 12 weeks, as needed, if you:

- Welcome a child into your family (through birth, adoption or foster placement)
- Experience a serious illness or injury
- Need to care for a seriously ill or injured relative
 - Spouses & domestic partners
 - Children (biological, adopted, foster, stepchild, legal guardian, de-facto, loco-parentis and/or in-law)
 - Parents and legal guardians (or spouse's parents)
 - Siblings
 - Grandchildren
 - Grandparents (or spouse's grandparents)
 - Someone who has an expectation to rely on you for care-whether you live together or not. (WA-PFML may require documentation about the relationship to the person or certification of their medical need.)
- Need time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment. For specifics on military-connected paid leave, visit: www.dol.gov/whd/regs/compliance/whdfs28mc.pdf

If you face multiple events in a year, you might be eligible to receive up to 16 weeks, and up to 18 weeks if you experience a serious health condition during pregnancy that results in incapacity.

Payment of premiums

The program is funded by premiums paid by both employees and employers. Employees will pay, through payroll deduction, a percentage of the total premium rate, as determined under RCW 50A.04.030

Use of Paid and Unpaid Leave

An employee approved for WA-PFML can use sick leave for time loss during the first week (waiting week) without impacting their Paid Leave benefits. The City of Orting offers Supplemental Benefits (drawn from accrual banks) up to 50% of lost regular working hours to be paid as Supplemental Benefits for all time loss *after* the initial waiting week.

If the employee is eligible for federal FMLA and the WA-PFML leave runs concurrently or overlaps, the employee will be entitled to maintain health insurance while on leave. The employee must continue to pay their cost-share portion of the insurance premium while on leave.

Definitions

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term or permanent periods of incapacity.

Key employee is a salaried, FMLA-eligible employee who is among the highest paid ten percent (10%) of all the employees employed by the employer within 75 miles of the employee's worksite.

Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

Child means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term includes parents "in law" *only* under WA-PFML.

Qualifying exigency includes short-notice deployment, military events and activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Covered active duty for members of a regular component of the Armed Forces, means duty during deployment of the member with the Armed Forces to a foreign country. For a member of the Reserve components of the Armed Forces, means duty during the deployment of the member with the Armed

Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The next of kin of a covered service member is the nearest blood relative, other than the covered service member's spouse, parent or child in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

Covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation or therapy, or is in outpatient status or on the temporary disability retired list for a serious injury or illness.

Serious injury or illness is one that is incurred by a service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

~~5.09 Pregnancy/Childbirth Disability Leave.~~

~~An employee will be granted leave for the period of time that she is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. Pregnancy/Childbirth Disability leave is unpaid, provided that an employee must use her accrued paid leaves before the unpaid portion of the leave begins.~~

5.10 Leave Due to Domestic Violence or Sexual Assault.

This leave is available to an employee who is a victim of domestic violence, sexual assault, or stalking. It is also available to employees with a family member (child, spouse, registered domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship) who is a victim of domestic violence, sexual assault, or stalking. A reasonable amount of leave may be taken, and is available in blocks, intermittently, or on a reduced leave schedule. Domestic violence/sexual assault leave is unpaid, although an employee may elect to use the employee's accrued paid leave in connection with such leave.

Domestic Violence/Sexual Assault Leave may be taken for the following purposes:

- To seek law enforcement or legal assistance or to prepare for or participate in any legal proceeding related to domestic violence, sexual assault, or stalking;
- To seek treatment for physical or mental injuries from domestic violence, sexual assault, or stalking, or attend to such health care treatment for a family member;
- To obtain (or assist a family member in obtaining) services from a domestic violence shelter, rape crisis center, or other social services;
- To obtain (or assist a family member in obtaining) mental health counseling related to domestic violence, sexual assault, or stalking; or
- To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase the safety of the employee or family member relating to domestic violence, sexual assault,

or stalking.

When possible, employees should give advance notice of the intention to take leave. If advance notice is not possible, employees (or their designee) should give notice of the need for this leave no later than the end of the first day the employee takes the leave. The City may require verification to support the need for the leave. Except where disclosure is authorized or required by law, the City will maintain confidentiality of all information provided by the employee in conjunction with Domestic Violence/Sexual Assault Leave.

5.11 Disability Leave.

~~An unpaid medical leave of absence may be granted to employees who are unable to perform the essential functions of their position due to a disability as a reasonable accommodation unless the City concludes the additional leave would impose an undue hardship on the City's business. A written request for a medical leave of absence must be provided to the City Administrator along with a doctor's certification indicating the nature of the disability, its impact on the employee's ability to perform the essential functions, the need for leave as a reasonable accommodation and the anticipated length of absence.~~

~~An employee on leave of absence status shall continue to accrue continuous service but does not accrue Vacation or Sick Leave, and is not paid for Holidays. Health and life insurance coverage will cease unless the employee pays the applicable premiums; details regarding COBRA coverage would be provided at that time. The City will discontinue health insurance and other insurance coverage for employees and their dependents if the employee does not return to work after the agreed upon end of the leave of absence or after a reasonable amount of time as determined by the City (again, subject to COBRA rights).~~

5.112 Leave Due to Inclement Weather.

Absence due to an employee's inability to report for scheduled work because of severe inclement weather, conditions caused by severe inclement weather, or other significant disruptions of the transportation system shall be charged to the following in the order listed:

- Accrued vacation leave, annual leave (floating holiday) or compensatory time;
- Accrued sick leave up to a maximum of twenty-four (24) hours in any calendar year.

5.123 Unauthorized Absence.

An unauthorized absence will be charged to available leave in the following order:

- Accrued vacation leave, annual leave (floating holiday), compensatory time;
- Accrued sick leave, if applicable.

If the unauthorized absence is not related to protected leave, the City may treat the unauthorized absence as grounds for disciplinary action. Upon return from unauthorized absence, the employee is required to provide a written statement to the Department ~~Manager~~Director explaining the reason for the absence. An unauthorized absence for a period of three (3) days may be considered as a resignation from employment of the City.

5.134 Retirement.

In accordance with State law, all employees in a qualifying position, regardless of appointment status, will become members of the City's retirement system. Payroll deduction for employee contributions is required, regardless of anticipated length of service. Employer contributions will be made in accordance with applicable State law.

A PERS/SERS eligible position is one that is expected to require at least five months of 70 hours or more for two consecutive years initially. Once a position is determined to be eligible it will continue to be eligible if it requires at least five months of 70 or more hours of compensated service at least every other year.

Uniformed personnel shall be members of the Washington Law Enforcement Officers and Fire Fighters Retirement System with employer contributions made in accordance with applicable State law.

5.145 Wellness Program.

In accordance with City of Orting's commitment to health and safety, we have established a Wellness Program for the following purposes:

- 1) To maintain and enhance employee interest in health and safety issues.
- 2) To ensure that ~~manager~~director, supervisors and employees are aware through training activities that they are responsible for the prevention of workplace accidents.
- 3) To help make health and safety activities an integral part of the organization's operating procedures, culture and programs.
- 4) To provide an opportunity for discussion of health and safety problems and possible solutions.
- 5) To inform and educate employees and supervisors about health and safety issues and research findings, etc.
- 6) To help reduce the risk of workplace injuries and illnesses.
- 7) To help ensure compliance with federal and state health and safety standards.

The Wellness Committee is comprised of a cross-section of the organization employee roster. Employees interested in participating on the Committee should contact the Wellness Program Director.

To accomplish the above objectives, the Wellness Committee will:

- Develop a written mission statement in accordance with the organization's overall requirements.
- Define duties and responsibilities of committee members.
- Identify and prioritize goals and establish action plans to achieve each goal.
- Include representation from different levels and areas of the organization element.
- Meet at least monthly.
- Record and disseminate minutes of meetings, documenting attendance, problems, and issues, as well as corrective action proposed and actions taken to address each issue.
- Develop methods to increase and maintain safety awareness.
- Organize special subcommittees to address specific issues, projects or programs.
- Distribute wellness information and pamphlets to employees.
- Develop methods for employee ideas and suggestions submittals.

6. EMPLOYEE RESPONSIBILITIES

Here is a summary of what the City expects from you.

6.01 Personal Appearance.

Employees with a neat, clean appearance are important to our operation, especially when those employees are dealing with the public. How you look is the image the public has of the City of Orting. Employees should wear clothing appropriate to their job, and present an appropriately professional image.

Some employees may be required to wear specific types of clothing due to the nature of the job or safety requirements. When in doubt, ask your supervisor for assistance in determining what is appropriate.

6.02 Computer Usage.

As a City employee, you may use computers extensively in your job. A few rules are necessary so that everyone can get the maximum benefit from the City's investment in technology.

Software

In order to protect the City of Orting's computer system from viruses and ensure that the software used is compatible with City computers, only software purchased or approved by the City may be installed on City computers. Before installing any software not purchased by the City, you must check with the City Administrator. Software purchased by the City is for legitimate City business use only. It may not be copied or taken home.

Copyright Compliance

Software is protected from unauthorized duplication by law. The City of Orting respects the legal rights of software developers and expects employees to do the same. No employee may duplicate software, or otherwise use software other than in accordance with the terms of its license. Software that has been duplicated without authorization may not be installed on City computers.

Electronic Media and Internet Usage

The City provides communication resources including computing resources, electronic mail (email), internet access, mobile devices, and other electronic communications equipment (collectively referred to as City Technology Resources) to employees to assist in and facilitate City business and communications. The primary purpose of the City's network and systems is to provide service to the public as part of the City's business, in a manner that is consistent with the City's vision and values. De Minimis, incidental personal use of the City's Technology Resources by employees is permitted if accomplished in compliance with the provisions of this policy, as set forth below. This policy does not address all required, allowed, or prohibited behaviors by employees, but covers common examples. In general, the City relies on the good judgment of its employees to ensure that City Technology Resources are used in the public's best interest.

No Expectation of Privacy

By using the City's technology employees acknowledge and agree that they have no expectation of privacy or confidentiality in their use of these systems or in any data that they create, store, or transmit on or over the systems, including any data created, stored or transmitted during an employee's incidental personal use

of the technology as permitted under this policy. Employees further agree that they are aware of, understand and will comply with the provisions of this policy, and that their use of the technology can and will be monitored and any data that they create store, or transmit on or over City systems may be inspected by City management at any time. Employees should understand that certain email messages, other electronic communications, and documents created on City computer systems may be considered a public record subject to disclosure and/or subject to discovery in the event of litigation.

Ownership and Confidentiality

All software, programs, applications, templates, data, data files and web pages residing on City computer systems or storage media or developed on City computer systems are the property of the City. The City retains the right to access, copy, modify, destroy or delete this property. Data files containing confidential or sensitive data must be treated accordingly and must not be removed from the workplace without proper authorization.

Acceptable Uses of City's Technology Resources

The City's technology may be used by employees or volunteers for City business. De Minimis, incidental personal use may be permitted where, in the judgment of the employee's ~~manager~~supervisor(s), such use does not interfere with employee or department productivity, nor distract/take time away from the worker or co-workers assigned work. De Minimis, incidental personal use means: (1) it is occasional and of short duration; (2) it is done on an employee's personal time, such as on a lunch break; (3) it does not interfere with job responsibilities; (4) it does not result in any expense to City; (5) it does not solicit for or promote commercial ventures; (6) it does not utilize excessive network resources; and (7) it does not constitute any prohibited use, as discussed below.

Prohibited Uses of the City's Technology Resources

Use of the City's technology to engage in any communication that violates federal, state, or local laws or regulations, or any City policy, is strictly prohibited at all times. In addition, the following uses of City's technology are inappropriate and are prohibited at all times, unless specifically exempted below:

- 1) Personal business or commercial use (meaning use that benefits an employee's outside employment or commercial business);
- 2) Accessing, receiving or sending pornographic, sexually explicit or indecent materials, including materials of an offensive nature;
- 3) Usage for any type of unlawful harassment or discrimination, including the transmission of obscene or harassing messages to any individual or group because of their sex, race, religion, sexual orientation, national origin, age, disability or other protected status;
- 4) Gambling;
- 5) Usage for recreational purposes including the loading of computer games or playing online games;
- 6) Usage that precludes or hampers City network performance; such as viewing or listening to streaming audio and/or video unless for City business, such as for online training;
- 7) Unauthorized copying or downloading of copyrighted material;
- 8) Usage that violates software license agreements;
- 9) Downloading of software programs unless specifically approved by applicable ~~Manager~~Director and coordinated with the IT Manager;
- 10) Usage for political purposes, including partisan campaigning;
- 11) Sending anonymous messages and/or misrepresenting an employee's name, position, or job

- description;
- 12) Deliberately propagating any virus, worm, Trojan horse, malware, spyware, or other code or file designed to disrupt, disable, impair, or otherwise harm either the City's networks or systems, or those of any other individual or entity;
 - 13) Releasing misleading, distorted, untrue or confidential materials regarding City business, views or actions;
 - 14) Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
 - 15) Use of technology resources for personal use beyond a De Minimis amount or in any manner so as to deprive others of system use or resources, including, but not limited to, the sending of bulk email for other than official business or forwarding "chain letter" emails of any kind;
 - 16) Connecting to the City's network, or any specific software package, utilizing somebody else's security identification login information to gain alternate security permissions;
 - 17) Any personal use, even if incidental, that results in expense to the City; and
 - 18) Usage that violates the guidelines set forth in the Standards of Conduct described in this Handbook.

Any employee who violates these policies could be subject to disciplinary action, up to and including termination. In addition, employees may be held personally liable for damages incurred as a result of copyright and licensing requirements.

Downloading Files from the Internet or Opening E-mail Attachments

Downloading files from the internet or opening e-mail attachments from sources outside the City can lead to spyware and/or virus attacks that can severely damage, or degrade the City's network and/or data. Anti-virus and anti-spyware software does not guarantee that all spyware is blocked, or that all viruses are caught. If you are downloading a file and receive a message that a virus or spyware has been detected, you must contact the IT Manager immediately for assistance. Similarly, if you receive an e-mail with a suspicious attachment, or from an unusual source, you should notify the IT Manager, before opening it. If you notice that your computer is behaving strangely or you suspect spyware or a virus, notify the IT Manager.

Finally, employees are expected to not use personal cell phones, personal data devices, smartphones, tablets or similar devices during working time for personal business or commercial use.

Security

You are responsible for the Internet access and the messages sent from your account. Please log off before leaving your computer unattended. Also bear in mind that the use of aliases while using e-mail or accessing the Internet is prohibited. It is also inappropriate to misrepresent an employee's job title, job description, or position. To prevent unauthorized use of your computer, do not give out your password to anyone and change your password on a regular basis.

6.03 Computer Usage Supplement: Email & Internet Etiquette Tips.

The following tips are intended to provide you with a tool when using e-mail and/or the Internet. These tips supplement the City of Orting's Computer Usage Policy.

Always be yourself. Through the use of electronic communications, we are able to embrace a new "spirit of community" within our City, as well as build and enhance relationships directly with our customers. Therefore, be as courteous, friendly and thoughtful as you would be in person. Always represent yourself

as yourself - never someone else.

Use of the Internet wisely. The Internet should only be used as follows:

- Research on work related topics/issues
- Investigating City-related topics or practices of other cities
- Sending/receiving documents outside the City
- City-related purchasing
- Communicating with vendors, media, council members, residents, and other external constituencies
- Other work-related activities and information gathering

Consider your audience. Send e-mail messages only to those who need the information. This is particularly important when sending a broadcast announcement to a large group of people. Simply sending a message to City server group names without understanding the people affected potentially results in many individuals receiving and processing useless information.

Keep it brief. Learn to compose messages like a journalist writing an article. Focus on the facts, placing the most important information at the front of the memo. Attach additional information (spreadsheets, word processing documents, and graphics) via files, but pay attention to size. File attachments which are too large can be difficult or impossible to retrieve.

Remember that e-mail and the Internet are public, not private. Any message sent via e-mail can be reviewed by a third party. Therefore, do not send anything that you would be uncomfortable to communicate in public.

Be responsive. If you receive a message which requires your attention and response, reply back to the sender within a reasonable time frame. Even if you can't provide the answer to a question, let the individual know that you are working on it.

6.04 Cellular Telephones.

The City may require you to use a cellular telephone in the performance of your job or in emergency situations. In either case, the City shall pay the expenses related to the purchase, lease or rental of a cellular phone. Please see your Department ~~Manager~~Director about the procedures for purchasing the cellular telephone and related equipment and maintaining it in the City's inventory. You are responsible for taking reasonable precautions to prevent equipment theft and vandalism, including securing the equipment in a proper manner at all times.

Use of City-Owned Cellular Telephones

The City provides cellular telephones to certain employees to improve both the services provided to the community and the communications with other City employees for City business. Therefore, City-owned cellular phones shall only be used for City purposes and/or in the event of an emergency. If personal calls have been made on the cellular phone, you must reimburse the City immediately following receipt of an invoice and prior to the time payment is due to the cellular telephone service provider. Payment shall be made to the City on a City ~~Treasurer's~~Finance Director's receipt for permanent record keeping.

Remember that cellular telephones are not a secure method of transmitting information. You are therefore expected to use discretion in relaying confidential information. The City reserves the right to monitor the use of all City-owned telephones. If it is determined that there is an abuse of City-owned cellular telephones, then appropriate disciplinary actions will be taken.

Use of Your Personal Cellular Telephone to Conduct City Business

Personal cellular telephone usage for City business must be authorized in advance in writing by the Department ~~Manager~~Director and the City Administrator. Generally, you will not be reimbursed for any business-related calls unless you have received such prior written approval. All requests for reimbursement shall additionally be subject to approval by the Department ~~Manager~~Director or City ~~Treasurer~~Finance Director. By using your personal cellular telephone, you assume full responsibility for any and all personal costs associated with the use of your cellular telephone service unless other arrangements are approved by the Department ~~Manager~~Director and the City Administrator.

The records you create (i.e. text messages, voicemail messages, picture messages, etc.) by using your personal cellular phone for City business will result in the creation of public records on your personal cellular phone. By using your personal cellular phone for City business, you agree to maintain and retain all records consistent with the Public Records Act and the State retention schedule and to provide those records to the City upon request. The City may also require, and you agree, to sign an affidavit related to your search of your personal cell phone upon request should records stored on your personal cellular phone become subject to a public records request.

Managerial Procedures

When determining whether an employee should be **required** to use a cellular telephone in the course of a job, the following factors should be considered: 1) usage costs for a cellular telephone versus alternative communication choices like pagers, voicemail, etc., and 2) the level of employee need; i.e. determine what the phone will be used for, how often will the telephone be used, the ramifications of not having a cellular phone, etc.

Cellular telephone acquisition and usage must be budgeted annually in the City's operating budget and

reviewed periodically for a more cost-effective service provider or a better method of communication. In the event that a less costly, safer or more convenient alternative is made available, the cellular telephone usage will be discontinued.

6.05 Use of City Property.

City supplies and equipment must be conserved for the authorized conduct of official business and for such services as are available to the public generally. By state law, they are not for personal use. City stationery, supplies and postage may not be used for personal mail.

If you are entrusted with City equipment, materials or property to use in your job, you are responsible for its proper use and maintenance. If you need to borrow or take home City property for City business, you must have authorization from your supervisor.

All communications technology is the property of the City and should be used only for official business. Please limit incoming and outgoing personal phone calls to necessary calls and keep them to a minimum. When personal, long distance use is unavoidable, you should call collect or charge the call to a home telephone or personal credit card, if possible, or log the user charges and reimburse the City for them. You are responsible for all charges incurred and are required to reimburse the City for long distance charges in the following billing cycle. Other City equipment, including vehicles, should be used by employees for City business only. An employee's misuse of City services, telephones, vehicles, equipment or supplies can result in disciplinary action including termination.

The City may provide a locker, cabinet, or desk for your personal belongings. Only City-provided locks may be used on these facilities. The City reserves the right to inspect City-owned property with or without notice, for legitimate business reasons. The City is not responsible for employee valuables, vehicles, or personal possessions brought onto City property. Please also refer to the Travel Policy.

7. STANDARD OF CONDUCT AND DISCIPLINE

We all succeed at the City when we respect the needs and interests of the public, the City, and our co-workers. While the City management generally believes in progressive discipline, which calls for appropriate discipline in appropriate circumstances, the City reserves the right to review each situation independently and to make a decision on what it deems to be appropriate discipline in all cases, up to and including discharge. The City may use “coaching” or counseling initially, to be followed by more serious discipline (such as written reprimands, disciplinary probation, suspension or discharge), if the City determines that the situation is not improved or becomes more flagrant. However, in each situation, the City reserves the right to skip one or more of the steps described below. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship. For represented employees, the City adheres to procedures set forth in the applicable labor agreement.

Some examples of conduct that may lead to discipline or discharge include:

- 1) Insubordination;
- 2) Unauthorized release of City, customer or co-worker information;
- 3) Swearing or verbal abuse while on City premises or representing the City;
- 4) Falsification of any work, personnel, or other City records;
- 5) Unauthorized taking or removal of City funds or property;
- 6) Dishonesty;
- 7) Discrimination against or harassment or retaliation of co-workers, vendors, or members of the public;
- 8) Possession, consumption, or being under the influence of alcohol or a controlled substance at work, on City premises or while representing the City;
- 9) Deliberate damage to or misuse of City property;
- 10) Bringing a weapon into city facilities or vehicles unless authorized to do so as part of your employment (i.e. police);
- 11) Fighting or threatening to fight with another employee;
- 12) Serious misconduct of any kind;
- 13) Poor performance;
- 14) Excessive absenteeism or tardiness or failure to report in when absent or tardy;
- 15) Failure to comply with safety or security rules and procedures;
- 16) Violation of City policy;
- 17) Improper handling of cash or other financial transactions;
- 18) Sleeping on the job;
- 19) Failure to report immediately to your Supervisor any accident or injury which occurs on the job;
- 20) Failure to report to work for three (3) consecutive workdays without prior notification to the City in the absence of a bona fide reason will be considered job abandonment; and
- 21) Smoking in non-smoking areas or in City vehicles.

These examples are not all-inclusive; other behavior may also be grounds for discipline or discharge.

Managerial Procedures

Verbal Counseling

Supervisors should generally notify employees verbally at least once if the employee commits a less serious offense or the supervisor sees an unacceptable trend in performance or conduct. A memorandum covering the conversation should be prepared by the supervisor for inclusion in the Employee's personnel file, and a copy of the prepared memorandum should be provided to the employee.

If the employee's performance or conduct improves, and no further verbal counseling or other disciplinary action on any issue is required for twelve months of actual service to the City thereafter, the memorandum shall be removed from the Employee's personnel file.

Written Warning

If an employee's inadequate performance or conduct does not improve following verbal counseling, or if an employee commits a serious offense, the supervisor, after consultation with and approval from the City Administrator, should issue a formal written warning to the employee. The employee should receive the original Written Warning, and a copy should be placed in the employee's personnel file.

If the employee's performance or conduct improves, and no further verbal counseling or other disciplinary action on any issue is required for twelve (12) months of actual service to the City thereafter, the Department ~~Manager~~Director may request that the Written Warning be removed from the Employee's personnel file. The final decision rests with the City Administrator.

Suspension

There may be times when a suspension is appropriate. All suspensions require the advance approval of the City Administrator. Suspensions for non-exempt employees should be issued by the Department ~~Manager~~Director or his/her designee. Only the City Administrator may suspend an exempt employee. A non-exempt employee may be suspended without pay for a period normally not to exceed five (5) work shifts. An exempt employee may be suspended without pay in increments of full workweeks. Circumstances warranting a suspension include, but are not limited to, the following:

- When the City determines the situation or violation poses an imminent danger to persons or City property or disruption to City operations.
- When the City believes that effecting a suspension may resolve a situation short of termination.

Termination

If an employee fails to respond to verbal counseling and/or a written warning of inadequate performance or conduct, or if an employee commits a serious offense, the Employee may be terminated. All proposed termination actions must be reviewed by the City Administrator, ~~City Personnel Director~~Human Resources and receive endorsement by the Mayor.

Administrative Leave

The City may place an employee on administrative leave with pay for an indefinite period of time, as determined by the City Administrator to be in the best interest of the City during the period of an

investigation or other administrative proceedings. The City may require the employee to be available during their regular work shift while on administrative leave.

7.01 Employee Suggestions and Concerns.

We all benefit when employees have an opportunity to share both suggestions for improving our operations, and concerns about problems they may be having.

If you have an idea for improving the way we do things here at the City of Orting, please share it. It is always appropriate to share such ideas informally with your co-workers and/or supervisor. We also encourage you to write your suggestion down and submit it to the Department ManagerDirector or City Administrator.

It is our intent here at the City of Orting to try to do what is fair and reasonable at all times in our day-to-day relations with our employees. To that end, all employees, including supervisors, are urged to use the City of Orting Employee Concern System to address work related concerns. A “concern” is any question or dispute regarding the interpretation or application of the City’s personnel policies and procedures, or other work-related situation. We encourage you to raise any and all work-related concerns. You will not be retaliated against for raising concerns through this process. Concerns regarding discrimination, harassment and retaliation should be raised through the complaint procedure specific to those concerns. Represented employees should use the grievance procedures in their labor agreements.

City of Orting Employee Concern System for all other concerns is set forth below. Steps must be taken in succession.

Step One: Your Supervisor

Each employee is encouraged to take up his/her own employee concern with his/her immediate supervisor. To be sure that we are dealing with current information, please try to raise any concerns within two (2) working days of the occurrence or date that you become aware of it. If the concern is resolved at this step, your supervisor should place a memo in your personnel file regarding the resolution. If your concern involves your immediate supervisor in a way that you are reluctant to discuss it with him/her, please go directly to Step Two. If your supervisor does not respond or his/her response seems unreasonable or not satisfactory, you may go on to Step Two.

Note: The multi-level supervisory command structure of the Police Department shall apply for all uniformed and non-uniformed police employees as Step 1.

Step Two: City Administrator

If the concern cannot be resolved at Step One, you, your supervisor, or your Department ManagerDirector may refer it to the City Administrator. After your matter has been studied, and the City Administrator takes whatever steps he/she deems appropriate, he/she will then issue a written response to you, generally within twenty (20) working days of receipt of your concern at Step Two. The decision of the City Administrator will be final and binding. The final resolution will be noted in your file.

8. CODE OF ETHICS AND POLICY FOR REPORTING IMPROPER GOVERNMENTAL ACTION AND PROTECTING EMPLOYEES AGAINST RETALIATION

In compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41.050, the City of Orting encourages employees to disclose any improper governmental action taken by City officials or employees without fear of retaliation. The policy also safeguards legitimate employer interests by encouraging complaints to be made first to the City, with a process provided for speedy dispute resolution.

Key Definitions – RCW 42.41.020:

Improper Governmental Action: Any action by a municipal official or employee that is:

1. Undertaken in the performance of the official's or employee's official City duties, whether or not the action is within the scope of the employee's employment, and
2. Is in violation of any federal, state or local law or rule; an abuse of authority, of substantial and specific danger to the public health or safety; or a gross waste of public funds, and
3. "Improper governmental action" does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, and reductions in pay, dismissals, suspensions, demotions, and violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands. In addition, employees are not free to disclose matters which would affect a person's right to legally-protected confidential communications, such as attorney-client privilege or executive session communications.

"Retaliatory action" means: (a) Any adverse change in a [City] employee's employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or (b) hostile actions by another employee towards a [City] employee that were encouraged by a supervisor or senior manager or official. RCW 42.41.020(3).

Emergency: A circumstance that if not immediately changed may cause damage to persons or property.

8.01 Prohibited Conduct.

No current city employee shall engage in the following:

Disqualification from Acting on City Business.

- 1) Engage in any transaction or activity which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties, or which impairs, or would to a reasonable person appear to impair, the employee's independence of judgment or action in the performance of official duties and fail to disqualify himself/herself from official action in those instances where conflict occurs;
- 2) Have a financial or other private interest, direct or indirect, personally or through a member of his/her immediate family, in any matter upon which the employee is required to act in the discharge of his/her official duties, and fail to disqualify himself/herself from acting or participating;

- 3) Fail to disqualify himself/herself from acting on any transaction which involves the City and any person who is, or at any time within the preceding twelve (12) month period has been a private client of his/hers, or of his/her firm or partnership;
- 4) Have a financial or other private interest, direct or indirect, personally or through a member of his/her immediate family, in any contract or transaction to which the city or any city agency may be a party, and fails to disclose such interest to the appropriate city authority prior to the formation of the contract or the time the city or city agency enters into the transaction; provided, that this paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law.

Improper Use of Official Position:

- 1) Use his/her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the employee, rather than primarily for the benefit of the city; or to achieve a private gain or an exemption from duty or responsibility for the employee or any other person;
- 2) Use or permit the use of any person, funds, or property under his/her official control, direction, or custody, or of any city funds or city property, for a purpose which is, or to a reasonable person would appear to be, for other than a city purpose; provided, that nothing shall prevent the private use of city property which is available on equal terms to the public generally (such as the use of library books or tennis courts), the use of City property in accordance with City policy for the conduct of official city business (such as the use of a city automobile), if in fact the property is used appropriately; or the use of city property for participation of the City in activities of associations of governments or governmental officials;
- 3) Except in the course of official duties, assist any person in any City transaction where such City employee's assistance is, or to a reasonable person would appear to be, enhanced by that employee's position with the city; provided that this subsection shall not apply to: any employee appearing on his/her own behalf or representing himself/herself as to any matter in which he or she has a proprietary interest, if not otherwise prohibited by law;
- 4) Regardless of prior disclosure thereof, have a financial interest, direct or indirect, personally or through a member of his/her immediate family, in a business entity doing or seeking to do business with the city, and influence or attempt to influence the selection of, or the conduct of business with, such business entity by the city.

Accept Gifts or Loans:

- 1) Solicit or receive any retainer, gift, loan, entertainment, favor, or other thing of monetary value from any person or entity where the retainer, gift, loan, entertainment, favor, or other thing of monetary value has been solicited, or received or given or, to a reasonable person, would appear to have been solicited, received or given with intent to give or obtain special consideration or influence as to any action by such employee in his/her official capacity.

Disclose Privileged Information:

- 1) Disclose or use any privileged or proprietary information gained by reason of his/her official position for the immediate or anticipated personal gain or benefit of the employee or any other person or entity; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.

Hold Financial or Beneficial Interest in City Transaction:

- 1) Regardless of prior disclosure thereof hold or acquire a beneficial interest, direct or indirect, personally or through a member of his/her immediate family, in any contract which, in whole or

in part, is, or which may be, made by, through, or under the supervision of such employee; or accept, directly or indirectly, any compensation, gratuity, or reward in connection with such contract from any other person or entity beneficially interested therein.

8.02 Prohibited Conduct After Leaving City.

No former employee shall, after leaving City office or employment:

- 1) Disclose or use any privileged, confidential, or proprietary information gained by reason of his/her city employment for his/her gain or anticipated gain, or for the gain or anticipated gain of any person, unless the information is a matter of public knowledge or is available to the public on request;
- 2) Assist any person in proceedings involving the agency of the City with which he/she was previously employed, involving a matter in which he or she was officially involved, participated or acted in the course of duty for a period of one (1) year after leaving employment and subject to subsection 1 above;
- 3) Represent any person as an advocate in any matter in which the former employee was officially involved while a City employee for a period of one (1) year after leaving employment and subject to subsection 1 above;
- 4) Participate as a competitor in any competitive selection process for a City contract in which he or she assisted the City in determining the project or work to be done or the process to be used for a period of one (1) year after leaving employment and subject to subsection 1 above.

8.03 Procedure for Reporting Improper Government Action.

City employees who become aware of Improper Governmental Action should follow this procedure:

1. Bring the matter to the attention of his/her supervisor, if the supervisor is not involved in the matter, in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This should be done as soon as the employee becomes aware of the improper action.
2. Where the employee believes the improper action involves the supervisor, the employee may raise the issue directly with the City Administrator, ~~City Personnel Director~~ Human Resources, or the Mayor. The complaint should be in writing, stating in detail the basis for the employee's belief that an improper action has occurred.
3. After an investigation is completed, the employee will normally be advised of the results of the investigation; however, personnel actions taken as a result of the investigation may be kept as confidential as possible, however, records related to such investigation may still be subject to disclosure under a public records request.

In the case of an emergency, where the employee believes that damage to persons or property may be imminent if action is not taken immediately, the employee may report information about Improper Governmental Action directly to the appropriate government agency with responsibility for investigating the improper action.

City employees who fail to make a good-faith attempt to follow the City's procedures in reporting improper governmental conduct shall not receive the protection against discipline provided by the City in these procedures.

Complaints, Investigations, Review and Enforcement

Any person may file a complaint alleging a violation of this policy.

The complaint shall be in writing stating the nature of the alleged violation(s), the date(s), time and place of each occurrence, and name of the person(s) charged with the violation(s). The complaint shall be presented to the City Administrator, ~~City Personnel Director~~Human Resources, or the Mayor who shall provide a copy to the person charged with a violation. The complainant shall provide the City with all available documentation or other evidence to demonstrate a reason for believing that a violation has occurred.

This policy is intended to protect employees who choose to come forward in good faith with complaints about governmental actions and conduct of City of Orting employees. Anonymous complaints have the potential to subject the person who is the subject of the complaint to an investigation that may, at the least, cause stress and embarrassment, and may, at most, result in discipline or termination of employment. The City is reluctant to begin an investigation based on an anonymous complaint due to the fact that evidence will be difficult to obtain and verify, and it will be impossible to assess the complainant's credibility. Complainants and whistleblowers have protection from retaliation under City policy, and a thorough investigation of such complaints is the City's goal. It is difficult, if not impossible, to conduct a thorough investigation when a complainant remains anonymous. Therefore, the City reserves the right to decline to investigate any complaint that is provided anonymously. If a complaint is received anonymously it shall be referred to the City Attorney for a recommendation on the processing of the complaint. Upon review of the complaint, the City Attorney will recommend to the City Administrator either that the complaint has no merit or that it should be investigated.

Within a reasonable time after receipt of a complaint, the City Administrator or another person appointed by the City Administrator shall conduct a preliminary investigation. If the City Administrator or City Attorney are implicated in the complaint, the Mayor will determine who will conduct the City's investigation. Criminal allegations will be referred to the proper law enforcement agency.

If the City Administrator determines, after preliminary investigation, that there are no reasonable grounds to believe that a violation has occurred, the City Administrator shall dismiss the complaint. If the City Administrator does so dismiss the complaint, he or she shall do so in writing, setting forth the facts and provisions of law upon which the dismissal is based, and shall provide a copy of the written dismissal to the complainant and to the person charged with the violation.

Within a reasonable time after a complaint is received, the City Administrator shall issue a written determination stating whether the policy has been violated and setting forth the facts and the provisions of law upon which this determination is based. A copy of said determination shall be delivered to the complainant and to the person charged with the violation.

If the City Administrator determines that an employee has violated the provisions of this policy, the City Administrator may subject the employee to disciplinary action. In addition to any other penalty herein or otherwise provided by law, a violation shall be cause for suspension, discharge, or removal from employment, or such other disciplinary action as may, by the appropriate city authority, be deemed necessary and proper, and consistent with personnel ordinances and rules; provided, that this section shall not derogate from employee rights under any collective bargaining agreement or city personnel ordinance, or rules promulgated thereunto.

Protection Against Retaliatory Actions

City of Orting officials, Department ~~Manager~~Directors and employees are prohibited from taking retaliatory action against an employee because he/she has in good faith reported an improper governmental action in accordance with these policies and procedures. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise in writing their supervisor, the City Administrator or his/her designee. City of Orting officials, Department ~~Manager~~Directors and supervisors shall take appropriate action to investigate and address complaints of retaliation.

If the employee's supervisor, the City Administrator, or his/her designee, as the case may be, does not satisfactorily resolve an employee's complaint that he/she has been retaliated against in violation of this policy, the employee may obtain protection under this policy and pursuant to state law by providing a written notice to the City of Orting's City Council that:

- a) Specifies the alleged retaliatory action and
- b) Specifies the relief requested.

City of Orting employees shall promptly provide a copy of their written charge to their Department ~~Manager~~Director. The City of Orting shall timely respond to the written charge of retaliatory action. After receiving either the response of the City of Orting or thirty (30) days after the delivery of the charge to the City of Orting, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City Administrator within the earlier of either fifteen (15) days of delivery of the City of Orting's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of Orting for response. Upon receipt of request for hearing, the City of Orting shall apply within five (5) working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
PO Box 42488, 4224 Sixth S.E.
Rowe Six, Building 1
Lacey, WA 98504-2488
(206) 459-6353

The City of Orting will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.

8.04 Conflict of Interest and Outside Employment.

Employees shall not, directly or indirectly, engage in any outside employment or possess a financial interest which may conflict, in the City Administrator's opinion, with the best interests of the City of Orting or interfere with the employee's ability to perform his/her assigned City job. Examples include, but are not limited to, outside employment which:

1. Prevents the employee from being available for work beyond normal working hours, such as during emergencies or peak work periods, when such availability is a regular part of the employee's job;
2. Is conducted during the employee's work hours;

3. Utilizes City telephones, cellular telephones, computers, supplies or any other City resource, facilities or equipment;
4. Involves employment with a firm which has contracts with or does business with the City; or
5. May reasonably be perceived by members of the public as creating a conflict of interest or one which otherwise discredits public service.

This policy shall be interpreted in accordance with, Chapter 42.23 RCW, the Washington State Code of Ethics for Municipal Officers.

8.05 Confidentiality.

During your employment with the City, you will have access to confidential or proprietary information about the City, its employees and possibly its citizens. It is a violation of City policy to misappropriate such information for your personal use or the use of another third party. Employees must exercise the highest degree of care in safeguarding confidential or proprietary information, and may not use or disclose such information except as necessary to perform their job duties or as required by law such as in response to a Public Records Request. Violation of this confidentiality policy will be grounds for discipline up to and including termination.

8.06 Contact with News Media.

The Mayor, City Administrator or City Attorney shall be responsible for all official contacts with the news media, including answering of questions from the media. The City Administrator may designate specific employees to give out procedural, factual or historical information on particular subjects. City employees will refrain at all times from disclosing confidential City information to the media. A violation of this provision may subject an employee to discipline, including termination.

9. HEALTH, SAFETY AND SECURITY

9.01 Workplace Health & Safety.

The City of Orting wants to provide you with a safe and healthy work environment, and we need your help to do that. The following is basic safety information. Consult with ~~the City Personnel Director~~[Human Resources](#) if you need more information.

- If you are injured on the job, no matter how minor, you must let ~~the City Personnel Director~~[Human Resources](#) know on the same day, and fill out an accident report as soon as possible.
- Learn and follow all safety procedures promulgated by the City's Safety Committee.
- Report any unsafe condition or damage to property on the same day observed to ~~the City Personnel Director~~[Human Resources](#).
- Become familiar with any Material Safety Data Sheets applicable to your job.
- Learn proper procedures for heavy lifting and adhere to them.
- Keep your individual work area clean and orderly. Untidiness and clutter invite accidents.
- Know and follow the safety rules established for your job. When in doubt, ask before proceeding.
- Do not allow unauthorized persons to operate equipment or have access to restricted areas.
- If you are assigned to a job requiring protective clothing or equipment, use it without fail. Always dress in a way that will not invite job-related injuries.
- Store all materials and equipment in their proper areas.

9.02 Safety & Health Program.

As required by Washington law, anyone operating or riding in City vehicles must wear a seat belt at all times.

Safety is the responsibility of every City employee. Each employee must be alert to any condition which poses a potential threat to a safe and healthful working environment, and must take appropriate action to eliminate these conditions where they exist. Supervisors and other members of the City's management team have the following safety-related responsibilities

- Maintain a safe and healthful working environment.
- Conduct an ongoing accident prevention program.
- Investigate, record and report work-related injuries and illnesses.
- Develop proper attitudes toward safety and health in themselves and in those they supervise.
- Ensure that all work processes and procedures are performed with the utmost regard for safety and health.
- Ensure that all employees are oriented and properly trained in the safe performance of their job.
- Communicate and comply with City safety regulations and legal requirements.

9.03 Smoke-Free Workplace.

For health and safety considerations, the City prohibits smoking by employees in all City vehicles and facilities, including City-owned buildings and offices or other facilities rented or leased by the City, including individual employee offices. A smoke-free environment helps create a safe and healthy

workplace. This policy covers the smoking of any tobacco, smoke, or marijuana product and the use of such products including but not limited to cigarettes, cigars, snuff, smoking tobacco, "spit" tobacco, vape products, electronic smoking devices, e-cigarettes, and marijuana.

Outdoor Smoking Restrictions: Chapter 70.160 RCW significantly restricts the outdoor areas where individuals may smoke in relation to the location of City buildings, work areas and public places. Smoking is prohibited within twenty-five (25) feet of any entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. The law also applies to any "place of employment," which the law defines, in part, as "work areas" and any area which employees are required to pass through during the course of employment. The following direction identifies where and when City employees may and may not smoke.

1. Because the law prohibits any person from smoking at a place of employment, members of work crews are prohibited by law from smoking at any worksite locations. While at a worksite, an employee may only smoke while on his/her break, and the employee must be at least twenty-five (25) feet from other working City employees. An employee who is on a break must be at least twenty-five (25) feet from all entrances, exits, windows that open, and ventilation intakes that serve an enclosed area in order to smoke
2. Smoking on City Property is prohibited.

9.04 Drug-Free Workplace.

This policy is intended to comply with the federal Drug Free Workplace Act of 1988 and with federal Department of Transportation regulations governing commercial drivers. The City is committed to maintaining a drug and alcohol free work environment for the safety of all employees and citizens. This policy applies to all City of Orting employees except that employees included in bargaining units are subject to drug testing only if:

- 1) The labor contract covering them specifically allows for such testing; or
- 2) The issue of drug testing has been legally bargained to final impasse; or
- 3) A written agreement between management and the employee's bargaining agent has been signed and executed to provide for drug testing.

All other provisions of this policy, apart from the limits to drug testing as specified above, shall apply to all City employees.

Employees are strictly prohibited from possessing, selling, consuming, or being under the influence of any controlled substance or alcohol while on City property, in City vehicles, or engaged in City work. If an employee is taking prescription drugs or under prescribed medical treatment that makes the employee drowsy or impairs the employee's mental functioning in any way, the employee must inform ~~the City~~ **Personnel Director** **Human Resources** in advance of reporting to work. Any violation of this policy may result in discipline, up to and including termination.

When there are reasonable grounds to believe that the employee is under the influence of alcohol or drugs, the supervisor may direct the employee to submit to drug screening and blood alcohol tests. Refusal to submit to such tests can subject the employee to disciplinary action up to and including termination of employment. Under no circumstances will an employee be allowed to operate City equipment or motor vehicle after a supervisor has reasonable grounds to believe that the employee is impaired.

It is the responsibility of employees who are called out to work after regular hours to comply with the provisions of this policy. If the employee called out to work has been involved in activities that may have left him/her in an impaired or intoxicated condition, the employee must inform the person making the call out. An on-call employee who consumes alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty.

An employee who is on-call and who becomes impaired during the on-call time will not receive compensation for such on-call time. An employee who is on-call and who becomes impaired during the on-call time may be subject to discipline up to and including termination. An employee should conduct themselves during on-call time as they would during at-work hours (i.e. refrain from consuming alcohol or drugs).

9.05 Assistance Program / Voluntary Referral.

The City of Orting supports employees who volunteer for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program (EAP). Any employee who comes forth and notifies the City of Orting of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Any such program, however, may not interfere with the tests required by these rules. For example, a driver may not identify himself/herself as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this policy or other policies of the city. Sick leave, vacation leave or leave of absence without pay will be granted for treatment and rehabilitation as in other illnesses subject to City of Orting policy and/or contract language governing use of leave. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

9.06 Compliance with Drug Free Workplace Act.

It is the policy of the City of Orting to comply with the Federal Drug Free Workplace Act of 1988. Toward that end, the following provisions and procedures shall be in effect:

- a) In the event that an employee is convicted of any criminal drug statutory violation for a violation occurring in the workplace, the employee must notify his/her supervisor within five (5) working days. The supervisor must inform his/her Department ~~Manager~~Director within twenty-four (24) hours of the notification. The Department ~~Manager~~Director will notify the City Administrator immediately. If the employee is directly involved in the performance of a contract for which the City receives federal funding, the contracting agency must be informed of the incident in writing within ten (10) days of the employer's notice. A copy of the notification shall be sent to the City Administrator. The City of Orting is responsible to take appropriate disciplinary action and/or to require the employee to seek approved drug abuse treatment or rehabilitation within thirty (30) days of receiving notice of the employee's conviction.
- b) All employees shall receive a copy of this policy. All employees will be required to sign a statement acknowledging that they have received a copy of this policy.
- c) The City will make information and education on the prevention of alcohol and drug abuse available to its employees.

9.07 Compliance with Federal Regulations Applicable to Commercial Drivers.

It is the policy of the City of Orting to comply with the Federal Department of Transportation regulations (Title 49, CFR subtitle B, chapter 382) which mandate prohibited behaviors and employer responsibilities for employee's holding safety sensitive positions which require the possession of a valid commercial driver's license.

Prohibited Behaviors - In addition to any other prohibitions on the use of alcohol or controlled substances established through City policy or by contract, the following behaviors by employees whose positions require the possession of a valid commercial driver's license are prohibited and will be subject to discipline:

- a) Alcohol Concentration: Reporting to duty and performing safety-sensitive functions while having an alcohol concentration of 0.01 or greater.
- b) Alcohol Possession: Unauthorized possession of alcohol while on duty or operating a commercial motor vehicle unless the alcohol is an insignificant ingredient in a medication that is either prescribed or a commonly recognized over-the-counter remedy and notice has been given to the employee's Department ~~Manager~~Director in advance.
- c) Alcohol Use Following an Accident: Use of alcohol within eight (8) hours following an accident or before undergoing a post-accident alcohol test, whichever occurs first.
- d) Alcohol Use on Duty: Use of Alcohol while performing safety-sensitive functions including alcohol which may be in medications.
- e) Alcohol Use Prior to Duty: Performing safety sensitive functions within four (4) hours after having used alcohol. An on-call employee who consumes alcohol within four (4) hours of being called in must acknowledge the use of alcohol and may not report for duty.
- f) Controlled Substance (Drug) Use: Reporting for duty or remaining on duty performing safety-sensitive functions after having used any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. The proper and lawful use of drugs is permitted provided their use does not interfere with the individual's ability to perform the essential functions of his/her job. Any employee taking prescribed medication that may impair his/her ability to work safely and productively must notify his/her Department ~~Manager~~Director prior to commencing to work. The Department ~~Manager~~Director, in consultation with the employee's physician, if necessary, will make the determination regarding the employee's qualifications to work. Information provided to the Department ~~Manager~~Director will be treated as confidential. Disclosure by the City will only be required by law or in the event of a proceeding initiated on behalf of the employee. Failure to notify the Department ~~Manager~~Director in advance of commencing to work will be cause for disciplinary action up to and including discharge.
- g) Positive Drug Test: Reporting for duty, remaining on duty, or performing safety sensitive functions after having tested positive for a controlled substance.
- h) Refusal to Submit to a Required Test: Refusing to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test as directed pursuant to this policy.
- i) Tampering with a Required Test: An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct any testing process required under this policy.

Mandatory Training for Commercial Drivers - The City shall provide all affected employees with copies of this policy and any other information as required by the federal regulations. Each driver shall sign a receipt upon having been provided the above referenced information including a copy of this manual and accompanying procedures for drug testing. Department ~~Manager~~Directors and supervisors designated to

determine whether reasonable suspicion exists to require a commercial driver to undergo alcohol or drug testing will receive at least sixty (60) minutes of training on alcohol and sixty (60) additional minutes of training on substance abuse. The training will convey the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

9.08 Drug and Alcohol Testing Program for CDL Drivers.

- a) Pre-employment Drug Testing: All individuals who are covered by this policy must pass a drug test as a post-offer condition of employment.
- b) Reasonable Suspicion Testing: Employees subject to this policy shall submit to a drug and/or alcohol test when the employee's supervisor, ~~City Personnel Director~~ Human Resources, or City Administrator reasonably suspects that this policy (except the prohibitions against unauthorized possession, transfer or sale of alcohol) may have been or is presently being violated. A referral for testing will be based on contemporaneous, articulable observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use. Alcohol testing for reasonable suspicion may be conducted at any time during working hours. If removed from duty based on reasonable suspicion of alcohol use and an alcohol test is not administered within eight hours, the employee will not be allowed to perform or continue to perform covered functions until:
 - 1) An alcohol test is administered (normally within two (2) hours of the determination of reasonable suspicion) and the driver's breath alcohol concentration measures less than .01; or
 - 2) Twenty-four (24) hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.
- c) Post-Accident Testing: Following an accident (as defined above) involving a commercial vehicle, the driver is required to submit to alcohol and drug tests when the driver receives a citation under state or local law for a moving traffic violation, or where a fatality occurs as a result of the accident. Testing should occur as soon as possible, but may not exceed eight (8) hours after the accident for alcohol testing and thirty-two (32) hours after the accident for drug testing. A driver who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Drivers who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy. While awaiting a post-accident test, the driver will be in a paid status.
- d) Random Testing: Employees covered by this policy will be subject to random, unannounced alcohol and drug testing.
- e) Return to Duty Testing: Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the discipline policy are allowed to return to work, must test negative prior to being released for duty.
- f) Follow-up Testing: An employee who is referred for assistance related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period as directed by a substance abuse professional. The number and frequency of follow-up testing will be based on the recommendation of the substance abuse professional, but will not be less than six tests in the first twelve (12) months following the employee's return to duty.
- g) Re-Tests: Employees who test positive for drugs may request a second test of the untested portion of the split sample within seventy-two (72) hours of notification of a positive test result by the Medical Review Officer (MRO).

- h) Test Results: Test results will be expressed as positive or negative based on detection of levels of alcohol or controlled substances as established by Federal Department of Transportation standards.
- i) Challenges to Test Results: An employee who wishes to challenge a positive drug test must do so within seventy-two (72) hours of notification of the positive result. The employee must notify the MRO that he/she wishes to challenge the test and must pay for the retest. The retest must be processed at a DHHS-NIDA-certified laboratory. If the MRO certifies that the second drug test is negative, an employee will be reimbursed for the cost incurred including any lost compensation.

9.09 Refusal by a Commercial Driver to Submit to an Alcohol or Drug Test.

Refusal to submit to a directed test is a prohibited behavior shall subject the employee to appropriate discipline. A refusal to submit shall include:

- a) Failure to provide adequate breath for testing without a valid medical explanation after an employee has received notice of the requirement for breath testing in accordance with established procedures;
- b) Failure to provide adequate urine for controlled substances testing without a valid medical explanation after an employee has received notice of the requirement for urine testing in accordance with the procedures manual; and/or
- c) Engaging in conduct that obstructs the testing process.

9.10 Securing Information from Previous Employers.

If a person is to be hired into a position subject to this policy and during the previous two (2) years has worked as a driver of a commercial vehicle, that person must authorize a request of all employers of the driver within the past two (2) years of information on the following: a) positive alcohol or drug tests; or b) refusal to be tested. The City of Orting will make a good faith effort to obtain and review the information from prior employers within 14 days of the person performing safety sensitive duties for the first time. If the information obtained from previous employer indicates either a positive test or that a refusal to be tested occurred within the past two (2) years, that person will not be permitted to drive commercial vehicles unless subsequent information indicates that an evaluation by a substance abuse professional was made and return to duty testing was administered.

9.11 Consequences for CDL Drivers of Engaging in Prohibited Behaviors and/or of Positive Drug or Alcohol Test Results.

Employees found to have engaged in prohibited behavior or to have tested positive for drugs shall be subject to discipline up to and including termination from employment. The following provisions apply to those employees who are not terminated for their policy violations:

- a) If an employee tests positive for drugs or has an alcohol test that indicates a breath alcohol level of .04 or greater or any amount of THC or other drugs not prescribed by a doctor from a random, reasonable suspicion or post-accident test, or engages in prohibited conduct, the employee will be immediately removed from duties requiring the driving of a commercial vehicle. The employee will not be permitted to return to work unless he/she:
 - 1) Has been evaluated by a qualified substance abuse professional; and,
 - 2) If recommended by a substance abuse professional, has properly followed any rehabilitation prescribed; and,

- 3) Has a verified negative result on a return-to-duty alcohol and/or drug test. Upon completion of a recommended rehabilitation program and successful return to work, an employee will be subject to follow-up random testing as recommended by the substance abuse professional, with a minimum of six (6) such unscheduled tests within the first twelve (12) months of returning to duty.
- b) Employees with a positive breath alcohol concentration shall be removed from the duty requiring the driving of a commercial vehicle for at least twenty-four (24) hours. The time away from work shall be charged to vacation, sick leave, or leave without pay at the employee's option, and will be considered an unscheduled absence.

9.12 Workplace Privacy/Searches.

The City cannot assume responsibility for any theft or damage to the personal belongings of City employees. Therefore, the City requests that employees avoid bringing valuable personal articles to work. Employees are solely responsible for ensuring that their personal belongings are secure while at work. Employees are further advised that work-related searches of an employee's work area, workspace, computer and/or electronic files on City property may be conducted without notice. Employees should have no expectation of privacy as to such items or locations.

9.13 Accident, Incident, & Claims Reporting Procedures.

It is essential that all accidents and incidents are reported promptly and accurately. The City is *continuously* committed to maintaining a safe environment for their residents, users of city facilities and employees.

Incident Reporting

Make accurate notes and record all details of any incident observed or brought to your attention. Report incidents on the same day. Be observant and accurate. Take pictures if possible.

Serious incidents shall be phoned in to the Department ~~Manager~~Director, ~~City Personnel Director~~Human Resources or City Administrator's office immediately. A few examples of incidents that are required to be reported immediately are: any serious injury involving City property or personnel, auto or pedestrian injury, downed stop sign accident, police shootings, and large property loss. ***Do not admit liability or state that the City will take care of the damages.***

Communicating with the Public about Incidents

An individual may come into City Hall wanting the "employee's opinion" as to what to do regarding an incident involving City liability. It is the policy of the City to respond in the following manner: If a member of the public feels the City is responsible for damages, then that individual has the right to file a claim. The City Administrator's office must be notified immediately of any inquiry being made so that a brief interview with the individual can be conducted. ***Do not admit liability or state that the City will take care of the damages. Refer all questions to the City Administrator's office.*** Do not discuss the incident with anyone other than your supervisor or other authorized personnel. Citizens that inquire about damages are to be given the insurance *Tort Form*.

9.14 Inclement Weather.

The public's need for our services may be especially great during inclement weather. Therefore, it is particularly important for employees to report to work in a safe manner during inclement weather if the

City does not declare an emergency closure. We do not want you to jeopardize your safety, however, if you cannot get to work or are delayed and you should try to reach your Department Director as soon as possible to let him/her know. Non-exempt employees who are unable to get to work because of inclement weather conditions will be granted an authorized unpaid absence or may use vacation time. Non-exempt employees who arrive less than two (2) hours late because of inclement weather will be paid for their normal time. If you are more than two (2) hours late, you will be given a chance to make up the time if schedules and conditions permit. If you are released early by authorization of the Mayor or City Administrator due to weather conditions, you will be paid for the unworked time.

Managerial Procedures

“Inclement weather” is defined as weather such as high winds, heavy rain, heavy snow, etc. Any employee unable to report to work, with prior approval of the supervisor, will be given the opportunity to make up the time during the same workweek, or may charge the time as they choose to accrued compensatory time; accrued vacation leave; or leave without pay. You should follow the same practice for emergencies. An “emergency” is defined as any condition which is beyond the control of the City as declared by the City Mayor, or his/her designee, such as earthquakes, explosions, major fires and an airplane crash. (This is only an illustrative list.) Employees who have reported to work and are released from work during an emergency situation shall be given the opportunity to make up the time during the same work week, or shall charge the time of such absence as listed above.

9.15 Emergencies and Disaster Preparedness.

Knowing what to do in an emergency increases the chances that you and everyone else will come through safely. Meanwhile, please keep the following in mind.

If you are advised to evacuate the building, either for a drill or in an actual emergency, do so calmly but swiftly and stay out of the building until you are advised that you may return.

In case of an earthquake, drop to the ground, seek protective cover under or near desks, tables or chairs in a kneeling or sitting position with hands holding onto table or chair legs. Stay there until movement ends.

In case of fire, turn on the alarm and leave the building through the closest available door. Do not try to put out the fire unless you are professionally trained.

In the case of an emergency, such as an earthquake, flood, winter storm and power outage, an employee may be required to report to the Emergency Operations Center (EOC).

10. CHANGES IN EMPLOYMENT

Here at the City of Orting, we want change to be a positive experience.

10.01 Promotion, Demotion, and Transfer.

It benefits both you and the City for you to be doing the job for which you are best suited. Accordingly, the City looks for opportunities for employees to move within the organization.

Promotion

The City may fill vacancies above the entry level from within. Current employees receive first consideration for openings for which they have the knowledge, skills, and abilities, unless outside recruitment seems advisable. Vacant jobs are normally posted in the applicable Department and in City Hall. You may apply for a vacant position through the Human Resources office. If you apply for an open position, you generally will go through the City's normal recruitment and selection process. A promotion normally entails a wage increase.

Demotion

Occasionally, it may be necessary for an employee to move to a lower paying job. This normally occurs when the employee is not satisfactorily performing the essential functions of the current job. It may also occur in lieu of layoff, when there is a lower paying position available. An employee is eligible for a demotion only if he or she possesses the minimum qualifications for the position. Demotion to a position in a lower classification is normally accompanied by a salary reduction to a level commensurate with the new position.

Transfer

Vacant positions may also be filled through lateral transfer of qualified employees. A voluntary transfer request will be considered if the employee meets the requirements of the new position, has held the current position for at least six (6) months, has a satisfactory performance record and has had no disciplinary actions during the six (6) month period. If you are interested in a transfer, submit a written request for a transfer to your Department ~~Manager~~Director, including the reason for the request, and the department and specific position desired. Your request will be forwarded to the Human Resource Office with a recommendation. Normal recruitment and selection procedures generally will be followed as with a promotion.

10.02 Layoff and Recall.

Unfortunately, there may be times when the City must reduce employment because of lack of work, lack of funds, considerations of efficiency or other business reasons. Such reductions may result in layoffs. Layoffs may be temporary or permanent. Layoffs for represented employees will be handled in accordance with their labor agreements.

In making layoff selections for non-represented personnel, the City will generally lay off temporary employees, part-time employees and those with less than six (6) months of actual service in the affected job classification before laying off regular full-time personnel with more than six (6) months of service in the affected job classification. In making layoff decisions affecting full-time, non-represented employees with more than six (6) months of service to the City, the City may consider a number of factors, including seniority, job performance, and the extent to which each employee has the skills and abilities necessary to

do the remaining work as determined solely by the City in its discretion.

While Collective Bargaining Agreements may generally require layoff by seniority, it is usually in the employer's interest to maximize its ability to retain the "best" employees - sometimes that's those with the most seniority and sometimes it's not. The City may deviate from this selection order if the best interests of the City so dictate. Employees who have actually worked for the City for more than six (6) months and who have been selected for layoff will be given thirty (30) days' notice when possible. Employees with less than six (6) months of actual service to the City who have been selected for layoff will be given one (1) week's notice when possible. The City, in its discretion, may provide employees selected for layoff with payment in lieu of notice.

Laid off employees will be maintained on a recall list for one (1) year or until management determines the layoff is permanent, whichever occurs first. While laid off, an employee should make sure Human Resources has a current address, and let them know if you are unavailable for recall to the same position. Employees have seven (7) days after notice of recall to respond to the notice, or their names will be removed from the list. Further information about benefits, seniority and recall rights will be shared with you if you are chosen for layoff.

10.03 Separation from Employment.

The employment relationship between the City and its employees is voluntary. All employees have the right to end the employment relationship if they deem it appropriate. Likewise, for all employees except those covered by a written agreement that modifies at-will status, the City can end the relationship at any time for any reason it deems appropriate.

Resignation

If you decide to leave the employ of the City, please give written notice to your supervisor. Employees failing to give appropriate written notice may be ineligible for rehire. Supervisory and managerial employees should give four (4) weeks' written notice. All other employees should give at least two (2) weeks' written notice.

10.04 Separation Procedures.

Separating and laid off employees will be asked to participate in an exit interview with a member of the City management staff on or before their last day of work to explore such issues as the reasons for the separation, the employee's suggestions for improving working conditions, any benefits issues, and to collect City property. Separating employees who desire the City to provide references on their employment will be asked to sign an authorization and release form for that purpose. References other than job title and dates of employment will not be given without such a release. Final pay checks are paid the next regular pay day.

CONCLUSION

Again, we welcome you to your employment here at the City of Orting. We are pleased to have you on our team. We hope that this Personnel Policies and Procedures Manual has answered questions that you may have about our workplace. Please feel free at any time to present any questions to your supervisor. We look forward to working with you.

CITY OF ORTING ACKNOWLEDGMENT OF RECEIPT

I have received the City of Orting Personnel Policies and Procedures Manual (“Manual”) and understand that it is my responsibility to read these policies and ask questions about anything I do not understand.

I acknowledge that these policies are general guidelines only. They do not promise specific treatment in specific circumstances, they do not create an employment contract, and they do not guarantee employment for any length of time with the City. I understand, however, that the Manual contains policies that are very important to the City’s ability to provide a lawful and respectful work environment. I have reviewed the policies in the Manual, including but not limited to the Anti-Discrimination and Anti-Harassment policies, and I agree to comply with those policies. I understand that violation of City policies may result in discipline, up to and including discharge, subject to legal and collective bargaining agreement requirements.

I acknowledge that the City must be flexible in responding to the needs of the public or changes in the law, and that the City has therefore reserved the right to revise, supplement, clarify, deviate from or rescind any policy or portion of a policy when deemed appropriate by the City and in accordance with any applicable collective bargaining obligations.

The City does not have the authority to modify at-will employment status until that modification is in writing and signed by the City Administrator and/or City Council.

I understand that if I am covered by a collective bargaining agreement, then that contract will control in the event of any conflict with the policies in this Manual and that the agreement is the exclusive source of information regarding my benefits with the City.

Date: _____ Employee: _____
(print name)

Signature: _____



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Endangerment with a controlled substance.	AB24-101	Public Safety		
		10.3.2024	10.16.2024	10.30.2024
	Department:	Public Safety		
	Date Submitted:	10.3.2024		
Cost of Item:	<u>\$0</u>			
Amount Budgeted:	<u>0</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:				
Timeline:	ASAP			
Submitted By:	Devon Gabreluk			
Fiscal Note: None				
Attachments: Draft Ordinance 2024-1134 Endangerment with a Controlled Substance				
SUMMARY STATEMENT:				
<p>Recently, the Pierce County Council adopted a local ordinance (Ordinance 02024-524s - Endangerment with a Controlled Substance) to address deficiencies in State law relating to exposing children and dependents to harmful drugs. Currently, RCW 9A.42.100 (Endangerment with a controlled substance, a Felony crime) only includes the drug methamphetamine and fails to protect children and dependents from other drugs currently being encountered. The Pierce County Prosecutors office has urged local jurisdictions to adopt similar language to protect their citizens from the larger scope of drugs that in some cases, are far deadlier.</p>				
RECOMMENDED MOTION: <u>Motion:</u>				
<p>To adopt ordinance no. 2024-1134, an ordinance of the City of Orting, Washington, adopting a new chapter 6-18-19 of the Orting Municipal Code, "Endangerment with a controlled substance; providing for severability and establishing an effective date.</p>				

CITY OF ORTING
WASHINGTON

ORDINANCE NO. 2024-1134

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ORTING, WASHINGTON ADOPTING A NEW CHAPTER 6-1D OF
THE ORTING MUNICIPAL CODE ENTITLED ENDANGERMENT
WITH A CONTROLLED SUBSTANCE; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the misuse of controlled substances in Washington State is a growing public health crisis, resulting in negative health outcomes, including addictions, overdoses, and deaths for far too many community members; and

WHEREAS, drug overdose and drug poisoning moved from the sixth leading cause of death among children aged 1-19 years of age in the United States in 2019 to third in 2020, which included a 110.6 percent increase in unintentional poisonings; and

WHEREAS, drug poisonings in Washington have increased steadily since 2014, increasing 30 percent from 2019 to 2020, another 30 percent from 2020 to 2021, and 17 percent from 2021 to 2022, according to the University of Washington Addictions, Drug, and Alcohol Institute; and

WHEREAS, opioid-related overdoses are the most common causes of accidental death in Pierce County, outnumbering motor vehicle collisions and firearm deaths according to the Tacoma-Pierce County Health Department; and

WHEREAS, between 2020 to 2022, Pierce County experienced 32.53 overdose deaths per 100,000 residents, a higher rate than the Washington state average of 27.98 during the same time period; and

WHEREAS, controlled substances come in all forms, and they are regularly made into powders, pills, candies, eye droppers, and nasal sprays; and

WHEREAS, users are entirely unable to discern by sight, taste, or smell just how potent and dangerous these illicit drugs may be due to unregulated sources. The identity, purity, and quantity are uncertain and inconsistent, thus posing significant adverse health risks not only to the user, but also to users' family members or members of the public who may be exposed inadvertently or through secondhand contact; and

WHEREAS, these risks are particularly high for children and other dependent persons who may live in close proximity to and come in contact with controlled substances through no fault of their own; and

WHEREAS, one in eight children nationwide aged 17 or younger lived in households with at least one parent who had a past substance use disorder, according to a 2014 report by the Substance Abuse and Mental Health Services Administration (SAMHSA); and

WHEREAS, fentanyl is often up to 50 times more potent than heroin and other synthetic opioids, such as nitazenes and carfentanil; and

WHEREAS, the ease of illicit manufacture and the potency of synthetic opioids has driven down illegal drug prices and caused synthetic opioids to be mixed with street drugs such as heroin, cocaine, and methamphetamine; and

WHEREAS, the “Washington State Office of the Family and Children's Ombuds Child Fatalities and Near Fatalities in Washington State September 2023” report states that over a quarter of the child fatalities and more than half of the child near-fatalities involved accidental ingestions and overdoses in 2022; and

WHEREAS, the same report reflects that one unknown, eight multiracial, eight African American/Black, nine Latino/Hispanic, and 39 Caucasian/White youths were involved in accidental ingestion and overdose accidents in 2022; and

WHEREAS, according to the Tacoma-Pierce County Health Department, deaths and emergency room visits from overdoses involving synthetic opioids, methamphetamine, and cocaine are on the rise and neighboring counties are starting to see overdoses related to tranquilizers like xylazine; and

WHEREAS, the Washington Poison Center had 116 cases in 2020 which involved the accidental exposure of children ages 0-5 years to opioids and opiates, and it is believed many more cases go unreported; and

WHEREAS, the Washington State Department of Health reports 148 youths aged 0-17 died from drug overdoses in 2016, 160 youths in 2017, 159 youths in 2018, 149 youths in 2019, 247 youths in 2020, 340 youths in 2021, 346 youths in 2022, and 378 youths in 2023; and

WHEREAS, in August 2022, a two-year-old child nearly died after consuming a fentanyl pill at a residence in Pierce County; and

WHEREAS, for those who survive exposure, an overdose can result in acute and chronic medical complications, including cognitive impairment, brain injury, and cardiac arrhythmia; and

WHEREAS, exposure to controlled substances is a threat to the health and safety of all City residents, and especially so for children and dependent persons who are in close proximity to individuals who use illegal substances; and

WHEREAS, sufficient mechanisms must be in place to hold people accountable when children and dependent persons are exposed to life-threatening harms; and

WHEREAS, the City of Orting City Council encourages the State Legislature to consider amending RCW 9A.42.100, "Endangerment with a Controlled Substance," to include all six controlled substances as a Class B felony; in the interim, the City Council finds it necessary and appropriate to adopt an ordinance to address criminal penalties for endangerment of a child or dependent person with a controlled substance other than cannabis to protect the public health and safety of the community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORTING, WASHINGTON:

Section 1. New Chapter 6-1D of the Orting Municipal Code, Adopted. A new chapter 6-1D to the Orting Municipal Code entitled “Endangerment with a Controlled Substance” is adopted as set forth in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Codification of Ordinance and Attachments. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the Ordinance and its Attachments, and publish the modified code.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance and its Attachment, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

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

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY of OCTOBER 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, City Clerk

Approved as to form:

Kendra Rosenberg, City Attorney

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Chapter 6-D

ENDANGERMENT WITH A CONTROLLED SUBSTANCE

Sections:

6-1D-1 Definitions.

6-1D-2 Endangerment with a Controlled Substance.

6-1D-3 Penalty for Violations.

6-1D-4 Preemption.

6-1D-5 Severability.

6-1D-1 Definitions.

For the purpose of this Article, the following terms shall apply:

- A. "Cannabis" shall mean the same as the term is defined in RCW 69.50.101.
- B. "Child" shall mean the same as the term is defined in RCW 9A.42.010.
- C. "Controlled substance" shall mean the same as the term is defined in RCW 69.50.101.
- D. "Dependent person" shall mean the same as the term is defined in RCW 9A.42.010.

6-1D-2 Endangerment with a Controlled Substance.

- A. A person is guilty of the crime of endangerment with a controlled substance if the person knowingly or recklessly permits a child or dependent person to ingest, inhale, absorb, or have contact with a controlled substance other than cannabis, unless the controlled substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice.
- B. Administering or providing a controlled substance to a child or dependent person in the course of delivering health care services is not a violation of this Section.

6-1D-3 Penalty for Violations.

Unless otherwise specified, any person who violates this Article is guilty of a gross misdemeanor punishable by up to 364 days in jail and a \$5,000 fine. The Prosecuting Attorney is encouraged to consider referring such cases for assessment, treatment, and other services including referral to alternative resolution courts following the formal filing of charges.

6-1D-4 Preemption.

In the event the Washington State Legislature passes a law preempting this Article, this Article shall cease to have effect on the same date the statute comes into effect. Any violation of this Article that occurs prior to the preempting statute coming into effect may be prosecuted and punished pursuant to this Article.

1 **6-1D-5 Severability.**

- 2 If any provision of this Article or its application to any person or circumstance is held
 invalid, the remainder of this Article or the application of the provisions to other persons or
 circumstances is not affected.



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Brightly Asset Management Solutions Service Contract.	AB24-105	Public Works		
		10.2.2024	10.16.2024	10.30.2024
	Department:	Public Works Department		
	Date Submitted:	10.2.2024		
Cost of Item:	\$112,537.10 over 5 years (\$41,037.38 Oct 2024-Oct 2025)			
Amount Budgeted:	\$29,000 from 5 BARS Numbers (2024 Service Actual: \$33,166.45) \$24,000 in 2025 Proposed Budget			
Unexpended Balance:	None			
Bars #:	101-542-30-41-016; 105-576-80-41-011; 401-534-10-41-036 408-535-10-41-038; 410-531-38-41-007s			
Timeline:	ASAP with Go-Live Target Dec 2024			
Submitted By:	Ryan McBee, Public Works Director			
Fiscal Note: Making the transition will save the city a minimum of \$14,000 annually in professional services costs. \$24,000 in 2025 Proposed Budget Request allows for additional modules if needed.				
The initial implementation of \$41,037.38 will be broken out by fund and come from associated BARS.				
Attachments: Staff Memo, Brightly Contract, Aktivov Costs To Date				
Summary: Public Works has been using Aktivov for our work management system since 2019 and renews in January, with a 30-day notice required to the service provider. Staff have evaluated and investigated several other suitable alternatives in mid-2024, with the PW Committee receiving demos for Brightly and iWorQ. This allows for a full implementation before the current contract expires. Selection: After reviewing proposals from Aktivov, Brightly, and iWorQ, Brightly Software Inc. emerges as the best choice for long-term, scalable asset management solutions driving data driven decisions. It offers comprehensive features, a predictable cost structure, and robust GIS integration, which aligns with the city’s future goals of predictive maintenance, detailed asset management, and infrastructure planning. As a part of the Sourcewell Contract (Interlocal Agreement), does not require added quotes, but we evaluated 3 providers as stated above.				
RECOMMENDED MOTION: <u>Motion:</u> To authorize the Mayor to enter into a contract with Brightly Software Incorporated for Public Works Asset Management services.				



Memo

To: PW Committee, City Council Members, Mayor Penner

From: Ryan McBee, Director of Public Works

Date: Oct 2, 2024 (updated Oct 16, 2024)

Re: Cost-Benefit Analysis for City of Orting: Aktivov vs. Brightly vs. iWorQ Asset Management Solutions

Cost-Benefit Analysis: Selection of Brightly for City of Orting’s Asset Management Needs

Summary: After reviewing proposals from Aktivov, Brightly, and iWorQ, Brightly Software Inc. emerges as the best choice for long-term, scalable asset management solutions. It offers comprehensive features, a predictable cost structure, and robust GIS integration, which aligns with the city’s future goals of predictive maintenance, detailed asset management, and infrastructure planning.

1. Cost Comparison:

Rank/Total Cost	Provider	Year 1 Cost	Year 2 Cost	Year 3 Cost	Year 4 Cost	Year 5 Cost	Total
3	Aktivov	\$30,287	\$31,805	\$33,395	\$35,065	\$36,619	\$167,171
1	Brightly	\$41,037	\$17,090	\$17,603	\$18,131	\$18,675	\$112,536
2	iWorQ, <i>Year 1 Cost \$43,400 before Packaged Savings of \$18,400</i>	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$125,000

- **Aktivov** remains the most costly- over the next three years and lacks some features (e.g., predictive maintenance) included in other providers’ base packages.
- **Brightly** has high upfront costs due to the migration but stabilizes in years 2-5. This is part of the Sourcewell Contract vehicle, with a 21-35% reduction in costs and eliminates the need for additional quotes/proposals.

- **iWorQ** offers the most user-friendly public portals and integration with GIS but incurs higher overall costs annually with a similar implementation cost.

2. Benefits of Selecting Brightly

- **Comprehensive Feature Set:**
 - **GIS Integration:** Brightly offers deep GIS asset management functionality, enabling real-time tracking and management of assets across departments (streets, stormwater, parks, treatment plants). This is critical for visualizing work orders, inspections, and long-term asset planning.
 - **Predictive Maintenance:** Through its **Capital Predictor** module, Brightly supports predictive maintenance by identifying asset degradation trends and automating repair schedules. This feature alone can significantly reduce emergency repairs and extend asset lifespans.
 - **Future-Proofing:** Brightly’s extensive support for infrastructure planning, predictive models, and detailed project management ensures that the city can grow its asset management capabilities without the need for new systems or costly integrations.
- **Cost Efficiency Over Time:**
 - While Brightly’s initial costs are higher than other providers, its comprehensive set of included features (without needing multiple separate modules or costly add-ons) provides better value over the full contract term.
 - The **Capital Predictor** tool for lifecycle modeling and infrastructure planning is critical for long-term capital expenditure forecasting, something that Aktivov and iWorQ do not offer in their current modules.
- **Data Management & Migration:**
 - Brightly’s professional services include robust data migration, account configuration, and user training, ensuring a smooth transition without data loss or delays. The detailed **GIS Rider Statement of Work** guarantees that all critical city data, including maps, assets, and work orders, are properly configured for ongoing use(Brightly Quote).
 - The system also ensures that the city’s data is managed efficiently with extensive cloud storage capabilities and user-friendly export tools.
- **User Training & Support:**
 - Brightly provides a comprehensive training package for administrators and full users, including GIS-specific training. Additionally, 30-day go-live support ensures a smooth rollout(Brightly Quote).
 - The ongoing support and updates for modules like **Asset Essentials Enterprise** and **Capital Predictor** ensure the city benefits from continuous improvements and new features without additional costs.

3. Comparison with Other Providers

- **Aktivov:**

- Aktivov offers solid functionality but requires additional scoping and costs for third-party integrations and modules like **Predictive Maintenance**, which come at a separate charge.
- The expected 5% annual cost increase with Aktivov also means long-term budgeting may be less predictable compared to Brightly's locked-in pricing.
- Staff currently do not like the platform and it is not as functional as it could be.
- **iWorQ:**
 - iWorQ's offering is competitive for basic public works and stormwater management. However, it lacks the depth in GIS integration and predictive maintenance features that Brightly provides.
 - While it offers lower upfront costs, iWorQ's pricing model may lead to additional fees for any data or feature expansions, particularly for GIS and facility management, which are limited in its current setup.

4. Why Brightly is the Best Fit

- **Strategic Long-Term Partner:** Brightly's comprehensive, integrated platform aligns with the city's growing needs. Its advanced predictive maintenance tools, extensive GIS functionality, and scalable modules support both current and future infrastructure goals.
- **Cost Savings Through Predictive Maintenance:** By leveraging Brightly's **Capital Predictor** for infrastructure lifecycle modeling, the city can anticipate asset degradation and reduce unplanned emergency repairs, leading to substantial savings in operational costs over time.
- **Seamless Transition & User Training:** Brightly's dedicated support team ensures a seamless transition from the city's current system, offering hands-on training and configuration to minimize disruptions to ongoing city operations. This strong implementation plan mitigates risks associated with system migration (Brightly Quote).

5. Conclusion

Selecting Brightly provides the City of Orting with a powerful, future-proof asset management solution that goes beyond simple work orders and inspections. Its robust GIS integration, predictive maintenance, and infrastructure planning tools make it the ideal choice for optimizing city operations, improving asset longevity, and managing long-term capital investments. While the initial investment is higher, the long-term benefits and cost savings from predictive maintenance make Brightly the clear choice for the city's asset management needs.

1. Description of Proposals:

A. Aktivov (Current Provider)

Aktivov offers comprehensive asset management with several advanced features not currently purchased. Aktivov does not currently meet or exceed all the needs of staff and align with the value of “Data Driven Decision Making”, resulting in delayed GIS updates (upto 4 weeks at times), poor ease of use for staff and records reporting, plus others. Their current services includes:

- **Modules Already Included:** Work orders, preventive maintenance, GIS integration, citizen management, and more.
- **New Features:** Free fleet management upgrade, integration with GPS, asset hierarchy management without floor plans, and predictive maintenance tools.
- **Subscription Costs (2024-2027):**
 - 2024: \$30,287
 - 2025: \$31,805
 - 2026: \$33,395
 - 2027: \$35,065
- **Additional Costs:** Predictive maintenance (\$1,500), program management (\$3,000), portal services, and more.
- **Total Costs so far (2019 thru 2024, 6 years): \$229,000.98**

B. Brightly Software (Brightly Quote, a Sourcewell Cooperative Contract)

Brightly offers the **Asset Essentials Enterprise** system, which includes modules like fleet, GIS, safety, sanitation, predictive maintenance, and customer facing portal with a fully available out of the box service. This differs completely from the current system requiring additions added at additional costs.

- **Initial Costs (2024-2025):**
 - Total first-year investment: **\$41,037.38 (includes Implementation)**
 - Asset Essentials & Capital Predictor subscription: \$11,061.73 (year 1)
 - Professional Services - Implementation: \$29,975.65 (one-time setup)
- **Ongoing Costs (2025-2029):**
 - \$17,090 in Year 2, escalating to \$18,675 by Year 5.

C. iWorQ Systems (iWorQ Systems Proposal)

iWorQ provides a modular system targeting public works, stormwater, and facility management.

- **First-Year Costs (2025):**
 - Total: **\$43,400** before package price reduction to \$25,000 (including one-time setup costs of \$18,400)
 - Annual subscription: \$25,000 (starting Year 2)

- **Key Modules:** Work management, GIS integration, facility management, and custom public portals.
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3. Justification of Costs and Impacts of Current Provider:

- **Aktivov:** Aktivov does not currently meet or exceed all the needs of staff and align with the value of “Data Driven Decision Making”, resulting in delayed GIS updates (upto 4 weeks at times), poor ease of use for staff and records reporting, plus others. Continuing with Aktivov does ensure no data migration costs, free fleet upgrades, and proven integration with Orting's existing systems. However, future predictive maintenance modules and additional citizen-facing portals will add costs annually.
 - **Brightly:** Offers a comprehensive asset management system with predictive analytics and a robust GIS module, making it attractive for future expansion. The high initial setup cost may be offset by long-term savings in operational efficiency. This will meet nearly every need of staff and align with the value of “Data Driven Decision Making” for Public Works.
 - **iWorQ:** Provides a streamlined public engagement platform and is highly customizable for Orting's specific infrastructure management needs. However, the total cost remains higher than the alternatives over the term. This will meet many of the needs of staff and align with the value of “Data Driven Decision Making” for Public Works.
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4. Alternatives:

1. **Continue with Aktivov** and gradually adopt new modules as needed at greater cost and less user satisfaction.
2. **Switch to Brightly**, absorbing the initial setup costs but benefiting from future-proof systems.
3. **Adopt iWorQ**, prioritizing its public-facing tools and stormwater management while incurring higher operational costs.



PREPARED FOR

City Of Orting ("Customer")
110 Train Street Southeast
Orting, WA 98360

PREPARED BY

Brightly Software Inc
11000 Regency Parkway, Suite 300
Cary, NC 27518

PUBLISHED ON

September 27, 2024



Q-396362

Sourcewell/NJPA purchasing contract

- <https://www.sourcewell-mn.gov/cooperative-purchasing/090320-sdi#tab-contract-documents> (<https://www.sourcewell-mn.gov/cooperative-purchasing/090320-sdi#tab-contract-documents>).
- Contract #090320-SDI

Subscription Term: 56 months (11/01/2024 - 06/30/2029)

Cloud Services				
Item	Start Date	End Date	Pricing Based On	Investment
Asset Essentials Enterprise	11/1/2024	6/30/2025	8,000.00 Population	5,058.66 USD
- Facilities/ Physical Plant Module	11/1/2024	6/30/2025		Included
- Treatment Plants Module	11/1/2024	6/30/2025		Included
- Streets/Signs/ Sidewalks Module	11/1/2024	6/30/2025		Included
- Storm Water Module	11/1/2024	6/30/2025		Included
- Electric and Gas Module	11/1/2024	6/30/2025		Included
- Water Distribution and Waste Water Collection Module	11/1/2024	6/30/2025		Included
				Subtotal: 11,061.73 USD



Cloud Services

Item	Start Date	End Date	Pricing Based On	Investment
- Sanitation Module	11/1/2024	6/30/2025		Included
- Parks, Recreation and Forestry Module	11/1/2024	6/30/2025		Included
- Fleet Module	11/1/2024	6/30/2025		Included
- Dude Analytics	11/1/2024	6/30/2025		Included
- AE Safety	11/1/2024	6/30/2025		Included
- Asset Essentials Inventory	11/1/2024	6/30/2025		Included
- GIS Asset Management	11/1/2024	6/30/2025		Included
Capital Predictor Enterprise	11/1/2024	6/30/2025	8,000.00 Population	4,603.07 USD
- Predictor Water Distribution	11/1/2024	6/30/2025		Included
Predictor Streets/Signs/Sidewalks	11/1/2024	6/30/2025	8,000.00 Population	1,400.00 USD
				Subtotal: 11,061.73 USD



Professional Services		
Item	Pricing Based On	Investment
Asset Essentials Enterprise Implementation with Consulting	8,000.00 Population	10,095.65 USD
Capital Predictor Enterprise Implementation	One-Time	28,000.00 USD
Predictor Enterprise Implementation Promotion	One-Time Promotion	-8,120.00 USD
		Subtotal: 29,975.65 USD
Total Initial Investment		41,037.38 USD

- To be eligible for the Predictor Enterprise Implementation promotional pricing proposal must be accepted by September 30, 2024.



Cloud Services Subscription

Item	Investment Year 2 Start Date: 07/01/2025	Investment Year 3 Start Date: 07/01/2026	Investment Year 4 Start Date: 07/01/2027	Investment Year 5 Start Date: 07/01/2028
Asset Essentials Enterprise	7,815.63 USD	8,050.10 USD	8,291.60 USD	8,540.35 USD
- Facilities/ Physical Plant Module	Included	Included	Included	Included
- Treatment Plants Module	Included	Included	Included	Included
- Streets/Signs/ Sidewalks Module	Included	Included	Included	Included
- Storm Water Module	Included	Included	Included	Included
- Electric and Gas Module	Included	Included	Included	Included
- Water Distribution and Waste Water Collection Module	Included	Included	Included	Included
- Sanitation Module	Included	Included	Included	Included
- Parks, Recreation and Forestry Module	Included	Included	Included	Included
- Fleet Module	Included	Included	Included	Included
- Dude Analytics	Included	Included	Included	Included
- AE Safety	Included	Included	Included	Included
- Asset Essentials Inventory	Included	Included	Included	Included



Cloud Services Subscription

Item	Investment Year 2 Start Date: 07/01/2025	Investment Year 3 Start Date: 07/01/2026	Investment Year 4 Start Date: 07/01/2027	Investment Year 5 Start Date: 07/01/2028
- GIS Asset Management	Included	Included	Included	Included
Capital Predictor Enterprise	7,111.74 USD	7,325.09 USD	7,544.84 USD	7,771.19 USD
- Predictor Water Distribution	Included	Included	Included	Included
Predictor Streets/Signs/Sidewalks	2,163.00 USD	2,227.89 USD	2,294.72 USD	2,363.57 USD
Total:	17,090.37 USD	17,603.08 USD	18,131.16 USD	18,675.11 USD



Asset Essentials Implementation with Consulting

GIS Rider Statement of Work

Summary:

Company will provide specified professional consulting services to Subscriber to implement Asset Essentials, an on-line Computerized Maintenance Management System – Geographic Information System (GIS) functionality. These professional services include meeting with key stakeholders to ensure the set-up and configuration of the system will meet the client's operational needs; location and category hierarchies are configured appropriately; workflows meet the needs of the business; available data is cleaned, aligned and imported; and end users are trained and ready for go-live.

In Scope: The Deliverables below will be considered in scope of this SOW

1. Asset Essentials GIS Implementation
2. Asset Essentials GIS Training

Deliverables:

- Project initiation and discovery
- Available GIS data loaded
- GIS configuration
- User acceptance testing (UAT)
- End User training for Administrator and Full User roles

Acceptance Process:

As each deliverable is completed, the Project Coordinator will confirm with the Subscriber and document acceptance in the Project Community Portal.

- Project initiation and discovery
 - Kickoff call complete.
 - Discovery call complete
 - Data, configuration, and training requirements documented.
- Available Data Loaded
 - Available GIS data is loaded in AE to meet documented data requirements.
- Account Configuration
 - GIS features have been setup and configured to meet documented configuration requirements.
- User Acceptance Testing
 - Consultant-led end-to-end walkthrough and client UAT has demonstrated functionality satisfying configuration requirements.



- End User Training
 - Administrator and Full User roles have been received training on their role.

Assumptions:

Subscriber Assumptions:

- There will be a single point of contact/project manager for the duration of the project.
- IT department is responsible for ensuring access to mobile devices, internet connections, email access, and web link access to the software such as white listing IP addresses.
- The appropriate resources will be available for all scheduled activities. Canceling or rescheduling consulting activities within 2 weeks of the scheduled activity may result in a rescheduling fee being assessed.
- For on-site activities, Subscriber will provide a dedicated space with adequate technology, including but not limited to monitor/projector, computers, mobile devices, quality phone and internet connections.
- Will provide relevant data to be loaded in a timely manner and in Excel or CSV format. Each record type will be provided in one file with one sheet with column headings and one record with corresponding attributes per row.
- If unable to provide data in an acceptable format for import, Consultant will guide Subscriber on how to manually create records.
- Subscriber has up to five business days to confirm deliverable acceptance. No response will be interpreted as acceptance.

Company Assumptions:

- Consultant will not access any 3rd party systems for the purpose of exporting data.
- For on-site activities, Company will bill Subscriber for actual travel and associated expenses incurred.
- Any services not explicitly included in this SOW are assumed to be out of scope.

Project Schedule:

- Kick-off Call with Project Coordinator
 - Confirm software and services purchased
 - Identify key stakeholders
 - Assign resources
 - Schedule key milestone dates, including anticipated projected completion date
 - Access to Company's on-line Learning Management System
 - Access to an interactive project plan
- Discovery with Consultant
 - Interview key stakeholders to understand specific maintenance & operations objectives
 - Overview of AE with key stakeholders, including data import requirements
 - Determine optimal GIS configuration to meet objectives and drive KPIs
 - Document data, configuration, and training requirements
 - Schedule required consulting activities and confirm projected completion date
- Data loaded by Consultant



- Review, cleanse, and load available GIS data
- Account configuration by Consultant
 - Work Order creation from Map
 - Citizen Portal
 - Mobile Profiles
 - Configure GIS Map settings
 - Configure GIS Layer configuration
 - Asset syncing
- User Acceptance Testing
 - Configuration demo to walk through the end-to-end workflow from request to completion
 - Demonstrate key functionality meets configuration requirements
- Consultant conducts End User Training for Administrator and Full User roles
 - End-to-end walkthrough for their role
 - Desktop and mobile training
- Project Close

Change Management:

Subscriber may request that the Company add services not in the specifications by submitting a written proposed change order to the Company. Submitted change requests will be reviewed for approval. Approved change orders will become part of the applicable SOW when executed by both Parties, and the services described therein will become part of the services.

Invoicing:

At the conclusion of Go Live Support, the main consulting milestone will be completed to trigger billing for the full consulting service.

Asset Essentials Implementation with Consulting Statement of Work

Summary:

Company will provide specified professional consulting services to Subscriber to implement Asset Essentials (AE), an on-line Computerized Maintenance Management System. These professional services include meeting with key stakeholders to ensure the set-up and configuration of the system will meet the client's operational needs; location and category hierarchies are configured appropriately; workflows meet the needs of the business; available data is cleaned, aligned and imported; and end users are trained and ready for go-live.



In Scope: The Deliverables below will be considered in scope of this SOW:

1. Asset Essentials Implementation with Consulting
2. Asset Essentials Training
3. Post Consulting Go-Live Support

Deliverables:

- Project initiation and discovery
- Available location, asset, user, PM schedule Data Loaded
- Account configuration
- User acceptance testing (UAT)
- End User training for Administrator and Full User roles
- Go-Live support

Acceptance Process:

As each deliverable is completed, the Project Coordinator will confirm with the Subscriber and document acceptance in the Project Community Portal.

- Project initiation and discovery
 - Kickoff call complete
 - Discovery call complete
 - Data, configuration, and training requirements documented
- Available data loaded
 - Available location, asset, user, PM schedule data is loaded in AE to meet documented data requirements.
- Account Configuration
 - Account has been setup and configured to meet documented configuration requirements.
- User Acceptance Testing
 - Consultant-led end-to-end walkthrough and client UAT has demonstrated to Subscriber functionality meets configuration requirements.
- End User Training
 - Administrator and Full User roles have received training on their role.
- Go-Live Support
 - 30-day Go-Live Support period has been concluded.

Assumptions:

Subscriber Assumptions:

- There will be a single point of contact/project manager for the duration of the project.
- IT department is responsible for ensuring access to mobile devices, internet connections, email access,



and web link access to the software such as white listing IP addresses.

- The appropriate resources will be available for all scheduled activities. Canceling or rescheduling consulting activities within 2 weeks of the scheduled activity may result in a rescheduling fee being assessed.
- For onsite activities, Subscriber will provide a dedicated space with adequate technology, including but not limited to monitor/projector, computers, mobile devices, quality phone and internet connections.
- Will provide relevant data to be loaded in a timely manner and in Excel or CSV format. Each record type will be provided in one file with one sheet with column headings and one record with corresponding attributes per row.
- If Subscriber is unable to provide data in an acceptable format for import, Consultant will guide Subscriber on how to manually create records.
- Subscriber has up to (5) business days to confirm deliverable acceptance. No response will be interpreted as acceptance.

Company Assumptions:

- Consultant will not access any 3rd party systems for the purpose of exporting data.
- Once End User Training has been completed, 30-day Go-Live Support period begins, consisting of up to 4 weekly 30-minute check-ins with the Implementation Specialist. If client does not attend a scheduled check-in, it will be assumed no assistance was needed.
- For on-site activities, Company will bill Subscriber for actual travel and associated expenses incurred.
- Any services not explicitly included in this SOW are assumed to be out of scope.

Project schedule and approach:

- Kick-off Call with Project Coordinator
 - Confirm software and services purchased
 - Identify key stakeholders
 - Assign resources
 - Schedule key milestone dates, including anticipated project completion date
 - Access to Company's on-line Learning Management System
 - Access to an interactive project plan
- Discovery with Consultant
 - Interview key stakeholders to understand specific maintenance & operations objectives
 - Overview of AE with key stakeholders, including data import requirements
 - Determine optimal AE configuration to meet objectives and drive KPIs
 - Document data and configuration requirements
 - Schedule required consulting activities and confirm projected completion date
- Data loaded by Consultant
 - Review, cleanse, and load available user, location, asset, and scheduled PM data
- Account configuration by Consultant
 - Populate key drop-down menus
 - Review/modify request and work order templates



- Configure workflow for request/approval/assignment of work orders
- User Acceptance Testing
 - Configuration demo to walk through the end-to-end workflow from request to completion
 - Demonstrate key functionality meets configuration requirements
- Consultant conducts End User Training for Administrator and Full User roles
 - End-to-end walkthrough for their role
 - Desktop and mobile training
- Go-Live Support
 - Company provides (4) weekly check-in calls with Implementation Specialist and Subscriber
 - Company Implementation specialist addresses any issues identified. Where issues require product support, Implementation Specialist will submit to Company Support
 - Implementation Specialist adjusts configurations as needed prior to project close
- Project Close

Sample Project Timeline (project timelines may vary):

Timeline Events	Day 1	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13
Project Kick Off Call	█													
LMS (Learning Management System) Review and Q&A		█	█	█	█									
Discovery Call			█											
Data Review					█									
Data Loading						█								
Account Configuration						█	█							
UAT (User Acceptance Testing)								█						
User Training								█						
Post-Consulting Call									█					
GLS (Go Live Support)										█	█	█	█	
Project Close														█

Change Management:

Subscriber may request that the Company add services not in the specifications by submitting a written proposed change order to the Company. Submitted change requests will be reviewed for approval. Approved change orders will become part of the applicable SOW when executed by both Parties, and the services described therein will become part of the services.

Invoicing:

At the conclusion of Go Live Support, the main consulting milestone will be completed to trigger billing for the full consulting service.

Special Terms for Asset Essentials:

Asset Essentials pricing is based on a maximum storage limit of 200GB of data. Data storage that exceeds 200GB may subject to an additional fee.





Predictor Enterprise Implementation and Training - Statement of Work

Package 3

Purpose

The purpose of the Predictor Enterprise Implementation and Training Services, as scoped herein, is to deliver the model development, training, and support required to realize the value that a Predictor Enterprise subscription has to offer for building asset lifecycle models in support of the Client's infrastructure investment planning processes. To facilitate this outcome, a Brightly's (Company) Selected Consultant (Consultant) will conduct workshops with Client staff members (workshop participants) focused on developing a second-generation lifecycle model* using the Client's data.

Through the workshop experience, follow-up meetings, and post-implementation support, Client staff will be provided the opportunity to learn the essentials of building asset lifecycle models with Predictor Enterprise. With this background and understanding, Client staff will be able to assume ownership of the first-generation lifecycle models and continue to build out "what-if" scenarios after training is complete with support from the Company Selected Consultant.

Value

By partnering with Brightly, you are provided expert guidance in the best practice configuration and usage of Predictor Enterprise. In summary, the scope of the proposed Predictor Enterprise Implementation and Training Services includes:

- Workshop training sessions led by the Consultant focused on building lifecycle model(s) for the asset class(es) identified in this SOW and using the Client's data;
- Client data loaded into the lifecycle model(s) in Predictor using the asset class(es) identified in this SOW and using the Client's data and input;
- One (1) month of online support provided directly by the Consultant. This service is designed to provide Client staff with assistance in matters related to reporting; troubleshooting, and refining the previously delivered lifecycle model(s);
- Support and guidance for installing Predictor Enterprise on the Windows operating system;
- Guidance on how to structure data for effective lifecycle modeling;

*A "first-generation lifecycle model" is a fully functional Predictor Enterprise lifecycle model that can be used to present reports and explore the functional aspects of Predictor Enterprise software. However, the term 'first-generation' is used to qualify that the model may not yet be mature or accurate enough for actual business processes and decision-making purposes. A "second-generation lifecycle model" is a fully functional Predictor Enterprise lifecycle model that has had additional refinement by the Client and Consultant. The second-generation lifecycle model may still require successive generations by the Client before it can be used in actual business processes and decision-making processes. Also note that a single model applies to a single asset class. For example, a model built for pavement would not include information about signage or street markings.



Per this scope of services, a first-generation lifecycle model will be developed for the asset class identified below (select one):

- Water Distribution

Methodology and Approach

Task 1: Pre-Workshop Kick-Off Meeting and Preparation

Consultant will work with the Client's designated Project Manager to facilitate a Kick-Off Meeting and prepare themselves and the Client's project team for data gathering and the upcoming workshop activities.

Sub-Task 1.1: Kick-Off Meeting

[Remote Task: up to 2 hours duration]

The purpose of the Kick-Off Meeting is to:

1. Review project goals and objectives;
2. Review data requirements;
3. Review available data sources and decision support criteria;
4. Schedule the workshop;
5. Determine an appropriate time for client staff to install Predictor Enterprise on Client computers;
6. Address any scope, logistical, or scheduling questions.

Sub-Task 1.2: Pre-Workshop Preparation

[Remote Task: duration is as needed, not to exceed 16 hours]

Project preparation tasks during this phase of the project will include:

1. Consultant will review relevant information provided by the Client, including data sources (such as GIS), decision support processes, plans, assessment reports, and other information that will be beneficial to the project outcomes. Consultant will advise Client of any schema or data changes required for a successful model. Consultant may make assumptions or calculate additional fields so the model may proceed to be built in a timely manner if required changes to source data are not completed by the Client in a timely manner.
2. Software installation requirements will be reviewed during the Kick-Off meeting, and access to Company online Predictor Enterprise resources will be provided. An email will be issued to designated Client staff with links to access the software, Knowledge Base, and eLearning videos. The Consultant will provide additional support as required. A meeting with a Client IT representative may be necessary.



Client Responsibilities

1. Designate a Project Manager. This person will interact directly with the Consultant to set meeting times, coordinate staff, direct feedback, approve invoices and other tasks as required to help keep the project on track.
2. Determine who will participate in the Data Gathering and Workshop sessions. Company suggests that participants include both personnel who are actively involved in plan decision making and personnel who are responsible for managing data that contributes to the decision-making processes.
3. Determine and assemble data sources that will be used in Predictor Enterprise. This should include any existing condition rating systems, decision support criteria used to determine repair, rehabilitate, and replace, budget and planning strategies. These resources will be provided to the Consultant for review prior to the onsite workshop.
4. Complete data schema and/or data updates recommended by the consultant and provide updated data to Consultant.
5. Consultant will host the meeting using online screen sharing software (WebEx, Zoom, or similar). The Client is responsible for ensuring remote access for all Client participants.

Deliverables

1. A remotely facilitated Project Kick-Off Meeting, up to two (2) hours in duration, to be facilitated by Company's Solutions Consultant and attended by applicable Client and Consultant team members.

Task 2: Lifecycle Model Training and Model Building Workshop

[Remote Task: Three-day duration]

A series of remote workshop sessions will be facilitated by the Consultant over an agreed-upon multi-day period. Ideally, remote workshop activities should be completed within a one (1) to three (3) week period. The purpose of workshop session is to train Client staff on the creation of asset lifecycle models through the process of building first-generation and second-generation lifecycle models for the scoped assets, using the Client's data.

The workshop is as follows:

1. Overview Presentation and Discussion

Workshop Session 1: (3 hours)

Participants: Senior Managers, Asset System Managers, GIS staff, Project Manager



Consultant will step the workshop participants through a comprehensive overview of asset lifecycle modeling using Predictor Enterprise. Participants will be encouraged to ask questions and engage in discussion as Consultant presents the following:

- a. Introductions and goal review;
- b. An overview of strategic asset management, lifecycle modeling, and Predictor Enterprise;
- c. An in-depth interactive presentation on the process of developing lifecycle models using examples in Predictor Enterprise relevant to scoped assets;
- d. Integration with GIS;
- e. Reporting methods.

2. Lifecycle Model Development and Training for Asset Group 1

Workshop Session 2: (3 hours)

Workshop Session 3: (3 hours)

Participants: Client Asset System Managers and their designee(s), Project Manager

Consultant will lead a training workshop for developing lifecycle model parameters for the selected asset class(es). The training will be facilitated by the Consultant using remote screens of Predictor Enterprise, GIS, and other software as required. Workshop participants may follow along using Predictor Enterprise on their laptops but are not required to do so. Aspects of lifecycle modeling that the training will focus on include:

- a. Treatment parameters. The types of treatments that are currently being used, criteria for triggering treatments, and treatment effects.
- b. Service State (aka Condition) criteria. Criteria for determining the service state of assets, including condition scoring, likelihood of failure, age, and other criteria as it would be used for decision making.
- c. Lifecycle criteria such as material, size, location, era of installation, and other criteria that contributes toward defining the life expectancy of assets.
- d. Degradation Profile. The deterioration curve of the asset(s).
- e. Decision criteria. Additional decision criteria other than service state that will be used in the lifecycle model. Examples include material, criticality, capacity, location etc.
- f. Decision Model. How all the criteria come together to trigger treatments and their effects in a decision model.
- g. Costing data for each treatment, which are determined in the unit of measure for the asset(s).
- h. Budget caps. At least one simulation should be built on existing budgets. Other simulations may be created that vary the budget amounts.
- i. Data structure. Evaluate how the Client's data matches up to the decision criteria. Make note of modifications that may need to be performed.
- j. Forced projects. Any projects that the Client is already committed to may be identified and forced to happen in the designated year in the model simulation.



- k. Data acquisition from a Feature Service on ArcGIS Online
- l. Data structure. Evaluate how the Client's data matches up to the decision criteria. Make note of modifications that may need to be performed. Some modifications can be made in the workshop.
- m. Forced projects. Any projects that the Client is already committed to may be identified and forced to happen in the designated year in the model simulation.
- n. Predictor Enterprise Reports
- o. Publishing Predictor Enterprise simulation results to ArcGIS as a time enabled Feature Class

3. Lifecycle Model Refinement for 2nd generation model (1st asset class)

Workshop Session 4: (3 hours)

Participants: Client Asset System Managers and their designee(s), Project Manager

Consultant will lead a workshop for refinement of the lifecycle model parameters for the selected asset class(es). This is typically accomplished by reviewing the output of the 1st generation model and leading the Client through deeper discovery of the inputs while viewing the results of the changed parameters. This session will be facilitated by the Consultant using remote screens of Predictor Enterprise, GIS, and other software as required. Workshop participants may follow along using Predictor Enterprise on their laptops but are not required to do so.

4. Wrap Up

Workshop Session 5: (3 hours)

Participants: Project Manager and others to be determined

This time is reserved if needed for activities identified in previous sessions that need to be further addressed. This may include the development of a list of next steps, meeting with IT staff regarding software installation or other topics as required.

Client Responsibilities

- 1. Consultant will host the meetings using online screen sharing software (MS Teams, Zoom, or similar). The Client is responsible for ensuring remote access for all Client participants.
- 2. Client staff should arrive prepared with all digital and paper-based information deemed relevant to the workshop.

Deliverables

- 1. Copies of presentation material.



2. Remote Training Workshop sessions facilitated by an Company Solutions Consultant as described herein.
3. First-generation Predictor Enterprise model files as developed in the workshop.
4. All participants are provided an opportunity to learn how to utilize the Predictor Enterprise software.
5. The Consultant engages in a post-workshop meeting with the Client's Project Manager to solicit feedback and discuss the post workshop training and support phase of the project.

Task 3: Post Workshop Training and Support

[Remote Task: duration is as needed, not to exceed 16 hours]

During the one (1) month period immediately following delivery of the second-generation Predictor Enterprise lifecycle models, the Consultant will remain the primary contact for support and follow-up training as it becomes desired by the Client staff who participated in the Task 2 workshops. The purpose of this support period is to provide Client staff an opportunity to ask questions on the lifecycle model(s), reports, data, or other material deemed necessary by the Client to extend the value of the Predictor Enterprise subscription. This support and training is in addition to Company's standard support services.

1. All support and training will be provided through email, scheduled online meetings, and phone conferences. The Client Project Manager will schedule the support activities with the Company Solutions Selected Consultant prior to each event.
2. At Consultant's sole discretion, the Consultant may engage in some development of lifecycle models, reports, or other material in consultation with the Client as deemed appropriate to further the training of Client staff.
3. Support and training are limited to staff who participate in the training workshop, but the services provided by Consultant during this phase includes help for workshop participants to communicate to other Client staff.

Project Assumptions

Company has made the following general assumptions in this SOW to derive the estimated cost for this project. It is the responsibility of Client to validate these assumptions, which include Client responsibilities before signing the Acceptance. Deviations from these assumptions may impact Company's ability to successfully complete the project. Any changes in scope, schedule, or costs will be documented by the Project Coordinator, whether there is a cost impact or not.

- Company and Consultant are not responsible for delays caused by missing data or other configuration information that is required to be available prior to the consulting service. Having the requested data and configuration information available prior to the consulting service may minimize delays so progress can be made quickly.
- Client shall use best efforts to Identify of all project-related key information to allow the project schedules to begin on time. Any changes to key information after Project kickoff may require a Change Controls.



- Parties agree to provide timely responses to task-related emails or phone calls to enable on-time completion of all assignments.
- At least 24-hour notice cancellation shall be given by the Parties if required members for any scheduled meeting cannot attend. This shall allow sufficient time to cancel/re-schedule the meeting as soon as possible to keep the project on schedule.
- Prerequisite data gathering, which may relate to an orientation call or requirements gathering meeting, must be completed prior to the scheduled meeting. A productive meeting requires that the data gathering be complete in advance of the meeting.

Excluded from Services

For the avoidance of doubt, the following services are not included:

- Unless otherwise included in the Consulting service, evaluation of your current practices, policies, procedures, or personnel for the purposes of performance or other improvements.
- Troubleshooting any issues related to your IT infrastructure, including computer software not provided by Brightly and/or GIS or other systems.
- Migration of data from other systems or locations, unless specified on the Order Form.
- Updating any of your source data.
- Export of data to any other systems or third parties other than those specified on the Order Form.

Milestone Billing - Invoice Schedule

Invoicing for the Predictor Enterprise Model Development service will be provided as delivery milestones are met. Below is the schedule for the billing milestones and the related percentage.

Predictor Enterprise Model Development Milestones	Description	Percentage
Kickoff and Data Gathering	Kickoff meeting and initial model preparation (Task 1)	50%
Workshop Sessions and Wrap Up	Lifecycle model building, workshop sessions and wrap up (Task 2)	50%



Order terms

BY SIGNING THIS ORDER FORM, WHETHER BY ELECTRONIC OR WRITTEN SIGNATURE, YOU ARE PLACING A BINDING ORDER FOR THE OFFERINGS SHOWN. IF THE INDIVIDUAL ENTERING INTO THIS AGREEMENT IS ACCEPTING ON BEHALF OF A COMPANY OR OTHER LEGAL ENTITY, THE INDIVIDUAL REPRESENTS THAT THEY HAVE THE AUTHORITY TO BIND SUCH ENTITY AND ITS AFFILIATES TO THE TERMS AND CONDITIONS OF THIS AGREEMENT, IN WHICH CASE THE TERM "CUSTOMER" SHALL REFER TO SUCH ENTITY AND ITS AFFILIATES. IF THE INDIVIDUAL ACCEPTING THIS AGREEMENT DOES NOT HAVE SUCH AUTHORITY OR DOES NOT AGREE WITH THE TERMS AND CONDITIONS SET FORTH HEREIN, THE INDIVIDUAL MUST NOT ACCEPT THIS AGREEMENT AND MAY NOT USE THE OFFERINGS.

- The "Effective Date" of the Agreement between Customer and Brightly Software, a Siemens Company ("Siemens") is the date Customer accepts this Order
- Proposal expires in sixty (60) days.
- The Siemens entity entering into this Agreement is Brightly Software, Inc., a Delaware corporation, and the notice address shall be Corporate Trust Center, 1209 Orange Street, Wilmington, DE 19801 USA, Attn: Brightly Software.
- By accepting this Order, and notwithstanding anything to the contrary in any other purchasing agreement, Customer agrees to pay all relevant Subscription Fees for the full Subscription Term defined above.
- Payment terms: Net 30
- This Order and its Offerings will be subject to the terms and conditions of the Terms of Service (the Base Terms together with any applicable Supplemental Terms) found at <http://brightlysoftware.com/terms> (<http://brightlysoftware.com/terms>) ("Agreement"), unless Customer has a separate written agreement executed by Brightly Software, Inc. for the Offerings, in which case the separate written agreement will govern its defined Term. Acceptance is expressly limited to the terms of the Agreement. No other terms and conditions will apply. The terms of any purchase order or other document from Customer are excluded and such terms will not apply to the Order and will not supplement or modify the Agreement irrespective of any language to the contrary in such document.
- Where the Customer is a state, local, or public education entity created by the laws of the applicable state, Siemens and Customer agree that the provisions of the State, Local Government, and Higher Education Addendum ("SLED Addendum") found at <http://brightlysoftware.com/terms> (<http://brightlysoftware.com/terms>) take precedence over any conflicting terms in the Agreement to the extent the deviations set forth therein are required by applicable law.
- Siemens shall invoice Customer and Customer agrees to pay Siemens the amount specified on this Order. Quantities purchased may not be decreased during the relevant Subscription Term. Customer is responsible for providing complete and accurate billing and contact information to Siemens and notifying Siemens promptly of any changes to such information.
- If Customer is paying by credit card or Automated Clearing House ("ACH"), Customer shall establish and maintain valid and updated credit card information or a valid ACH auto debit account (in each case, the "Automatic Payment Method"). Upon establishment of such Automatic Payment Method, Siemens is hereby authorized to charge any applicable Subscription Fee using such Automatic Payment Method.



- Customer is responsible for paying all taxes associated with its purchases hereunder. Siemens shall invoice Customer and Customer shall pay that amount unless Customer provides Siemens with a valid tax exemption certificate, direct pay permit, or other government-approved documentation. Notwithstanding the foregoing, Customer is responsible for, and, to the extent permitted by law, will indemnify Siemens for: 1) any encumbrance, fine, penalty or other expense which Siemens may incur as a result of Customer's failure to pay any taxes required hereunder, and 2) any taxes, including withholding taxes, resulting from making an Offering available to Users in geographic locations outside the country in which Customer is located as per the Order. For clarity, Siemens is solely responsible for taxes assessable against Siemens based on its income, property and employees.
- Siemens maintains the right to increase fees within the Subscription Term for Recurring Fee Offerings by an amount not to exceed the greater of prices shown in the investment table or the applicable CPI and other applicable fees and charges every 12 months. Any additional or renewal Subscription Terms will be charged at the then-current rate.
- In the event Customer purchases the Cloud Services (including any renewals thereof) through an authorized reseller of Siemens, the terms and conditions of this Agreement shall apply and supersede any other agreement except for any terms and conditions related to fees, payment or taxes. Such terms and conditions shall be negotiated solely by and between Customer and such authorized reseller. In the event Customer ceases to pay the reseller, or terminates its agreement with the reseller, Siemens shall have the right to terminate Customer's access to the Cloud Services at any time upon thirty (30) days' notice to Customer unless Customer and Siemens have agreed otherwise in writing.

Cloud Services

- Billing frequency: Annual
- Cloud Services Offerings will be subject to the terms and conditions of the General Software and Cloud Supplemental Terms found at <http://brightlysoftware.com/terms> (<http://brightlysoftware.com/terms>).
- Any Offerings identified as Cloud Services on this Order shall automatically renew for additional periods equal to the expiring Subscription Term or one year, whichever is longer, unless either party has provided written notice of its intent to terminate the Cloud Service subscription not less than forty-five (45) days prior to the expiration of the then-current Subscription Term.
- During the Term, Siemens shall, as part of Customer's Subscription Fees, provide telephone and email support ("Support Services") during the hours of 8:00 AM and 6:00 PM EST, Monday through Friday ("Business Hours"), excluding holidays.
- Siemens shall use commercially reasonable efforts to make its Software or Cloud Service available 99.9% of the time for each full calendar month during the Subscription Term, determined on twenty-four (24) hours a day, seven (7) days a week basis (the "Service Standard"). The Service Standard availability for access and use by Customer(s) excludes unavailability when due to: (a) any access to or use of the Cloud Service by Customer or any Account User that does not strictly comply with the terms of the Agreement or the Documentation; (b) any failure of performance caused in whole or in part by Customer's delay in performing, or failure to perform, any of its obligations under the Agreement; (c) Customer's or its Account User's Internet connectivity; (d) any Force Majeure Event; (e) any failure, interruption, outage, or other problem with internet service or non-Cloud Service; (f) Scheduled Downtime; or (g) any disabling, suspension, or termination of the Cloud Service by Siemens pursuant to the terms of the Agreement. "Scheduled Downtime" means, with respect to any applicable Cloud Service, the total amount of time



(measured in minutes) during an applicable calendar month when such Cloud Service is unavailable for the majority of Customer's Account Users due to planned Cloud Service maintenance. To the extent reasonably practicable, Siemens shall use reasonable efforts to provide eight (8) hours prior notice of Cloud Service maintenance events and schedule such Cloud Service maintenance events outside the applicable business hours.

- Siemens reserves the right to block IP addresses originating a Denial of Service (DoS) attack. Siemens shall notify Customer should this condition exist and inform Customer of its action. Once blocked, an IP address shall not be able to access the Cloud Service and the block may be removed once Customer is satisfied corrective action has taken place to resolve the issue. Siemens also reserves the right to suspend or terminate service if Customer: 1) performs load tests, network scans, penetration tests, ethical hacks or any other security auditing procedure on the Cloud Service, 2) interferes with or disrupts the integrity or performance of the Cloud Service or data contained therein, or 3) otherwise violates the use restrictions under this Agreement.

Professional Services:

- Professional Services Offerings will be subject to the terms and conditions of the Services Supplemental Terms found at <http://brightlysoftware.com/terms> (<http://brightlysoftware.com/terms>).
- Unless otherwise specified in an applicable Order: (i) Siemens will perform the Professional Services during workdays, Monday through Friday, up to 8 hours a day; (ii) any estimate of hours or costs are reasonable, good faith estimates only; and (iii) each task is performed as firm fixed price work or time and materials as described in this Order. Siemens is only obliged to supply Professional Services and/or Deliverables as expressly stated in this Order. Siemens shall not be obliged to supply any Professional Services and/or Deliverables without a valid Order.
- **Scheduling.** Siemens requires at least 6 weeks advanced notice from the acceptance of an Order to schedule Professional Services delivery dates when travel is required. Onsite Professional Services shall be delivered consecutively in a single onsite visit unless the applicable Order includes the additional fees and incidental expenses associated with multiple visits.
- **Unused Professional Services.** Unless otherwise specified in the Order, Siemens reserves the right to expire any unused Professional Services 6 months from the Effective Date set forth on the Order, and Customer will not be entitled to receive a refund for any fees prepaid for such expired Professional Services.
- **Customer Cooperation.** Customer will cooperate reasonably and in good faith with Siemens in its performance of Professional Services by: (i) providing access to any necessary Customer Data, (ii) allocating sufficient resources and timely performing any tasks reasonably necessary to enable Siemens to perform its obligations under the Order, and (iii) actively participate in scheduled project meetings. Any delays in the performance of Professional Services or delivery of Deliverables caused by Customer may result in additional applicable charges for resource time.
- **Incidental Expenses.** Customer will reimburse Siemens for travel and related business expenses incurred in connection with Professional Services. If an estimate of incidental expenses is included in the Order, Siemens will not exceed a 5% inflation of such estimate without the written consent of Customer.

Additional information

- Prices shown above do not include any taxes that may apply. Any such taxes are the responsibility of Customer. This is not an invoice. For customers based in the United States, any applicable taxes will be determined based on the laws and regulations of the taxing authority(ies) governing the "Ship To"



location provided by Customer. Tax exemption certifications can be sent to accountsreceivable@brightlysoftware.com (<mailto:accountsreceivable@brightlysoftware.com>).

- Billing frequency other than annual is subject to additional processing fees.
- Provide Siemens with the purchase order number, if applicable. Acceptance of this Order without a purchase order number indicates that a purchase order is not necessary. Please reference Q-396362 on any applicable purchase order and email to Purchaseorders@Brightlysoftware.com (<mailto:Purchaseorders@Brightlysoftware.com>)
- Brightly Software, Inc. can provide evidence of insurance upon request.



Signature

Presented to:

Q-396362

August 29, 2024, 12:35:41 PM

Accepted by:

Printed Name

Signed Name

Title

Date



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: 2025 Community Grants.	AB24-79	CGA		
		9.4.2024	9.18.2024	10.30.2024
		10.2.2024	10.16.2024	
	Department:	Administration		
	Date Submitted:	8.28.2024		
Cost of Item:	22,786.45			
Amount Budgeted:	2024 Budget TBD			
Unexpended Balance:	N/A			
Bars #:	TBD			
Timeline:	None			
Submitted By:	Kim Agfalvi			

Fiscal Note:

Attachments: 2025 Grant Request Worksheet.

SUMMARY STATEMENT:

Staff have reviewed 2025 grant submissions and the council’s grant policy. The attached grant requests worksheet outlines recommendations for this program based on the approved grant policy. An updated grant spreadsheet has been updated to accurately reflect which tier each the requestor is on.

As of the August 23, 2023 grant submission deadline the City received grant requests from the following for the following amounts: Orting Senior Center, Recovery Café of Orting Valley, Orting Food Bank, Orting Chamber of Commerce, Orting Valley Farmer’s Market, and Opportunity Center of Orting (The Haven).

Based on the approved City of Orting grant policy, Council is recommending approval of grants in the following amounts.

- Orting Senior Center - \$4,000.00
- Recovery Café of Orting Valley - \$6,000.00
- Orting Food Bank - \$3,000.00
- Orting Chamber of Commerce - \$1,669.05
- Orting Valley Farmer’s Market - \$2,117.40
- Opportunity Center of Orting (The Haven) - \$6,000.00
- Total: \$22,786.45**

RECOMMENDED MOTION: Motion:

To adopt Resolution No. 2024-18, 2024-19, 2024-20, 2024-21, 2024-22, and 2024-23 resolutions of the City of Orting, Washington, declaring a public purpose and authorizing a City grant of funds to Orting Chamber of Commerce, Orting Food Bank, Orting Senior Center, Recovery Café of Orting Valley, Orting Valley Farmer’s Market, and Opportunity Center of Orting (The Haven).

2025 Grant Requests	2024 Grant Awarded	2023 Revenue	2025 request	Year	Policy Recommendation*
Orting Valley Farmers Market	\$0.00	\$21,173.96	\$6,000.00	4th year 10% or \$4,000	\$2,117.40
Orting Chamber of Commerce	\$936.60	\$11,136.99	\$3,000.00	3rd year 15% or \$6,000	\$1,669.05
Recovery Café of Orting Valley	\$10,000.00	\$1,275,893.42	\$10,000.00	3rd year 15% or \$6,000	\$6,000.00
Orting Food Bank	\$3,000.00	\$1,194,513.00	\$3,000.00	4th year 10% or \$4,000	\$3,000.00
Orting Senior Center	\$8,000.00	\$389,349.80	\$6,000.00	4th year 10% or \$4,000	\$4,000.00
	\$21,936.60	\$2,892,067.17	\$28,000.00		
Grants Received after due date of 8/23					
Opportunity Center of Orting - The Haven	\$0.00	\$54,063.05	\$7,500.00	3rd year 15% or \$6,000	\$6,000.00
			\$35,500.00		\$22,786.45
* Maximum grant amount based					
on approved grant policy					

Name	2022	2023	2024	2025 Request	Year
Orting Food Bank	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	4th year
Orting Farmers Market	\$2,100.00	\$6,000.00	\$0.00	\$6,000.00	3rd year
Recovery Café	\$11,600.00	\$0.00	\$10,000.00	\$10,000.00	3rd year
Haven	\$9,700.00	\$9,128.21	\$0.00	\$7,500.00	3rd year
Senior Center	\$11,600.00	\$12,000.00	\$8,000.00	\$6,000.00	4th year
Chamber of Commerce	\$1,100.00	\$3,000.00	\$936.60	\$3,000.00	4th year
Angel One Foundation	\$0.00	\$0.00	\$9,750.00	\$0.00	n/a
Orting Rock Festival	\$0.00	\$0.00	\$3,000.00	\$0.00	n/a
	\$39,100.00	\$33,128.21	\$34,686.60	\$35,500.00	
	Voted on at meeting on 12.8.2021	Voted on at meeting on 12.14.2022	Voted on at meeting 10.25.2023		
		2022 Budget:			
		Orting Food Bank - \$3,000.00			
		Opportunity Center of Orting (DBA the Haven) - \$7,879.21			
		Orting Valley Farmer's Market - \$6,000.00			
		2023 Budget:			
		Opportunity Center of Orting (DBA the Haven) - \$1,249.00			
		Orting Senior Center - \$12,000.00			
		Orting Chamber of Commerce (2023 Tourism Fund) - \$3,000.00			
Grant cycle reset at meeting on 12.8.2021 for 2022 awarded grants					



CITY OF ORTING

Grant Policy

Mission Statement: The City of Orting supports the development of services and organizations which bring significant value to its citizens and which serve a public purpose.

Section I. Baseline Criteria for receiving grant funding.

Selected grant recipients may receive direct cash contributions from the City of Orting, pursuant to the following procedures and conditions. Grant funding is defined as direct cash donations to non-profit and/or section 501(c)(3) organizations which bring significant value to the citizens of Orting and which serve a public purpose, and organizations that benefit vulnerable and needy populations are given priority. Grant requests are considered on an annual basis and receiving a grant is not guaranteed year to year. Grant requests are dependent on limited city funds and the council reserves the right to allocate funds as it deems appropriate.

All organizations requesting grant funding must comply with the following eligibility standards:

- A. Organizations must be legally tax exempt as defined by IRS section 501(c) (3), or non-profit status, and shall provide proof of the same to the City upon request.
- B. Pursuant to the terms of Section III herein, Organizations must carry their own insurance, and shall execute an agreement wherein the Organization agrees to use the grant funds for the public purpose identified in the Organization's application materials, and further agrees to indemnify the City and hold the City harmless (*see* Attachment A, hereto).
- C. Organizations must serve the residents within the City of Orting and/or the Orting School District.
- D. When approved, all materials distributed by the Organization as a result of the City's grant must contain the City of Orting logo.

The City will prioritize requests received from groups and activities by those groups that serve seniors, youth, the infirm or disabled and people in need within the City. Certain cohort groups

are assumed to meet these criteria, including groups that serve senior citizens age 65 and older; people with disabilities who qualify for the Pierce County Property Tax exemption/reductions; and food bank recipients.

Section II. Process for seeking Grant:

1. All groups seeking grants from the City of Orting must submit a formal request in writing by August 21st of each calendar year for the following year. The request must include a cover letter specifying the dollar amount sought and how it will be used. The letter must include the following attachments:
 - A. Grant Application;
 - B. Previous year's financial statement;
 - C. Current year's budget documents;
 - D. Signed Contract Agreement
 - E. Proof of non-profit status, including but not limited to 501(c)(3) identification number.
 - F. Proof of liability insurance.
2. Grant seekers must submit one electronic copy and one original copy of their application and a cover letter and any attachments to the City Clerk or designee by August 21st. The copies of these materials will be reviewed by the Community and Government Affairs Committee in September, who will bring their recommendation to the full Council at a study session in September. Those recommendations will be discussed during budget workshops. Members of the public may view the file copy at City Hall during business hours or make a Public Records Request to the City Clerk to obtain a copy.
3. A representative of the group must attend the Community and Government Affairs ("CGA") Committee meeting in order to present the organizations request and answer any questions. The City shall provide the organization notice of the CGA Committee meeting at which the organization's application will be reviewed.
4. The CGA Committee will review applications and make a recommendation to the City Council. The City Council will make a final determination by Resolution during budget season.
5. Grant recipients shall execute a contract with City in substantially the same form as is depicted at Exhibit A hereto. The contract shall be executed prior to the receipt of grant funds.
6. Grant recipients shall report regarding the organization's use of the grant funds to the City Council in the manner set in the aforementioned contract and by the date set therein.

Failure to report shall compromise the grant recipient’s ability to receive future grant funding.

Section III. Funding Levels.

The intent of the Council with setting funding thresholds is to encourage organizations to fundraise. The City does not typically want to be a long-term major grantor of any particular organization, and believes that fundraising is the primary purpose of a non-profit board. All current grant recipients will be reset to year one of the table below. The following table lays out the Council’s intended funding structure.

<u>Year</u>	<u>Maximum Percent of Recipient’s Prior Year’s Revenue, or Maximum Funding Amount</u>
1 st	At Council’s Discretion or \$10,000
2 nd	20% or \$8,000
3 rd	15% or \$6,000
4 th	10% or \$4,000
5 th	5% or \$2,000
6+	No more than 5% of recipient’s prior year’s revenue or \$2,000

Section IV. Grants of Facilities

Grant requests may request in their application use of a city facility without cost for a purpose that is the same as the stated mission of the grantor’s organization. Fundraising at City facilities is not permitted unless the grantee has paid a rental fee for the city facility.

Section V. Insurance & Indemnity Requirements for City Grant.

All organizations selected to receive a grant pursuant to this policy shall execute an agreement with the City prior to the dispersal of funds, and said agreement shall include (but is not limited to) the following requirements pertaining to indemnification and insurance:

1. Indemnification / Hold Harmless

User shall defend, indemnify and hold harmless the City of Orting, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the use of Premises or from any activity, work or thing done, permitted, or suffered by User in or about the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of the City of Orting.

2. Insurance

A. Insurance Term

The User shall procure and maintain for the duration of the use or rental period insurance against claims for injuries to persons or damage to property which may arise from or in connection with the use of the facilities and the activities of the User and his or her guests, representatives, volunteers and employees.

B. No Limitation

User's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the User to the coverage provided by such insurance, or otherwise limit the City of Orting's recourse to any remedy available at law or in equity.

C. Required Insurance

User's required insurance shall be as follows:

General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 covering premises, operations, products-completed operations and contractual liability. The City of Orting shall be named as an additional insured on User's General Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or an endorsement providing at least as broad coverage. The General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$1,000,000 general aggregate.

The insurance policy shall contain, or be endorsed to contain that the User's insurance coverage shall be primary insurance as respect the City of Orting. Any insurance, self-insurance, or self-insured pool coverage maintained by the City of Orting shall be excess of the User's insurance and shall not contribute with it.

D. City of Orting Full Availability of User Limits

If the User maintains higher insurance limits than the minimums shown above, the City of Orting shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the User, irrespective of whether such limits maintained by the User are greater than those required by this contract or whether any certificate of

insurance furnished to the City of Orting evidences limits of liability lower than those maintained by the User.

E. Certificate of Insurance and Acceptability of Insurers

The User shall provide a certificate of insurance evidencing the required insurance before using the Premises.

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



Grant Application-2025

City of Orting Office of the City Clerk
1000 10th Bridge St Orting, WA 98360
Phone (360) 893-9008 Fax (360) 893-9008
www.cityoforting.org

FOR CITY CLERK USE ONLY:

Name of Organization _____

Contact Person's Name and Title _____

Mailing Address _____

Phone _____ Email Address _____

Amount Requested _____

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

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

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

All groups seeking grants from the City of Orting must

1. Submit one (1) original and one (1) electronic copy of this application, along with the requested attachments to the City no later than August 2nd, 2024 at 4:00pm (for grants to be issued the following year) Grants will be approved and distributed at the City's discretion The application must include

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

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

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

Signature of authorized representative of applicant _____
Date

**Please return completed form and any additional information to:
City of Orting – Attn: City Clerk 104 Bridge St. S. PO Box 489, Orting, WA 98360. For more information, please call (360) 893-9008.**

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2024-18

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

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

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

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

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on October 2nd, 2024, and recommended approval of the application; and the City Council approved the application at their Council meeting on October 30th, 2024; and

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

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

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

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

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

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

Section 2. Authorization for Grant. The City Council authorizes the City's grant funding Orting Chamber of Commerce, pursuant to the City's Policy, in the amount of \$1669.05 funded from the 2024 budget. The Mayor is authorized to enter into a contract with the Orting Chamber of Commerce to memorialize the City's grant funding described herein.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF OCTOBER, 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, CMC, City Clerk

Approved as to form:

Kendra Rosenberg, City Attorney
Kenyon Disend, PLLC.

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2024-19

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

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

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

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

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on October 2nd, 2024 and recommended approval of the application and the City Council approved the application at their meeting on October 30th, 2024; and

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

WHEREAS, the applicant has represented that this grant shall be used by the applicant as follows: (1) \$1500.00 to provide assistance with paying utility bills to restore water service with the City of Orting and; (2) \$1,500.00 will be used for day to day operations of the Food Bank, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

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

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

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

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

Section 2. Authorization for Grant. The City Council authorizes the City's grant funding Orting Food Bank, pursuant to the City's Policy, in the amount of \$3,000.00 funded from the 2024 budget. The Mayor is authorized to enter into a contract with the Orting Food Bank to memorialize the City's grant funding described herein.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF OCTOBER, 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, CMC, City Clerk

Approved as to form:

Kendra Rosenberg, City Attorney
Kenyon Disend PLLC.

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2024-20

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

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

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

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

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on October 2nd, 2024, and recommended approval of the application; and the City Council approved the application at their Council meeting on October 30th, 2024; and

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

WHEREAS, applicant has represented that this grant shall be used by the applicant to provide activities, food, and events for seniors in need within the Orting community and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

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

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

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

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

Section 2. Authorization for Grant. The City Council authorizes the City's grant funding Orting Senior Center Organization, pursuant to the City's Policy, in the amount of \$4000.00 funded from the 2024 budget. The Mayor is authorized to enter into a contract with the Orting Senior Center Organization to memorialize the City's grant funding described herein.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF OCTOBER, 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, CMC, City Clerk

Approved as to form:

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

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2024-21

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

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

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

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

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on October 2nd, 2024, recommended approval of the application, and the City Council approved the application at their Council meeting on October 30th, 2024; and

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

WHEREAS, the applicant has represented that this grant shall be used by the applicant to fund recovery-based peer services, and a contract between the City and the applicant shall be executed to that effect prior to the applicant’s receipt of the grant funding described herein; and

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

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

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

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

Section 2. Authorization for Grant. The City Council authorizes the City's grant funding Orting Valley Recovery Café, pursuant to the City's Policy, in the amount of \$6,000.00 funded from the 2024 budget. The Mayor is authorized to enter into a contract with the Orting Valley Recovery Café to memorialize the City's grant funding described herein.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF OCTOBER, 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, CMC, City Clerk

Approved as to form:

Kendra Rosenberg, City Attorney
Kenyon Disend PLLC.

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2024-22

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

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

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

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

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on October 2nd, 2024, and recommended approval of the application, and the City Council approved the application at their Council meeting on October 30th, 2024; and

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

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

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

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

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

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

Section 2. Authorization for Grant. The City Council authorizes the City's grant funding Orting Valley Famers Market, pursuant to the City's Policy, in the amount of \$2,117.40 funded from the 2024 budget. The Mayor is authorized to enter into a contract with the Orting Valley Famers Market to memorialize the City's grant funding described herein.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF OCTOBER, 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, City Clerk

Approved as to form:

Kendra Rosenberg, City Attorney
Kenyon Disend, PLLC.

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2024-23

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

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

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

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

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on October 2nd, 2024 and recommended approval of the application, and the City Council approved the application at their meeting on October 30th, 2024; and

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

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

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

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

serving valid municipal purposes; and

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

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

Section 2. Authorization for Grant. The City Council authorizes the City's grant funding Opportunity Center of Orting, pursuant to the City's Policy, in the amount of \$ 6,000.00 funded from the 2024 budget. The Mayor is authorized to enter into a contract with the Opportunity Center of Orting to memorialize the City's grant funding described herein.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th DAY OF October, 2024.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, City Clerk

Approved as to form:

Kendra Rosenberg, City Attorney
Kenyon Disend, PLLC



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: 2025 Budget Discussion.	AB24-113			10.30.2024
	Department:	Finance		
	Date Submitted:	10.24.2024		
Cost of Item:	N/A			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:	N/A			
Submitted By:	Scott Larson			
Fiscal Note:				
Attachments:				
SUMMARY STATEMENT:				
<p>City Council held two budget retreat meetings for the 2025 budget. The first meeting on September 21, 2024 and the second meeting on October 23, 2024. This is a continuation of the 2025 budget discussion.</p>				
RECOMMENDED ACTION: <u>Action:</u>				
Discussion Item.				
RECOMMENDED MOTION: <u>Motion:</u>				
N/A				