



City of Cashmere

101 Woodring Street
Cashmere, WA 98815
Ph (509) 782-3513 Fax (509) 782-2840
Website www.cityofcashmere.org

CASHMERE CITY COUNCIL MEETING
MONDAY, FEBRUARY 25, 2013 7:00 P.M., CITY HALL

AGENDA

CALL TO ORDER

FLAG SALUTE

EXCUSE ABSENCE

ANNOUNCEMENTS & INFORMATION

PUBLIC COMMENT PERIOD (For Items Not on the Agenda)

APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of February 11, 2013 Regular Council Meeting
2. Payroll and Claims Packet Dated February 25, 2013
3. Schedule a Public Hearing on Monday, April 8, 2013 at 7:00 p.m. on Zoning Map amendments and Comprehensive Plan Zoning Map amendments

BUSINESS ITEMS

1. Richard DeRock Link Transit Update
2. Selection of Surveyor for the Pioneer Avenue Pavement Preservation Project
3. Selection of Engineering Firm for the Pioneer Avenue Pavement Preservation Project
4. Selection of Surveyor for the Mission Avenue/Maple Street Improvement Project
5. Selection of Engineering Firm for the Mission Avenue/Maple Street Improvement Project
6. Selection of Landscape Designer for Cashmere's Riverside Park Improvement Project
7. Selection of Surveyor for Cashmere's Riverside Park Improvement Project
8. Selection of Public Restroom Manufacturer for Cashmere's Riverside Park Improvement Project
9. Rafters Agreement for 2013

PROGRESS REPORTS

ADJOURNMENT

TO ADDRESS THE COUNCIL, PLEASE BE RECOGNIZED BY THE MAYOR AND STATE YOUR NAME WHEN YOU BEGIN YOUR COMMENTS
Americans with Disabilities Act (ADA) accommodations provided upon request (48-hour notice required)

The City of Cashmere is an equal opportunity provider and employer.

To file a complaint of discrimination, write USDA, Director, Office of Civil rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202)720-6382 (TDD).

**MINUTES OF THE CASHMERE CITY COUNCIL MEETING
MONDAY, FEBRUARY 11, 2013 AT CASHMERE CITY HALL**

OPENING

Mayor Jeff Gomes opened the regular city council meeting at 7:00 p.m. at City Hall. Clerk-Treasurer Kay Jones took minutes.

ATTENDANCE

| | <u>Present</u> | <u>Not Present</u> |
|----------|---|--|
| Mayor: | Jeff Gomes | |
| Council: | Skip Moore Jim Fletcher Donna Wynne Derek Knutsen John Bryant | |
| Staff: | Bob Schmidt, Director Kay Jones, Clerk-Treasurer | Mark Botello, Dir of Planning/Building |

FLAG SALUTE

ANNOUNCEMENTS & INFORMATION

Director Schmidt announced that he and Mayor Gomes attended a meeting for the Wenatchee Watershed Workgroup. The group is still discussing the pros and cons of the different forms of governance. The Department of Ecology has sent the first round of letters out to the water right applicants asking if they want to participate in the coordinated process. They will be sending out a second round of letters.

Mayor Gomes attended the Chelan County Port District meeting and reported that the Port has asked for more time to use the CERB funding for the cleanup project. The Port needs a dewatering agreement with the City to accept the water in the sewer system during the project.

The Mayor attended the Solid Waste meeting and reported that a new law has been proposed that will take the solid waste funding away from the counties and designate it to a Puget Sound Project.

The Mayor announced that on February 19, 2013 at City Hall the Sheriff's Oversight Committee will be meeting.

APPROVAL OF AGENDA

MOVED by Councilor Fletcher and seconded by Councilor Knutsen to approve the agenda as submitted. Motion carried.

CONSENT AGENDA

Minutes of January 28, 2013 Special Study Session Meeting
Minutes of January 28, 2013 Regular Council Meeting
Payroll and Claims Packet Dated February 11, 2013

Claim Check Nos. 32999 through 33045 totaling \$56,675.22
Payroll Check Nos. 32995 through 32998 totaling \$97,373.35

MOVED by Councilor Wynne and seconded by Councilor Bryant to approve the consent agenda with the minor amendment to the study session minutes. Motion carried.

EMPLOYEE HANDBOOK

The Council asked various questions for clarification. Staff was asked to check with WCIA on the following issues; do we need to clarify a "drug free work place" with the change in state law on marijuana and do we need a clause regarding social media.

ADJOURNMENT

Mayor Gomes adjourned the meeting at 7:48 p.m.

Jeff Gomes, Mayor

Attest:

Kay Jones, City Clerk-Treasurer



City of Cashmere

101 Woodring Street
Cashmere, WA 98815
Ph (509) 782-3513 Fax (509) 782-2840
Website www.cityofcashmere.org

Notice is hereby given that the **Cashmere Planning Commission** will hold a public hearing on **Monday, April 1, 2013, at 5:00 p.m.** at the Cashmere City Hall, 101 Woodring Street, Cashmere, Washington.

Also

Notice is hereby given that the **Cashmere City Council** will hold a public hearing on **Monday, April 8, 2013, at 7:00 p.m.** at the Cashmere City Hall, 101 Woodring Street, Cashmere, Washington.

The public hearings are related to the following zoning map amendments and Comprehensive Plan Zoning Map Amendments:

Chelan County Historical Society (600 Cotlets Way-Chelan County Assessor's Parcel No. 23-19-04-111-000).

- Current Zoning: Single Family (SF)
- Proposed Zoning: Mixed Commercial/Light Industrial (C/LI)

Rodney Haverfield (Chapel Street-Chelan County Assessor's Parcel No. 23-19-04-575-110).

- Current Zoning: Single Family (SF)
- Proposed Zoning: Warehouse Industrial (W/I)

Mount Cashmere Properties LLC (Sunset Ave-Chelan County Assessor's parcel No's 23-19-04-575-030, 23-19-04-575-035, 23-19-04-575-025, 23-19-04-575-040, and 23-19-04-575-055).

- Current Zoning: Multi-Family (MF)
- Proposed Zoning: Warehouse Industrial (W/I)

The public is invited to attend the public hearings and make comment or to send written comment to the City of Cashmere, 101 Woodring Street, Cashmere, WA 98815, Attn: Mark Botello.

Publish Cashmere Valley Record: Wednesday, March 20, 2013

Staff Summary

Date: February 25, 2013

To: Cashmere City Council
Mayor Gomes

From: Mark Botello

RE: **Selection of Surveyor for the Pioneer Ave Pavement Preservation Project**

Fitzpatrick Surveying was the only surveyor that submitted an RFQ for the advertised projects.

Recommendation:

Staff recommends selection of Fitzpatrick Surveying for the Pioneer Ave Project.

Staff Summary

Date: February 25, 2013
To: Cashmere City Council
 Mayor Gomes
 Mark Botello
From: Selection of Engineering Firm for the Pioneer Ave Preservation Project
RE:

| Name | Address | RFQ submittal consistent with newspaper publication | Description of the firm | Description of consultant's team including references | Description of relevant project experience | Firm references | Description-experience with relevant codes and standards... (WSDOT-LAG Manual) | Description-Ability to meet schedule (Time line) | Surveying | Municipal Transportation Engineering | Total Points |
|--------------------------------------|--|---|-------------------------|---|--|-----------------|--|--|-----------|--------------------------------------|--------------|
| Munson Engineering | 610 N. Chelan Ave, Wenatchee, WA. 98807 | 8 | 10 | 10 | ****9 | 10 | 8 | 6 | **9 | 9 | 79 |
| RHZ Engineers | 300 Simon Street, East Wenatchee, WA. 98801 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | *9 | 10 | 89 |
| TD & H Engineering | 303 E. 2 nd Ave., Spokane, WA. 99202 | 10 | 10 | 10 | 10 | 10 | 10 | 9 | *****9 | 10 | 88 |
| Gray & Osborne, Inc | 107 South 3rd Street, Yakima, WA. 98901 | 10 | 10 | 10 | 10 | 10 | 10 | 9 | ***6 | 10 | 85 |
| Century West Engineering Corporation | 421 North Pearl Street, #206, Ellensburg, WA. 98926 | 10 | 10 | 10 | 10 | 10 | 9 | 8 | ***6 | 10 | 83 |
| Pacific Engineering | 200 South Columbia Street, Suite 300, Wenatchee, WA. 98801 | 10 | 10 | 10 | 8 | 10 | 6 | 6 | *9 | 9 | 78 |

* Firm stated in RFQ that they will utilize Fitzpatrick Surveying.

** Firm stated in RFQ that they would utilize Weinert Surveying (Leavenworth).

*** Unknown about surveying.

**** According to the RFQ. No recent major municipal transportation (federal/State) project within past 7 years.

***** According to RFQ, TD & H has "in-house" surveyors.

RECOMMENDATION:

Staff recommends selection of the following Engineering Firms in the following order: (1)-RHZ Engineering, (2)-TD & H Engineering, (3)-Gray & Osborne, Inc

Staff Summary

Date: February 25, 2013

To: Cashmere City Council
Mayor Gomes

From: Mark Botello

RE: **Selection of Surveyor for the Mission Ave/Maple Street Improvement Project**

Fitzpatrick Surveying was the only surveyor that submitted an RFQ for the advertised projects.

Recommendation:

Staff recommends selection of Fitzpatrick Surveying for the Mission Ave/Maple Street Improvement Project.

Staff Summary

Date: February 25, 2013
To: Cashmere City Council
 Mayor Gomes
 Mark Botello
From: Selection of Engineering Firm for the Mission Ave/Maple Street Improvement Project
RE:

| Name | Address | RFQ submittal consistent with newspaper publication | Description of the firm | Description of consultant's team including references | Description of relevant project experience | Firm references | Description- experience with relevant codes and standards... (WSDOT-LAG Manual) | Description- Ability to meet schedule (Time line) | Surveying | Municipal Transportation Engineering | Total Points |
|--------------------------------------|--|---|-------------------------|---|--|-----------------|---|---|-----------|--------------------------------------|--------------|
| Munson Engineering | 610 N. Chelan Ave, Wenatchee, WA. 98807 | 8 | 10 | 10 | ****9 | 10 | 8 | 6 | **9 | 9 | 79 |
| RH2 Engineers | 300 Simon Street, East Wenatchee, WA. 98801 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | *9 | 10 | 89 |
| TD & H Engineering | 303 E. 2 nd Ave., Spokane, WA. 99202 | 10 | 10 | 10 | 10 | 10 | 10 | 9 | *****9 | 10 | 88 |
| Gray & Osborne, Inc | 107 South 3rd Street, Yakima, WA. 98901 | 10 | 10 | 10 | 10 | 10 | 10 | 9 | ***6 | 10 | 85 |
| Century West Engineering Corporation | 421 North Pearl Street, #206, Ellensburg, WA. 98926 | 10 | 10 | 10 | 10 | 10 | 9 | 8 | ***6 | 10 | 83 |
| Pacific Engineering | 200 South Columbia Street, Suite 300, Wenatchee, WA. 98801 | 10 | 10 | 10 | 8 | 10 | 6 | 6 | *9 | 9 | 78 |

* Firm stated in RFQ that they will utilize Fitzpatrick Surveying.

** Firm stated in RFQ that they would utilize Weinert Surveying (Leavenworth).

*** Unknown about surveying.

**** According to the RFQ. No recent major municipal transportation (federal/State) project within past 7 years.

***** According to RFQ, TD & H has "in-house" surveyors.

RECOMMENDATION:

Staff recommends selection of the following Engineering Firms in the following order: (1)-RH2 Engineering, (2)-TD & H Engineering, (3)-Gray & Osborne, Inc

Staff Summary

Date: February 25, 2013
To: Cashmere City Council
 Mayor Gomes
 Mark Botello
From: Selection of Landscape Designer for Cashmere's Riverside Park Improvement Project
RE:

Request For Qualifications (RFQ) Request for Landscape Design Professional Services

| Name | Address | General Planning | Environmental Planning | Description of project similar to Riverside Park improvements | Surveying | Parking Lot design & General Engineering | Construction Management | Total Points |
|-----------------------------------|--|------------------|------------------------|---|-----------|--|-------------------------|--------------|
| Vireo Design Studio, LLC | 5305 Greenwood Avenue North, Seattle, WA. 98103 | 3 | ** 3 | 4 | | 3 | 3 | 16 |
| Fitzpatrick Surveying, PLLC | P.O. Box 462, Cashmere, WA. 98815 | 0 | 0 | 0 | 5 | 4 | 1 | 10 |
| J.A. Brennan | 100 S. King Street, Suite 200, Seattle, WA. 98104 | 3 | 4 | 4 | * | *** 3 | 3 | 17 |
| Anchor QEA | 720 Olive Way, Suite 1900, Seattle, WA. 98101 | 2 | 4 | 3 | **** | **** 3 | 4 | 16 |
| Project Groundwork | 25 North Wenatchee Ave., Suite 238, Wenatchee, WA. 238 | 2 | 3 | 4 | | 4 | 4 | 17 |
| EcoPlan & Design | 1666 Pitcher Canyon Road, Wenatchee, WA. 98801 | 3 | ** 3 | 4 | | **** 4 | 4 | 18 |
| Barker Landscape Architects, P.S. | 3002 NW 68th Street, Seattle, WA. 98117 | 2 | ** 4 | 4 | | 3 | 3 | 16 |

* Firm stated in RFQ that they will utilize Fitzpatrick Surveying.
 ** Firm stated in RFQ that they will utilize Grette Associates.
 *** Firm stated in RFQ that they will utilize RH2 Engineering.
 **** Firm stated in RFQ that they will utilize Erlandson & Associates.
 ***** Firm stated in RFQ that they will utilize Torrence Engineering.

RECOMMENDATION

Staff recommends selection of the following landscape architects in the following order: (1)-EcoPlan & Design, (2)-Project Groundwork, (3)-J.A. Brennan.

Staff Summary

Date: February 25, 2013
To: Cashmere City Council
 Mayor Gomes
 Mark Botello
From: Selection of Surveyor for Cashmere's Riverside Park Improvement Project
RE:

Request for Qualifications (RFQ) Request for Surveying Professional Services

| Name | Address | General Planning | Environmental Planning | Description of project similar to Riverside Park improvements | Surveying | Parking Lot design & General Engineering | Construction Management | Total Points |
|-----------------------------------|--|------------------|------------------------|---|-----------|--|-------------------------|--------------|
| Vireo Design Studio, LLC | 5305 Greenwood Avenue North, Seattle, WA. 98103 | | | | | | | |
| Fitzpatrick Surveying, PLLC | P.O. Box 462, Cashmere, WA. 98815 | | | | X | | | X |
| J.A. Brennan | 100 S. King Street, Suite 200, Seattle, WA. 98104 | | | | | | | |
| Anchor QEA | 720 Olive Way, Suite 1900, Seattle, WA. 98101 | | | | | | | |
| Project Groundwork | 25 North Wenatchee Ave., Suite 238, Wenatchee, WA. 238 | | | | | | | |
| EcoPlan & Design | 1666 Pitcher Canyon Road, Wenatchee, WA. 98801 | | | | | | | |
| Barker Landscape Architects, P.S. | 3002 NW 68th Street, Seattle, WA. 98117 | | | | | | | |

RECOMMENDATION
 Staff recommends selection of Fitzpatrick Surveying for the Riverside Park improvement project.

Staff Summary

Date: February 25, 2013
To: Cashmere City Council
 Mayor Gomes
 Mark Botello
From: Selection of Public Restroom Manufacture for Riverside Park Improvement Project.
RE: The City of Cashmere utilized the small works roster process pursuant to RCW 39.04.155 for the Riverside Park public restrooms.

| Company/Contractor | Type of Structure/Construction | Address | Cost (Tax included) | City Responsibility/Cost | Final Cost |
|---|--|---|--|--------------------------|--------------|
| Park & Restroom Structures, Inc. | Modular Structure | P.O. Box 13280, Spokane Valley, WA, 99213 | \$105,719.83 | * \$6,000.00 | \$111,719.83 |
| CXT Concrete Buildings | Modular Structure | 3808 N. Sullivan Rd. Bldg 7, Spokane, WA. 99216 | \$145,787.60 | * \$6,000.00 | \$151,787.60 |
| Bethlehem Construction (Erik Jorgensen) | Modular Structure | 5505 Titchenal Way, Cashmere, WA. 98815 | No Quote-company not set up for this type of operation (concrete forms). | N/A | N/A |
| ROMTEC | Modular Structure | 18240 North Bank Road, Roseburg, OR | \$130,953.80 | *\$6,000.00 | \$136,953.80 |
| ** Story Construction LLC | Local Contactor - Structure built on site. | 6890 Pioneer Drive, Cashmere, WA. 98815 | \$113,426.66 | *\$6,000.00 | \$119,426.66 |

* This amount (estimate) includes City Public Works installation of water service line and water meter and pressured sewer service line and a grinder pump and PUD power-service.
 ** Story construction volunteered his time to verify the cost estimate. He stated that if he were to construct the public restrooms at prevailing wage it would cost \$113,426.66. His estimate does not include engineering and architectural plans for competitive bidding which is estimated to be approximately \$8000.

Prior to utilizing the small works roster for bids, Staff evaluated two options for the public restrooms, which are:

- Concrete modular restrooms. (concrete floors, walls and roof)
- Traditional restroom structure built on site (footings, brick, trusses, etc...).

After further review and consideration it is staff recommendation to go with prefabricated concrete modular public restrooms for the following reasons:

- Building does not require a footing. This is important because of the history of unstable ground (landfill). The concrete modular building would have some movement flexibility by being placed on compacted gravel pad per manufacture specifications.
- Concrete walls, floors, and ceiling for easy pressure washing and durability and maintenance. (no brick motor joints or drywall)
- No architectural plans, engineering required for bidding process. The prefabricated concrete restroom exceeds building code requirements and ADA standards.
- The concrete prefabricated public restrooms are turn-key operations. (We know what we get). Very minimal public works bidding and contract administration required.
- The concrete prefabricated public restroom comes with a full thirty-six (36) month warranty on the entire structure and all of the components within it against defects and workmanship.

RECOMMENDATION

Staff recommends selection of Park & Restroom Structures, Inc Bid for the public restrooms for Riverside Park.

**CITY OF CASHMERE
RAFTERS AGREEMENT - 2013**

THIS AGREEMENT, made and entered into on the date last shown below by and between the CITY OF CASHMERE, a municipal corporation of the State of Washington, hereinafter referred to as the City, and _____, hereinafter referred to as "RAFTERS".

WITNESSETH: WHEREAS, RAFTERS desire to conduct commercial float trips down the Wenatchee River and exit onto CITY property known as Riverside Park; and,

WHEREAS, the CITY is willing to allow RAFTERS to exit their commercial float trips from the Wenatchee River onto CITY property and on the terms and conditions set forth herein below;

NOW, THEREFORE, in consideration of the mutual covenants herein, CITY and RAFTERS agree as follows:

1. **Permit.** RAFTERS desiring a permit to exit onto CITY property shall pay to the CITY a nonrefundable permit fee of \$2.50 per person, excluding guides, exiting the Wenatchee River onto the CITY OF CASHMERE property. Said sum shall be paid to the CITY on a monthly basis.

Payment shall be supported by a verified report of the launch site operator if available, or if not, then a report signed by the Owner/Managing Member/President of the RAFTER company, who has reviewed the records of the RAFTER, verifying the actual number of RAFTERS customers exiting at the Cashmere site. Said report to be submitted to the CITY on an approved form as shown on Exhibit A attached, within fifteen (15) days after the close of each month.

In the event said report and payment have not been received by the 20th day of each month there shall be assessed a **late payment penalty** of \$100.00.

In the event the report and payment are not submitted on or before the 30th day of each month the deposit referred to in paragraph 2 below shall be forfeited and the agreement shall be forfeited and all rights of RAFTERS shall be terminated.

2. **Performance deposit.** RAFTERS shall deposit with the CITY Clerk-Treasurer upon execution of this agreement the sum of \$500.00 as a performance deposit. Said sum shall be held by the CITY to ensure performance of all terms and conditions of this agreement by RAFTERS. Said sum, less late payment penalties, shall be refunded to RAFTERS at the end of this agreement. However, in the event of any breach of this agreement by RAFTERS, said performance deposit shall be immediately forfeited to the CITY OF CASHMERE.

3. **Duration of permit.** The permit granted by the CITY to RAFTERS shall be for the period from April 1, 2013 to August 31, 2013, unless otherwise terminated or revoked by the CITY in accordance with this agreement.

4. **Insurance.** Prior to the issuance by the CITY of a permit to RAFTERS, RAFTERS shall first furnish to the CITY Clerk-Treasurer a certificate of effective insurance coverage for the period of this agreement insuring RAFTERS against liability for bodily injury or death or property damage to any customer, invitee, or any third party arising out of or connected with the operation of the rafting activity by RAFTERS with an insurance company acceptable to the CITY Clerk-Treasurer and naming the CITY as an additional insured on such policy, which policy shall not be revocable by the company without giving at least ten (10) days' written notice to the CITY, with minimum limits of \$1,000,000.00 per person and aggregate limits of \$1,000,000.00 per occurrence for such liability.

5. **State and Local Laws.** RAFTERS shall abide by all state and local laws.

6. **Scheduling.** RAFTERS shall be responsible for scheduling their various exits from the river and for reaching agreement among themselves and other licensed rafters with respect to times and dates of such exits. RAFTERS shall be allowed upon the park property each day not sooner than 7:00 a.m. and shall not exit the property later than 6:00 p.m.

7. **Identification of boats and cars.** RAFTERS shall in a conspicuous manner designate on each raft or boat RAFTER intends to exit on CITY property the full name of RAFTER for identification purposes. RAFTERS shall provide the CITY with a copy of said manner of identification at the time of execution of this agreement.

RAFTERS shall also provide a card to their customers who park at Riverside Park to be conspicuously displayed on the dashboard of each vehicle. If any vehicles in the park do not have said cards displayed on the dashboard, they may be towed and impounded by the CITY at the vehicle owner's expense.

8. **Daily rafter count.**

RAFTERS shall provide to CITY, on a form provided by CITY and attached as Exhibit B, a daily count of RAFTERS customers. Said form shall be submitted monthly with Rafter Verification Form and payment.

9. **Parking.** RAFTERS shall park only in areas designated by the CITY and not upon city streets or other public parking areas of the CITY OF CASHMERE.

The east (downstream) parking lot is designated for commercial rafting customers and rafting company vehicles including buses, trailers and oversize vehicles. The area of the west (upstream) parking lot indicated on Exhibit C, attached, may also be used for parking of buses and buses with trailers.

10. **Exit site.** The CITY shall provide and designate one authorized exit site ~~which is at Riverside Park. RAFTERS shall enter and exit said park on Maple Street.~~ Changes in the exit site shall be at the sole discretion of the CITY.

11. **Sanitation.** The CITY shall provide one **additional** garbage dumpster for ~~the use of all~~ at ~~the exit site~~ Riverside Park, and RAFTERS shall police said areas daily and put all garbage and refuse in the dumpster for removal by the CITY.

12. **Reservation of rights by CITY.** CITY reserves the right to revoke the license of RAFTERS if RAFTERS fail to comply precisely with the terms of this agreement or if the CITY receives excessive citizen complaints, and the CITY further reserves the right upon ten (10) days' notice to RAFTERS to revoke this agreement in its entirety in the event the operations under this agreement cause an excessive administrative burden to the CITY. Upon revocation of the license, the CITY shall retain the performance deposit and shall also be entitled to any additional fees then due.

13. **Supervision.** RAFTERS agree that a supervisor will be present at the CITY ~~exit-site~~park when customers of RAFTERS are present, at the expense of RAFTERS, to supervise activities, to supervise parking, to ensure compliance with this agreement and to assist in the enforcement of CITY ordinances. Such supervisors shall be employees of RAFTERS and shall report immediately any violations of this agreement or violations of CITY ordinances to a CITY representative. RAFTERS shall be fully responsible for supervising all of their employees, customers, guests and invitees of their respective companies on ~~the exit site~~City property and shall be responsible to keep the CITY property ~~on and about the exit site~~ neat and clean and free of all debris and refuse and shall on a daily basis, police and clean said premises and property to keep them in a first class and sanitary condition.

14. **Release.** RAFTERS hereby release CITY from any liability of any nature as a result of damages, direct, indirect, consequential or otherwise including attorney fees and costs, in the event any person, persons, firm, corporation, agency or other entity brings any administrative or judicial action or proceeding to enjoin, restrict or prohibit the use of CITY property by RAFTERS pursuant to this agreement or in the event any other action or proceeding is instituted which in any way delays RAFTERS or in the event RAFTERS suffer any loss, direct, indirect, consequential or otherwise as a result of their inability to exit from CITY property during the term of this agreement.

15. **Hold harmless and indemnity.** RAFTERS agree to indemnify and hold harmless the CITY from any liability, including attorney fees, to customers, employees or their guests, or invitees of RAFTERS or to any third parties, arising from the operation of RAFTERS and from any other activities conducted on CITY property by RAFTERS pursuant to this agreement.

16. **Emergency services.** RAFTERS agree to pay for any emergency services rendered for the benefit of RAFTERS, their agents, employees, guests and customers. Reimbursement shall be fair and reasonable compensation for said emergency services, but in no event less than \$200.00 per call.

17. **Attorney fees and costs/Venue.** In the event any party to this agreement commences any action to enforce any covenant of this agreement, the prevailing party in such action or any appeal thereof shall be entitled to all costs and a reasonable attorney fee approved by the Court. Venue for any action under this agreement shall be in Chelan County, Washington.

18. **Nonassignment.** RAFTERS may not assign their rights under this contract or any portion thereof to any other person, firm, corporation or other entity without the written permission of CITY.

Dated this _____ day of _____, 2013.

RAFTER:

Signature _____

Company _____

Contact person (please print) _____

Address _____

Phone: _____

Email: _____

CITY OF CASHMERE:

Jeffrey Gomes, Mayor

Kay Jones, City Clerk-Treasurer

CITY OF CASHMERE
101 WOODRING STREET
CASHMERE, WASHINGTON 98815
(509) 782-3513

RAFTER VERIFICATION REPORT

I hereby verify that I am President of the rafting company named below and that the number of rafters exiting at Riverside Park in Cashmere during the month of _____

was _____.

I understand that take out fees are due fifteen days after the close of **each month. A late fee of \$100.00 will be charged for payments received after the 20th of the month.**

I have enclosed a check, number _____ in the amount of _____.

(Number of rafters X \$2.50).

NO – This is not my Final Report

YES – This is my Final Report

I hereby verify that this is my final report for the year and that all fees for use of the City of Cashmere property have been paid in full. I understand that upon receipt of my final report my performance deposit will be refunded. I also understand that any late fees owing will be withheld from my deposit.

Company name _____

President _____

Date _____

RAFTER'S DAILY COUNT SHEET

COMPANY NAME: _____

| <u>DAY</u> | <u>DATE</u> | <u>HEAD COUNT</u> | <u>DAY</u> | <u>DATE</u> | <u>HEAD COUNT</u> |
|------------|-------------|-------------------|------------|-------------|-------------------|
| Sunday | | 1 | Monday | | 16 |
| Monday | | 2 | Tuesday | | 17 |
| Tuesday | | 3 | Wednesday | | 18 |
| Wednesday | | 4 | Thursday | | 19 |
| Thursday | | 5 | Friday | | 20 |
| Friday | | 6 | Saturday | | 21 |
| Saturday | | 7 | Sunday | | 22 |
| Sunday | | 8 | Monday | | 23 |
| Monday | | 9 | Tuesday | | 24 |
| Tuesday | | 10 | Wednesday | | 25 |
| Wednesday | | 11 | Thursday | | 26 |
| Thursday | | 12 | Friday | | 27 |
| Friday | | 13 | Saturday | | 28 |
| Saturday | | 14 | Sunday | | 29 |
| Sunday | | 15 | Monday | | 30 |

TOTAL COUNT: _____

Exhibit "C"





Feb. 20, 2013

You are receiving this funding application package because the Cashmere Chamber of Commerce reviews and awards event funding applications. To obtain event funding, which comes from the local lodging tax, you will need to fill out the enclosed application.

RCW 67.28.1816 requires funds distributed from lodging tax be used for special events and festivals and to support tourism-related facilities owned by nonprofit organizations. Your answers to the following questions are required to aid the Chamber in determining if a grant of lodging tax funds is warranted.

Deadline for completed applications is March 31, 2013.

Applications will be reviewed by the Cashmere Chamber at its Board of Directors meeting in April. If you have any questions, please contact Jill FitzSimmons, chamber manager, at 782-7404 or info@cashmerechamber.com.

Thank you,

The Cashmere Chamber of Commerce

Cashmere Chamber of Commerce 2013 Request for Funding

The Cashmere Chamber of Commerce is committed to supporting existing community events and promotions. The Chamber also encourages the creation of new events and promotions that make an economic difference in Cashmere. Lodging tax funds have been made available for this purpose. Funds are granted based on availability and their impact on Cashmere, providing they meet the following criteria:

Goals

- Boost transit occupancy tax and/or retail sales tax
- Benefit multiple businesses and partner with the other tourism-related sectors, including culinary, lodging, retail, arts, recreation, wines, etc.

Criteria

- An organization can apply for up to \$500 in a year.
- A projected budget must accompany application showing use of the funds. Funds may not be used for administrative costs.
- The Chamber website (www.cashmerechamber.org) must be included in any marketing funded by the donation.
- A follow-up report must be given within 60 days after the event to the Cashmere Chamber of Commerce Board of Directors showing the impact of the event on the community, i.e. attendance, estimated impact on occupancy/retail sales, publicity, etc. The report is to include receipts showing how the lodging tax dollars were used.

How to apply

- Applications must be submitted 60 days in advance of needing funds.
- Application must be completed each year.

If you have any questions, contact Jill FitzSimmons at 782-7404 or info@cashmerechamber.com

Cashmere Chamber of Commerce

Promoting Cashmere's Business Assets

Date of application: _____

Name of event/promotion: _____

Dates of event: _____

Location of event: _____

Brief description of event: _____

Dollar amount requested: _____

Sponsoring organization: _____

Organization contact: _____

Address: _____

City and zip code: _____

Phone number: _____

Email address: _____

Federal tax ID number: _____

Estimated attendance: _____

Estimated percentage of overnight stays: _____

Please complete and return to the Chamber by March 31.

Fax: 509-782-1265 Email: info@cashmerechamber.com