

## COUNCILMEMBERS

### Position No.

1. Tod Gunther
2. John Kelly
3. Tony Belot
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Scott Drennen



**ORTING CITY COUNCIL**  
Study Session Meeting Agenda  
Virtual Meeting  
Orting, WA  
January 20<sup>th</sup>, 2021  
**6PM.**

**Deputy Mayor Greg Hogan, Chair**

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

**\*The City is utilizing remote attendance for Councilmembers and City employees. Please note: OPMA rules regarding provision for the public in a space have been suspended by proclamation of the Governor. The meeting is however, available for the public to hear by a call in number. To join the meeting on a computer or mobile phone:**

<https://bluejeans.com/495491165?src=calendarLink>

**Phone Dial-in- +1.408.419.1715 (United States (San Jose)) Meeting ID: 495 491 165**

### 2. **PRESENTATION**

A. AB21-03- Murrey's Disposal Rates 2021- Josh Metcalf.

✚ **Scott Larson**

### 3. **COMMITTEE REPORTS**

**Public Works**

✚ **CM Drennen / CM Bradshaw**

**Public Safety**

✚ **CM Kelly / CM Belot**

**Community and Government Affairs**

✚ **CM Gunther / CM Williams**

### 4. **STAFF REPORTS**

### 5. **AGENDA ITEMS**

A. AB21-04- HB 1923 Grant Code Amendments.

✚ **Emily Adams**

B. AB21-05- South Correctional Entity- Inmate Housing -2021 Contract Amendment.

✚ **CM Kelly /CM Belot/ Chief Gard**

C. AB21-06- Discussion-Old City Hall Property.

✚ **Mayor Penner/Scott Larson**

D. AB21-07- SR 162 Corridor Discussion.

✚ **Mayor Penner/Scott Larson**

E. AB21-08- Council Discretionary Fund Policy.

✚ **CM Gunther / CM Williams**

F. AB21-09- Electronic Signature Policy-. Resolution No. 2021-01, A Resolution Of The City Of Orting, Authorizing The Use Of Electronic Records And Signatures, And Adopting A Policy For The Use Of Electronic Signature Technology.

✚ **Scott Larson/Jane Montgomery**

G. AB21-10- Council Committee Assignments.

✚ **Mayor Penner/ DM Hogan**

H. AB21-11- Well 1 Control Improvements.

✚ **CM Drennen/CM Bradshaw/ JC Hungerford**

I. AB 21-12 – Orting Municipal Code Updates for Compliance with NFIP Community Rating System (CRS), Ordinance No 2021-1072, An Ordinance Of The City Of Orting, Washington, Relating To National Flood Insurance Program Community Rating System; Amending Orting Municipal Code 14-1-8 And 14-1-9 Pertaining For Flood Planning Management And Flood Damage Prevention.

✚ **CM Drennen/CM Bradshaw/ JC Hungerford**

J. AB21-13- Setting Meeting dates for 2021.

✚ **Scott Larson**

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



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject:</b>  <b>Murrey's Disposal-Rates 2021</b>	<b>Agenda Item#</b>	<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>AB21-03</b>	N/A	<b>1.20.21</b>	1.27.21
	<b>Department:</b>	Finance		
	<b>Date Submitted:</b>			
<b>Cost of Item:</b>		<u>N/A</u>		
<b>Amount Budgeted:</b>		<u>N/A</u>		
<b>Unexpended Balance:</b>		<u>N/A</u>		
<b>Bars #:</b>		N/A		
<b>Timeline:</b>		Effective March 1 <sup>st</sup> , 2021		
<b>Submitted By:</b>		Administration/Finance		
<b>Fiscal Note: Letter, Exhibit A 2021 Rates</b>				
<b>Attachments:</b> DM Disposal Price Sheet and letter dated				
<p>SUMMARY STATEMENT: Section 8.2.1 of the Franchise Agreement between the City of Orting and Murrey's Disposal, effective April 1<sup>st</sup> 2012, provides for an annual CPI adjustment equal to 80% of the change in the 1<sup>st</sup> half semi-annual percentage change in the Consumer Price Index for All Urban Consumers, U.S. Department of Labor, Seattle-Tacoma-Bellevue area for the year preceding the rate adjustment. Eighty percent of the CPI change for this period is 1.46%.</p> <p>March 1, 2021 the landfill rate in Pierce County will increase from \$167.38 per ton to \$168.51 per ton. The Pierce County Council has reviewed and approved the increase.</p> <p>Section 8.3.4 of the Franchise Agreement allows for the Franchisee to request a collection rate adjustment for changes in law, including taxes. Following the 2020 collection rate adjustment, Washington's B&amp;O Tax increased by .25%.</p> <p>Rates reflecting the disposal fee increase, changes in the CPI, and B&amp;O Taxes are detailed by level of service in the attached exhibit.</p> <p>D.M. Disposal Company must notify the city 60 days before the increase which is effective March 1, 2021. D.M. Disposal Company must notify their customers 45 days before the increase, D.M. Disposal is in compliance with the City.</p>				
<b>RECOMMENDED ACTION: Move forward to the January 27<sup>th</sup>, 2021, Meeting</b>				
<b>FUTURE MOTION:</b> To Approve Murrey's rates as illustrated in Exhibit A, effective March 1 <sup>st</sup> , 2021.				

December 11, 2020

City of Orting  
Scott Larson, City Administrator  
110 Train St. SE  
Orting, WA 98360

Re: Notice of Rate Adjustment under Section 8.2.1, 8.3.1, and 8.3.4 of the Franchise Agreement between the City of Orting and Murrey's Disposal

Dear Mr. Larson:

Section 8.2.1 of the Franchise Agreement between the City of Orting and Murrey's Disposal, effective April 1<sup>st</sup> 2012, provides for an annual CPI adjustment equal to 80% of the change in the 1<sup>st</sup> half semi-annual percentage change in the Consumer Price Index for All Urban Consumers, U.S. Department of Labor, Seattle-Tacoma-Bellevue area for the year preceding the rate adjustment. Eighty percent of the CPI change for this period is 1.46%.

Section 8.3.1 of the Franchise Agreement provides for disposal fee adjustments to be made to collection rates to reflect changes to Pierce County disposal fees. We have been notified that on March 1, 2021 the landfill rate in Pierce County will increase from \$167.38 per ton to \$168.51 per ton. The Pierce County Council has reviewed and approved the increase.

Section 8.3.4 of the Franchise Agreement allows for the Franchisee to request a collection rate adjustment for changes in changes in law, including taxes. Following the 2020 collection rate adjustment, Washington's B&O Tax increased by .25%. Collection rates for 2021 include increased B&O taxes incurred since the April 1, 2020 B&O Tax increase.

Rates reflecting the disposal fee increase, changes in the CPI, and B&O Taxes are detailed by level of service in the attached exhibit.





WASTE CONNECTIONS

*Connect with the Future®*

We take pride in providing you with comprehensive waste collection, disposal and recycling services. If I can answer any questions, please contact me by phone at (253) 896-3293 or by email at [joshm@wcnx.org](mailto:joshm@wcnx.org).

Sincerely,

A handwritten signature in black ink, appearing to read "J. Metcalf", is written over a light blue horizontal line.

Josh Metcalf  
District Manager  
Murrey's Disposal

Cc: Ruby Huang, Murrey's Disposal  
Steven Hopkins, Murrey's Disposal  
Amanda Fujiura, Murrey's Disposal

## DM DISPOPSAL 2021 RATES

Effective March 1, 2021

<u>Can Service:</u>	<u>2020</u>	<u>2021</u>	<u>Increase</u>	
10 gallon weekly w/ recycle	\$ 14.80	\$ 15.08	\$ 0.28	per month
20 gallon weekly w/ recycle	\$ 20.12	\$ 20.51	\$ 0.39	per month
35 gallon weekly w/ recycle	\$ 24.77	\$ 25.26	\$ 0.49	per month
65 gallon weekly w/ recycle	\$ 39.19	\$ 40.00	\$ 0.81	per month
95 gallon weekly w/recycle	\$ 53.55	\$ 54.68	\$ 1.13	per month
Packout/Drive-in	\$ 10.16	\$ 10.33	\$ 0.17	per month
Occasional extra	\$ 6.62	\$ 6.75	\$ 0.13	per month
Return Trip	\$ 7.77	\$ 7.90	\$ 0.13	per month
Bulky Item Per Yard	\$ 25.98	\$ 26.36	\$ 0.38	per month
Return Check Fee	\$ 25.00	\$ 25.00	\$ -	per month

<u>Container Service:</u>				
1 yard once a week	\$ 109.49	\$ 111.75	\$ 2.26	per month
1 yard twice a week	\$ 212.13	\$ 215.23	\$ 3.10	per month
1 .5 yard once a week	\$ 149.96	\$ 153.11	\$ 3.15	per month
1 .5 yard twice a week	\$ 296.66	\$ 302.91	\$ 6.25	per month
2 yard once a week	\$ 193.29	\$ 197.33	\$ 4.04	per month
2 yard twice a week	\$ 380.39	\$ 388.37	\$ 7.98	per month
2 yard three times a week	\$ 573.68	\$ 585.69	\$ 12.01	per month
4 yard once a week	\$ 364.76	\$ 372.43	\$ 7.67	per month
4 yard twice a week	\$ 729.49	\$ 744.82	\$ 15.33	per month
4 yard three times a week	\$ 1,070.69	\$ 1,086.35	\$ 15.66	per month
6 yard once a week	\$ 519.13	\$ 527.92	\$ 8.79	per month
6 yard twice a week	\$ 1,034.23	\$ 1,055.81	\$ 21.58	per month
6 yard three times a week	\$ 1,551.38	\$ 1,583.75	\$ 32.37	per month
6 yard five times a week	\$ 2,536.50	\$ 2,589.62	\$ 53.12	per pickup
4 yard compactor once a week 5:1	\$ 1,559.50	\$ 1,582.31	\$ 22.81	per pickup
1 yard extra on regular route	\$ 25.81	\$ 26.34	\$ 0.53	per pickup
1 .5 yard extra on regular route	\$ 39.30	\$ 39.87	\$ 0.57	per pickup
2 yard extra on regular route	\$ 45.13	\$ 46.07	\$ 0.94	per pickup
4 yard extra on regular route	\$ 85.05	\$ 89.83	\$ 4.78	per pickup
6 yard extra on regular route	\$ 120.50	\$ 123.01	\$ 2.51	per pickup
4 yard compactor extra regular route 5:1	\$ 360.48	\$ 365.75	\$ 5.27	per pickup
Extra Yardage	\$ 15.79	\$ 16.15	\$ 0.36	per pickup
Lock/Unlock	\$ 4.81	\$ 4.88	\$ 0.07	per incident

Connect/Reconnect	\$ 12.35	\$ 12.53	\$ 0.18	per unit
Yard Waste 90-gal toter	\$ 5.62	\$ 5.72	\$ 0.10	per month
Occasional extra yard waste	\$ 2.69	\$ 2.74	\$ 0.05	per pickup
MF-Recycling	\$ 4.69	\$ 4.77	\$ 0.08	per month
Redeliver Cart	\$ 16.78	\$ 17.06	\$ 0.28	per delivery
Additional Recycling Cart	\$ 7.16	\$ 7.28	\$ 0.12	per month
Restart Fee	\$ 27.29	\$ 27.75	\$ 0.46	per incident
Time Change	\$ 103.12	\$ 104.63	\$ 1.51	per incident



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: HB 1923 Grant Code Amendments</b>	<b>AB21-04</b>			
		<b>N/A</b>	<b>1.12.2021</b>	<b>TBD</b>
	<b>Department:</b>	Planning		
	<b>Date Submitted:</b>	<b>1.12.2021</b>		
<b>Cost of Item:</b>	<u>\$NA</u>			
<b>Amount Budgeted:</b>	<u>\$NA</u>			
<b>Unexpended Balance:</b>	<u>\$NA</u>			
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>Emily Adams (Planner)</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b> Staff report and exhibits				
<p><b>SUMMARY STATEMENT:</b> Orting received a \$50,000 grant from the Department of Commerce through state legislation (HB 1923). City Council passed Resolution 2020-01 outlining the five selected actions in January 2020. Those selected amendments included authorizing duplexes on each parcel in one zoning district that permits single-family homes; authorizing lot size averaging; authorizing ADUs as outlined in the grant; authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; allow for the division or redivision of land into the 9 lots through the short subdivision process.</p> <p>The five selected actions will allow Orting’s municipal code to be updated responding to citizen needs and streamline regulations as well as clean up definitions and provide internal consistency. Amendments presented here reflect the grant requirements and planning commission input.</p>				
<p><b>NEXT STEP: Move forward with public hearing on 2/10/2021</b>  <b>OR</b>  <b>Staff revises the amendments per tonight’s discussion and returns with the revised amendments at the next study session on 2/17/2021</b></p>				
<p><b>FUTURE MOTION:</b> To adopt Ordinance No. 2021-XX relating to housing and regulatory streamlining; amending Orting municipal code sections 12-2, 12-4, 13-2, 13-3, 13-5, 15-2, 15-4 and 15-6; providing for severability; and establishing an effective date</p>				



## City Council Staff Report

<b>Project Name:</b>	HB 1923 Grant – Housing and Subdivision Code Amendments
<b>Applicant:</b>	City of Orting
<b>Date of Staff Report:</b>	January 6, 2020
<b>Staff Recommendation:</b>	Approve as proposed
<b>City Staff Contact:</b>	Emily Adams, AICP - City Planner
<b>Public Comment Period:</b>	September 8 – September 22 following SEPA DNS and November 27 – December 7 and February 12 – 24 following notice of public hearing.
<b>Public Notice:</b>	Type 5 applications do not require notice of application per OMC 15-4-1. Notice of a public hearing was published and posted 10 days prior to the hearing per OMC 15-7-3.

### Exhibits:

1. Staff Report
2. Proposed ordinance for Council approval
3. Open House #1 Flyer
4. Open House #2 Flyer
5. SEPA environmental checklist
6. SEPA determination of nonsignificance
7. Published notice of SEPA DNS issuance
8. Posted notice of Planning Commission public hearing
9. Published notice of Planning Commission public hearing
10. Comment from JC Stewart dated June 4, 2020
11. Comment from JC Stewart dated September 26, 2020
12. Submitted written comment for December 7, 2020 planning commission public hearing

### I. Background Information

In 2019 the Washington Legislature passed bill 1923 (HB 1923) to provide funds to Washington communities to support actions related to residential building capacity, production of a greater variety of housing types, and/or increase regulatory streamlining. This financial assistance comes through a grant from the Department of Commerce and has been widely used throughout the state for the funding of housing action plans or targeted code amendments. In the 2020 round of funding up to \$50,000 was available to cities with a population of less than 20,000 people.

The grant required applicants to choose at least two actions from a provided list of 12 eligible activities. The City of Orting elected to prepare code amendments that will address five different topics.

## **II. Findings of Fact:**

City Council passed Resolution 2020-01 outlining the five selected actions in January 2020.

Those selected amendments include:

- Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure or physical constraint that would make this requirement unfeasible for a particular parcel.
- Authorize cluster zoning or lot size averaging in all zoning districts that permit single-family residences.
- Authorize attached accessory dwelling units (ADUs) on all parcels containing single-family homes where the lot is at least 3,200 square feet in size, and permit both attached and detached ADUs on all parcels containing single-family homes, provided lots are at least 4,356 square feet in size. Qualifying city ordinances or regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below 1,000 square feet for the accessory dwelling unit and must not prohibit the separate rental or sale of accessory dwelling units and the primary residence. Cities must set applicable impact fees at no more than the projected impact of the accessory dwelling unit. To allow local flexibility, other than these factors, accessory dwelling units may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances.
- Authorize a duplex on each corner lot within all zoning districts that permit single-family residences.
- Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW<sup>1</sup>.

The five selected actions will allow Orting's municipal code to be updated responding to citizen needs and streamline regulations. The City applied for the maximum amount allowed under the legislation, \$50,000. In March the City was notified that it would receive the grant at the requested amount, to be received upon passing the code amendments. A contract was executed with Department of Commerce in May 2020 and work began on the code amendments.

### **a. Lot Size Averaging Amendments**

Lot size averaging policies allow for individual lots located within a development to be smaller than typically permitted. The average lot size in the development as a whole would still be required to meet the district's minimum lot size and the density of the whole development must not exceed the district's maximum density standards. Lot size averaging is used by communities throughout the region (e.g. Sultan, Bellevue,

---

<sup>1</sup> RCW 58.17.020(6) "Short subdivision" is the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. However, the legislative authority of any city or town may by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine.

Snohomish County). Those codes were reviewed to help craft a lot size averaging code that fits in with Orting’s context and existing code.



Orting currently does not have prescriptive code for lot size averaging. It is currently only allowed to be used as part of a planned unit development (PUD). A PUD is a long process that requires approval by City Council and is typically only used for large subdivisions.

As the City of Orting becomes more and more built out available land will become (and is becoming) limited. Land that is available for (re)development is often encumbered by critical areas, shoreline restrictions or are unusually shaped parcels, making development difficult, and often expensive. Lot size averaging can allow for the available land to be developed with more flexibility while still protecting critical areas and maintaining the required density of the zone.

**b. Accessory Dwelling Unit Amendments**

An accessory dwelling unit (ADU) is a small, self-contained residential unit located on the same lot as an existing single-family home. An ADU has all the basic facilities needed for day-to-day living independent of the main home, such as a kitchen, sleeping area, and a bathroom. There are two types of ADUs:

- Attached ADUs are within the single-family dwelling unit and may be attached to the main unit or internal e.g. a basement unit.
- Detached ADUs are on the same property as the single-family dwelling unit but are a separate unit e.g. backyard cottage.

ADUs are intended to increase the supply of affordable and independent housing for a variety of households, provide supplemental earnings for people with limited incomes, and increase residential densities with minimal cost and disruption to existing neighborhoods.

Orting’s code permits ADUs in all single-family zones and outlines the purpose, procedures, and general requirements for an ADU. Currently, there are no provisions for lot size standards and parking requirements in the City’s code and there are restrictions in place that discourage the building of ADUs. Further the code does not always differentiate between ADUs and accessory structures making the application of some standards unclear. The current code exempts ADUs from all impact fees. It is anticipated an increase in the development of ADUs will have impacts on traffic but will have nominal impacts to parks and schools. The proposed code amendments will require traffic impact fees for ADUs. ADUs will continue to remain exempt from park and school fees.

Staff has received interest in multiple of these topics over the past year. Prior to applying for the grant staff had been in contact with multiple citizens who wanted to develop a duplex or accessory dwelling unit (ADU) but who were unable to or discouraged from doing so due to restraints in the current code.

Following meeting with the planning commission, staff recommended parking requirements for ADUs as “no additional on-site parking spaces are required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size one (1) off street parking space is required.” This is of note as it varies from the grant language which states no parking be required for ADUs.

**c. Duplex Amendments**

Duplexes can add additional housing units to an area without big density increases. This can provide for more building capacity and home availability in the City in a context-sensitive manner that ensures existing neighborhoods are not disrupted. Further, the smaller unit size typically associated with duplexes can help create more affordable housing compared to the predominant single-family homes in Orting. Currently, duplexes in Orting must go through the Architectural Design Review process. Through these amendments, additional design standards can be included depending on the duplex type. For instance, the design of duplexes on corner lots can be made to more closely resemble a single-family home as each unit's front door can be required to face different streets.

Currently in Orting, duplexes are not permitted in every zone that permits single-family homes. In residential zones where they are permitted, there are onerous standards that make them hard to build. Under current development regulations a lot double the size of that needed to build a single-family home is required to build a duplex, leaving many citizens unable to develop or redevelop a duplex on their property. Despite the building footprint often not being much larger than a single-family home, duplexes must adhere to the development standards as two units, making them difficult to build due to density and lot size standards. For example, in the RU zone, with a density of 6 du/acre a lot would need to be 14,520 SF for a duplex to be built (7,260 SF per unit – the minimum lot size). Orting's code needs to be updated to provide a clear, appropriate process for duplex development as well as include specific design guidelines for duplexes to ensure they blend in with the character of the community.

**d. Short Plat Amendments**

Short plat code amendments were chosen as it provides an opportunity to encourage new residential development by streamlining the permitting process for plats of up to nine lots. A plat is a scale drawing of a subdivision showing lots, blocks, streets or tracts or other divisions or dedications of land to be subdivided. A short plat, also referred to as a subdivision, is defined in the current code as the division or redivision of land into four (4) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

The Orting Municipal Code (OMC) classifies short plats/subdivisions as a “Type 2” decision and thus follows the Type 2 procedure for permit applications (Figure 1).

Division or redivision of land into more than four lots, tracts, parcels, sites or divisions is classified as a “Type 4” decision and thus follows the Type 4 procedure for permit applications which includes a number of additional steps including a City Council meeting and decisions.

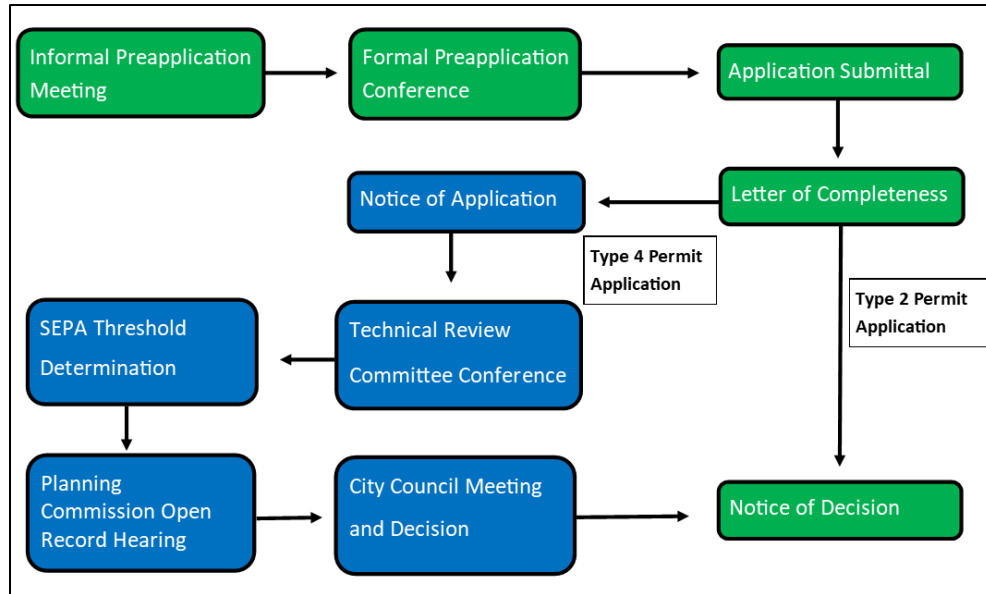


Figure 1.0: Type 2 and Type 4 Application Process

For the City to meet the requirements of the grant action the number of divisions or redivisions of land for a short plat/subdivision in the OMC will need to be increased from four to nine. This would allow divisions or redivisions of up to nine lots to be considered a ‘Type 2’ decision. As divisions or redivisions of land in to 5-9 lots is likely to create more public interest and impact the surrounding area the proposed code amendment includes a note in the ‘Procedures for Permit Applications’ table to specify separate notice requirements for short plats of five or more lots.

### III. Consistency with Comprehensive Plan and Development Code

The proposed code amendments are intended to harmonize with the City’s Comprehensive Plan and its Municipal Code by removing impediments to the construction of duplexes, ADUs and the design of subdivisions through the use of lot averaging. The code amendments do not change any zoning or land use designations. Land use impacts resulting from extending the allowance of duplexes in the RC zone and ADUs on lots meeting minimum lot size standards will be mitigated through development regulations found in OMC Title 13 to alleviate effects on adjacent land uses. Specifically, the proposal is consistent with the following goals and policies of the comprehensive plan:

**Goal LU 4** Provide a variety of housing choices for new residents;

**Pol. LU 4.1** Promote residential areas that offer a variety of housing densities, types, sizes, costs, and locations to meet future demand;

**Goal H 1** Ensure adequate housing for all current and future residents of Orting by achieving and maintaining high quality housing and neighborhoods;



**Pol. H 1.1** Provide for a variety of housing types and densities in appropriate areas; Goal H 2 Encourage the availability of a wide range of affordable housing to meet the needs of households with varying economic status;

**Pol. H 2.1** Ensure that development regulations provide opportunity for a variety of housing densities and types, including mixed use in the downtown;

**Pol. H 2.2** Encourage creative design and development of denser, urban housing in and near the downtown;

**Pol. H 2.3** Guide sensitive development of accessory dwelling units in all residential zoning classifications;

**Goal ED 7** Encourage a variety of affordable housing choices so that people who work in Orting can live here.

#### **IV. Public Involvement**

*Virtual Open House #1:* The first open house was held virtually over Zoom on July 22, 2020 at 6:00 pm. The AHBL planning team gave a presentation and discussed the grants purpose, initiation, and funds, and provided information on the five selected actions the City would be pursuing code amendments for. There were 11 people in attendance. Following the presentation, a question and answer portion was held, there were discussions on density, traffic, impact fees, and utility concurrency.

*Virtual Open House #2:* The second virtual open house was held over zoom on October 8, 2020 at 6:00pm. The AHBL planning team gave a presentation that briefly talked about the actions and went into more detail on the proposed amendments themselves. There were five people in attendance. During the presentation polls were taken about each topic, the questions and responses are as follows:

- Topic: ADU Size
  - Should the maximum size of an ADU be 1,200 SF? (Single Choice)
    - Yes, the maximum ADU size should be 1,200 SF as proposed → 100%
    - No, the maximum ADU size should be greater than 1,200 SF → 0%
- Topic: Lot Size Averaging
  - When using lot size averaging, should lots be able to be reduced by more than 25% of the minimum lot size? Example: A lot in the RU zone reduced by 25% from the minimum lot size (7,260 SF) would be 5,445 SF (Single Choice)
    - Yes, lot sizes should be allowed to be reduced by more than 25% from the minimum lot size. → 100%
    - No, lot sizes should only be allowed to be reduced by 25% from the minimum lot size. → 0%
    - No, lot sizes should be allowed to be reduced by less than 25% from the minimum lot size. → 0%
- Topic: Duplex lot size
  - Are you satisfied that the City's development and design criteria (height, setbacks, coverage, lot size etc.) will ensure that duplexes can be blended into residential areas in a manner consistent with the City's residential character? (Single Choice)

- Yes → 25%
  - No → 25%
  - Unsure → 50%
- Topic: Short Plat Noticing
  - Should a notice of application be required for short plats of 5-9 lots? Notice of application requirements includes posting on site, publishing in the paper and includes a 14-day comment period. (Single Choice)
  - Yes, require a notice of application for short plats of 5-9 lots → 100%
  - No, do not require notice of application for short plats of 5-9 lots. Keep requirements as they currently are for short plats of 1-4 lots. → 0%

**V. Comments Received**

No comments were received from city departments or other agencies with jurisdiction. Citizen comments are attached to this staff report as an exhibit.

**VI. SEPA Determination**

After review of the environmental checklist a SEPA Determination of Nonsignificance was issued September 8, 2020 with a 14-day comment period ending on 5:00 pm September 22, 2020. The notice of determination was published in the Tacoma News Tribune. No comments were received.

**VII. Staff Recommendation**

Staff recommends approval of the code amendments as proposed.

**VIII. Planning Commission Hearing and Recommendation**

On December 7, 2020 at 7:00 pm the Planning Commission held an open public hearing regarding the proposed amendments. One public comment was read into the record in support of the proposed amendments.

The planning commission recommends **approval with an amendment** to the staff proposal. The planning commission recommends increasing the required parking by modifying OMC 13-5-6-C.5 to read "Parking: One parking space is required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size one off street parking space is required."

**IX. Reconsideration and Appeal**

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the administrator within five (5) days of the oral announcement of the final decision. The request shall comply with OMC 15-10-4B.

Appeals from the final decision of the city council shall be made to Pierce County superior court within 21 days of the date the decision or action became final per OMC 15-10-6.

# CITY OF ORTING

## WASHINGTON

ORDINANCE NO. 2021-1071

---

**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO HOUSING AND  
REGULATORY STREAMLINING ; AMENDING ORTING  
MUNICIPAL CODE SECTIONS 12-2, 12-4, 13-2, 13-3, 13-5,  
15-2, 15-4 AND 15-6; PROVIDING FOR SEVERABILITY;  
AND ESTABLISHING AN EFFECTIVE DATE**

---

**WHEREAS**, grants of up to \$50,000 were available for cities with a population of less than 20,000 that are fully planning under the Growth Management Act through the 2020 round of HB 1923 funding; and

**WHEREAS**, the City Council desired to pursue Washington State Department of Commerce grant funding authorized under the HB 1923; and

**WHEREAS**, on May 5, 2020 the contract was executed between the City of Orting and the Washington State Department of Commerce for the selected actions under the E2SHB 1923 Grant Program; and

**WHEREAS**, on July 22, 2020 and October 8, 2020 city staff held virtual public meetings to inform the public about the grant and its purpose and to solicit public feedback on the proposed code amendments; and

**WHEREAS**, the City's Planning Commission held a public hearing on the proposed amendments on December 7, 2020 and proposed a recommendation of approval with conditions of the amendments and forwarded the recommendation to the City Council; and

**WHEREAS**, the proposed code amendments were sent to the Department of Commerce on December 8, 2020 for the 60-day intent to adopt review; and

**WHEREAS**, the City Council held a public hearing on the proposed OMC amendments on February 24, 2021, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission; and

**WHEREAS**, the City Council held a meeting on March 10, 2021 and made a closed record final decision on the proposed amendments; and

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

**Section 1. Recitals.** The Recitals set forth above are hereby adopted and incorporated as Findings of Fact and/or Conclusion of Law of the City Council. The City Council bases its findings and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the Planning Commission and the City Council.

**Section 2. OMC Section 12-2, Amended.** Orting Municipal Code Section 12-2 is hereby amended as follows:

**12-2-13: L:**

LOT, CORNER: A lot situated at the junction of and bordered by two (2) intersecting city streets, alleys and driveways are not considered public streets for the purposes of determining corner lots.

LOT LINE, FRONT: The line separating any lot or parcel of land from a street right of way~~The lot line adjacent to any public street.~~ On a through lot, the line abutting the street providing primary access to the lot. In the case of a corner lot, the front line shall be considered to be along both street lot lines.

**12-2-20: S:**

SHORT PLAT: See definition of ~~Plat~~Subdivision, Short in this chapter.

SUBDIVISION: The division or redivision of land into ~~five-ten~~ (510) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, including resubdivision of previously subdivided land, except as provided in this title.

SUBDIVISION, SHORT: The division or redivision of land into ~~nine-four~~ (49) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

\*\*\*

**Section 3. OMC Section 12-4, Amended.** Orting Municipal Code Section 12-4 is hereby amended as follows:

- A. Number Of Copies: One original Mylar and ~~three (3)~~fifteen (15) copies. Standard drawing size is eighteen inches by twenty four inches (18" x 24"). Applicants are also encouraged to provide one digital copy ~~on a CD~~ in a CAD program compatible with AutoCad or ArcView.
- B. Pertinent Data: A proposed short plat must include pertinent survey data compiled as a result of a survey made by or under the supervision of a land surveyor registered in the state and engaged in land surveying.
- C. Application Contents: In addition to the requirements for a completed application set forth in ~~title~~ Title 15 of this code, an applicant for a short plat shall submit the following:

**12-4-2: TYPE OF APPLICATION:**

A short plat is a Type 2 (Administrator) ~~an administrative~~ decision, with the final decision being made by the administrator. The application shall be processed with procedures for such applications as set forth in ~~title~~Title 15, ~~chapter~~Chapter 9 of this code.

**12-4-3: CRITERIA FOR APPROVAL:**

The administrator shall approve the short subdivision and short plat after making a determination of:

- A. Compliance: Whether the application complies with ~~chapter~~ Chapter 8 of this ~~title~~ Title and Title 15 of this code;
- B. Specific Provisions: If appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainageways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school;
- C. Extension Agreement: A developer extension agreement, in accordance with ~~title~~ Title 9, ~~chapter~~ Chapter 4 of this code, has been executed; and
- D. Public Interest: Whether the public interest will be served by the subdivision and dedication.
- E. Development Agreement: As part of the approval, the city and the applicant may enter into a development agreement in accordance with Title 15, Chapter 15 of this code.

**~~12-4-4: FINDINGS AND CONCLUSIONS:~~**

~~The city shall not approve a short plat and short subdivision unless written findings are made that:~~

~~A.—Compliance: The application complies with chapter 8 of this title and title 15 of this code;~~

~~B.—Specific Provisions: Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainageways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for those who walk to and from school;~~

~~C.—Public Use And Interest: The public use and interest will be served by the platting of such subdivision and dedication; and~~

~~D.—Development Agreement: As part of the approval, the city and the applicant may enter into a development agreement in accordance with title 15, chapter 15 of this code. (Ord. 792, 7-29-2004)~~

**12-4-6: PROHIBITION ON FURTHER DIVISION:**

Property in short subdivisions may not be further divided in any manner within a period of five (5) years without the filing of a final subdivision, except that when the short plat contains less than ~~four~~ nine (94) parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five (5) year period to create up to a total of ~~four~~ nine (94) lots within the original short plat boundaries. This requirement shall be stated on the face of the short plat.

\*\*\*

**Section 4. OMC Section 13-2, Amended.** Orting Municipal Code Section 13-2 is hereby amended as follows:

**13-2-2: A:**

ACCESSORY DWELLING UNIT (ADU): A separate, subordinate, complete self-contained dwelling unit attached to or contained within ~~the structure of the primary~~ a single-family dwelling; or contained within a separate structure that is accessory to the primary dwelling unit on the premises.

ACCESSORY STRUCTURE: A building or other structure that is subordinate to the principal building and is incidental to the use of the principal building on the same lot. Accessory dwelling units are not included in this definition.

**13-2-5: D:**

DUPLEX: A building with two (2) attached dwelling units with a common separation walls-wall or floor. ~~joining the units, neither of which overlaps the other vertically.~~

**13-2-13: L:**

LOT, CORNER: A lot situated at the junction of and bordered by two (2) intersecting city streets, alleys and driveways are not considered public streets for the purposes of determining corner lots. ~~A lot which has frontage on two (2) or more streets where the streets meet.~~

LOT LINE, FRONT: The line separating any lot or parcel of land from a street right of way. On a through lot, the line abutting the street providing primary access to the lot. In the case of a corner lot, the front line shall be considered to be along both street lot lines.

LOT LINE, REAR: The lot line opposite and most distant from the front lot line, and in the case of a triangular, irregular or other odd shaped lot, the line bordering the lot, generally parallel to, and at the maximum distance from the front lot line. ~~A lot line or lines which are opposite and most distant from the front lot line.~~

LOT SIZE AVERAGING: Lot size averaging is an approach to dividing land that allows a parcel to be divided such that some of the resulting lots are smaller than the minimum lot size required in the applicable zone, in order to preserve critical areas or other topographical adversities and provide greater flexibility, provided that the average lot size in the development as a whole meets that minimum lot size.

**13-2-20: S:**

SUBDIVISION: A division of land into ~~five-ten~~ (510) or more lots, tracts-, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, including resubdivision of previously subdivided land, except as provided in this title. ~~or other divisions. Subdivision includes resubdivisions of previously subdivided land.~~

SUBDIVISION, SHORT: A division of land into ~~ninefour~~ (94) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

**13-2-26: Y:**

YARD, FRONT: The area between the front lot line and the building line extending the full width of the lot. The front yard shall be the area between the front line which primary access is taken and the building setback line. On a corner lot there shall be two (2) front yards.

\*\*\*

Section 5. OMC Section 13-3-2, Amended. Orting Municipal Code Section 13-3-2 is hereby amended as follows:

- A. RC Residential-Conservation Zone:

1. Purpose And Intent: The Residential-Conservation Zone is intended to provide for low density single-family residential and duplex uses along the Puyallup and Carbon Rivers where there are critical areas such as frequently flooded areas, wetlands, and fish and wildlife habitat ~~preclude urban scale development.~~

B. RU Residential-Urban Zone:

1. Purpose And Intent: The Residential-Urban Zone is intended to provide for high density urban single-family, townhouse, cottage, and duplex residential uses which benefit from the full array of services and amenities available in the Town core.
- ~~2.—Residential Urban Low Zoning Designation On Figure LU 1 In The Orting Municipal Comprehensive Plan: For the purposes of this title, the Residential Urban Low Zone is subject to the regulations for Residential Urban Zone.~~

\*\*\*

**Section 6. OMC Section 13-3-3, Amended.** Orting Municipal Code Section 13-3-3 is hereby amended as follows:

**TABLE 1  
CITY OF ORTING LAND USE**

	Zones							
	RC	RU	RMF	MUTC	MUTCN <sup>2</sup>	LM	OS	PF
Residential Uses <sup>1</sup>								
Cottage	P	P	P		P			
Cottage Development		p <sup>3,4</sup>	p <sup>3,4</sup>		P			
Duplex	<u>p</u>	p <sup>10</sup>	P	P	p <sup>25</sup>			
Group Residences:		C	C <sup>3</sup>	C <sup>3</sup>				C <sup>22</sup>

Notes:

1. Residential planned unit developments (PUD) may allow increases in underlying density except in the MUTCN.
2. All development subject to Master Development Plan and MUTCN Bulk and Dimensional Requirements. See sections 13-3-2 E2 and E5 of this code.
3. Subject to architectural design review.
4. As a binding site plan.
- ...
10. ~~Duplexes and T~~ townhouses are not allowed on flag lots (pipestem) in the RU zone.
- ...
22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.
- ...
25. For Senior Housing (aged 55+) only.

**TABLE 2 ACCESSORY USES**

To view Table 2: Accessory Use in PDF, click [HERE](#)

		Zones
Conditional accessory uses:		
	Cargo container	RU (CUP)
Permitted accessory uses:		
	Accessory <del>buildings</del> <u>structures</u> such as garages, carports, and sheds	All residential zones
	Accessory dwellings <u>units</u> <sup>1</sup>	All residential zones
	Barns and agricultural structures	RC
	Caretaker residences	LM, OS
	Cargo container	LM, PF
	Collective gardens <sup>2</sup>	All residential zones
	Maintenance and storage facilities and yards	OS
	Off street parking for 1 commercial truck or van used for commuting	All residential zones
	Parking lots	OS
	Private outdoor storage of small noncommercial trucks, boats and recreational vehicles in required setbacks	All residential zones
	Recreation facilities in conjunction with planned residential developments	All residential zones
	Required automobile parking for permitted principal and conditional uses	All zones
	Required truck loading facilities	All zones
	Restrooms and bathing facilities	OS
	Retail sales associated with the principal manufacturing or processing use and not occupying more than 10 percent of the site area	LM
	Stationary food vending	MUTC
	Uses customarily incidental to the principal uses <sup>3</sup>	MUTC
	Utility installations except solid waste disposal facilities	All zones

Notes:

1. Accessory dwelling units are subject to section 13-5-6 of this title.
2. Collective gardens must conform to chapter 8 of this title.
3. Such as seasonal displays, sidewalk sales, etc.

\*\*\*

**Section 7. OMC Section 13-5-1, Amended.** Orting Municipal Code Section 13-5-1 is hereby amended as follows:

**TABLE 1  
DEVELOPMENT STANDARDS**



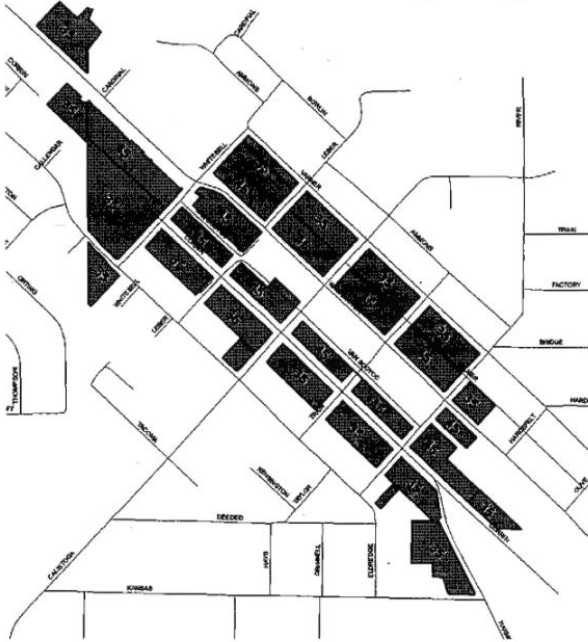
Zones	Minimum Lot Requirements			Setbacks			Maximum Heights	Maximum Building Coverage	Maximum Hard Surface Coverage	Maximum Density <sup>2</sup>
	Width	Depth	Area <sup>3</sup>	Front	Rear	Side				
RC			2 acres	25' <sup>12</sup>	25'	8'	35'	20%	50%	1 DU/2A
RU			7,260 sq. ft.	25' <sup>12</sup>	25'	8'	35'	40%	65%	6 DU/A
RMF	40'	100'	5,450 sq. ft. <sup>45</sup> 7,000 sq. ft. <sup>56</sup> 4,000 plus 2,000 sq. ft. <sup>67</sup> None (nonresidential) <sup>78</sup>	25' <sup>12</sup>	25'	8'	35'	50%	75%	8 DU/A
MUTC	None	None	None	None	None	None	45' <sup>1415</sup>	100%	100%	None
MUTC N	None	None	None <sup>109</sup>	None <sup>110</sup>	None <sup>110</sup>	None <sup>110</sup>	35' <sup>1412</sup> 50' <sup>1213</sup>	100% <sup>1314</sup>	100%	n/a
LM	None	None	None	None	None	None	35'	100%	100%	n/a
OS	None	None	None	None	None	None	25'	None	None	n/a
PF	None	None	None	<sup>89</sup>	<sup>89</sup>	<sup>89</sup>	<sup>89</sup>	None	None	n/a

Notes:

- Heights specified are for principal structures; maximum height for accessory structures in all zones is 20 feet. [Maximum height for accessory dwelling units is specified in 13-5-6.](#)
- ~~Minimum setback for the nonfront yard of a corner lot is 20 feet.~~ [Duplex density may be increased in accordance with the minimum lot area found in 13-5-1-H of this title.](#)
- [Lot size averaging is permitted pursuant to 13-5-1-I of this title.](#)
- Except as modified in this chapter.
- Minimum lot area for single-family detached dwellings.
- Minimum lot area for ~~duplexes and~~ townhouses.
- Minimum lot area for multi-family dwellings: 4,000 square feet for the first unit and 2,000 for each additional unit.
- No minimum lot area for nonresidential uses.
- Minimum setbacks and building heights consistent with the most intensive adjacent zone.
- Minimum area for master plans is 5 acres.
- Setbacks to be determined during site plan review.
- In sectors 1 and 3.
- In sector 2.
- Minimum open space requirement is 1,000 square feet for every 10,000 square feet of building area.
- Or 3 stories subject to architectural design review. Height limit applies to those portions of the MUTC Zone shown in figure A of this section.

FIGURE A

## Building Heights



1. **Setback Measurement:** A setback is measured from the edge of a street right of way, access easement or private road. Where there is no street right of way, access easement or private road, a setback is measured from the property line.
2. **Designation Of Required Setbacks:** All lots except pipestem lots must contain at least one front yard setback. A front yard setback shall be required abutting each right of way on corner lots and through lots. All lots must contain one rear yard setback except for corner, through, and pipestem lots. All other setbacks will be considered ~~interior~~side yard setbacks.  
**Corner Lots: If a lot abuts the intersection of two (2) or more street rights of way, a front yard setback is required abutting one right of way as described in table 1 of this section**
3. **Through Lots:** In the case of a through lot, a front yard setback is required abutting each street right of way.
4. **Front Yard Setback Averaging:** Averaging may be used to reduce a front yard setback requirement when a principal building has been established on an adjacent lot within the required yard. This provision shall not apply if the adjacent lot has received a reduced setback based upon a discretionary land use approval. This exception shall be calculated as follows:
  - a. Averaging shall be calculated by adding the existing front yard setbacks of the adjacent lots together and dividing that figure by two (2).
  - b. When an adjacent lot is vacant, averaging shall be calculated by adding the front yard setback of the adjacent developed lot with the minimum front yard setback of the zone in which the construction is proposed and dividing that figure by two (2).
5. **Slopes:** If the topography of a lot is such that the minimum front yard setback line is eight feet (8') or more above the street grade, and there is no reasonable way to construct a driveway up to the

dwelling unit level, a garage/carport may be built into the bank and set at least five feet (5') back from the right of way.

6. Accessory Structures, Interior Yard Exception: Detached one-story accessory structures may occupy twenty five percent (25%) of the total area of a side yard and shall maintain a minimum five (5) foot setback, except in the MUTC zone. ~~(that portion of the yard exclusive of required setbacks)~~
7. Accessory Structures, Rear Yard Exception: Detached one-story accessory structures may occupy fifty percent (50%) of the total area of a rear yard and shall maintain a minimum ~~three foot (3')~~ five (5) feet setback, except in the MUTC zone.

...

A. Heights Standards:

...

B. General Development Standards:

...

C. RU Zone Pipestem (Flag) Lot Development Standards

...

D. Cottage Housing Development Standards

...

E. Duplex Development Standards

1. Duplexes shall be designed to blend in with the single-family character of the neighborhood.
2. If located on a corner lot, each unit of the duplex shall face onto an adjacent street, and no two units' front doors and garages are permitted to face the same street frontage.
3. Lot size requirements for duplexes in residential zones are as follows:
  - i. Residential Conservation (RC):
    1. Duplex minimum lot size: Two (2) acres
  - ii. Residential Urban (RU):
    1. Duplex minimum lot size: 7,260 square feet
  - iii. Residential Multi- Family (RMF):
    1. Duplex minimum lot size: 7,000 square feet

F. LOT SIZE AVERAGING

1. Purpose: To allow flexibility in the creation of new subdivisions to accommodate development barriers including, but not limited to, shorelines, wetlands, and critical areas, provided that the average lot size in the development as a whole meets the district's minimum lot size and the density as a whole does not exceed the districts maximum density standards.
2. Applicability: Lot size averaging provisions of this chapter apply to and may be used by developers of land who are dividing land in conformance with the provisions of this title, and in which the land is located in the following zones:
  - i. RC Residential-Conservation Zone (OMC 13-3-2-A)
  - ii. RU Residential-Urban Zone (OMC 13-3-2-B)
  - iii. RMF Residential-Multi-Family Zone (OMC 13-3-2-C)
3. Standards

- i. Lot size averaging cannot result in a parcel being divided into a greater number of lots than would result from development at the normal minimum lot size required in the applicable zone.
- ii. In approved short plats and subdivisions, the individual lots shall be considered in compliance with minimum area requirements if the average of the areas of all the lots in the short plat or subdivision meets the minimum requirement for the zone in which the short plat or subdivision is located.
- iii. Lot size averaging only applies to creation of lots for detached single-family residences.
- iv. Lot size averaging shall not be used to create lots for duplexes or multifamily dwellings as defined by OMC 13-2-14.
- v. No individual single-family lot shall be reduced more than 25% from the district minimum required area.
- vi. No single-family lot shall be reduced in width to less than 40 feet (regardless of lot depth).
- vii. No single-family lot shall be reduced in depth to less than 70 feet (regardless of lot width).
- viii. All of the following are to be subtracted from the net square footage of a lot for the purpose of determining the area of a lot proposed for lot averaging:
  - 1. Public right-of-way;
  - 2. Private roads, private primary access easement; and
  - 3. Minor portion (pipestem) of pipestem lots.
- ix. The area of easements other than that of the primary access (public right-of-way or private easement) shall not be subtracted from the net square footage of a lot.
- x. Surface detention/retention facilities may count toward calculations for lot size averaging only if the detention/retention facility:
  - 1. is designed so as to appear as a natural wetland system, or
  - 2. provides active or passive recreational benefits in a natural landscaped setting.
- xi. Developments utilizing lot size averaging shall not receive preliminary or final approval as phased developments unless each phase meets the lot size averaging standards for the total land area included in that phase.

\*\*\*

**Section 8. OMC Section 13-5-3, Amended.** Orting Municipal Code Section 13-5-3 is hereby amended as follows:

I. Parking Spaces Required For Particular Uses: The minimum number of off street parking spaces required for nonresidential uses shall be as set forth in the following: (Ord. 943, 5-14-2014)

	Use	Parking Spaces Required

1.	All dwellings (RC, RU, RMF, MUTC)	2 off street spaces per unit <sup>1</sup>
2.	Daycare centers; home based	1 for each employee, plus 1 additional, not including required residential spaces
	Nonresidential	1 for each employee, plus 1 for every 10 children or adults
3.	Banks, savings and loan associations, business or professional offices	1 for each 400 square feet of gross floor area
4.	Bowling alleys	4 for each alley
5.	Churches	1 for each 5 seats in the principal place of assembly for worship, including balconies and choir loft
6.	Dance halls, skating rinks, youth cabarets	1 for each 25 square feet of skating or dancing area, plus 1 per 40 square feet of all other building area
7.	Establishments for the sale and consumption on the premises of food and beverages, including fraternal and social clubs <sup>1,2</sup>	1 for each 200 square feet of gross floor area
8.	Fraternity, sorority or group student house	1 for each 3 sleeping rooms or 1 for each 6 beds, whichever is greater
9.	Hospitals	2 for each bed
10.	Large group home, institution	1 for each 2 beds
11.	Libraries and museums	1 for each 250 square feet of floor area open to the public
12.	Lodging and rooming house	1 for each sleeping room
13.	Manufacturing uses, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	1 for each employee on a maximum shift
14.	Medical or dental clinics	5 for each physician or dentist
15.	Motels, hotels	1 for each unit
16.	Motor vehicle or machinery sales, wholesale stores, furniture stores	1 for each 400 square feet of gross floor area
17.	Retail stores	1 for each 300 square feet
18.	Schools; high schools	1 for each 8 students, plus 1 for each faculty member (exclusive of loading and unloading area)
	Elementary and junior high	1 for each faculty member
19.	Stadiums, auditoriums, community clubs, community centers, and other places of assembly	1 for each 4 seats
20.	Theaters	1 for each 3 seats

21.	Warehouses and storage buildings	1 for each 2,000 square feet of gross floor area, except that office space shall provide parking as required for offices
-----	----------------------------------	--

Notes:

1. See 13-5-6 for accessory dwelling unit off street parking requirements.

~~12.~~ Stationary vendor units used to provide food vending services are exempt from off street parking requirements; provided that, the principal use meets the established parking requirements for such principal use

\*\*\*

**Section 9. OMC Section 13-5-6, Amended.** Orting Municipal Code Section 13-5-6 is hereby amended as follows:

- A. Purpose: Accessory dwelling units (ADUs) are intended to increase the supply of affordable and independent housing for a variety of households, ~~increase home and personal security~~, provide supplemental earnings for people with limited incomes, and increase residential densities with minimal cost and disruption to existing neighborhoods. This should occur by utilizing the existing infrastructure and community resources while protecting the existing character of single-family neighborhoods.
- B. Procedures: Any owner/occupant seeking to establish an ADU shall apply for approval in accordance with the following:
  - 1. Application: The owner/occupant shall apply for a building permit for an ADU. A complete application form must demonstrate that all size thresholds and design standards are met.
  - ~~2. Affidavit: An affidavit affirming that the owner will occupy the principal dwelling or the ADU and agreeing to all the general requirements as provided in this title is required.
 
    - ~~a. An ADU shall be converted to another permitted use or shall be removed if one of the two (2) dwelling units is not owner occupied.~~~~
  - 3. Notice Of Title: Prior to occupancy of the ADU, the owner shall record a notice on the property title acknowledging the existence of the ADU with the Pierce County auditor. Such notice shall be in a form as specified by the city and shall include as a minimum:
    - a. The legal description of the property which has been approved for an ADU;
    - b. The applicability of the restrictions and limitations contained in this section;
    - c. A copy of the city approved floor/site plan; and
    - d. The property owner's signature on the notice. The signature shall be notarized prior to recording the notice.
- C. General Requirements: The creation of an ADU shall be subject to the following general requirements:
  - 1. Number: A maximum of ~~One~~ (1) ADU shall be allowed per lot of record as an accessory use in conjunction with any detached single-family ~~structuredwelling~~.
  - 2. Lot Standards:
    - a. An attached ADU shall be permitted on all parcels containing single-family homes where the lot is at least three thousand two hundred (3,200) square feet in size

- b. Both attached and detached ADUs shall be permitted on all parcels containing single-family homes, provided lots are at least four thousand three hundred fifty six (4,356) square feet in size.
- 3. Type Of Unit:
  - a. An ADU shall be permitted as a second, subordinate dwelling unit attached to, or detached from the principal dwelling.
  - b. A detached ADU may be any dwelling permitted in the applicable land use classification.
- 4. Size: An ADU shall be no greater than one thousand, two hundred (1,~~000~~200) square feet.
- 5. Parking: No additional on-site parking spaces are required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size one (1) off street parking space is required.
- 6. Design: An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.
  - a. The entrance to an attached ADU shall not be directed towards any front yard unless utilizing an existing doorway.
  - b. Detached ADUs shall be no closer to the front lot line than the front face of the principal dwelling. This provision shall not apply to waterfront lots regulated pursuant to the city shoreline management program.
  - c. New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not be permitted within the required front, side or rear yard setback as outlined in OMC 13-5-1.C, table 1. An exception to the required rear yard setback may be allowed if the rear yard abuts an alley.
  - d. If an ADU is created by constructing a new detached structure, the building height of the ADU shall not be greater than the principal dwelling's building height or 30 feet, whichever is less.
  - e. An ADU shall have similar facade, roof pitch and siding to the principal dwelling unit.

\*\*\*

**Section 10. OMC Section 15-2-20, Amended.** Orting Municipal Code Section 15-2-20 is hereby amended as follows:

SUBDIVISION: A division of land into ~~five~~ten (10~~5~~) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, including resubdivision of previously subdivided land, except as provided in this title. ~~or other divisions. Subdivision includes resubdivisions of previously subdivided land.~~

SUBDIVISION, SHORT: A division of land into ~~four~~nine (4~~9~~) or fewer lots, ~~or~~ tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

\*\*\*

**Section 10. OMC Section 15-4, Amended.** Orting Municipal Code Section 15-4 is hereby amended as follows:

TABLE 15-4-1

	Procedure For Permit Applications					Legislative	
	Type 1	Type 2	Type 2a	Type 3	Type 3a	Type 4	Type 5
Recommendation by	n/a	n/a	Administrator	n/a	n/a	Planning commission	Planning commission
Final decision by	Administrator	Administrator	Planning commission	Hearing examiner	Planning commission	City council	City council
Notice of application	No	No <sup>1</sup>	No	Yes	Yes	Yes	No
Open record public hearing or open record appeal of final decision	No	Only if appealed. Open record hearing with hearing examiner	Only if appealed. Open record hearing with hearing examiner; recommendation made by hearing examiner to the city council	Yes, before hearing examiner	Yes, before planning commission	Yes, before planning commission	Yes, before planning commission
Closed record appeal/final decision	No	No, unless appealed to council	City council	No, unless appealed to council	No, unless appealed to council	Yes, before council	Yes, or council may hold another public hearing
Judicial appeal	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Note:

1. Notice of application is required for short plats of five (5) or more lots.

\*\*\*

**Section 10. OMC Section 15-6-2, Amended.** Orting Municipal Code Section 15-6-2 is hereby amended as follows:

**15-6-2: APPLICABILITY:**

- C. The following are exempted from impact fees:
  1. Alteration, expansion, reconstruction, or replacement of existing single-family or multi-family dwelling units that does not result in additional dwelling units.
  2. As for school impact fees only, any new dwelling unit subject to restrictions that may be legally enforced by a private party or governmental entity limiting occupants to a minimum adult age or to populations that do not include children under the age of eighteen (18), including nursing homes and retirement centers; provided that this exclusion ceases if the exempted dwelling unit(s) is later converted to permanent use as a dwelling not subject to the restrictions.



3. As for school impact fees only, hotels, motels, and other transient accommodations provided that this exclusion ceases if the exempted development is later converted to permanent use as a dwelling not subject to these restrictions.
4. Accessory dwelling units ([exemption applies to school and park impact fees only](#)).
5. Development which has impact mitigation provided through environmental review under the state environmental policy act.

\*\*\*

**Section 11. OMC Section 15-6A-7, Amended.** Orting Municipal Code Section 15-6A-8 is hereby amended as follows:

**15-6A-7: CALCULATION OF IMPACT FEES:**

- A. The city shall calculate the transportation impact fees as set forth in attachment A as referenced in section 15-6A-2 of this article subject to the provisions of this article.
- B. In determining the proportionate share, the method of calculating impact fees [shall use trip generation methodology consistent with the latest edition of the Institute of Transportation Engineers Trip Generation Manual. Accessory dwelling units shall be calculated using ITE Use Number 220, Apartment customer type. The calculation](#) shall incorporate, among other things, the following:

**Section 12. 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 13. Codification.** The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

**Section 14. 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 \_\_\_ DAY OF \_\_\_\_, 2021.**

CITY OF ORTING

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

ATTEST/AUTHENTICATED:

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

Approved as to form:

---

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

Filed with the City Clerk: 1.13.21

Passed by the City Council:

Date of Publication:

Effective Date:

# HOUSING

## code amendments

The City of Orting received a grant from the Department of Commerce to fund housing code updates. The purpose of the grant and associated code updates is to improve the City's residential building capacity and streamline its regulatory code.



## VIRTUAL OPEN HOUSE

July 22, 2020 6:00 pm - 7:00 pm

This meeting will initiate the public process for these housing and subdivision code amendments. We invite you to attend the first open house to learn about the project, the types of potential code amendments that may be coming, the project timeline, and how you can stay involved throughout the process.

The City is utilizing remote attendance for this meeting. To join the meeting on a computer use the following link: <https://zoom.us/j/97853891287>

To join via a mobile phone: Dial (for higher quality, dial a number based on your current location): +1 253-215-8782 or +1 669-900-6833 or +1 346-248-7799 or +1 929-205-6099 or +1 301-715-8592 or +1 312-626-6799

Webinar ID: 978 5389 1287



For more information contact us:

Emily Adams | 253-284-0263 | [eadams@cityoforting.org](mailto:eadams@cityoforting.org)

# HOUSING

## code amendments

The City of Orting received a grant from the Dept. of Commerce to fund housing and subdivision code updates. The purpose of the grant and associated code updates is to improve the City's residential building capacity and streamline its regulatory code.



## VIRTUAL OPEN HOUSE #2

Sept. 28, 2020 6:00 pm - 7:00 pm

This meeting is the second open house in the public process for the housing and subdivision code amendments. We invite you to attend the open house to learn about the project, proposed code amendments, timeline, and how you can stay involved throughout the process. Find more information on the amendments including a video of the previous presentation at this website:

<https://ortingplanning.wixsite.com/codeamendments>

The City is utilizing remote attendance for this meeting. To join the meeting on a computer use the following link: <https://zoom.us/j/99198212671>

To join via a mobile phone: Dial (for higher quality, dial a number based on your current location): +1 253-215-8782 or +1 669-900-6833 or +1 346-248-7799 or +1 929-205-6099 or +1 301-715-8592 or +1 312-626-6799 *(note: these numbers are not toll-free).*

Webinar ID: 978 5389 1287



For more information contact:

Emily Adams | 253-284-0263 | [eadams@cityoforting.org](mailto:eadams@cityoforting.org)

# **SEPA ENVIRONMENTAL CHECKLIST**

## ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## **A. Background**

1. Name of proposed project, if applicable:

**HB 1923 Grant - Housing Code Amendments**

2. Name of applicant:

**Emily Adams, AICP  
City Planner, City of Orting**

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

**Mailing Address: PO Box 489, Orting, WA 98360  
Phone: 253-284-0263**

4. Date checklist prepared:

**August 27, 2020**

5. Agency requesting checklist:

**City of Orting**

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

**The Housing Code Amendments are a nonproject action undergoing public review. Action on the amendments by the Orting City Council is anticipated in March 2021.**

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

**No.**

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

**The number of potential lots that may support accessory dwelling units (ADUs) and/or duplexes has been analyzed using Pierce County Assessor and GIS information. The number of potential 5-9 lot short plats has also been analyzed using Pierce County GIS data.**

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

**The City of Orting currently has projects in the various stages of development review prior to issuance of preliminary and final plat.**

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

**The proposed amendments would require approval by the Orting City Council.**

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

**In 2019 the Washington Legislature passed bill 1923 (HB 1923) to provide funds to Washington communities to support a housing action plan or code amendments related to residential building capacity, production of a greater variety of housing types, and/or increase regulatory streamlining. The City of Orting applied for and received a \$50,000 grant and selected five of the 12 eligible actions related to code amendments to pursue. These actions include (per RCW 36.70A.600):**

- **Authorize at least one duplex on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure or physical constraint that would make this requirement unfeasible for a particular parcel.**
- **Authorize cluster zoning or lot size averaging in all zoning districts that permit single-family residences.**
- **Authorize ADUs on all parcels containing single-family homes where the lot is at least 3,200 square feet in size, and permit both attached and detached ADUs on all parcels containing single-family homes, provided lots are at least 4,356 square feet in size. Qualifying city ordinances or regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below 1,000 square feet for the ADU, and must not prohibit the separate rental or sale of ADUs and the primary residence. Cities must set applicable impact fees at no more than the projected impact of the ADU. To allow local flexibility, other than these factors, ADUs may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances.**
- **Authorize a duplex on each corner lot within all zoning districts that permit single-family residences.**
- **Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW**

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

**The City of Orting is located between the Puyallup and Carbon Rivers in Pierce County, generally within Township 18N and 19N, Range 5E. This is a non-project action that would affect multiple parcels in the City of Orting.**

## B. Environmental Elements

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

## C. Signature

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

Signature: 

Name of signee: Emily Adams, AICP

Position and Agency/Organization: City Planner, City of Orting

Date Submitted: September 3, 2020

## D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

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

**The amendments would not change the maximum coverage limits, or limit the use of required LID BMPs and is therefore not likely to increase discharge to water. The proposal is not expected to have any impact on air emissions, the production, storage, or release of toxic or hazardous substances or noise.**

Proposed measures to avoid or reduce such increases are:

**Any future development will be subject to the City of Orting requirements for drainage; air emissions; production, storage, or release of toxic or hazardous substances; and noise. Stormwater will be managed with designs that meet the standards of the 2012 Ecology Stormwater Management Manual for Western Washington, as amended in 2014. The 2012 Low Impact Development Technical Guidance Manual for the Puget Sound; and the 2013 Rain Garden Handbook for Western Washington are other design tools to ensure that stormwater is managed appropriately.**



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

**The City of Orting Municipal Code Title 11 governs the protection and uses allowed within critical areas and their buffers. These standards include management practices deemed by the Washington State Department of Ecology and the Washington State Department of Commerce to incorporate best available science. The lot size averaging code amendment will further aid in protecting critical areas by permitting flexibility in developments by allowing lots to vary in size in a manner that minimizes disturbance to critical areas.**

**The City's Critical Areas Code (Title 11) requires applicants proposing to develop sites containing or adjacent to critical areas have a qualified professional submit a critical areas special study for City review and approval. The proposed amendments will not influence the manner by which the City's Critical Areas Code is applied to development projects.**

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

**Development proposals will be required to comply with the standards found in Title 11 – Critical Areas, Title 14 – Flood Control, and Title 13-5-2-C – Preservation of Significant Trees and Vegetation, in order to protect or conserve plants, animals, and fish. The City will require landscape plans (including significant trees) and critical areas reports during project-level SEPA environmental review for proposals as required under OMC 11-2-1 and OMC 13-5-2, respectively. There will be no change in the application of these existing codes to development proposals.**

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

**The proposal could result in duplexes being developed on lots that previously would have only permitted single family homes, and the construction of additional ADUs being built. This increase in density and units on a site would result in an increase in energy use. The development of ADUs and duplexes could result in depletion of on-site natural resources such as vegetation and trees due an increase the amount of the lot covered by structures.**

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

**The retention of native vegetation and significant trees is a required stormwater management technique within the City of Orting which has the dual benefit of aiding in the conservation of natural resources. The City of Orting also has adopted a suite of building codes adopted by the Washington State Building Code Council WAC Title 15 to aid in the conservation of energy and resources.**

**These include:**

- 1. The International Building Code, published by the International Code Council, Inc.;**
- 2. The International Residential Code, published by the International Code Council, Inc.;**

3. **The International Mechanical Code, published by the International Code Council, Inc., including the International Fuel Gas Code and the National Fuel Gas Code, published by the International Code Council, Inc., except that the standards for liquified petroleum gas installations shall be NFPA 58 (storage and handling of liquified petroleum gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);**
  4. **The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code; provided that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand held candles;**
  5. **Except as provided in Revised Code Of Washington 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code standards, published by the International Association of Plumbing and Mechanical Officials; provided that, any provisions of the Uniform Plumbing Code and Uniform Plumbing Code standards affecting sewers or fuel gas piping are not adopted; and**
  6. **The rules adopted by the City Council establishing standards for making buildings and facilities accessible to and usable by the physically disabled or elderly persons as provided in Revised Code of Washington 70.92.100 through 70.92.160, as now or hereafter amended.**
4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**The proposal would not directly affect environmentally sensitive areas or areas designated (or eligible or under study) for government protection. The City's Critical Areas Code (Title 11) has the purpose of limiting development and alteration of critical areas and requires applicants proposed to develop sites containing or adjacent to critical areas have a qualified professional submit a critical areas special study for City review and approval. There will be no change in the application of the City's Critical Areas Code (Title 11) to development proposals.**

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

**As the proposal is not expected to negatively affect environmentally sensitive areas or areas designated for governmental protection no specific measures are proposed to avoid or reduce impacts to these resources. Development proposals will be required to continue complying with the standards found in Title 11 – Critical Areas, Title 14 – Flood Control, and Section 13-5-2-C – Preservation of Significant Trees and Vegetation, in order to protect or conserve plants, animals, floodplains, and critical areas. There will be no change in the application of the City's Critical Areas Code (Title 11), the Flood Control Code (Title 14), and the Significant Trees and Vegetation standards (Section 13-5-2-C) to development proposals.**

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

**The proposal will affect land and shoreline use by amending development regulations for duplexes, ADUs, and lot size averaging for parcels of land in zones that permit single-family residential dwelling units. The proposed amendments will streamline entitlement and siting provisions for duplexes and ADUs. This will likely impact on how land is developed during future site-specific development but will not allow or encourage land or shoreline use that is incompatible with existing plans. No zoning or land use designations in the City will change as a result of these amendments.**

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

**The proposed code amendments are intended to harmonize with the City's Comprehensive Plan and its Municipal Code by removing impediments to the construction of duplexes, ADUs and the design of subdivisions through the use of lot averaging. The code amendments do not change any zoning or land use designations. Land use impacts resulting from extending the allowance of duplexes in the RC zone and on all corner lots that permit single-family homes and ADUs on lots meeting minimum lot size standards will be mitigated through development regulations found in OMC Title 13 to alleviate effects on adjacent land uses.**

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

**The proposed amendments will create a higher residential capacity for the City. The amendments would allow for development and redevelopment of lots in a higher density, through duplexes and ADUs, than what is seen currently. The proposal is not expected to increase density rapidly, or excessively, but proposed to accommodate the anticipated population growth in the next 20+ years. The increase in housing will result in an associated increase in demands on transportation and public services. This increase in demands on services is anticipated to occur in incremental increases over the long-term in conjunction with population increases. Impacts associated with the traffic impacts will be mitigated at the time of development through the payment of traffic impact fees. In addition to traffic impact fees, proposals would not be permitted to develop if transportation infrastructure is not provided concurrent with development. Other public services and utilities such as water and sewer are considered adequate to accommodate the planned housing that would be created as a result of the amendments.**

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

**Future site-specific development applications will be subject to SEPA environmental review and code requirements. For larger projects, traffic impact analyses may be required to evaluate the impacts associated with development proposals, as determined by the City Engineer. Traffic impacts will be required consistent with OMC 15.6 (Impact Fees). Additional point impacts may also require mitigation. Concurrency for utilities is required for development in the City limits, requiring water and sewer availability to be built.**

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

**The proposed amendments to the City's municipal code are not known to conflict with any local, state or federal laws relating to the protection of the environment.**



## CITY OF ORTING

110 TRAIN ST SE, PO BOX 489, ORTING WA 98360

Phone: (360) 893-2219 FAX: (360) 893-6809

www.cityoforting.org

### SEPA Determination of Non-Significance (DNS)

**Name of Proposal:** HB 1923 Grant - Housing Code Amendments

**Proponent:** City of Orting

**Description:** The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed for the Orting Municipal Code related to:

- Authorizing at least one duplex on each parcel in one zoning district
- Authorizing lot size averaging in all zoning districts that permit single-family residences
- Authorizing attached accessory dwelling units (ADUs) in compliance with HB 1923 requirements found in RCW 36.70A.600
- Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences
- Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW

**Location:** The City of Orting is located between the Puyallup and Carbon Rivers in Pierce County, generally within Township 18N and 19N, Range 5E. This is a non-project action that would affect multiple parcels in the City of Orting.


**Lead Agency:** City of Orting.


The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. The information is available to the public on request.

**Responsible Official:** City Administrator or his/her authorized designee  
Mark Bethune, City Administrator  
City of Orting  
Orting City Hall, 110 Train St SE, Orting, WA 98360

Please submit written comments to Mark Bethune at the address above, or by email to Emily Adams, City Planner at eadams@cityoforting.org

*This Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). The Lead Agency will not act on this proposal for 14 days from the issue date (issue date: September 8, 2020. Comments must be submitted by 5:00 pm on September 22, 2020.)*

  
\_\_\_\_\_  
Mark Bethune, City Administrator

  
\_\_\_\_\_  
Date

“Small Town – Big View”

## Ad Order Information

<b>Ad Number</b>	<b>Ad Type</b>	<b>Production Method</b>	<b>Production Notes</b>
0004748889-01	TAC-Legal Liner	AdBooker	

<b>External Ad Number</b>	<b>Ad Attributes</b>	<b>Ad Released</b>	<b>Pick Up</b>
		No	

<b>Ad Size</b>	<b>Color</b>
2 X 28 li	

<b>Product</b>	<b>Placement</b>	<b>Times Run</b>	<b>Schedule Cost</b>
TAC-NT-News Tribune	0300 - Legals Classified	1	\$264.09

<b>Run Schedule Invoice Text</b>	<b>Position</b>
SEPA Determination of Non-Significance (	0301 - Legals & Public Notices

**Run Dates**  
09/08/2020

<b>Product</b>	<b>Placement</b>	<b>Times Run</b>	<b>Schedule Cost</b>
TAC-upsell.thenewstribune.com	0300 - Legals Classified	1	\$65.50

<b>Run Schedule Invoice Text</b>	<b>Position</b>
SEPA Determination of Non-Significance (	0301 - Legals & Public Notices

**Run Dates**  
09/08/2020

### **SEPA Determination of Non-Significance (DNS)**

**Name of Proposal:** HB 1923 Grant - Housing Code Amendments

**Proponent:** City of Orting

**Description:** The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed for the Orting Municipal Code related to: Authorizing at least one duplex on each parcel in one zoning district;

Authorizing lot size averaging in all zoning districts that permit single-family residences; Authorizing attached accessory dwelling units (ADUs) in compliance with HB 1923 requirements found in RCW 36.70A.600; Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW.

**Location:** The City of Orting is located between the Puyallup and Carbon Rivers in Pierce County, generally within Township 18N and 19N, Range 5E. This is a non-project action that would affect multiple parcels in the City of Orting.

**Lead Agency:** City of Orting. The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. The information is available to the public on request.

**Responsible Official:** Mark Bethune, City Administrator, City of Orting, 110 Train St SE, Orting, WA 98360 / Please submit written comments to Mark Bethune at the address above, or by email to Emily Adams, City Planner at eadams@cityoforting.org

This Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). The Lead Agency will not act on this proposal for 14 days from the issue date (issue date: September 8, 2020. Comments must be submitted by 5:00 pm on September 22, 2020.)

# NOTICE OF ORTING PLANNING COMMISSION PUBLIC HEARING

Monday, December 7, 2020 – 7:00 pm

NOTICE IS HEREBY GIVEN the Orting Planning Commission will be holding a Public Hearing. The purpose of this hearing is to receive public testimony regarding a proposal for housing and subdivision code amendments. The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed for the Orting Municipal Code related to: Authorizing at least one duplex on each parcel in one zoning district; Authorizing lot size averaging in all zoning districts that permit single-family residences; Authorizing attached accessory dwelling units (ADUs) in compliance with RCW 36.70A.600; Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in RCW 58.17.

The hearing will be held at a virtual regular Planning Commission Meeting on Dec. 7, 2020 at 7:00pm. The City is utilizing remote attendance for the hearing. Comments made be made by the public by a log in or call in number and then entering the Meeting ID. To join the meeting/hearing on a computer or phone:

Virtual: <https://bluejeans.com/455232308>

Phone Dial-in: +1.408.419.1715 or +1.408.915.6290

Then enter meeting ID: 455 232 308

If you are unable to join the hearing written comments may be submitted to City Planner Emily Adams electronically, no later than 1:00pm on Dec. 7, 2020 at [EAdams@cityoforting.org](mailto:EAdams@cityoforting.org) or by mail to the Planning Commission secretary at 104 Bridge St S, PO Box 489, Orting, WA, 98360.

Written comments will be sent to the Commission prior to the hearing and will become part of the public record. Further information may be obtained by emailing Emily Adams at the email above or by phone at 253-284-0263.





**Ad Order Information**

<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0004817390-01	TAC-Legal Liner	AdBooker	

<b><u>External Ad Number</u></b>	<b><u>Ad Attributes</u></b>	<b><u>Ad Released</u></b>	<b><u>Pick Up</u></b>
		No	

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
2 X 20 li	

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-NT-News Tribune	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
NOTICE IS HEREBY GIVEN the Orting Planni	0301 - Legals & Public Notices

**Run Dates**  
11/27/2020

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-upsell.thenewstribune.com	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
NOTICE IS HEREBY GIVEN the Orting Planni	0301 - Legals & Public Notices

**Run Dates**  
11/27/2020

NOTICE IS HEREBY GIVEN the Orting Planning Commission will be holding a Public Hearing. The purpose of this hearing is to receive public testimony regarding a proposal for housing and subdivision code amendments. The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed related to: Authorizing at least one duplex on each parcel in one zoning district; Authorizing lot size averaging in all zoning districts that permit single-family residences; Authorizing attached accessory dwelling units (ADUs) in compliance with RCW 36.70A.600; Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in RCW 58.17. **The hearing will be held at a virtual regular Planning Commission Meeting on Dec. 7, 2020 at 7:00pm. The City is utilizing remote attendance for the hearing. Comments made be made by the public by a log in or call in number and then entering the Meeting ID. To join the meeting/hearing on a computer or mobile phone:** Virtual: <https://bluejeans.com/455232308> or Phone Dial-in: +1.408.419.1715 or +1.408.915.6290 then enter meeting ID: 455 232 308  
If you are unable to join the hearing written comments may be submitted to City Planner Emily Adams electronically, no later than 1:00pm on Dec 7, 2020 at EAdams@cityoforting.org. Written comments will be sent to the Commission prior to the hearing and will become part of the public record. Further information may be obtained by emailing Emily Adams or by phone at 253-284-0263.



## Emily Adams

---

**To:** Emily Adams  
**Subject:** RE: Orting ADU regulation update/change

**From:** [stewsjunk@comcast.net](mailto:stewsjunk@comcast.net) <[stewsjunk@comcast.net](mailto:stewsjunk@comcast.net)>  
**Sent:** Thursday, June 4, 2020 11:08 AM  
**To:** Emily Adams <[eadams@AHBL.com](mailto:eadams@AHBL.com)>  
**Subject:** RE: Orting ADU regulation update/change

Hi Emily,  
Hope you are well at this odd time in our lives.

From my last email I wanted to add some info on the ADU subject. It would seem no telling when this will happen with much more pressing issues going on right now but since you will at one point forward an outline I wanted to forward this ahead.

It goes without saying the #1 ADU deal breaker is the owner occupied rule. This is first and foremost the biggest issue.

In review of the 1/15 meeting Mark acknowledges that fee costs for an ADU are unfairly the same as a 2000 sq ft home which is way out of line for something that may not be larger than 500 sq ft.. The reality is most of the fee structure in Orting is way out of whack right now. Case in point right now you have many older homes in Orting 1-2 bedrooms under 1000 sq ft paying the same utility charge as 3-4-5 bedroom 2000-3500 sq ft homes in the newer subdivisions. I believe its grossly unfair to ask a resident who owns a 2 bedroom home and wishes to build a 1 bedroom ADU to pay impact fees or General Facility Charges when their burden on the system is still far below your average sized home. To expand when you build a home in Pierce County on a septic system you build and pay for a system based on bedrooms. Regardless of what you ultimately build if you have a 4 bedroom system and build a 3 bedroom home you can convert or add another room at anytime without additional costs regarding impact or GFC. With the above said I think a far better way to approach any fees that are levied is to do so on a total bedroom count per lot. There has to be a baseline total bedroom and above and beyond has a cost per additional bedroom if they choose to do so. Now taking into consideration most ADU will "T" into existing side sewer and water lines the real impact is honestly nothing. I will be honest I have built ADU before and never incurred additional impact or any sort of additional water or sewer GFC charge

I had another concern when at the 1/15 council meeting was the mention of lot partition or selling of the ADU or primary residence. I hope not a whole lot of time is spent here. These are way down secondary issues and truthfully not relevant in Orting's outdated code. In fact in all the cities who have done revisions to ADU code this subject is not covered for a simple reason. An "ADU" by definition is a accessory dwelling unit on one parcel number. A separate dwelling that can be sold or broken off is not a ADU by definition. As well a separate dwelling on its own parcel number has far more value than an ADU that cannot be split off. An attached ADU cannot be broken off nor a detached be chopped off. Lot sizes wont permit it and since they are typically serviced by the main homes utilities its impossible.

The endgame here is the powers to be should understand the ADU is a win win. Property values will increase. Affordable housing and density will increase. Many cities around the nation and here in the

NW grasp the benefits and are aggressively stripping away the prior burdensome requirements from owner occupancy, parking and lot size and setback requirements. The State of Washington has gotten the message and its just a matter of time before this will be statewide law.

That's all I have for now. I keep watching but haven't seen anything new on the website.

Thanks again for keeping me in the loop,

JC

## Emily Adams

---

**From:** stewsjunk@comcast.net  
**Sent:** Saturday, September 26, 2020 7:41 AM  
**To:** Emily Adams  
**Subject:** Re: Orting Open House -Corner Lot Duplex ?

Hi Emily,

I took a look at the Open house #1 presentation and there was lots of great information on there. Well done ! I was not aware the City was also working on redoing the duplex rules specifically corner lots. I have a undeveloped corner lot and found the info interesting but have a few comments to add. First and foremost the example of the duplex in the presentation I get is just an example. I wanted you to know that type of structure is no longer cost effective unless the property is incredibly cheap. That's not the case here in Orting or any town in our area as you know. The truth is the only folks building any duplex are investors primarily. They now know the biggest return is in smaller units. They can look near exact as the homes in old town. I have a few examples below. The difference is the impact to the neighborhood. The small duplex likely only has one car per unit for a total of 2 cars. I look around the neighborhood and my neighbor next to my lot has 3 cars and a boat for his 3 bed house. The neighbor across the street has 3 cars plus a RV and a car trailer in front of his 1800 sq ft house. Investors typically have rules in place to regulate how many vehicles are allowed. My point is the small duplex will have a smaller impact then the single family 3 bed house in most cases. I don't think its wise or fair to put a preconceived notion of what a duplex may look like in regards to size. I know of 200 sq ft per side duplex's being built in Portland and they need a very small footprint.

I would like to cover lot size now. After watching the presentation I heard talk about lots in old town and size of lot. Let me take my lot specifically. Its a 4200 sq ft lot. I currently have approved variance on this lot giving me a 37x45 building envelope. I know of at least 20 duplex plans that look exactly like the old town homes that have a envelope under 30x30 two story. I have provided an example below that's 16x20 and 20x24. The look can match anything that's in the neighborhood. Lets not forget corner lots inherit additional space on two sides that is the homeowners responsibility to maintain as well as use.

I really hope some actual usable change comes in these code amendment's. If they don't address the direction of where things are heading and that's smaller with more density it will once again be largely code that wont work for Orting and its land owners. Nothing in Orting's current code promotes any density. Its cottage, duplex and ADU rules are all outdated and extremely project unfriendly. My sincere hope is some real change comes about. I suggest please do not put pre determined lot size rules in place. Its useless over regulation. Let the setback rules in place do their work. Orting has some odd dimensions. Let each project stand or fail on its own individual merits.

Thank you for the chance to share my viewpoint. Your accessibility is much appreciated.

JC

<https://www.ebay.com/itm/16x20-Duplex-574-sq-ft-PDF-Floor-Plan-Model-14E/264687890026?hash=item3da0a0ae6a:g:HDUAAOSwsRlcxe9Y>

<https://www.ebay.com/itm/20x24-Duplex-PDF-Floor-Plan-960-sq-ft-Model-2A/202717321665?hash=item2f32e4d9c1:g:cJkAAOSwfWBdES>

On 09/25/2020 1:40 PM Emily Adams <eadams@ahbl.com> wrote:

Hi JC,

I just wanted to let you know a virtual open house regarding the code amendments (including ADU amendments) will be happening on Monday.

The flyer attached contains all the pertinent information.

Have a good weekend,

**Emily Adams, AICP** | Project Planner

**AHBL, Inc.** | **TACOMA** • SEATTLE • SPOKANE • TRI-CITIES

253.383.2422 **TEL** | 253.284.0263 **DIRECT** | eadams@ahbl.com **EMAIL**

*Civil Engineers • Structural Engineers • Landscape Architects • Community Planners • Land Surveyors*

Visit us at [www.ahbl.com](http://www.ahbl.com). | Follow us on [LinkedIn](#) and [Facebook](#). | Send us a [file](#).



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: South Correctional Entity-Inmate Housing (SCORE) , 2021 Contract Amendment</b>	<b>AB21-05</b>	<b>Public Safety</b>	<b>1.20.21</b>	<b>1.27.21</b>
	<b>Department:</b>	Police		
	<b>Date Submitted:</b>	1.1.21		
<b>Cost of Item:</b>		_ \$		
<b>Amount Budgeted:</b>		_ \$		
<b>Unexpended Balance:</b>		_ \$		
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>		<b>Police</b>		
<b>Fiscal Note:</b>				
<b>Attachments:</b> Letter from Score and contract				
<b>SUMMARY STATEMENT:</b>				
<p>The Police Department has had a contract with SCORE since 2014. Score is not always used for services, as the City has several contracts with other local jails. SCORE is one of the facilities the Department can utilize depending on individual circumstances. Score has the unique ability to house individuals with mental health issues.</p> <p>The attached is a contract amendment for 2021 services. SCORE has decided to implement a modest fee of \$35.00 upon booking. This fee will not be charged in 2021 but is scheduled to go in to effect for contract year 2022.</p> <p>SCORE has indicated that due to the devastating effects of the pandemic, on communities and City budgets that they will not raise their Daily Rates or Premium Medical Surcharges for contract year 2022.</p>				
<b>RECOMMENDED ACTION:</b> Move forward to the consent agenda for the January 27 <sup>th</sup> , 2021 Meeting.				
<b>FUTURE MOTION:</b> To authorize the Mayor to sign the contract amendment with SCORE as presented.				



## SOUTH CORRECTIONAL ENTITY

*Serving the Cities of: Auburn, Burien, Des Moines, Renton, SeaTac, and Tukwila*

---

June 30, 2020

Lieutenant Devon Gabreluk  
Orting Police Department  
PO Box 490  
402 Washington Ave SE  
Orting, WA 98361

Sent via Email: [DGabreluk@cityoforting.org](mailto:DGabreluk@cityoforting.org)

Dear Lieutenant Devon Gabreluk:

Thank you for your continued support and partnership during this unprecedented time. On behalf of all South Correctional Entity (SCORE) Employees, we appreciate the work you do for your community while upholding the mission and values that strengthen all of our communities.

### **Background**

SCORE's Vision is "to protect the public, by providing secure and humane housing of inmates within its control and by providing the best corrections services within Washington State". SCORE strives to provide the highest quality of supervision and services and has earned, for a second time, accreditation with the National Commission of Correctional Health Care. In 2016, SCORE was the first jail accredited by the Washington Association of Sheriffs' and Police Chiefs and is seeking reaccreditation this year. Additionally, many of SCORE's Corrections Officers and Captains have been certified by the American Jail Association. SCORE is also compliant with the Prison Rape Elimination Act and the American Disabilities Act.

I am pleased to share with you that since August of 2018, we've applied for and have been awarded more than \$1,000,000.00 in grant monies to support opioid treatment and reentry coordination services. SCORE continues to provide comprehensive Medication Assisted Treatment (MAT) program and these grant monies allow us to serve a greater number of inmates and maintain continuity of care through our community partners.

### **COVID-19 Response**

SCORE was an early adopter of employee and inmate screening and continues to ensure we are engaged in preventative measures such as regular sanitation routines, masks requirements for staff, visitors, and inmate population, and temperature and symptom checks prior to facility entrance. We continue to work with our vendors to provide free inmate visits via video and have increased our video court technology options for contactless court hearings.

**2021 Rates and Fees**

SCORE has decided to implement a modest fee of \$35.00 upon booking. This fee will not be charged in 2021 but is scheduled to go in to effect for contract year 2022. This fee will appear on your contracts as "waived" for 2021 due to our continued booking restrictions and the economic damage caused by COVID-19 pandemic. We know that this pandemic has had devastating effects on our communities and city budgets so we will not be raising our Daily Rates or Premium Medical Surcharges for contract year 2022. Therefore, this letter will serve as notification of SCORE’s housing contract rates for 2021:

**2021 Rates**

Daily Housing Rates:

General Population – Guaranteed Beds	\$128.00
General Population – Non-Guaranteed Beds	\$184.00

Daily Rate Surcharges:

Mental Health – Residential Beds	\$159.00
Medical – Acute Beds	\$217.00
Mental Health - Acute Beds	\$278.00

Booking Fee: \$35.00 (Waived)

**Mental Health - Residential Beds** means inmates clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing ongoing mental health care services and specialized housing in SCORE’s Mental Health - Residential Unit.

**Medical – Acute Beds** means an inmate is clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of medical services and housing provided in SCORE’s medical clinic.

**Mental Health – Acute Beds** means an inmate clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of psychiatric services and specialized housing in SCORE’s Mental Health - Acute Unit.

To review our response to COVID-19 visit <https://www.scorejail.org/news-releases>.

Please contact me if you have any questions. I can be reached either via email or phone at [dschrum@scorejail.org](mailto:dschrum@scorejail.org) or 206-257-6262.

Sincerely,



Devon Schrum, Executive Director  
South Correctional Entity

## INTERLOCAL AGREEMENT FOR INMATE HOUSING

THIS INTERLOCAL AGREEMENT FOR INMATE HOUSING (hereinafter "Agreement") is made and entered into by and between the SOUTH CORRECTIONAL ENTITY, a governmental administrative agency formed pursuant to RCW 39.34.030(3) ("SCORE") and the CITY OF Orting a municipal corporation organized under the laws of the State of Washington (hereinafter the "Contract Agency" together with SCORE, the "Parties" or individually a "Party").

### RECITALS

**WHEREAS**, SCORE was formed by its Member Cities (as defined herein) as a governmental administrative agency pursuant to RCW 39.34.030(3) to operate and maintain a consolidated correctional facility located in the city of Des Moines (the "SCORE Facility") to serve the Member Cities, federal and state agencies and other local governments that contract with SCORE from time to time to provide correctional services essential to the preservation of the public health, safety and welfare; and

**WHEREAS**, the Contract Agency desires to transfer custody of certain inmates to SCORE to be housed at the SCORE Facility; and

**WHEREAS**, this Agreement is entered into by and between the Parties pursuant to chapters 39.34 and 70.48 RCW, which provide for interlocal agreements for sharing of correction/detention facilities between local governments;

In consideration of the mutual covenants, conditions, and promises contained herein, the Parties hereto mutually agree as follows:

### SECTION 1. DEFINITIONS.

Terms defined in the recitals of this Agreement are incorporated herein as if fully set forth in this Agreement. Capitalized terms used herein shall have the following meanings. Terms not otherwise defined herein shall have the meanings set forth in the Interlocal Agreement.

**Detainer** means a legal order authorizing or commanding another agency a right to take custody of a person.

**Commencement Date** means January 1, 2020.

**Contract Agency Inmate** means a person or persons subject to the Contract Agency's custody who is transferred to SCORE's custody under this Agreement.

**Daily Bed Rate** means the daily rate the Contract Agency is charged to occupy a general population bed, as set forth in Exhibit A.

**Daily Surcharge Rates** means any of the following special charges as defined in Exhibit A: Daily Surcharge Rates: Medical-Acute; Mental Health-Acute; and Mental Health-General Population.

**Guaranteed Bed Rate** means a reduced Daily Bed Rate - Guaranteed, as set forth in Exhibit A.

**Inmate** means a person or persons transferred to SCORE's custody to be housed at the SCORE Facility. The term "Inmates" includes Contract Agency Inmates.



**Interlocal Agreement** means the Amended and Restated SCORE Interlocal Agreement dated as of October 1, 2009, executed among the parties thereto for the purpose of forming SCORE.

**Mental Health - Residential Beds** means Inmates clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing ongoing mental health care services and specialized housing in SCORE's Mental Health - Residential Unit.

**Medical – Acute Beds** means an Inmate clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of medical services and housing provided in SCORE's medical clinic.

**Mental Health – Acute Beds** means an Inmate clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of psychiatric services and specialized housing in SCORE's Mental Health - Acute Unit.

**Member City** has the meaning set forth in the Interlocal Agreement.

**Non-Guaranteed Bed Rate** means a higher Daily Bed Rate – Non-Guaranteed, as set forth in Exhibit A.

**SCORE Facility** means the correctional facility maintained and operated by SCORE located at 20817 17<sup>th</sup> Avenue South, Des Moines, WA 98198.

**Termination Date** means December 31, 2024.

## **SECTION 2. TERM.**

This Agreement shall commence at 12:00 a.m. PST on the Commencement Date and terminate at 11:59 p.m. PST on the Termination Date, unless sooner terminated by either Party in accordance with this Agreement. This Agreement may be renewed for any successive period by written addendum under terms and conditions acceptable to the Parties.

## **SECTION 3. INMATE HOUSING AND SERVICES.**

Subject to the terms of this Agreement, SCORE hereby agrees to accept Contract Agency Inmates and to provide housing, care, and custody of those Contract Agency Inmates pursuant to SCORE policies and procedures. Additional related services and associated fees, if any, to be provided to Contract Agency Inmates and/or the Contract Agency are listed in Exhibit A.

To the greatest extent permitted by law, SCORE shall have the right to refuse to accept an individual in custody of the Contract Agency or to return any Contract Agency Inmate to the Contract Agency for any reason, including but not limited to if, in the sole discretion of SCORE, such individual presents a substantial risk of escape, of injury to self or other persons or property, of adversely affecting or significantly disrupting the operations of the SCORE Facility, and/or has a medical illness or injury that makes housing such individual not in the best interest of SCORE or other Inmates as described in Exhibit D. Final acceptance of an individual based on illness or injury is determined upon approval of medical staff at the time of booking.

## **SECTION 4. COMPENSATION.**

In consideration of SCORE's commitment to provide housing and related services for Contract Agency Inmates, the Contract Agency agrees to pay SCORE the fees and charges set forth in Exhibit A.

Such fees and charges may include, but are not limited to, booking, daily bed rate, medical and specialty, mental health, transportation, security, other charges and/or negotiated fees.

SCORE may from time to time revise the fees and charges for housing and related services under this Agreement during the term of this Agreement. SCORE shall give advance notice of any change to its fees and charges for such service in order to allow the Contract Agency sufficient time to adjust its annual budget. Unless otherwise agreed to by the Parties hereto, any new fees and charges under a new fee schedule shall become effective on January 1 of the following year.

The Contract Agency shall acknowledge receipt of the rates and charges schedule in writing and such acknowledgement shall be deemed to be an amendment to this Agreement and incorporated as if fully set forth herein without the necessity of a formal amendment or separate approval by the legislative authority of the Contract Agency or the Administrative Board of SCORE.

#### **SECTION 5. TRANSPORTATION, BOOKING, CLASSIFICATION, DISCIPLINE AND RELEASE PROCEDURES.**

- A. Transportation. The Contract Agency is responsible for the transportation of Contract Agency Inmates to the SCORE Facility, including all costs associated therewith.
- B. Booking. Contract Agency Inmates shall be booked pursuant to SCORE's booking policies and procedures. Pursuant to RCW 70.48.130, and as part of the booking procedure, SCORE shall obtain general information concerning the Contract Agency Inmate's ability to pay for medical care, including insurance or other medical benefits or resources to which a Contract Agency Inmate is entitled. The information is used for third party billing.
- C. Classification. Contract Agency Inmates shall be classified pursuant to SCORE's classification policies and procedures, and within the sole discretion and reasonable judgment of SCORE. The Contract Agency shall provide sufficient information regarding each Contract Agency Inmate as needed to allow SCORE to make such classification. Contract Agency Inmates shall be assigned to housing pursuant to SCORE's policies and procedures, and within the sole discretion and reasonable judgment of SCORE as provided in Exhibit F.
- D. Inmate Discipline. SCORE shall discipline Contract Agency Inmates according to SCORE policies and procedures and in the same manner which other Inmates are disciplined; provided, however, nothing contained herein shall be construed to authorize the imposition of a type of discipline that would not be imposed on a comparable Inmate, up to and including the removal of earned early release credits as approved by the Contract Agency.
- E. Release. Except for work programs or health care, and during emergencies, Contract Agency Inmates shall not be removed and/or released from the SCORE Facility without written authorization from the Contract Agency or by the order of a court of competent jurisdiction. Other jurisdictions may "borrow" a Contract Agency Inmate according to policies and procedures of SCORE and as listed in Exhibit G.

Contract Agency Inmates will be transported at the time of release as follows: SCORE will release each Contract Agency Inmates to the Contract Agency at a mutually agreeable location. Alternatively, SCORE will provide transportation upon release to either the closest Member City of arrest, or the Member City of residence, whichever is closer, unless confirmed transportation is available at the time of release. Additional fees, if any, for transportation outside of King County are included in Exhibit A.

Contract Agency Inmates for whom bail is posted, or who otherwise have a right to be released, may choose to remain in custody at the SCORE Facility by signing written waiver and return to the Contract Agency by the regularly scheduled transport, be released to a family member or friend with confirmed transportation, or be released via private taxi.

#### **SECTION 6. INMATE MEDICAL RECORDS, CLOTHING, BEDDING, PROPERTY AND WORK PROGRAMS.**

- A. Inmate Medical Records. Should a Contract Agency Inmate receive medical care for injuries or illness at the time of arrest and prior to booking at the SCORE Facility, the Contract Agency shall provide medical documentation pertaining to injury or illness to SCORE at the time of booking if the Contract Agency has access to such records. If the Contract Agency cannot provide such records, SCORE, in its sole discretion, may refuse to accept a Contract Agency Inmate.
- B. Inmate Property. SCORE agrees to provide each Contract Agency Inmate with necessary or appropriate clothing and essential hygiene items. SCORE shall accept, hold and handle, and return any Contract Agency Inmate property in accordance with SCORE's policies and procedures, and shall be responsible only for Contract Agency Inmate property actually delivered into SCORE's possession. In the event a Contract Agency Inmate is being transported from a Contract Agency designated detention or correction facility, it will be the responsibility of the Contract Agency to process the Contract Agency Inmate's property not delivered and accepted into SCORE's possession as provided in Exhibit E.
- C. Work Programs. SCORE may assign Contract Agency Inmates to work programs such as inside and outside work crews, kitchen and facility duties, and other appropriate duties pursuant to SCORE's policies and procedures and within the sole discretion and judgment of SCORE.
- D. Visitation. SCORE shall provide reasonable scheduled visitation for Contract Agency Inmates. Inmate visitation may be accessible via video connection by third party provider at off-site locations for an access fee. Complimentary video visit access is available at the SCORE Facility. Confidential telephones or visitation rooms shall be available to a Contract Agency Inmate to communicate with his or her legal counsel.
- E. Inmate Accounts. SCORE shall establish and maintain a non-interest bearing account for each Contract Agency Inmate. Upon returning custody of a Contract Agency Inmate to the Contract Agency, SCORE shall transfer the balance of that Contract Agency Inmate's account that is not subject to charges, to the Contract Agency Inmate or to the Contract Agency in the form of cash, check, debit card or other agreed upon method in the name of the Contract Agency Inmate.

#### **SECTION 7. HEALTH CARE.**

SCORE shall provide in-facility medical care commonly associated with corrections operations as guided by American Correctional Association or National Commission on Correctional Health Care.

Contract Agency Inmates shall be responsible for co-payment for health services according to SCORE policy. The Contract Agency shall not be responsible to SCORE for Contract Agency Inmate co-payments. No Contract Agency Inmate shall be denied necessary health care because of an inability to pay for health services.

In-facility medical, dental, and mental health services are included in the daily rate set forth in Exhibit A. Should a Contract Agency Inmate require medical, mental health, dental, and/or other medical services at an outside medical or health care facility, SCORE shall notify the Contract

Agency's designee (either by written or electronic means) within a reasonable time period before the Contract Agency Inmate receives such medical, mental health, dental or any other medical services. Notwithstanding the foregoing, the Contract Agency acknowledges that such notice may not be reasonably possible prior to emergency care.

Except to the extent that a Contract Agency Inmate can pay pursuant to Section 5.B, the Contract Agency shall pay for all medical, mental health, dental or any other medical services or equipment that are required to care for Contract Agency Inmates outside of the SCORE Facility in addition to the charges listed in Exhibit A. Lack of prior notice shall not excuse the Contract Agency from financial responsibility for such expenses, and shall not be a basis for imposing financial responsibility for related medical expenses on SCORE. SCORE shall bear the expense of any such medical care necessitated by improper conduct of SCORE, or of its officers or agents.

If a Contract Agency Inmate is admitted to a hospital, the Contracting Agency will be responsible for hospital security unless other arrangements are made with SCORE. SCORE, in its sole discretion, may, or at the request of the Contract Agency shall, provide hospital security services for an additional charge as provided in Exhibit A.

#### **SECTION 8. DETAINERS.**

Warrants and Contract Agency Inmates in a "Detainer" status shall be handled according to SCORE policies and procedures and as provided in Exhibit B attached hereto.

#### **SECTION 9. RELEASE OF HOLDS AND COURT APPEARANCES.**

If a court of limited jurisdiction releases a hold on a Contract Agency Inmate still incarcerated at the SCORE Facility, SCORE will not facilitate further court appearances of that Contract Agency Inmate except if the Contract Agency wishes to use the video arraignment system at the SCORE Facility.

#### **SECTION 10. ESCAPE; DEATH.**

If a Contract Agency Inmate escapes SCORE's custody, SCORE shall notify the Contract Agency as soon as reasonably possible. SCORE shall use all reasonable efforts to pursue and regain custody of escaped Contract Agency Inmates.

If a Contract Agency Inmate dies while in SCORE custody, SCORE shall notify the Contract Agency as soon as reasonably possible. The King County Medical Examiner shall assume custody of the Contract Agency Inmate's body. Unless another agency becomes responsible for investigation, one or more Member City shall investigate and shall provide the Contract Agency with a report of its investigation. The Contract Agency may participate in the investigation. If another agency becomes responsible for investigation, SCORE shall serve as a liaison or otherwise facilitate the Contract Agency's communication with and receipt of reports from the other agency.

The Contract Agency shall provide SCORE with written instructions regarding the disposition of the Contract Agency Inmate's body. The Contract Agency shall pay for all reasonable expenses for the preparation and shipment of the body. The Contract Agency may request in writing that SCORE arrange for burial and all matters related or incidental thereto and the Contract Agency shall be responsible for all costs associated with this request.

**SECTION 11. REPORTING AND INSPECTION.**

SCORE agrees to use reasonable efforts to work with the Contract Agency to provide access to and/or reports from jail management systems that provide statistical information about Inmates. The Contract Agency shall have the right, upon reasonable advance notice, to inspect the SCORE Facility at reasonable times. During such inspections, the Contract Agency may interview Contract Agency Inmates and review Contract Agency Inmates' records. The Contract Agency shall have no right to interview Inmates housed for other jurisdictions or to review their records, unless Contract Agency is properly authorized to do so by the Inmate or the other jurisdiction.

**SECTION 12. TECHNOLOGY.**

SCORE and the Contract Agency may each permit the other continuous access to its computer database regarding all Contract Agency Inmates housed by SCORE. This continuous access feature may be accomplished through a computer link between a computer(s) designated by the Contract Agency and appropriate computer(s) of SCORE.

**SECTION 13. BILLING AND PAYMENT.**

SCORE shall provide the Contract Agency with monthly statements itemizing the name of each Contract Agency Inmate; the number of days of housing, including the date and time booked into the SCORE Facility and date and time released from SCORE; and itemization of any additional charges including a description of the service provided, date provided and reason for service. Payment shall be due to SCORE within 30 days from the date the bill is received. SCORE may bill the Contract Agency electronically. Payments not received by the 30th day shall bear interest at the rate of 1% per month until payment is received. Any fees or charges for Inmates housed on charges from multiple agencies (including but not limited to outside medical care) will be divided equally among those agencies.

**SECTION 14. BILLING DISPUTE RESOLUTION.**

The Contract Agency must provide written notice of dispute to SCORE within 60 days of billing or other disputed charges. SCORE shall respond in writing to such disputes within 60 days of receipt of such disputes. SCORE and the Contract Agency shall attempt to resolve the dispute by negotiation. If such negotiation is unsuccessful, either Party may refer the dispute to the SCORE Operations Board for resolution. The decision of the SCORE Operations Board is the final internal administrative remedy the Contract Agency must exhaust before pursuing other contractual, legal, equitable, or alternative dispute resolutions.

**SECTION 15. INDEPENDENT CONTRACTOR.**

In providing services under this Agreement, SCORE is an independent contractor and neither it nor its officers, nor its agents nor its employees are employees of the Contract Agency for any purpose, including responsibility for any federal or state tax, industrial insurance, or Social Security liability. Neither shall the provision of services under this Agreement give rise to any claim of career service or civil service rights, which may accrue to an employee of the Contract Agency under any applicable law, rule or regulation. Nothing in this Agreement is intended to create an interest in or give a benefit to third persons not signing as a Party to this Agreement.

**SECTION 16. HOLD HARMLESS, DEFENSE, AND INDEMNIFICATION.**

SCORE shall hold harmless, defend, and indemnify the Contract Agency, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited

to claims related to false arrest or detention, alleged mistreatment, alleged violation of civil rights, injury, or death of any Contract Agency Inmate, or loss or damage to Contract Agency Inmate property while in SCORE custody) that result from or arise out of the acts or omissions of SCORE, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of SCORE's services, duties, and obligations under this Agreement.

The Contract Agency shall hold harmless, defend, and indemnify SCORE, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited to claims related to false arrest or detention, alleged mistreatment, alleged violation of civil rights, injury, or death of any Contract Agency Inmate, or loss or damage to Contract Agency Inmate property while in SCORE custody) that result from or arise out of the acts or omissions of the Contract Agency, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of the Contract Agency's services, duties, and obligations under this Agreement.

In the event the acts or omissions of the officials, officers, agents, and/or employees of both the Contract Agency and SCORE in connection with or incidental to the performance or non-performance of the Contract Agency's and or SCORE's services, duties, and obligations under this Agreement are the subject of any liability claims by a third party, the Contract Agency and SCORE shall each be liable for its proportionate concurrent negligence in any resulting suits, actions, claims, liability, damages, judgments, costs and expenses and for their own attorney's fees.

Nothing contained in this section or this Agreement shall be construed to create a right in any third party to indemnification or defense.

SCORE and the Contract Agency hereby waive, as to each other only, their immunity from suit under industrial insurance, Title 51 RCW. This waiver of immunity was mutually negotiated by the Parties hereto.

The provisions of this section shall survive any termination or expiration of this Agreement.

#### **SECTION 17. INSURANCE.**

SCORE and the Contract Agency shall provide each other with evidence of insurance coverage, in the form of a certificate or other competent evidence from an insurance provider, insurance pool, or of self-insurance sufficient to satisfy the obligations set forth in this Agreement.

SCORE and the Contract Agency shall each maintain throughout the term of this Agreement coverage in minimum liability limits of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in the aggregate for its liability exposures, including comprehensive general liability, errors and omissions, auto liability and police professional liability. The insurance policies shall provide coverage on an occurrence basis.

Each Party shall provide to the other Party at least 30 days advance notice of any cancellation, suspension or material change in coverage.

#### **SECTION 18. TERMINATION.**

Either Party may terminate this Agreement, with or without cause, by providing the other Party with 90 days written notice of termination as provided in RCW 70.48.090.

**SECTION 19. RECORDS.**

The Parties hereto shall maintain all records, reports, and documents created, held or maintained under this Agreement and the services to be provided hereunder in accordance with chapter 42.56 RCW (the Washington Public Records Act), chapter 40.14 RCW (Preservation and Destruction of Public Records) and all other applicable federal, state and local laws and regulations.

**SECTION 20. OPERATION OF SCORE FACILITY; PRISON RAPE ELIMINATION ACT.**

SCORE shall manage, maintain, and operate the SCORE Facility in compliance with all applicable federal, state, and local laws and regulations. SCORE acknowledges and complies with the terms of the Prison Rape Elimination Act regarding custodial sexual misconduct as set forth in Exhibit C.

**SECTION 21. HIPAA AND HITECH COMPLIANCE.**

The Parties shall comply with all requirements of the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Federal Health Information and Technology for Economic and Clinical Health Act (HITECH Act) as applicable, which relate to the Parties' responsibilities under this Agreement, as well as state laws and regulations including chapter 70.02 RCW.

**SECTION 22. EQUAL OPPORTUNITY.**

Neither Party shall discriminate against any person on the grounds of race, creed, color, religion, national origin, sex, age, marital status, sexual orientation, veterans and military status, political affiliation or belief or the presence of any sensory, mental or physical handicap in violation of any applicable federal law, Washington State Law Against Discrimination (chapter 49.60 RCW) or the Americans with Disabilities Act (42 USC 12110 *et seq.*).

**SECTION 23. MISCELLANEOUS.**

- A. Real or Personal Property. It is not anticipated that any real or personal property will be acquired or purchased by the Parties solely because of this Agreement.
- B. Assignment. This Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by a Party to any other person or entity without the prior written consent of the other Party. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of the assigning Party stated herein.
- C. Non-Waiver. The failure of either Party to insist upon strict performance of any provision of this Agreement or to exercise any right based upon a breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right under this Agreement.
- D. Severability. If this Agreement, or any portion of this Agreement, is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.
- E. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If any dispute arises between the Parties under any of the provisions of this Agreement, resolution of that dispute shall be available only through the jurisdiction, venue and rules of the King County Superior Court, King County, Washington.

- F. Attorneys' Fees. In any claim or lawsuit for damages arising from the Parties' performance of this Agreement, each Party shall be responsible for payment of its own legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit; however, nothing in this subsection shall limit the each Parties' right to indemnification under this Agreement.
- G. Approval and Filing. Each Party shall approve this Agreement by resolution, ordinance, motion or otherwise pursuant to the laws of the governing body of each Party. The signatures of the authorized signatories below shall constitute a presumption that such approval was properly obtained. A copy of this Agreement shall be filed and/or posted pursuant to chapter 39.34 RCW.
- H. Amendment. Except as otherwise provided in Section 4 of this Agreement, no waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless evidenced in writing signed by duly authorized representatives of both Parties.
- I. No Joint Venture or Partnership. No joint venture, separate administrative or governmental entity, or partnership is formed as a result of this Agreement
- J. Compliance with Applicable Laws and Standards. SCORE agrees to manage the Contract Agency Inmates and the SCORE Facility in accordance with applicable federal and state laws and regulations and to maintain staffing levels at the SCORE Facility in sufficient numbers and rank to maintain the safety of the public, staff, Inmates, and to reasonably carry out the provisions of this Agreement.
- K. Continuation of Performance. In the event that any dispute or conflict arises between the Parties while this Agreement is in effect, the Parties hereto agree that, notwithstanding such dispute or conflict, they shall continue to make a good faith effort to cooperate and continue work toward successful completion of assigned duties and responsibilities. Provided that if the Contract Agency fails to pay for the services provided by the SCORE, SCORE can cease providing such services until payment is made.
- L. Representatives; Notices. The individuals listed below the signature blocks included in this Agreement are designated as representatives of the respective Parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the Party making the change shall notify the other Party. Any notice or other communication given hereunder shall be deemed sufficient, if in writing and delivered personally to the addressee, or sent electronically or by certified or registered mail, return receipt requested, addressed as provided after the signature blocks included in this Agreement, or to such other address as may be designated by the addressee by written notice to the other Party.
- M. Entire Agreement. This Agreement, together with any subsequent amendments, constitutes the entire Agreement between the Parties and supersedes all prior agreements for inmate housing between the Parties.

#### **SECTION 24. EXECUTION.**

This Agreement shall be executed by the Parties hereto by their duly authorized representative. This Agreement may be executed in one or more counterparts.



THIS AGREEMENT is hereby effective as of the Commencement Date.

SOUTH CORRECTIONAL ENTITY

Devon Schrum  
Signature

2-3-2020  
Date

City of Orting  
Contract Agency Name

[Signature]  
Signature

1/29/2020  
Date

ATTESTED BY: City Clerk

Jane Montgomery  
Signature

NOTICE ADDRESS:

SOUTH CORRECTIONAL ENTITY  
20817 17th Avenue South  
Des Moines, WA 98198

Attention: Executive Director Devon Schrum  
Email: dschrum@scorejail.org  
Telephone: 206-257-6262  
Fax: 206-257-6310

DESIGNATED REPRESENTATIVE FOR PURPOSES OF THIS AGREEMENT:

Name: Devon Schrum  
Title: Executive Director

NOTICE ADDRESS:

City of Orting  
PO Box 489  
Orting, WA 98360

Attention: Jane Montgomery  
City Clerk  
Email: jmontgomery@cityoforting.org  
Telephone: 360-893-2219 x 133  
Fax:

DESIGNATED REPRESENTATIVE FOR PURPOSES OF THIS AGREEMENT:

Name: Joshua Penner  
Title: Mayor

---

Exhibit A

**FEES AND CHARGES AND SERVICES**

Daily Housing Rates:<sup>1</sup>

General Population – Guaranteed	\$128.00	Number of Beds: <u>0</u>
General Population – Non-Guaranteed	\$184.00	

Daily Rate Surcharges:<sup>2</sup>

Mental Health – Residential Beds	\$159.00
Medical - Acute Beds	\$217.00
Mental Health – Acute Beds	\$278.00

Health Care Services:<sup>3</sup>

In-Facility Care	Included
Co-Payments	Inmate responsibility
Outside Medical Services	Contract Agency billed
Emergency Care	Contract Agency billed
Pharmaceuticals	Medications billed to Contract Agency

Transportation Fees:

SCORE Officer Transport	\$65.00/per hour
Released at Member City Location <sup>4</sup>	Included

Security Services:

Hospital Security	\$65.00/per hour
-------------------	------------------

Video Court:

In-Custody Arraignment	Included
------------------------	----------

Other Terms & Conditions:

---

<sup>1</sup> Guaranteed Bed Rate

<sup>2</sup> Surcharges are in addition to daily bed rates and subject to bed availability.

<sup>3</sup> Guided by American Correctional Association and/or National Commission on Correctional Health Care.

<sup>4</sup> Auburn, Burien, Des Moines, Federal Way (Until 12/31/2019), Renton, SeaTac, Tukwila.

---

Exhibit B

**WARRANTS/OTHER COURT ORDERS/DETAINERS**

The following shall apply to Contract Agency Inmates who are subject to warrants from other jurisdictions or to other court orders for confinement or detainers:

1. When receiving a Contract Agency Inmate, the booking officers at SCORE shall review all paperwork provided by the Contract Agency for all grounds to hold the Contract Agency Inmate.
2. Prior to releasing a Contract Agency Inmate, SCORE shall check the NCIC and WACIC systems to determine if the Contract Agency Inmate is subject to any valid warrants or other detainers.
  - a) If the Contract Agency Inmate is subject to a warrant that is limited to King County, SCORE will, upon receiving written permission (e-mail) from the Contract Agency, transport the Inmate to the custodial agency for the jurisdiction that issued the warrant. However, SCORE will not assume responsibility to serve any such warrants.
  - b) If the Contract Agency Inmate is subject to a warrant from a western Washington jurisdiction outside King County, SCORE will either process the Inmate for transfer on the Cooperative Transport Chain or provide transfer to a jurisdiction that participates in Cooperative Transport Chain.
  - c) If the Contract Agency Inmate is subject to a warrant from an eastern Washington jurisdiction, SCORE will send the Inmate to a jurisdiction that participates in the Cooperative Transport Chain.
  - d) If, upon return from SCORE to the Contract Agency, the Inmate is subject to a warrant that provides for statewide extradition, SCORE will either transport the Inmate to the detention/correction facility in King County designated by the agency/jurisdiction that issued the warrant if it is in King County, or will send the Inmate to the agency/jurisdiction that issued the warrant on the Mini- Chain.

---

Exhibit C

PREA ACKNOWLEDGMENT - CUSTODIAL AND SEXUAL MISCONDUCT

1. Compliance  
SCORE agrees to ensure that all of its employees, contractors, vendors, and volunteers that have contact with Contract Agency Inmates comply with all federal and state laws regarding sexual misconduct including, but not limited to:
  - a) The Prison Rape Elimination Act of 2003 (PREA)
  - b) The standards for adult Prisons and Jails or Community Confinement Facilities, whichever is applicable, as promulgated by the US Attorney, and
  - c) Zero tolerance toward all forms of sexual abuse and sexual harassment.
  
2. Monitoring  
SCORE agrees to provide the Contract Agency documented compliance with the Federal Prison Rape Elimination Act standards. Monitoring may include, but is not limited to:
  - a) Site visits,
  - b) Access to facility data, and
  - c) Review of applicable documentation.
  
3. Contract Agency may terminate this Agreement
  - a) Should SCORE fail to provide documentation that demonstrates that the SCORE is actively and effectively working toward and is making substantive progress toward achieving compliance; or
  - b) Should SCORE fail to maintain PREA compliance between auditing periods, after being given a reasonable opportunity to cure.
  
4. The Contract Agency will terminate this Agreement
  - a) Should SCORE elect to discontinue pursuit of PREA compliance;
  - b) Should SCORE be found in noncompliance through a PREA Audit and fail to cure such noncompliance within the identified time-frames; or
  - c) Should SCORE be found to be in egregious violation of PREA.

---

Exhibit D

**MEDICAL ACCEPTABILITY**

SCORE shall determine the medical and mental acceptability of Inmates for booking or housing using the following guidelines. However, final acceptance is based upon approval of medical staff at the time of booking. Excluding criteria include but are not limited to:

1. Signs of untreated broken bones or dislocated joints.
2. Any injury or illness requiring emergency medical treatment.
3. Unconsciousness.
4. Inmates unable to stand and walk under their own power, unless they normally use an assistive device, such as a wheelchair, for mobility.
5. Bed bound individuals.
6. Individuals with attached IV or requiring IV medications.
7. Individuals requiring the use of oxygen tanks.
8. AMA (Against Medical Advice) from the hospital.
9. Individuals having had major invasive surgery within the last 72 hours. Non-invasive surgery such as oral surgery, laser-eye surgery and minor surgery may be evaluated on a case by case basis.
10. Wounds with drainage tubes attached.
11. Persons with Alzheimer's, dementia or other psychological conditions to the point where the Inmate cannot perform activities of daily living ("ADL's") or who do not have the capacity to function safely within a correctional environment.
12. Persons who are diagnosed as developmentally delayed and who do not have the capacity to function safely within a correctional environment or who cannot perform ADL's.
13. Persons undergoing chemotherapy and/or radiation treatment.
14. Persons undergoing dialysis.
15. Persons with suicidal ideations or gestures within the past 72 hours.
16. Persons, if prescribed, who have not taken psychotropic medications for at least 72 hours.
17. Persons who have by self-disclosure, admitted to attempting suicide within the last 30 days.
18. Persons who have attempted suicide during their current incarceration.
19. Persons displaying current psychotic episode.

---

**Exhibit E**

**PROPERTY**

1. SCORE will *not accept or transport* the following:
  - a) Backpacks, suitcases, etc.
  - b) Unpackaged food products.
  - c) Food products in packaging that have been opened.
  - d) Any type of weapon (includes pocket knives).
  - e) Liquids.
  - f) Helmets or any kind.
  - g) Large items that will not fit into a common paper grocery bag.
  - h) Material deemed to be contraband.

SCORE will limit property returned with the Inmate to the Contract Agency according to these criteria.

---

**Exhibit F**

**CLASSIFICATION**

SCORE maintains a classification plan to guide staff in the processing of individuals brought into the facility. The plan includes an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42) and uses an objective screening instrument and procedures for making decisions about classification and housing assignments. The plan includes, and not limited to, an evaluation of the following criteria:

1. Behavior during arrest and intake process
2. Potential risk of safety to others or self
3. Medical needs
4. The inmate's own perception of his/her vulnerability
5. Any other criteria as deemed appropriate by the Executive Director or designee

The Contract Agency shall supply SCORE with the following Classification related information, if known to or in possession of the Contract Agency:

1. If the Contract Agency Inmate has been classified to a special housing unit.
2. If the Contract Agency Inmate has been classified as protective custody.
3. If the Contract Agency Inmate:
  - a) Is a violent offender or has displayed violent behavior during present or past incarcerations
  - b) Is identified as a threat to law enforcement
  - c) Is an escape risk

---

**Exhibit G**

**BORROWING**

One contracting agency may "borrow" another Contract Agency's Inmate as follows:

1. If a Contract Agency requests the transport of another contracting agency's Inmate from SCORE the requesting agency must notify each agency with rights to custody of the Inmate, and if each agency with rights to custody of the Inmate notifies SCORE in writing (e-mail) of its approval, SCORE shall provide the requested transport to the requesting agency. SCORE will complete a custody transfer form that lists all outstanding detainers. The custody transfer paperwork will accompany the Inmate.
2. Once custody of the Inmate has been transferred to the requesting agency, it is the responsibility of the requesting agency to determine whether the Inmate shall be returned to the custody of SCORE, and if so, the requesting agency shall make all necessary and proper arrangements with SCORE and any agency with rights to custody of the Inmate, for the Inmate's return according to the terms of this Agreement. The requesting agency, to the full extent permitted by law, defend, indemnify, save and hold harmless SCORE as provided in Section 16 of the Agreement.
3. SCORE will not track the Inmate once he or she has left the SCORE Facility.
4. If the Inmate is returned to the custody of SCORE, the requesting agency shall provide SCORE with sentencing/charge information. The requesting agency shall supply all pre-sentence, and post-sentence paperwork from agreeing agencies that authorized the borrowing of the Inmate. This will aid SCORE in determining split billing and release dates.
5. SCORE will transport the Inmate only to an agency that also contracts with SCORE for Inmate housing.



**AMENDMENT TO ORIGINAL AGREEMENT FOR INMATE HOUSING**

---

---

THIS AMENDMENT TO INTERLOCAL AGREEMENT FOR INMATE HOUSING dated as of \_\_\_\_\_, 2020 (hereinafter "Amendment to Original Agreement") is made and entered into by and between the **SOUTH CORRECTIONAL ENTITY**, a governmental administrative agency formed pursuant to RCW 39.34.030(3) ("SCORE") and the \_\_\_\_\_ (hereinafter the "City" and together with SCORE, the "Parties" or individually a "Party"). This Amendment to Original Agreement is intended to supplement and amend that certain Interlocal Agreement for Inmate Housing between the Parties dated \_\_\_\_\_, as it may have been previously amended (the "Original Agreement"). The Parties hereto mutually agree as follows:

1. **EXHIBIT A. FEES AND CHARGES AND SERVICES.** Per section 4 (Compensation) of the Original Agreement is hereby amended to include the following:

Daily Housing Rates

General Population – Guaranteed Beds	\$128.00	No. of Beds: _____
General Population – Non-Guaranteed Beds	\$184.00	

Daily Rate Surcharges:

Mental Health – Residential Beds	\$159.00
Medical – Acute Beds	\$217.00
Mental Health – Acute Beds	\$278.00

<u>Booking Fee</u>	\$35.00	Waived until Dec. 31, 2021
--------------------	---------	----------------------------

Daily Rate Surcharges are in addition to the daily bed rates and subject to bed availability. The Booking Fee will be charged to the jurisdiction responsible for housing the inmate. Fees, charges and services will be annually adjusted each January 1<sup>st</sup>.

2. **SECTION 1. DEFINITIONS:**
- a. **Commencement Date.** The bed rates provided for in Section 1 of this Amendment to Original Agreement shall become effective **January 1, 2021**. This Amendment to Original Agreement may be executed in any number of counterparts.
  - b. **Member City** means "Owner City" as set forth in the SCORE Public Development Authority Amended and Restated Interlocal Agreement dated December 11, 2019.
3. **RATIFICATION AND CONFIRMATION.** All other terms and conditions of the Original Agreement are hereby ratified and confirmed.

IN WITNESS WHEREOF, the Parties have executed this Amendment to Original Agreement as of the date first mentioned above.

SOUTH CORRECTIONAL ENTITY

\_\_\_\_\_  
Contract Agency Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**ATTESTED BY:**

\_\_\_\_\_  
Signature

NOTICE ADDRESS:

NOTICE ADDRESS:

SOUTH CORRECTIONAL ENTITY  
20817 17th Avenue South  
Des Moines, WA 98198

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attention:** Executive Director Devon Schrum

**Attention:**

**Email:** dschrum@scorejail.org

**Email:**

**Telephone:** 206-257-6262

**Telephone:**

**Fax:** 206-257-6310

**Fax:**

DESIGNATED REPRESENTATIVE FOR PURPOSES OF THIS AGREEMENT:

DESIGNATED REPRESENTATIVE FOR PURPOSES OF THIS AGREEMENT:

Name: Devon Schrum

Name:

Title: Executive Director

Title:



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: Discussion-Old City Hall Property</b>	<b>AB21-06</b>	<b>N/A</b>	<b>1/20/21</b>	
	<b>Department:</b>	Executive		
	<b>Date Submitted:</b>	1/14/21		
<b>Cost of Item:</b>	<u>N/A</u>			
<b>Amount Budgeted:</b>	<u>N/A</u>			
<b>Unexpended Balance:</b>	<u>N/A</u>			
<b>Bars #:</b>	N/A			
<b>Timeline:</b>	None			
<b>Submitted By:</b>	Scott Larson			
<b>Fiscal Note:</b> None				
<b>Attachments:</b> Old City Hall Facility Memorandum				
<b>SUMMARY STATEMENT:</b>				
<p>Please review the attached memorandum regarding the disposition of Old City Hall. Staff are recommending that Council Surplus the Old City Hall Facility and set aside some portion of the proceeds to mitigate the contaminated soils.</p>				
<b>RECOMMENDED ACTION:</b> _____.				
<b>FUTURE MOTION:</b>				



# Memo

**To:** Council

**From:** Scott Larson, City Administrator

**cc:** Mayor Penner

**Date:** January 14, 2020

**Re:** Old City Hall Facility

---

The City has now vacated the Old City Hall facility located at 110 Train St. SE. This memorandum will lay out the current predicament the City faces with this aged facility and makes the final recommendation to Council that the facility should be surplus.

## Current Status:

Staff have received interest from various community members as to what will happen with the building and has had interest from individuals to both purchase and lease the building. Though there may be interest from potential tenants to lease the building, the City reached out to various property management companies but none of them expressed interest in managing the facility for the City.

Leasing the facility would put the City in a position where we would have to do some amount of deferred maintenance to the building to get it ready for occupancy, and at some point we would have to put a new roof and new windows in the facility. All work on the building that the City would have to complete would be required to be at prevailing wages which typically makes projects substantially more expensive than private businesses completing the work. This problem is also exasperated by the fact that commercial lease fees for Orting, especially in older lower "classed" office space tend to be lower than the surrounding region.

## Contaminated Soils:

The City has been aware for a number of years that the soils adjacent to the building are contaminated with petroleum products due to a leaky fuel storage tank that used to serve the now defunct Fire Department. The City has installed monitoring wells surrounding the building and time has not mitigated the problem. The City has tendered a pollution claim under one of our older insurance companies and are working through the claims process. Though the City

will always own any pollution we created, we can mitigate any cleanup costs with proceeds from the sale of the facility.

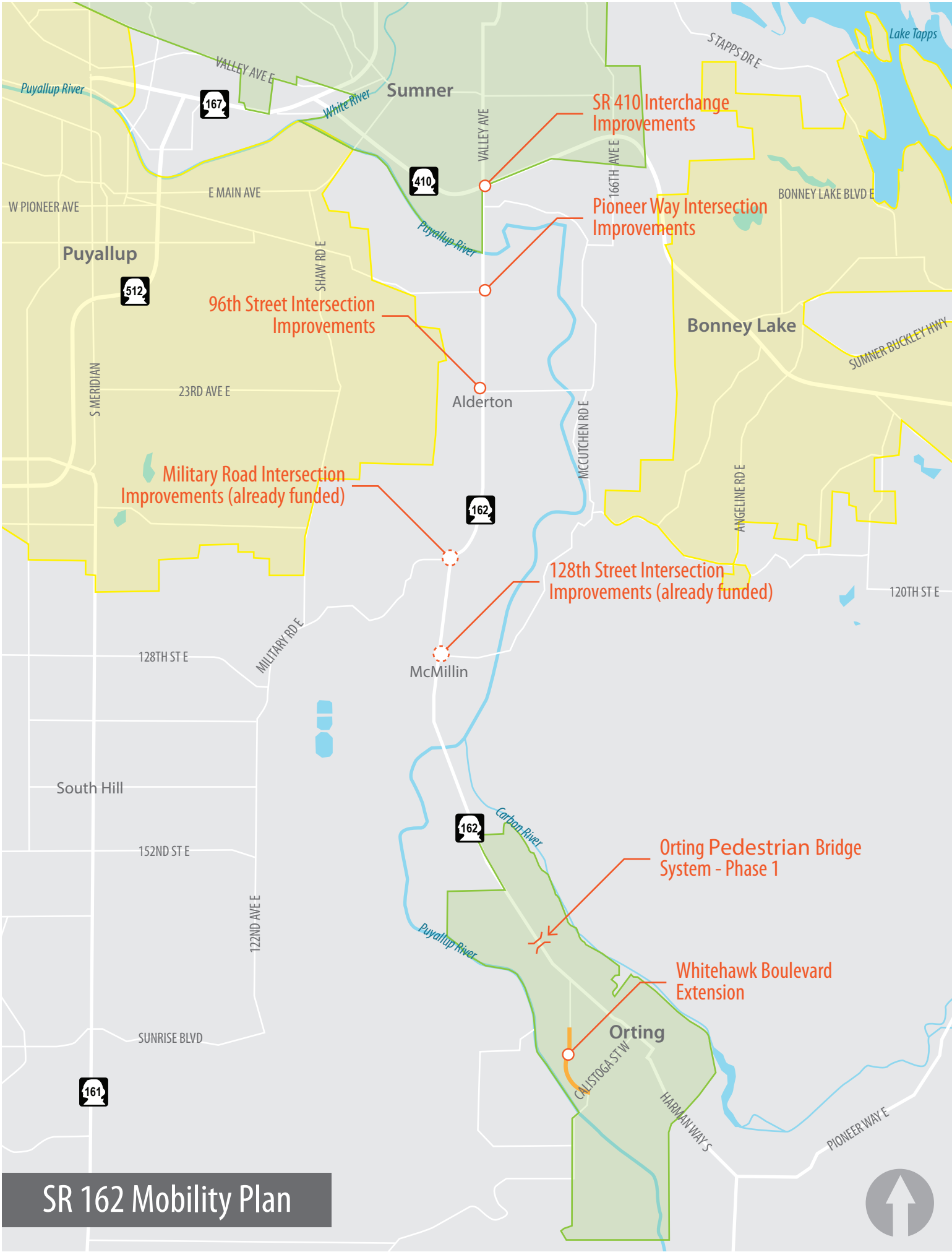
Council Recommendation:

The City will always be responsible for the contaminated soils whether we lease or sell the building. However, without selling the facility we will also be responsible for maintaining a facility the City no longer needs. Due to our prevailing wage, constraints of repairs, and expected below regional market rate lease income I am recommending that council surplus the facility and set some portion of the proceeds aside for future mitigation of the contaminated soils.



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: SR 162 Corridor Discussion</b>	<b>AB21-07</b>	<b>Public Works</b>	<b>1/20/21</b>	
	<b>Department:</b>	Executive		
	<b>Date Submitted:</b>	1/14/2020		
<b>Cost of Item:</b>	<u>N/A</u>			
<b>Amount Budgeted:</b>	<u>N/A</u>			
<b>Unexpended Balance:</b>	<u>N/A</u>			
<b>Bars #:</b>	N/A			
<b>Timeline:</b>	Discussion Item			
<b>Submitted By:</b>	Mayor/City Administrator			
<b>Fiscal Note:</b> None				
<b>Attachments:</b> SR 162 Map				
<p><b>SUMMARY STATEMENT:</b></p> <p>One of the Mayor’s key goals is to push Pierce County and the State Legislator for the funding of improvements along SR 162; inclusive of the HWY 410/SR 162 interchange through Orting and to Graham.</p> <p>The Mayor and staff are working on a plan to increase City engagement with partners along the length of the corridor. The SR 162 corridor projects should be looked at as a package of interconnected improvements that increase mobility for citizens and allows commerce to freely flow through our valley and up into the Graham area. Much of the growth in Pierce County is happening in our area including the construction of 10,000 houses in Tehaleh and many more houses on the west side of Orting in Graham. Many of these new neighbors will be utilizing SR 162 as their primary transportation route, leading to further frustrations with travel in our valley.</p> <p>The Mayor believes that expanding the discussion and building a coalition of partners will create a stronger voice to push for improvements for all users of SR 162.</p>				
<b>RECOMMENDED ACTION:</b> _____.				
<b>FUTURE MOTION:</b>				



# SR 162 Mobility Plan





**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: Discretionary Fund Policy- 2021-01</b>	<b>AB21-08</b>	<b>CGA</b>	<b>1.20.21</b>	
	<b>Department:</b>	Council Committee		
	<b>Date Submitted:</b>	<b>1.5.21</b>		
<b>Cost of Item:</b>	<u>  </u> \$			
<b>Amount Budgeted:</b>	<u>  </u> \$			
<b>Unexpended Balance:</b>	<u>  </u> \$			
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>CGA</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b> Policy and Form				
<b>SUMMARY STATEMENT:</b>				
<p>Members of the Council can allocate discretionary funds for community purposes in order to meet local needs and fill gaps in City services. Thus, discretionary spending is a critical tool in meeting the needs of the community.</p> <p>The City budget for 2021 allocates \$3,000 per Council member for this purpose.</p> <p>The CGA Committee recommends approval of the policy and the form, which provide structure and guidance for the use of funds.</p>				
<b>RECOMMENDED ACTION:</b> Move forward to the consent agenda for the January 27 <sup>th</sup> , 2021 meeting.				
<b>FUTURE MOTION:</b> To Approve Policy # 2021-01- Discretionary Fund Policy as presented.				





## **City of Orting Policy No. 2021-1**

### **Discretionary Fund Policy**

Each year, Members of the Council allocate discretionary funds for community purposes in order to meet local needs and fill gaps in City services. Thus, discretionary spending is a critical tool in meeting needs in our community.

As with all taxpayer funds, the public deserves to know that discretionary funds are going to purposes with the capacity and integrity to provide quality services. The City Council has instituted a comprehensive set of measures to improve transparency and accountability in the use of discretionary funding including:

1. Discretionary funding is to be allocated only to not-for-profit; community-based social services providers; or community-based initiatives (except as outlined elsewhere).
2. All public funds, however awarded, must have a public purpose. In general, a public purpose is defined as an activity or service that is open to all members of the public, regardless of race, creed, gender, sexual orientation, religious affiliation, etc., without restriction, and which does not promote a particular religion. Allocated funds are only for a public purpose and may not support political activities (including but not limited to lobbying, campaigns or endorsements) and/or private interests.
3. Funds may be spent at any time of the year. They may also be carried over for up to two years' time. Any funds not spent will returned to the city's General Fund.
4. For purposes of accountability, Members will submit a discretionary compliance form for any funding to the Finance Director. This will be evaluated for compliance to this policy, and will include:
  - The amount of said funding
  - The purpose and extent to which the funding provides a benefit to the Orting community, including demonstrating the number of residents or peoples served
  - The organization or partners receiving funding, including their contact information
  - How the project/program/service may be evaluated for success • Any known conflicts of interest

5. For purposes of transparency, prior to allocation of funds, the amount and purpose must be ratified at a regular City Council meeting. Any potential conflicts of interest must be disclosed also.
6. For-profit entities may not receive discretionary funds, except when the not-for-profit or contractor subcontracts, acts a helping partner, or consults with a for-profit entity as part of the delivery or production of services. They must be only an ancillary part of the program, not the primary basis for the discretionary award.
7. To prevent abuse or misuse of the Council's discretionary funding, strict rules govern conflicts of interest between Members, family, associates, and organizations receiving discretionary funds. Council Members are prohibited from sponsoring discretionary funding for an organization at which the Member serves as an employee, officer, or board member (except ex officio). Council Members may sponsor funding for an organization where an "associated" person (a family member or other person with whom the Member has a financial or business relationship) is an officer or employee so long as the associated person will not benefit, or appear to benefit, from the funding.
8. Discretionary funds may not be used for any of the following activities:
  - To support political activities (including, but not limited to, lobbying, campaigns, or endorsements) and/or private interests
  - Scholarships
  - Payments of any outstanding debts
  - The purchase of any alcoholic beverages or contraband materials
  - Travel, meals, lodging, or entertainment expenses
  - Products or services which are primarily religious or political in nature
  - General operating expenses, or expenses to support on-going operations of the applicant, including, but not limited to, salaries, utilities, and rent expenses
9. All funding awards must be located within the City of Orting; or provide community, environmental or well-being services or benefit to the community of Orting.



# CITY OF ORTING DISCRETIONARY COMPLIANCE FORM

A discretionary compliance request should be completed and submitted prior to purchase..

Date:	City Council Member Name:
-------	---------------------------

Amount of Expenditure:	
Council Goal this request responds to:	

**Purpose of Expenditure: How will it benefit the Orting Community?**

**Organization receiving funding and contact information**

Any known conflicts of Interest?	Yes		No			
----------------------------------	-----	--	----	--	--	--

If yes, provide additional information

In compliance of Discretionary Fund Policy?	Yes		No			
---	-----	--	----	--	--	--

**Reviewed by:**

Date:



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: Electronic Signature Technology</b>	<b>AB21-09</b>	<b>N/A</b>	<b>1.20.21</b>	<b>1/27/21</b>
	<b>Department:</b>	Executive/ Administration		
	<b>Date Submitted:</b>	<b>1.14.21</b>		
<b>Cost of Item:</b>	<u>  </u> \$			
<b>Amount Budgeted:</b>	<u>  </u> \$			
<b>Unexpended Balance:</b>	<u>  </u> \$			
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>City Clerk</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b>	Resolution No. 2021-01 AND Policy			
<b>SUMMARY STATEMENT:</b>				
<p>This proposed Resolution authorizes the City, pursuant to RCW 19.360.020(5), to use an electronic document signature provider. Specifically, the Mayor, and his/her designees would be authorized to choose a provider, and further, the City Administrator would be authorized to develop and implement a policy for the use of a selected provider by the City consistent with the requirements of State law.</p> <p>State law allows Washington cities to determine by ordinance, resolution, policy, or rule whether, and to what extent, it will use electronic records and electronic signatures.</p> <p>Allowing the use of an electronic signature platform to affix electronic signatures to electronic records, will promote efficiency, conserve public resources and provide reasonable assurance of the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used by the City. Reducing the City's reliance on paper-based transactions will further improve information security and sharing, allow faster approval of and access to documents, and reduce costs and environmental impacts.</p>				
<b>RECOMMENDED ACTION:</b> Move Forward to the consent agenda for January 27 <sup>th</sup> , 2020..				
<b>FUTURE MOTION:</b> To Approve Resolution No 2021-01 A Resolution Of The City Of Orting, Authorizing The Use Of Electronic Records And Signatures, And Adopting A Policy For The Use Of Electronic Signature Technology.				

**CITY OF ORTING  
WASHINGTON**

**RESOLUTION NO. 2021-01**

**A RESOLUTION OF THE CITY OF ORTING,  
AUTHORIZING THE USE OF ELECTRONIC RECORDS  
AND SIGNATURES, AND ADOPTING A POLICY FOR THE  
USE OF ELECTRONIC SIGNATURE TECHNOLOGY.**

---

**WHEREAS**, by Engrossed State Senate Bill 6028, effective June 11, 2020, the Washington state legislature adopted the Uniform Electronic Transactions Act (UETA), which permits state and local agencies to use and accept electronic signatures, unless a “wet” signature is required under a state of federal law applicable to the document; and

**WHEREAS**, using electronic signature technologies can benefit the City of Orting (the “City”) by decreasing the City’s reliance on paper transactions and physical documents, thereby saving time and reducing the costs associated with conducting City business; and

**WHEREAS**, prior to use of an electronic signature, the UETA requires the City to adopt a policy governing the manner and format in which electronic records must be created, generated, sent, received and stored, and the type of electronic signature required, the manner and format in which an electronic signature must be affixed to a record, and the criteria that must be met by any third party for submission of an electronic signature, to ensure the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used; and

**WHEREAS**, City staff recommends the use of an electronic signature platform to promote time and cost-savings efficiencies by decreasing the City’s reliance on physical records and signatures; and

**WHEREAS**, the City Council finds that the use of electronic signatures will positively impact and improve citizen’s access to and ability to participate in governmental affairs, and reliance on City business conducted electronically;

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

**Section 1. Authorization of Electronic Records and Electronic Signatures.** The City Council hereby authorizes the use, creation, and acceptance of electronic records and electronic signatures to the fullest extent allowed by state and/or federal law, subject to the policies, applicable rules, and regulations as authorized by this resolution.

**Section 2. Recognizing the Validity of Certain Electronic Signatures.** The City Council hereby recognizes that electronic signatures are valid, except as required otherwise by law, to the same extent a physical signature would be valid, if electronic signatures comply with all applicable state and/or federal laws as well as the policy, rules, and regulations authorized by this resolution.

**Section 3. Adoption of Policy Pertaining to Electronic Signatures.** The City Council hereby adopts the policy attached hereto as Exhibit A and authorizes the Mayor to adopt any additional necessary administrative policies or processes to implement the use of electronic signatures by the City consistent with this resolution and in compliance with the provisions of RCW Chapter 19.360.

**Section 4. Effective Date.** This resolution shall take effect and be in full force immediately upon its passage.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

CITY OF ORTING

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

ATTEST/AUTHENTICATED:

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

Approved as to form:

\_\_\_\_\_  
Charlotte A. Archer  
Inslee Best  
City Attorney



# CITY OF ORTING

## Use of Electronic Signatures Policy # 2021-01

**Department: Administration/City Clerk**

**Effective:**

**Policy: Use of Electronic Signatures**

### **Purpose**

To establish an electronic signature policy for the City developed to:

- Promote efficiency in order to conserve public resources;
- Establish guidelines for the use of electronic signatures for certain City transactions;
- Provide reasonable assurance of the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used by the City; and
- Determine the scope of the City's use of an electronic signature provider as the approved method for affixing an electronic signature to an electronic record. These policies will apply to any future Electronic Signature platform.

Reducing the City's reliance on paper-based transactions will further improve information security and sharing, allow faster approval of and access to documents, and reduce costs and environmental impact. Streamlining the processes described herein that require wet signatures and replacing them with electronic signatures, when practicable, is consistent with the intent of Washington State law to promote electronic transactions and remove barriers that might prevent the use of electronic transactions by governmental entities.

### **References**

ESSB 6028                      Uniform Electronic Transactions Act (UETA)

15 U.S.C Ch. 96              Electronic Signatures in Global and National Commerce Act

## **Definitions**

Aesthetic Signature.	A special class of Electronic Signature used for aesthetic or graphical purposes and for no legal or verifiable need.
Approved Record Type.	Records authorized to be used, created, and/or accepted bearing a Digital Signature in lieu of a required Physical Signature.
Authorized User.	The Mayor who has been designated by the City, or City Council, or his designee, or the City Attorney to sign City records on their behalf using an electronic signature.
Digital Signature.	A special class of Electronic Signature, also known as advanced or qualified Electronic Signature, that is a transformation of a message using an asymmetric cryptosystem such that a person who has the initial message and the signer's public key can accurately determine whether the:  (i) Transformation was created using the private key that corresponds to the signer's public key; and  (ii) Initial message has been altered since the transformation was made (RCW 9.38.060(5)(a)).
Electronic Record.	A record created, generated, sent, communicated, received, or stored by electronic means.
Electronic Signature.	An electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
Record.	Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form, except as otherwise defined for the purpose of state or local agency record retention, preservation, or disclosure.
Verification Software.	Software utilized by the City to verify adequate preservation, disposition, integrity, security, confidentiality, and auditability of Approved Record Type(s).
Virtual Signature.	A special class of Electronic Signature used for approving records that are part of an internal administrative process or is not legally binding. Virtual Signatures must be verifiable as part of an underlying process or record.
Wet Signature.	A signature created when a person physically marks a document with the intent to sign the record.



## **Policy**

1. The City encourages electronic transactions and the use of electronic signatures and recognizes electronic signatures as legally binding and equivalent in force and effect as a wet signature.
2. Pursuant to Resolution No 2021-01, the City authorizes the use, creation or acceptance of records with Aesthetic, Digital, Electronic, and Virtual Signatures. electronic signatures by Authorized Users.
3. The Mayor, City Attorney, City Administrator, and Department Directors, and their designees are authorized to use a Verification Software to affix electronic signatures to City records as provided in this policy.
4. The use of Digital Signature using a Verification Software is authorized to affix electronic signatures to the following records: Minutes of City Council Meetings, Resolutions and Ordinances Adopted by the City Council, Claim Vouchers Approved by the City Council, and any and all contracts and agreements to which the City is a party.
5. Electronic signatures may be used on City records requiring execution by a third party.
6. Electronic signatures cannot be applied using another employee's name, except where expressly authorized by the Mayor or City Administrator. Records signed on behalf of the Mayor, the City Administrator, City Clerk, City Attorney, or Department Director by a designee shall use their own electronic signature.
7. An electronic signature is an acceptable substitute for a wet signature on records requiring the signature of any record whenever the use of a wet signature is authorized or require, except as provided herein.
8. If an electronic signature is used for interstate transactions or for documents required by the US Federal government, the electronic signature shall comply with the requirements of the Electronic Signatures in Global and Electronic Commerce Act.
9. This policy in no way affects the City's ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of wet signatures.



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Meeting Date</b>
<b>Subject:</b> Council Committee selection for the year 2021	<b>AB21-10</b>	N/A	<b>1.20.21</b>	<b>1.27.21</b>
	<b>Department:</b>	Executive/Deputy Mayor		
	<b>Date Submitted:</b>			
<b>Cost of Item:</b>	_ \$			
<b>Amount Budgeted:</b>	_ \$			
<b>Unexpended Balance:</b>	_ \$			
<b>Bars #:</b>				
<b>Timeline:</b>	<b>By the 1<sup>st</sup> Meeting in February</b>			
<b>Submitted By:</b>	<b>City Clerk</b>			

**Fiscal Note:**

**Attachments:** Current Council Assignments – Committee Scopes

**SUMMARY STATEMENT:**

**Council Rule 3.9 (E) Deputy Mayor -- Duties:**

- (A) An appointment committee consisting of the Deputy Mayor, one (1) Councilmember, and the Mayor shall recommend assignments for the Council Committee Chair and Vice-Chair positions in accordance with the following procedure:
  - a) The appointment committee shall provide recommendations for Council Committee assignments to the full Council for its approval no later than the first regular meeting in February.
  - b) Each Council member shall be assigned to at least one (1) Council Committee, with the exception of the Deputy Mayor who shall chair the study session and shall not be assigned a role in a Council Committee.
  - c) Chairperson selection shall be based on seniority, balance of experience, knowledge and interest prior to assignment.
  - d) The appointment committee shall give weighted consideration for those working on long range project.

**RECOMMENDED ACTION:** Deputy Mayor Hogan And The Mayor Will Solicit One Councilmember To Assist In Bringing Recommendations For Committee Assignments Back To Council at the February 10<sup>th</sup>, 2021 Council Meeting.

**FUTURE MOTION: Motion: To approve the Committee assignments, CGA – CM**

\_\_\_\_\_, Chair, CM \_\_\_\_\_, Vice-Chair. PW- CM \_\_\_\_\_,

Chair, and CM \_\_\_\_\_, Vice-Chair. PS- CM \_\_\_\_\_, Chair, and

\_\_\_\_\_, Vice –Chair.

# 2021 Council Standing Committees

## Scopes of Authorities

(Please note some descriptions are absent)

### 1. COMMUNITY AND GOVERNMENT AFFAIRS COMMITTEE:

The CGA Committee, considers matters related to **Council training, procedures and communication** and makes **recommendations designed to improve and expedite the business and procedure of Council, and its committees**, proposes to Council any **amendments to the rules** deemed necessary regarding the organization of the Council, **including parliamentary procedure**, it may consider **any matter of a general nature**.

The CGA also considers the following:

**A. Social issues**

**B. Economic development**

**C. Grants-** Reviews grant applications and makes recommendations to Council.

**D. Sponsorship-** Review's applications and makes recommendations to Council

**E. Parks-** In conjunction with City Staff, considers matters related to Parks, Parks Board and Orting Recreation programs.

**F. Cemetery** - In conjunction with City Staff, review the policies, procedures as well as financial health of the cemetery.

**G. Lodging** -Lodging tax is discussed on a quarterly basis with a community business owner.

**\* Facility Issues directly related to Administrative staff**

### 2. PUBLIC SAFETY COMMITTEE:

Public Safety Committee, in conjunction with City Staff, may consider issues related to the **public health, safety and welfare of the citizens** of Orting including but not limited to, **law enforcement, fire safety, court, animal control, and emergency services**.

The Public Safety Committee also considers issues relating to the following:

**A. Emergency Preparedness-** In conjunction with City Staff, considers matters related to Emergency Management, and will continuously analyze all risks which expose the city to potential disruption and oversee the development of emergency preparedness and response and evacuation plans.

**\*Facility Issues related to Public Safety**

## 2021 Recommended Council Committee Assignments

Public Works: \_\_\_\_\_ Chair, & \_\_\_\_\_, Vice Chair- **First Wednesday of the month at 2:30 – (Virtual)**

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

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

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

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

\*\*\*\*\*

Public Safety: \_\_\_\_\_, Chair & Vice Chair, \_\_\_\_\_) - **First \_\_\_\_\_ of each month at \_\_\_\_\_ (Virtual)**

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

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

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

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

\*\*\*\*\*

Community and Governmental Affairs: Nicola McDonald, Chair, & Michelle Gehring, Vice- Chair- **First \_\_\_\_\_ of each month at \_\_\_\_\_ .**

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

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

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

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

\*\*\*\*\*

Study Session: Deputy Mayor \_\_\_\_\_, Chair, & Councilmember \_\_\_\_\_ Backup- **Third Wednesday of each month at 6:00pm- (Virtual)**

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

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

- General, Finance, Leg Priorities, Government relations.

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

\*\*\*\*\*

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

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

### 3. **PUBLIC WORKS COMMITTEE:**

The Public Works Committee, in conjunction with City Staff, considers matters related to **water, sewer, solid waste, recycling, utility franchises, and storm water management**. The Committee **tracks capital projects** and **makes recommendations to the Council for capital improvements**. They also address matters relating to the following:

- A. **Transportation matters**
- B. **Capital improvement programs**
- C. **Transit**
- D. **Streets, street lighting**
- E. **Signalization**
- F. **Pedestrian safety.**
- G. **Annual chip seal program making recommendations to Council for street and sidewalk improvements.**
- H. **Technology**
- I. **Emergency Evacuation Bridge**

**\*Facility Issues Related to Public Works**

### 4. **STUDY SESSION**

**Finance** -Considers matters related to the financial issues of the City including the budget, general fiscal and financial health, rates and fees, and the state financial audit. The Treasurer compiles periodic budget and financial reports and shares them with the Council.

***Goal: Introduction & first pass at ordinances and resolutions. Deep dive into committee matters. Legal review and staff discussion. Attendance: Full Council, as necessary (admin, legal, and others)***



**City Of Orting  
Council Agenda Bill Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Council</b>
<b>Subject: Well 1 Control Improvements</b>	<b>AB21-11</b>			
		01/06/2021	<b>1.20.21</b>	<b>1.27.21</b>
	<b>Department:</b>	Public Works		
	<b>Date Submitted:</b>	<b>01.15.21</b>		
<b>Cost of Item:</b>	<u>\$191,275</u>			
<b>Amount Budgeted:</b>	<u>\$200,000</u>			
<b>Unexpended Balance:</b>	<u>\$8,725</u>			
<b>Bars #:</b>	<b>401-594-34-63-08</b>			
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>JC Hungerford, PE</b>			
<b>Fiscal Note</b>				
<b>Attachments:</b> Certified Bid Tab				
<b>SUMMARY STATEMENT:</b> The City of Orting desires to upgrade the Well 1 booster pumps to variable frequency drive motors (VFDs). This project will provide more flexibility in controlling the demand on the booster pumps at this source. In addition, piping modifications and valve maintenance will be performed while the system is offline.				
<b>RECOMMENDED ACTION:</b> Move to the consent agenda for the January 27 <sup>th</sup> , 2021 Meeting				
<b>FUTURE MOTION:</b> To approve Northeast Electric, LLC as the lowest responsive bidder for the Well 1 Control Improvements Project in the amount of \$191,275.				

Parametrix, Inc.  
 1019 39th Ave SE, Ste. 100  
 Puyallup, WA 98374


**Project Name: Well 1 Control Improvements  
 ENGINEERS ESTIMATE**

Bidder #1  
 Northeast Electric, LLC\*\*\*

SCHEDULE 1 - PUYALLUP RIVER LIFT STATION								Unit Price	Total Amount
Item No.	Spec. Section	Description	Unit	Qty	Unit Price	Total Amount	Unit Price	Total Amount	
1	1-04	Minor Change	EQ ADJ	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	
2	1-09	Mobilization	LS	1	\$ 16,000.00	\$ 16,000.00	\$ 15,000.00	\$ 15,000.00	
3	Part 2, CSI	Well 1 Improvements	LS	1	\$ 145,000.00	\$ 145,000.00	\$ 140,000.00	\$ 140,000.00	
<b>Subtotal Bid Schedule</b>						<b>\$ 181,000.00</b>	<b>\$</b>	<b>175,000.00</b>	
<b>Sales Tax (9.3 percent)</b>						<b>\$ 16,833.00</b>	<b>\$</b>	<b>16,275.00</b>	
<b>TOTAL BID SCHEDULE (subtotal plus sales tax)</b>						<b>\$ 197,833.00</b>	<b>\$</b>	<b>191,275.00</b>	

Sealed bids were opened at the City of Orting, City Hall  
 104 Bridge Street S, Orting, WA at 10:00 AM December 22, 2020

I hereby certify that, to the best of my knowledge, the above tabulations are true and correct transcription of the unit prices and total amount bid.

  
 \_\_\_\_\_  
 Signature/Date



12/30/2020

\*\*\* Apparent Low Bidder



**City Of Orting  
Council Agenda Summary Sheet**

<b>Subject: Orting Municipal Code Updates for Compliance with NFIP Community Rating System (CRS)</b>		<b>Committee</b>	<b>Study Session</b>	<b>Council</b>
	<b>Agenda Item #:</b>			
	<b>AB21-12</b>	Public Works	1.20.21	
	<b>Department:</b>	Public Works		
<b>Date Submitted:</b>	<b>1/15/21</b>			
<b>Cost of Item:</b>	<u>\$0</u>			
<b>Amount Budgeted:</b>	<u>\$0</u>			
<b>Unexpended Balance:</b>	<u>\$0</u>			
<b>Bars #:</b>	<b>N/A</b>			
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>JC Hungerford, PE</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b> Redline Ordinance No. 2021-1072				
<p><b>SUMMARY STATEMENT:</b> As a Class 6 rated community under the National Flood Insurance Program (NFIP) Community Rating System, Orting is required to revise and make effective local building codes related to the placement of electrical, heating, ventilation, plumbing, and air conditioning equipment.</p> <p>The Washington Department of Ecology has reviewed and approved these changes.</p>				
<p><b>RECOMMENDED ACTION:</b> Move forward to the consent agenda for the January 27<sup>th</sup>, 2021 meeting.</p>				
<p><b>FUTURE MOTION :</b> To adopt Ordinance No. 2021-1072, An Ordinance Of The City Of Orting, Washington, Relating To National Flood Insurance Program Community Rating System; Amending Orting Municipal Code 14-1-8 And 14-1-9 Pertaining For Flood Planning Management And Flood Damage Prevention</p>				



**CITY OF ORTING**  
**WASHINGTON**  
**ORDINANCE NO. 2021-1072**

---

**AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, RELATING TO NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM; AMENDING ORTING MUNICIPAL CODE 14-1-8 AND 14-1-9 PERTAINING FOR FLOOD PLANNING MANAGEMENT AND FLOOD DAMAGE PREVENTION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

---

**WHEREAS**, the City participates in the National Flood Insurance Program Community Rating System (CRS) in order to maintain discounted flood insurance rates for its residents; and

**WHEREAS**, in order to maintain the City's CRS classification, the City must review and update its Flood Planning Management and Flood Damage Prevention regulations, codified at Title 14 of the Orting Municipal Code; and

**WHEREAS**, the proposed amendments to Title 14 herein are necessary for the City to maintain its CRS classification and are made at the request of FEMA; and

**WHEREAS**, the proposed amendments were reviewed and approved of by the Washington Department of Ecology on 12/21/2020; and

**WHEREAS**, the City Council finds that the proposed amendments to the Orting Municipal Code adopted herein are consistent with the Comprehensive Plan and related regulations, bear a substantial relation to the public health, safety or welfare, and promote the best long term interests of the Orting community;

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

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

**Section 2. Amendment to Orting Municipal Code Section 14-1-8.** The City Council hereby adopts the amendments to the OMC 14-1-8 as follows:

\*\*\*

C. Duties And Responsibilities Of City: Duties of the city shall include, but not be limited to:

\*\*\*

3. Information To Be Obtained And Maintained:

- a. Where base flood elevation data is provided through the flood insurance study, FIRM, or required as in subsection C.2. C2 of this section, obtain and record the actual (as built) elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures, and whether or not the structure contains a basement.
- b. For all new or substantially improved floodproofed nonresidential structures: (1) Verify and record the actual elevation (in relation to mean sea level); and (2) Maintain the floodproofing certifications required in subsection A.2.f. A2f of this section.

\*\*\*

D. Variance Procedure: Variances from the provisions of this chapter shall be processed as described in title 15 of this code. Approved variances shall permit structures to be built with a lowest floor elevation below the base flood elevation and shall assert that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. The findings and conclusions of approved variances shall be recorded with the Pierce County auditor and shall run with the land.

\*\*\*

2. Conditions For Variances:

\*\*\*

- f. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection D.2.a. D2a of this section and otherwise complies with subsections 14-1-9A1 and A2 of this chapter.

**Section 3. Amendment to Orting Municipal Code Section 14-1-9.** The City Council hereby adopts the amendments to the OMC 14-1-9 as follows:

A. General Standards: In all areas of special flood hazards, the following standards are required:

\*\*\*

## 2. Construction Materials And Methods:

\*\*\*

c. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located at least one (1) foot above the base flood elevation ~~so as to prevent water from entering or accumulating within the components during conditions of flooding.~~

\*\*\*

B. Specific Standards: In all areas of special flood hazards where base flood elevation data have been provided as set forth in subsections 14-1-6B and 14-1-8C2 of this chapter, the following provisions are required:

### 1. Residential Construction:

a. New construction, substantial improvements and/or reconstruction due to substantial damage of any residential structure, including machinery and equipment ~~New construction and substantial improvements of any residential structure~~ shall have the lowest floor, including basement, elevated one foot (1') or more above base flood elevation.

\*\*\*

2. Nonresidential Construction: New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot (1') or more above the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- a. Be floodproofed so that below one foot (1') above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in subsection 14-1-8C3b of this chapter;

- d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection B.1.b ~~B1b~~ of this section; and

\*\*\*

4. Manufactured Homes: All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE on the community's FIRM shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is one foot (1') or more above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection A.1.b ~~A1b~~ of this section.

**Section 4. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 5. Corrections and Codification.** The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

**Section 6. 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021**

CITY OF ORTING

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

ATTEST/AUTHENTICATED:

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

Approved as to form:

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

Filed with the City Clerk:  
Passed by the City Council:  
Ordinance No.2021-XX  
Date of Publication:  
Effective Date:



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: Setting Meeting Dates for 2021</b>	<b>AB21-13</b>	<b>N/A</b>	<b>1.20.21</b>	<b>1.27.21</b>
	<b>Department:</b>	Executive Administration		
	<b>Date Submitted:</b>	<b>1.14.21</b>		
<b>Cost of Item:</b>	<u>\$</u>			
<b>Amount Budgeted:</b>	<u>\$</u>			
<b>Unexpended Balance:</b>	<u>\$</u>			
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>City Clerk</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b> Resolution and Exhibit				
<b>SUMMARY STATEMENT:</b>				
<p>The Mayor and City Staff would like to plan now for any potential meeting dates that conflict with holidays in 2021. This would give Councilmembers and staff time to make adjustments to their schedules.</p> <p>The Mayor would also like to plan and schedule in advance special meetings for strategic planning and for budget meetings.</p> <p>The proposed Resolution allows the City Council and staff to work together to accomplish these goals.</p>				
<b>RECOMMENDED ACTION:</b> Move forward to the consent agenda for January 27 <sup>th</sup> , 2021.				
<b>FUTURE MOTION:</b> To Adopt Resolution No. 2021-01, setting the regular and special Council Meeting dates for the year 2021.				

**CITY OF ORTING  
WASHINGTON  
RESOLUTION NO. 2021-02**

**A RESOLUTION OF THE CITY OF ORTING,  
WASHINGTON, SETTING REGULAR AND SPECIAL  
CITY COUNCIL MEETING DATES FOR 2021**

**WHEREAS**, the City Council set by Ordinance that the regular and study session meetings of the City Council will occur on the 2<sup>nd</sup>, 3<sup>rd</sup>, and last Wednesday of each month; and

**WHEREAS**, the Mayor and the City Council would like to plan in advance to reschedule regular meetings that may conflict with certain holidays; and

**WHEREAS**, it is likewise beneficial to a smooth productive business flow to plan in advance for special strategic meetings and budget sessions;

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

**Section 1. Authorizes.** The Orting City Council hereby adopts the meeting schedule attached as Exhibit A, for the year 2021, consistent with Orting Municipal Code 1-6-1.

**Section 2. Effective Date.** This Resolution shall be effective upon passage.

**Section 3. Corrections Authorized.** The City Clerk is authorized to make necessary corrections to this Resolution, including but not limited to correction of clerical errors.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

CITY OF ORTING

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

ATTEST/AUTHENTICATED:

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

Approved as to form:

\_\_\_\_\_  
Charlotte A. Archer  
Inslee Best  
City Attorney

## EXHIBIT A

**The 2021 City Council meeting calendar shall be adopted, and meetings shall be held on:**

January- 13<sup>TH</sup>, 20<sup>th</sup>, and 27<sup>th</sup>

February- 10<sup>th</sup>, 17<sup>th</sup>, and 24<sup>th</sup>

March- 10<sup>th</sup>, 17<sup>th</sup>, and 31<sup>st</sup>.

April- 14<sup>th</sup>, 21<sup>st</sup>, and 28<sup>th</sup>

May - 12<sup>th</sup>, 19<sup>th</sup>, and 26<sup>th</sup>

June - 9<sup>th</sup>, 16<sup>th</sup>, and 30<sup>th</sup>.

July- 14<sup>th</sup>, 21<sup>st</sup>, and 28<sup>th</sup>.

August- 11<sup>th</sup>, 18<sup>th</sup>, and 25<sup>th</sup>

September- 8<sup>th</sup>, 15<sup>th</sup>, and 29<sup>th</sup>

October- 13<sup>th</sup>, 20<sup>th</sup>, and 27<sup>th</sup>

November- 10<sup>th</sup>, and 17<sup>th</sup>

December- 8<sup>th</sup>, 15<sup>th</sup>, and 29<sup>th</sup>

### **Changing The Following Date:**

November 24<sup>th</sup>, to November 23<sup>rd</sup>.

### **Special Meeting Dates**

#### **Goal Setting**

March \_\_\_\_\_, 2021 (proposed dates 20<sup>th</sup>, or 23<sup>rd</sup>)

#### **Budget Retreat**

\_\_\_\_\_, 2021 (proposed dates September 25<sup>th</sup>, October 2<sup>nd</sup> or 9<sup>th</sup>)