

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
104 Bridge Street S. Orting, WA
June 16th, 2021, 6pm.

Deputy Mayor Greg Hogan, Chair

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

You may attend this meeting virtually via the platform Blue Jeans by clicking the following link <https://bluejeans.com/679549366>, by telephone by dialing +1.408.415.1715 - Meeting ID 679 549 366, or in person at City Hall. Per the Governor's directives, all in person attendees shall comply with social distancing regulations and non-vaccinated attendees shall wear a face covering.

2. PRESENTATION- Legislative Update

 **Joe DePinto**

3. COMMITTEE REPORTS

Public Works

 **CM Drennen & CM Bradshaw**

Public Safety

 **CM Belot & CM Gunther**

Community and Government Affairs

 **CM Kelly & CM Williams**

4. STAFF REPORTS

5. AGENDA ITEMS

A. AB21-49 - Website Noticing- Ordinance No. 2021-1079, An Ordinance Of The City Of Orting, Washington, Relating To Public Noticing; Amending Orting Municipal Code Sections 17-2.
Emily Adams

B. AB21-50 - Sign Code & Related ADR Code.

 **Emily Adams**

C. AB21-51- Types of Permit Decisions.

 **Emily Adams/Charlotte Archer**

D. AB21-52 - American Rescue Plan Act- (ARPA)

 **Scott Larson**

E. AB21-56 – Utility Billing Policy Update

 **Gretchen Russo**

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

Upcoming Meeting: Next Regular Meeting: June 30th, 2021 7pm

- F. **AB21-47** - Meeting Locations and Virtual Meetings- Ordinance No. 2021-1077, An Ordinance Of The City Of Orting, Washington, Relating To Council Meetings; Amending Orting Municipal Code 1-6-1 Pertaining To Location Of Meetings And Virtual Meetings.
✚ **CM Kelly /CM Williams**

- G. **AB 21-48** - Reducing HWY 162 Speed Limit – Ordinance No. 2021-1078, An Ordinance Of The City Of Orting, Washington, Relating To The Speed Limit On Highway 162 Corridor South.
✚ **CM Drennen / CM Bradshaw/ Scott Larson**

- H. **AB21-53** - Daffodil Float Storage.
✚ **CM Kelly /CM Williams/ Scott Larson**

- I. **AB21-54** - COVID 19 Vaccine Segregation- Resolution No. 2021-XX, A Resolution Of The City Of Orting, Pierce County, Washington, Declaring The City Of Orting To Be An Inclusive Community Where Businesses Are Empowered With Choice And Citizens Are Treated Equally.
✚ **CM Belot**

- J. **AB21-55** -Transportation Funding- AD HOC Committee.
✚ **Scott Larson**

6. EXECUTIVE SESSION

7. ADJOURNMENT

Motion: To Adjourn.



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Website noticing	AB21-49			
		CGA	6.16.21	6.30.21
	Department:	Planning		
	Date Submitted:	6.9.2021		
Cost of Item:	<u>\$NA</u>			
Amount Budgeted:	<u>\$NA</u>			
Unexpended Balance:	<u>\$NA</u>			
Bars #:	N/A			
Timeline:	Hearing at June 30th Council Meeting			
Submitted By:	Emily Adams (Planner)			
Fiscal Note: N/A				
Attachments: Staff report				
SUMMARY STATEMENT:				
<p>The proposal is to amend the noticing code to require notice of application, Type 2 administrative approval, public hearing, and appeal hearings notices to be posted on the City’s website. These amendments are proposed in conjunction with a City website update that will include a public notices tab so they are consolidated in one place, easy to locate, and remain on the site for longer periods of time.</p>				
RECOMMENDED ACTION: Move forward to June 30 th , 2021 agenda for public hearing and action.				
FUTURE MOTION: To Adopt Ordinance No. 2021-1079, An Ordinance Of The City Of Orting, Washington, Relating To Public Noticing; Amending Orting Municipal Code Sections 17-2				

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2021-1079**

**AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON,
RELATING TO PUBLIC NOTICING; AMENDING ORTING
MUNICIPAL CODE SECTIONS 17-2; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, the City desires to revise its public noticing code to add a notice method to ensure applications and hearings are widely noticed; and

WHEREAS, the current code does not require notices be published on the City website; and

WHEREAS, the City website is in the process of being updated and will more easily allow for public noticing on a separate page on the website; and

WHEREAS, in accordance with the requirement set forth in RCW 36.70A.106, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed ordinance on April 21, 2021 for its 60-day review and comment period; and

WHEREAS, the City's Planning Commission held a public hearing on the proposed amendments on May 3, 2021 and proposed a recommendation which was forwarded to the City Council to adopt the proposed OMC amendments; and

WHEREAS, the City Council held a public hearing on the proposed OMC amendments on June 30, 2021, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission; and

WHEREAS, the City Council has determined that the proposed regulations are in accord with the Comprehensive Plan, will not adversely affect the public health, safety, or general welfare, and are in the best interest of the citizens of the City;

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 13-5-4, Amended. Orting Municipal Code Chapter 15-7 is hereby amended as follows:

15-7-1: DEVELOPMENT APPLICATION:

- A. **Included Information:** Within fourteen (14) days of issuing a letter of completeness under chapter 5 of this title, the city shall issue a notice of development application. The notice shall include, but not be limited to, the following:
1. The name of the applicant.
 2. Date of application.
 3. The date of the letter of completeness.
 4. The location of the project, including street address and legal description.
 5. A project description.
 6. The requested approvals, actions, and/or required approvals, actions or studies.
 7. A statement of the public comment period which shall be not less than fourteen (14) nor more than thirty (30) days following the date of the notice of application, and a statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. Also, a statement that comments on the notice are due by five o'clock (5:00) P.M. on the last day of the comment period, or, on the first working day following the last day if the last day falls on a weekend or holiday.
 8. Identification and location of existing environmental documents.
 9. A city staff contact and phone number.
 10. The date, time, and place of a public hearing if one has been scheduled.
 11. Preliminary determination, if made, of SEPA threshold and/or development regulations that will be used for project impact mitigation.
 12. A statement that the decision on the application will be made within statutory limits.
- B. **Posting; Publication:** The notice of development application shall be posted on the subject property and notification shall be published once in a local newspaper of general circulation, and on the City's website.
- C. **Issuance:** The notice of development application shall be issued prior to required notice of a public hearing and is not a substitute for that notice.
- D. **Exemptions:** A notice of application is not required for the following actions, when the referenced actions are categorically exempt from SEPA or environmental review has been completed:
1. Application for building permits;
 2. Application for lot line adjustments;
 3. Application for administrative approvals; and
 4. Application for architectural design review.

15-7-2: ADMINISTRATIVE APPROVAL:

Notice of administrative approvals subject to notice under section 15-7-1 of this chapter shall be made as follows:

- A. Type 1 administrative approvals do not require notice.
- B. Notice of Type 2 administrative approvals shall be made as follows:
 - 1. Notification Of Preliminary Approval: The administrator shall notify the adjacent property owners of his intent to grant approval at least fourteen (14) days prior to the effective date of the approval. Notification shall be made by mail only and posted on the City's website. The notice shall include:
 - a. A description of the preliminary approval granted, including any conditions of approval.
 - b. A place where further information may be obtained.
 - c. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the city clerk within fifteen (15) days of the date of the notice.

15-7-3: PUBLIC HEARING:

Notice of a public hearing for all development applications and all open record appeals shall be given as follows:

- A. Time Of Notices: Except as otherwise required, public notification of meetings, hearings, and pending actions under this title and titles 12 and 13 of this code shall be made by:
 - 1. Publication at least ten (10) days before the date of a public meeting, hearing, or pending action in the official newspaper if one has been designated or a newspaper of general circulation in the city;
 - 2. Mailing at least ten (10) days before the date of a public meeting, hearing, or pending action to all property owners as shown on the records of the county assessor and to all street addresses of properties within five hundred feet (500'), not including street rights of way, of the boundaries of the property which is the subject of the meeting or pending action. Addressed labels and prestamped envelopes shall be provided by the applicant; and
 - 3. Posting at least ten (10) days before the meeting, hearing, or pending action at city hall, on the City's website, and other public posting places and at least one notice on the subject property.
- B. Content Of Notice: The public notice shall include a general description of the proposed project, action to be taken, a nonlegal description of the property or a vicinity map or sketch, the time, date and place of the public hearing and the place where further information may be obtained.
- C. Continuations: If for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required.
- D. Shoreline Master Program Permits: Notice for SMP permits shall be given as provided by title 11, chapter 6 of this code in accordance with Revised Code Of Washington 90.58.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such

decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Codification. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

Section 5. 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:

Kim Agfalvi, Acting City Clerk

Approved as to form:

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

Filed with the City Clerk: 6.10.21

Passed by the City Council:

Ordinance No. 2021-1079

Date of Publication:

Effective Date:



City Council Staff Report

Project Name:	Noticing Code Amendments
Applicant:	City of Orting
Date of Staff Report:	June 7, 2021
Staff Recommendation:	Approval
City Staff Contact:	Emily Adams, AICP Contract City Planner
Public Comment Period:	April 23- May 3 following notice of public hearing. June 18 – June 30 following notice of public hearing.
Public Notice:	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. Ordinance 2021-XX
3. Posted notice of Planning Commission public hearing
4. Published notice of Planning Commission public hearing

Findings of Fact

State law requires the projects be sufficiently noticed. This usually includes, depending on the project, publishing in the local newspaper, posting on site (for site-specific proposals), posting at City Hall, and mailing to adjacent and/or surrounding property owners.

Council directed staff to look at the City's current noticing code and consider ways to improve noticing procedures to ensure the maximum amount of people are reached with noticing, while still ensuring the notices are done consistently for projects. In compliance with state law the City currently notices via mailings to adjacent property owners, publishing in the Tacoma News Tribune, posting at City Hall, and posting on site if applicable. Cities are permitted to include further noticing procedures should they wish.

The proposal is to amend the noticing code to require notice of application, Type 2 administrative approval, public hearing, and appeal hearings notices to be posted on the City's website. These amendments are proposed in conjunction with a City website update that will include a public notices tab so they are consolidated in one place, easy to locate, and remain on the site for longer periods of time.

Public Hearing

A public hearing was held by the Planning Commission on May 3, 2021. No comments were received.

Planning Commission

The planning commission recommended approval of the code amendments as written and proposed.

Staff Recommendation

Staff's proposal is to require noticing on the City's website to ensure all applicable notices are widely published and available for the public to review.

Staff recommends approval of the ordinance and amendments as proposed.

Appeal

Recommendations of the planning commission may be appealed, by applicants or parties of record, from the planning commission hearing, to the city council per OMC 15-10-2.



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Sign Code And Related ADR Code	AB21-50			
		CGA	6.16.21 7.21.21	7.28.21
	Department:	Planning		
	Date Submitted:	6.9.2021		
Cost of Item:	<u>\$NA</u>			
Amount Budgeted:	<u>\$NA</u>			
Unexpended Balance:	<u>\$NA</u>			
Bars #:	TBD			
Timeline:	To Planning Commission and back to Council 7.28.21			
Submitted By:	Emily Adams (Planner)			
Fiscal Note: N/A				
Attachments: Staff report				
SUMMARY STATEMENT:				
<p>The proposal is to amend the sign code and architectural review board code to allow for changing message reader boards while still preserving the City’s architectural theme. The proposal also includes amendments regarding “flutter signs” at the planning commission’s request to ensure they are maintained in good condition and remain up right while out.</p> <p>These amendments will go through a hearing in front of the planning commission and then come back in front of Council.</p>				
RECOMMENDED ACTION: TBD – Hold Planning Commission hearing and then come back to a future Council Meeting.				
FUTURE MOTION: TBD				



TO:	City Council	MEETING DATE:	June 16, 2021
FROM:	Emily Adams, AICP Contract City Planner	PROJECT TYPE:	Orting Municipal Code Amendment
SUBJECT:	Sign Code and Related ADR Code		

Purpose

This serves as an informative memo to the City Council regarding the use of electronic reader board signs as well as “flutter” flags in the City. This memo will look at the background and how the code, as it stands today, would need to be amended to allow such signs.

Background

City Councilmembers have asked staff to look into allowing the City to convert the sign just past Williams Blvd NW (Village Green entrance) to an electronic reader board. As the code currently exists, the City could convert the sign to an electronic sign without any code amendments due to an exception in the code which allows "Signs erected on public property by the state of Washington, the United States, the county of Pierce, or the City of Orting, displaying a public service message, or other regulatory, statutory, traffic control or directional message;" to be exempt from the sign code standards. While this provision does not apply to all City signs, staff believes the reader board fits within those parameters.

However, it is staff’s understanding the Council does not wish to allow the City’s sign under an exception but would rather operate under the same code that applies to private signs. For this to be allowed amendments would need to be made to both the sign code and the architectural design review code. Currently both sections of code do not permit internally illuminated signs, but rather specify that signs shall be illuminated by indirect lighting. See below for current code that would need to be removed and/or revised.

The second topic is flutter flag signs. Planning Commission has voiced concerns over the last few months regarding the number of such signs in the City and how they are regulated. This memo also serves to look into this sign issue in conjunction with the electronic reader board.

Current Sign Code with Revisions

13-7-1: Findings and Purpose

A. Findings. The City Council finds as follows:

- 16. Brightly lit signs, **flashing** electronic signs, and **overly** animated signs waste valuable energy, contribute to light pollution, produce hazardous glare, and create the potential for distracting or confusing motorists, thereby negatively impacting the health, safety, and welfare of the public. ~~Further, digital billboards have the potential to distract drivers for a significantly longer time than non-digital billboards creating a greater potential for driver distraction;~~

13-7-2: Definitions

CHANGING MESSAGE SIGN CENTER. An electrically controlled permanent sign that displays different copy changes on the same lamp bank which change at intervals of ~~thirty ten~~ (30)10 seconds or greater. This includes electronic reader boards.

FLUTTER SIGN: A sign made of cloth, plastic or similar material affixed to a pole that is located outdoors. Flutter of flutter flag signs are "temporary signs," securely anchored for safety but not permanently anchored to a structure, or weighted base.

READER BOARD: A permanent sign face designed to allow copy changes either by manual or electronic means in which the message is static and can only be changed physically by the owner/operator.

UNDUE BRIGHTNESS: Illumination in excess of that which is necessary to make the sign reasonably visible to the average person on the abutting street, as determined by the Administrator and/or their designee.

13-7-4: General Regulations

- F. Illumination: All sign Indirect illumination ~~shall be by indirect lighting and is preferred and~~ shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicle traffic. Internally illuminated signs must adhere to the standards in OMC 13-7-8. Internally illuminated signs shall be designed to emphasize the lighting of the sign text, message and/or symbols, while minimizing the lighting of the background of the sign face. Temporary signs shall not be illuminated.

L. Internally Illuminated Signs

1. The text that changes in a changing message sign is limited to a single color and must be a warm-toned off-white or similar color as approved by the Administrator and/or their designee. The colors of the sign, letters, and background shall remain fixed.
2. Signs should not exhibit undue brightness.
3. An electronic message may not change more frequently than every fifteen seconds;
4. Electronic signs shall not exceed the size or height permitted for a building, monument or freestanding sign;
5. Electronic signs shall be permitted only in the MUCTN, MUTC, and PF zones.

13-7-6: Prohibited Signs, All Zones:

- C. Signs which blink, flash, rotate, contain changing images or text that are electronically generated, or are animated by lighting in any fashion that exceed the requirements of OMC 13-7-8, or that are internally illuminated

13-7-8: Temporary Signs:

B. Placement And Size.

- No temporary signs shall be located within the center median of principal, minor, and collector arterials or within roundabouts, traffic circles, or islands, or within ten (10) feet from any intersection so as to preserve driver site visibility. No temporary signs over thirty-six (36) inches in height are permitted within fifteen feet (15') of a road or driveway.
- Temporary signs shall not be illuminated.

3. Temporary signs shall not be attached to any utility pole, fence, building, structure, object, tree or other vegetation located upon or within any public right-of-way or publicly owned or maintained land.
4. Temporary signs shall not be erected without the permission of the owner of the property on which they are located, nor shall they be placed in such a manner as to obstruct or interfere with traffic or endanger the health or safety of people or endanger property.
5. Temporary signs shall be made of weather-resistant materials and shall be securely anchored to a weighted base or structure or able to stand freely without toppling or blowing over. Signs and parts of signs that are blown or carried away from their intended location may be collected and disposed of as litter.
6. Temporary signs shall be maintained in good repair.

C. Additional Regulations Specific To Temporary Commercial Signs.

1. General Commercial Signs.
 - a. No business or other party shall display more than two (2) temporary commercial signs simultaneously for no longer than thirty (30) continuous days.
 - b. No two (2) temporary signs may be closer together than thirty (30) feet.
 - c. Temporary signs may be displayed for no more than ~~six~~three (~~6~~3) 30-day periods, per sign, within a calendar year.

Related ADR Code

13-6-7-D.5: Signs:

The following standards may be used by the planning commission to interpret and apply the provisions of section 13-7-4 of this title to site specific conditions:

- ~~d. —Illuminated exterior signs are not characteristic of early 1900s design and shall not be allowed;~~
~~and~~
- e. Signs ~~shall~~are preferred to be illuminated by indirect lighting and which shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicle traffic.



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Types of Permit Decisions	AB21-51			
			6.16.21	TBD
	Department:	Planning		
	Date Submitted:	6.9.2021		
Cost of Item:	<u>\$NA</u>			
Amount Budgeted:	<u>\$NA</u>			
Unexpended Balance:	<u>\$NA</u>			
Bars #:	N/A			
Timeline:	TBD			
Submitted By:	Emily Adams (Planner), Charlotte Archer (Attorney)			
Fiscal Note: N/A				
Attachments: Staff memo				
SUMMARY STATEMENT:				
<p>There are five permit processes in the City of Orting, those five processes can be divided into three types of decision: administrative, quasi-judicial and legislative. Each type of decision can have a different, and sometimes more than one, decision maker depending on the permit as stated in Orting’s code (OMC 15-4-1). The attached memo explains these three types in more depth and the reasoning behind certain permits going to certain decision makers.</p>				
RECOMMENDED ACTION: N/A				
FUTURE MOTION: TBD				



TO:	Mayor Penner and City Councilmembers	DATE:	June 10, 2021
FROM:	Emily Adams, AICP - Contract City Planner Charlotte Archer - City Attorney	MEETING TYPE:	Study Session
SUBJECT:	Permit Decision Making Types and Process		

Introduction

There are three types of decision making that happen in the City when it comes to land use and development project review: administrative, quasi-judicial, and legislative. The basic difference between the categories is that legislative decisions establish policies for future application, while quasi-judicial and administrative decisions are the application of those policies to specific projects or proposals.

Administrative Decisions (Type 1 and 2)

Administrative decisions are decisions the Council delegated to staff to make. These are typically smaller decisions with clear-set criteria adopted into the Orting Municipal Code (OMC), and little to no flexibility or discretion. In Orting these decisions include things like short-plats, location of utilities, and the granting of building permits.

Quasi-judicial Decisions (Type 2a, 3, 3a, and 4)

In quasi-judicial proceedings the decision-making body must meet strict procedural requirements, similar to those followed in court proceedings, as the term “quasi-judicial” implies since it refers to an administrative body acting in a judicial capacity. In these proceedings, the applicable rules and regulations set out in the City’s comprehensive plan, municipal code, and adopted regulations must be applied fairly and consistently to every applicant. If the procedural requirements for this type of proceeding are not followed, the decision could be invalidated by a court if challenged. Quasi-judicial proceedings are also subject to standards of due process, and decisions must be based on noticed and duly adopted laws and regulations and there is little discretion permitted.

In the City of Orting, the City Council retained the authority to make some quasi-judicial decisions and delegated the authority to make some quasi-judicial decisions to the City’s Hearing Examiner. The Hearing Examiner makes quasi-judicial decisions on: Conditional use permits; general variances; sign permit variances; and certain appeals. The City Council makes quasi-judicial decisions on: Preliminary plats; preliminary PUDs; final plats; final PUDs; certain appeals; mobile/manufactured home parks or subdivisions; and binding site plans.

Since the 1970s, many counties and cities have moved away from having the City Council (or similar elected or appointed board) acting in a quasi-judicial role, and instead adopted the hearing examiner system¹. Hearing examiners are hired because of their background in land use law, and most are lawyers. Their professional training enables them to avoid due process procedural or other errors that

¹ <https://mrsc.org/Home/Stay-Informed/MRSC-Insight/August-2016/Should-Councils-Conduct-Quasi-Judicial-Hearings.aspx>

would undermine the legal sufficiency of the permit review and decision. As non-elected officials, hearing examiners are insulated from political pressures to render objective and impartial decisions.

Cities like Orting utilize the Hearing Examiner process for a few main reasons:

1. Procedural requirements. There are a number of procedural steps that must be followed for a hearing and failure to do so may lead to litigation against the city and individual Councilmembers,. For example, while a quasi-judicial matter is pending before the City Council, City Councilmembers are prohibited from discussing the matter with any supporters or detractors for the specific project and must disclose any communications in a public meeting. Failure to disclose a communication can invalidate the decision and/or subject the Councilmember (and City) to penalties. A hearing examiner listens to public comments *at the hearing* and may ask questions of clarification, but her/his deliberation is an internal mental process – it occurs after the hearing is over, not while it is still in session. The hearing examiner process removes this risk for the Council.
2. Time-consuming. Quasi-judicial cases can be extremely time intensive. The record and written and oral argument can consume many hours of time to be sufficiently reviewed, debated, and discussed. This is typical even for project permits that are fairly small in scope, such as a variance for an individual house. Only the City Council can adopt city budgets, ordinances and programs, and provide overall policy direction to the many functions of the city organization. Using a hearing examiner system allows for expedited and streamlined hearing processes, and frees up local legislative and advisory bodies that might otherwise conduct these hearings to concentrate on policymaking.
3. Community. The quasi-judicial role frequently places City Council members in an untenable lose-lose predicament. Elected officials can be caught between the need to be responsive to the desires of their constituents and their duty to be responsible to the clear legal criteria governing the permit decision before them. For example, and as described above, elected officials involved in a quasi-judicial hearing may not engage in “ex parte” discussions with community members about the pros and cons of that case, which can be frustrating for both parties.

It should be remembered that every quasi-judicial decision is governed by the applicable land use policies, regulations and code standards that are adopted by the City Council. The Council has the ability to influence the results of quasi-judicial decisions rendered by the Hearing Examiner through legislative actions to amend existing regulations. Thus, even under the Hearing Examiner process, if the public or Council are unhappy with the outcome, the Council is free to amend the standards within the municipal code and/or comprehensive plan.

Legislative Decisions (Type 5)

Legislative decisions are policy decisions that affect the entire community. The City Council, through its legislative powers, set the vision for the community and the regulations that will be used to implement that vision. This is perhaps the City Council’s most prominent role. Put simply, the Council makes laws for the city. Subject to the people’s initiative and referendum power, the Council is the only body within the city that can enact legislation and is the highest authority within city government to resolve policy issues.

In the City of Orting, legislative decisions are a Type 5 process and include: Comprehensive plan amendments; development regulations; shoreline master program; zoning text amendments; zoning map amendments; annexations; and development agreements.



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: American Rescue Plan Act (ARPA)	AB21-52	N/A	6.16.21	TBD
	Department:	Executive		
	Date Submitted:	June 10, 2021		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	Discussion Item			
Submitted By:	Scott Larson			
Fiscal Note: None				
Attachments: Pierce County Presentation, Treasury Guidance				
SUMMARY STATEMENT:				
<p>This item is twofold. First, the City has received approximately \$1.9 million ARPA funding to use in a variety of ways, outlined in attached guidance from the United States Treasury. Second, Pierce County has received approximately \$176 million in ARPA funding, and their spending plan for some of the funding is attached to this AB. The County would like to partner with cities to focus on areas of interest and make sure we are not overlapping. The four general areas the county is interested in partnering with cities are for business assistance, homelessness and housing, youth programs and broadband.</p>				
<p>Discussion:</p> <ol style="list-style-type: none"> 1. What areas are we interested in partnering with Pierce County? 2. What areas is council interested in exploring for our city’s allocation of funds? <ol style="list-style-type: none"> a. One idea of allocation buckets is: \$100 thousand in utility billing relief; \$1.5 million toward ongoing sewer plant upgrade; \$300 thousand in Calistoga stormwater project construction. 3. Since these are one-time dollars, investing in capital items or things that would provide a long-term return on investment would create value for the citizens. For instance, we can evaluate impact to rates if outside funds are spent on utility capital projects. 4. Does council want to appoint an ad hoc committee to study options and make a recommendation to council? 				
RECOMMENDED ACTION: Discussion Item				
FUTURE MOTION: None				

Pierce County American Rescue Plan Act (ARPA)

May 27, 2021



ARPA Cities and Towns Distribution

	ARPA Funding*
Pierce County	\$175.8 million
Pierce County – Unincorporated	
Tacoma	\$61 million
Lakewood	\$13.8 million
Puyallup	\$9.2 million
University Place	\$7.4 million
Bonney Lake	\$4.6 million
Edgewood	\$2.8 million
Gig Harbor	\$2.3 million
Sumner	\$2.3 million
Fife	\$2.2 million
DuPont	\$2.1 million
Orting	\$1.9 million
Milton (part)	\$1.8 million
Auburn (part)	\$1.6 million
Fircrest	\$1.5 million
Steilacoom	\$1.4 million
Buckley	\$1.1 million
Eatonville	\$659,000
Ruston	\$184,000
Roy	\$180,000
Carbonado	\$160,000
Wilkeson	\$112,000
South Prairie	\$96,000
Total Pierce County Inc. Cities/Towns	\$294.2million

*Estimated



Pierce County Council 2021 Council Priorities

Covid-19 Response and Recovery

Housing Affordability and Supply

Homelessness and Stable Housing

Social Justice and Equity

Economy and Workforce

Behavioral Health Systems

Youth and Young Adults

Environment and Sustainability

Infrastructure Needs & Broadband

Leadership and Innovation



Pierce County COVID-19 American Rescue Plan Fund

County Covid-19 Related Costs	Ordinance 2021-32	Details
Jail Remote Appearance Costs	\$500,000	Design, Engineering, Construction
Covid-19 Operational Impacts	\$7,000,000	COVID response activities Sheriff, Jail, Courts, security, janitorial
Covid-19 Facility Adaptations	\$3,000,000	Modifications to adapt to guidelines
Strategic Investment in County Facilities	\$2,500,000	Hoteling, consolidation of space
COVID-19 Court Backlog Costs	\$3,000,000	Prosecuting Attorney, Assigned Counsel, Superior Court
Program Coordinator	\$85,000	Council
Total to date	\$16,085,000	



Pierce County COVID-19 American Rescue Plan Fund

Economic Stabilization	Ordinance 2021-32	Details
Fairs and Community Events	\$200,000	Pierce County Fair \$60,000 Lacamas Community Center \$20,000 Other Community Events \$120,000
Entrepreneurship & Technical Assistance Grants	\$5,000,000	Economic Development to design program with a focus on Black, Indigenous, and People of Color (BIPOC) communities
Business Assistance	\$8,000,000	Small Business & Non-Profit
Washington Service Corps	\$500,000	
Summer Jobs Programs	\$1,000,000	Pierce County Recovery Corps
Workforce Development	\$525,000	Workforce Central
Program Coordinators	\$350,000	Business Liaisons
Total to date	\$15,575,000	



Pierce County COVID-19 American Rescue Plan Fund

Community Response & Resilience	Ordinance 2021-32	Details
Food Banks	\$2,000,000	EFN and partner food pantries (food, capital, PPE, operations)
Youth Diversion Programs	\$250,000	Justice Involved Youth (Juvenile Court)
Youth Summer Programs	\$1,500,000	
Farmers Market Support	\$260,000	Tacoma Farmers Market \$110k Other Farmers Markets up to \$25k each
Financial Coaching	\$395,000	Center for Strong Families & Sound Outreach
Domestic Violence Services	\$250,000	Family Justice Center \$100,000, YWCA \$100,000 Rebuilding Hope \$35,000, Catherine Place \$15,000
Affordable Housing Action Strategy Consultant	\$150,000	Pierce County Council
Comprehensive Life Resources	\$300,000	Youth and Young Adult Homelessness Program
Homelessness Services	\$2,000,000	
Graduate Tacoma	\$750,000	Out of School & Summer Learning Network
Program Coordinators	\$250,000	
Total to date	\$8,105,000	



Pierce County COVID-19 American Rescue Plan Fund

Public Health Emergency Response	Ordinance 2021-32	Details
COVID-19 Mobile and Mass Testing Sites	\$8,000,000	Pierce County Department of Emergency Management
Department of Emergency Management	\$715,000	Warehouse Expense
TPCHD Wrap-Around Services COVID-19	\$650,000	Isolation & Quarantine
TPCHD Treatment Services COVID-19	\$500,000	Staff & Patients
TPCHD	\$400,000	Reopening of TPCHD to Public
Total to date	\$10,265,000	



Pierce County COVID-19 American Rescue Plan Fund

Contingency		Details
Prosecuting Attorney staffing increase by 14 FTEs		To alleviate the case backlog due to COVID-19
Department of Assigned Council staffing increase by six FTEs		To alleviate the case backlog due to COVID-19
Department of Assigned Council for Conflict Case Fees and Professional Services	\$200,000	To alleviate the case backlog due to COVID-19
Total Contingency	\$37,979,300	



Pierce County COVID-19 American Rescue Plan Fund

	Year 1 ARPA	Year 2 ARPA	Pierce County Total ARPA
Grand Total	\$88,009,300	\$87,772,456	\$175,781,756



Economic Stabilization & Recovery - Other Funding Available

- Arts
- Small Business
- Underserved Businesses
- Targeted Relief for Restaurants
- Shuttered / Closed Venues



Community Response & Resilience - Other Funding Available

- Rental Assistance
- Mortgage Assistance
- Homelessness – Shelter Expansion
- Housing - Emergency Vouchers
- Utility Bills
- Food Assistance
- Veterans Services
- Mental Health
- Domestic and Family Violence
- Childcare
- Public, Private K-12 and Higher Education
- Broadband for K-12 Schools



Pierce County ARPA - Funding Principles

Equity and
Vulnerability

Accountability
and Outreach

Financial
Stewardship

Leverage

Countywide
Approach (One
Pierce County)

Timeliness and
Flexibility

Compliance

Civil Rights



Pierce County ARPA – Executive Strategies

- COVID-19 Public Health Emergency Response
- Strengthen and Develop Business Operations with an Equity Focus
- Workforce Development
- Infrastructure Investments
- Homelessness Prevention and Response
- Housing Affordability
- Investments in Pierce County Service Delivery



Pierce County ARPA – Executive Proposal

Category	County ARP Funding	Other Funding	Total
Public Health Emergency Response	20,430,000	91,943,720	112,373,720
Economic Stabilization and Recovery	48,200,000	193,600,000	241,800,000
Community Response and Resilience	78,100,000	699,400,000	777,500,000
Essential Government Services	28,790,000	--	28,790,000
Grand Total	\$175,520,000	\$984,943,720	\$1,160,713,020



Pierce County ARPA – Executive Proposal

Category	County ARP Funding		Total
	Year 1	Year 2	
Public Health Emergency Response	16,215,000	4,215,000	20,430,000
Economic Stabilization and Recovery	31,350,000	16,850,000	48,200,000
Community Response and Resilience	22,412,000	55,688,000	78,100,000
Essential Government Services	17,783,000	11,007,000	29,039,300
Grand Total	\$87,760,000	\$87,760,000	\$175,520,000



Pierce County ARPA – Possible Community Partnerships



Treasury Guidance for Use of American Rescue Plan Act Funds (ARPA)

USE OF FUNDS

The Coronavirus State and Local Fiscal Recovery Funds provide eligible state, local, territorial, and Tribal governments with a substantial infusion of resources to meet pandemic response needs and rebuild a stronger, and more equitable economy as the country recovers. Recipients may use these funds to:

Support public health expenditures, by, for example, funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff

Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector

Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic

Provide premium pay for essential workers, offering additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors

Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet

Within these overall categories, recipients have broad flexibility to decide how best to use this funding to meet the needs of their communities.



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Utility Billing Policy Update	AB21-56	N/A	6/16/21	
	Department:	Finance		
	Date Submitted:	6/10/2021		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	Discussion			
Submitted By:	Gretchen Russo			
Fiscal Note: None				
Attachments: Memo				
SUMMARY STATEMENT:				
<p>Since March 2020, there has been a moratorium on utility shut offs and penalties which expires June 30, 2021. The City currently has 124 accounts past due for a total of \$122,225. The attached memo outlines Finance Director’s recommended process for providing notice to our customers of the transition to the normal billing process. Pierce County is offering a program for customers who rent their homes and the City will also be disseminating a repayment plan option. ARPA funds may also be an option to assist customers with delinquent accounts if the council desires.</p>				
RECOMMENDED ACTION: Discussion				
FUTURE MOTION:				



Memo

To: Council Members

From: Gretchen Russo, Finance Director

cc: Scott Larson

Date: 6/10/2021

Re: Utility Billing Policy

Per the City of Orting Utility policy, utility bills are mailed the first business day of the month. Utility payments are due by 8 am on the 26th of the month, or the next business day if the 26th falls on a weekend or holiday. Customers who do not pay their bill by this date and time are assessed a \$10.00 late fee.

Utility service will be discontinued starting at 8 am on the fifteenth calendar day following the bill due date and assessed a shut off fee of \$50.00. This fee helps offset the employee costs of shutting water off and on once payment has been received.

It is the policy of the City of Orting to process a lien against the property if the customer has not paid their bill after three months of nonpayment.

The average monthly billing for water, sewer and storm is \$120.00.

During Covid-19, the State of Washington directed that cities were not allowed to assess late/shut off fees, shut off services or assess liens for nonpayment. This directive ends June 30, 2021.

During Covid-19, the City did not charge credit card fees for utility payments. The City paid the \$2.95 fee for their customers. Approximately 930 customers use their credit card to pay. Average monthly cost to the City: \$2,744.

Of the 4,170 accounts, currently the City has the following delinquent accounts:

- Accounts over \$1,000: 26 accounts
- Accounts less than \$1,000 but over \$500: 33 accounts
- Accounts less than \$500 but over \$300: 65 accounts

Outstanding amount for services more than 30 days old: \$122,225.

Recommendations/Discussion items:

1. Continue to pay credit card fees to facilitate online payments.
 - Bill paying is easier for our customers.
 - Reduction of staff time and NSF checks benefits the City.
2. Transition to on-time payments by:
 - Notifying customers via our billing system (July 1st billing), reader board and on our website that late fees, shut off fees and shut offs will start with August 1st billing.
 - Late fees and shut off fees will be waived for this billing cycle to encourage customers to pay on-time; however, shut offs will occur.
 - Fully implement City policy for September 1st billing. Late fees, shut offs and shut off fees will be assessed.
3. Post on our website that Pierce County is offering a Rent and Utility Assistance program if they meet all of the following requirements:
 - Renter in Pierce County (home owners are not eligible)
 - Low income (under 80% AMI)
 - Impacted by Covid-19 (loss of wages, loss of income, increase in expenses due to COVID)
 - Utility and/or rental arrears

Applicants may access information at the following website:

<https://www.piercecountywa.gov/7142/Rental-Assistance>

4. Offer our customers an Emergency Flexible Payment Plan. This information should also be communicated via our billing email, reader board and website.
 - Customers will be able to pay their outstanding balance over a 12 month period while making current payments.
5. Continue to communicate to our customers that a utility payment grant is available through Orting's Food Bank. Applicants can request up to \$100.00. First come, first serve up to a maximum amount of \$1,500.00.
6. ARPA funds can also be used to provide relief for our utility customers if approved by our council. It would be helpful if council helped specify eligibility requirements. Examples of this could be:
 - Home owner within city limits
 - Impacted by Covid-19
 - Three or more months in arrears as of June 30, 2021 but after February 29, 2020



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Meeting Locations and Virtual Meetings- Ordinance No. 2021-1077.	AB21-47		6.16.21	6.30.21
	Department:	Administration		
	Date Submitted:	6.1.21		
Cost of Item:	<u>\$N/A</u>			
Amount Budgeted:	<u>\$N/A</u>			
Unexpended Balance:	<u>\$ N/A</u>			
Bars #:	N/A			
Timeline:	N/A			
Submitted By:	Clerk's Office			
Fiscal Note: N/A				
Attachments: Proposed Ordinance				
SUMMARY STATEMENT:				
<p>The Current City Code does not allow for virtual meetings. During the pandemic Council Meetings were held virtually to ensure compliance with the Governor's orders.</p> <p>The City Council is now able to meet in person, but it has become apparent that there are times when some Councilmembers may not be able to attend in person, and it may be useful and beneficial to allow for virtual participation when needed. The proposed ordinance would change the code to allow councilmembers to participate in a meeting virtually.</p> <p>The proposed amendments to the Orting Municipal Code benefit public health, safety and welfare, and promote the best long-term interests of the Orting community. The proposed ordinance also cleans up the meeting locations which changed when the new City Hall building was completed.</p>				
RECOMMENDED ACTION: Move forward to the next meeting on June 30 TH , 2021.				
FUTURE MOTION: <i>To Adopt Ordinance No. 2021-1077, An Ordinance Of The City Of Orting, Washington, Relating To Council Meetings; Amending Orting Municipal Code 1-6-1 Pertaining To Location Of Meetings And Virtual Meetings; And Establishing An Effective Date.</i>				

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2021-1077**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO COUNCIL MEETINGS;
AMENDING ORTING MUNICIPAL CODE 1-6-1
PERTAINING TO LOCATION OF MEETINGS AND
VIRTUAL MEETINGS; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, the City Council finds that the proposed amendments to the Orting Municipal Code adopted herein benefit public health, safety and welfare, and promote the best long term interests of the Orting community;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING,
WASHINGTON, DOES 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 1-6-1. The City Council hereby adopts the amendments to the OMC 1-6-1 as follows:

1-6-1: COUNCIL MEETINGS:

A. Regular City Council Meetings: The City Council shall hold regular meetings at the Orting ~~City Hall Multi-Purpose Center~~, or such other place as may be determined by the Council, on the second and last Wednesdays of each month at seven o'clock (7:00) P.M., unless otherwise noticed, provided, however, that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meetings shall be held at the same hour on the next succeeding day not a holiday.

B. Council Study Sessions: The City Council shall hold, as regular meetings, study sessions at the Orting ~~City Hall Multi-Purpose Center~~ on the third Wednesday of each month, at six o'clock (6:00) P.M., unless otherwise noticed, provided, however, that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meetings shall be held at the same hour on the next succeeding day not a holiday.

C. Special Meetings: Special meetings of the City Council shall be conducted in accordance with chapter 42.30 Revised Code of Washington, the Open Public Meetings Act. (Ord. 2018-1029, 4-25-2018)

D. Members of the City Council may attend regular meetings by telephone or a video platform, provided that a quorum of the City Council shall be located within the City for the duration of the meeting.

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

Section 4. 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 5. 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:

Kim Agfalvi, Acting City Clerk

Approved as to form:

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

Filed with the City Clerk: 6.1.21

Passed by the City Council:

Ordinance No.2021-1077

Date of Publication:

Effective Date:



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Ordinance No 2021-1078; Reducing HWY 162 Speed Limit	AB21-48	Public Works		
		6/2/21	6.16.21	6.30.21
	Department:	Public Works/Admin		
	Date Submitted:	May 26, 2021		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	None			
Submitted By:	Scott Larson			
Fiscal Note: None				
Attachments: Ordinance 2021-1078				
SUMMARY STATEMENT:				
<p>Washington State Department of Transportation (WSDOT) is looking at safety issues in the HWY 162 corridor south of Orting due to speeding and accidents, especially at the Orville Rd. intersection. WSDOT’s initial proposed safety improvement is to reduce the speed limit from 50 miles per hour (mph) to 45 mph. 0.03 miles of the currently 50 mph highway is within city limits. WSDOT has asked that we reduce that portion of the highway in town before they implement the changed speed limit across the entire corridor. WSDOT will be providing the new speed limit signs.</p> <p>In the future, WSDOT is looking at various intersection control solutions at the Orville Rd. intersection but are awaiting a funding source.</p>				
RECOMMENDED ACTION: Move to Next Council Meeting on June 30 th , 2021				
FUTURE MOTION: <i>To Adopt Ordinance No. 2021-1078, Resetting The Speed Limit To 45 Miles Per Hour Between Milepost 10.31 And Milepost 10.34.</i>				

CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2021-1078

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO SPEED LIMIT ZONE;
AMENDING ORTING MUNICIPAL CODE 7-1-1 TO REVISE
A SPEED LIMIT PURSUANT TO WAC 308-330-423 AND
RCW 46.61.415; AND OTHER MATTERS RELATED
THERE TO**

WHEREAS, the City of Orting adopted the Washington model traffic ordinance, chapter 308-330 Washington Administrative Code, codified at Orting Municipal Code 7-1-1, to govern roadway speed, safety and uniform traffic laws; and

WHEREAS, pursuant to OMC 7-1-1 and WAC 308-330-270, the City Council of the City of Orting may, from time to time, modify arterial speed limits to better reflect changing traffic conditions and roadway characteristics based on guidance from the traffic engineer; and

WHEREAS, consistent with RCW 46.61.415, and at the request of the Washington State Department of transportation, Washington State Patrol and the City's transportation engineer, the City Council desires to reduce the speed limit for a portion of SR 162 within City limits; and

WHEREAS, the City Council finds that reducing the speed limit from 50 mph to 45 mph on State Route 162 from Milepost 10.31 to Milepost 10.34 will serve to protect the health, safety and welfare of Orting's residents;

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 OMC 7-1-1 to Modify a Speed Limit. OMC 7-1-1 is hereby amended to add the following subsection to read as follows:

C. WAC 308-330-423 is hereby amended as follows:

For State Route 162 from Milepost 10.31 to Milepost 10.34 the speed limit shall be 45 mph.

Section 3. Implementation. The Mayor is requested to implement this direction through the installation of necessary signage and notification to the public of the change.

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. 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:

Kim Agfalvi, Acting City Clerk

Approved as to form:

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

Filed with the City Clerk: 6.10.21
Passed by the City Council:
Ordinance No.2021-1078
Date of Publication:
Effective Date:



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Daffodil Float Storage	AB 21-53	CGA	6.16.21	TBD
	Department:	CGA Committee		
	Date Submitted:	June 10, 2021		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	Discussion Item			
Submitted By:	CGA Committee			
Fiscal Note: None				
Attachments: None				
SUMMARY STATEMENT:				
<p>The CGA committee discussed storage of the Daffodil float at their last meeting. The float is currently stored under a canopy at Baxter Manufacturing. Baxter has requested that the Orting Chamber of Commerce (Chamber), who owns the float, find a new storage location. The CGA committee discussed the possibility of storing the float at the old City shop located at the intersection of Calistoga and Kansas. To be able to accommodate the float the Chamber would have to modify the existing structure as the float is larger than any of the current openings. The CGA committee would like to see if Council is amenable to exploring the City structure for storage and starting the initial negotiation between the City and the Chamber for a lease of the building.</p>				
RECOMMENDED ACTION: Discussion Item				
FUTURE MOTION: None				



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: COVID 19 Vaccine Segregation	AB21-54	N/A	6.16.21	6.30.21
	Department:	Council		
	Date Submitted:	5.30.21		
Cost of Item:		<u>\$N/A</u>		
Amount Budgeted:		<u>\$N/A</u>		
Unexpended Balance:		<u>\$ N/A</u>		
Bars #:		N/A		
Timeline:		TBD		
Submitted By:		Councilmember Belot		
Fiscal Note: N/A				
Attachments: Resolution				
SUMMARY STATEMENT:				
<p>As a community, citizens know what is best for their health & safety and the health and safety of their families, and private businesses are also capable of determining what is best for the health and safety of citizens who they employ and serve. Orting is an inclusive community, where all people regardless of their vaccine status should be treated equally, with kindness, compassion, and understanding.</p> <p>Should the City Council support government mandated restrictions promoting COV ID-19 vaccine segregation in our community when all citizens have the right to refuse a vaccination based on religious, medical, or personal reasons, and every medical intervention requires informed consent and the right of refusal.</p> <p>The Proposed Resolution position is that private health information regarding proof of vaccination status should not be required by any government mandate in order to access businesses, houses of worship, or cultural events. It also states that the City of Orting will not promote COVID-19 vaccine segregation restrictions or mask requirements for the public at our events. All people should be treated equally and empowered with personal choice, all while implementing safety measures to keep our citizens healthy.</p>				
RECOMMENDED ACTION: Move forward to the next meeting on June 30 th , 2021.				
FUTURE MOTION: <i>To Approve Resolution No. 2021-07, A Resolution Of The City Of Orting, Pierce County, Washington, Declaring The City Of Orting To Be An Inclusive Community Where Businesses Are Empowered With Choice And Citizens Are Treated Equally</i>				

**CITY OF ORTING
WASHINGTON**

RESOLUTION NO. 2021-07

A RESOLUTION OF THE CITY OF ORTING, PIERCE COUNTY, WASHINGTON, DECLARING THE CITY OF ORTING TO BE AN INCLUSIVE COMMUNITY WHERE BUSINESSES ARE EMPOWERED WITH CHOICE AND CITIZENS ARE TREATED EQUALLY.

WHEREAS, on February 29, 2020, the State of Washington declared a State of Emergency in all Washington counties due to COVID-19; and

WHEREAS, on May 18, 2021, all counties in Washington will be back in phase 3 of "Healthy Washington - Roadmap to Recovery Plan," and a proposed full reopening of Washington on or before June 30, 2021; and

WHEREAS, the City of Orting, as a municipality has no legal ability to waive mandates enforced by Department of Labor and Industries, and therefore cannot protect any local business from state-directed penalties; and

WHEREAS, the Orting City Council recognizes that as a community, citizens know what is best for their health & safety and the health and safety of their families; and

WHEREAS, the Orting City Council recognizes that private businesses are also capable of determining what is best for the health and safety of citizens who they employ and serve; and

WHEREAS, the City of Orting stands to be an inclusive community, where all people regardless of their vaccine status should be treated equally, with kindness, compassion, and understanding; and

WHEREAS, the Orting City Council does not support government mandated restrictions promoting COV ID-19 vaccine segregation in our community; and

WHEREAS, all citizens have the right to refuse a vaccination based on religious, medical, or personal reasons and every medical intervention requires informed consent and the right of refusal; and

WHEREAS, private health information regarding proof of vaccination status should not be required by any government mandate in order to access businesses, houses of worship, or cultural events; and

WHEREAS, wearing a mask is a personal health decision and should not be mandated by the government to the public or used as tool to discriminate against fellow citizens; and

WHEREAS, The City of Orting is an inclusive community where businesses and citizens are treated with equal access, regardless of vaccination status or mask usage. Where choice and freedom are paramount for the cumulative success of our community; and

WHEREAS, The City of Orting supports freedom of choice for all our citizens and those in our business community and supports their judgment to do what is prudent to ensure their free expression as listed in the Declaration of Independence for life, liberty & the pursuit of happiness;

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

Section 1. Based on the above findings, the City Council requests the Mayor communicate with the Governor's Office and demand the full opening of our City, county, and state, immediately, and to grant our citizens freedom from further business restrictions, mask mandates, proof of vaccination requirements and restrictions that promote COVID-19 vaccine segregation.

Section 2. The Orting City Council opposes any government mandated requirements or restrictions on citizens to show proof of vaccination status in order to access local businesses, houses of worship, or cultural events. We uphold the values of personal responsibility and individual liberties to empower citizens to make their own healthcare choices; and

Section 3. The City of Orting will sponsor outdoor festivals and activities for all our citizens, in the spirit of reconnecting with our neighbors and restoring community; and

Section 4. The City of Orting will not promote COVID-19 vaccine segregation restrictions or mask requirements for the public at our events. All people will be treated equally and empowered with personal choice, all while implementing safety measures to keep our citizens healthy; and

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ Day of _____, 2021.

CITY OF ORTING

ATTEST /AUTHENTICATED

Kim Agfalvi, Acting City Clerk

Joshua Penner, Mayor

Approved as to form:

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



**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject:	AB21-55	N/A	6.16.21	TBD
Transportation Funding -Ad Hoc Committee				
	Department:	Administration		
	Date Submitted:	6/8/21		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	None			
Submitted By:	Scott Larson			
Fiscal Note:	N/A			
Attachments:	None			
SUMMARY STATEMENT:				
<p>One of the council goals is to explore funding for our transportation maintenance since the Transportation Benefit District fee was reduced to \$0 in 2020. The goal included appointing an ad hoc committee to study options and make a recommendation to the whole council.</p> <p>Staff are recommending that council select two or three members for this committee and start meeting the end of June of July.</p>				
RECOMMENDED ACTION: Select ad hoc committee members.				
FUTURE MOTION: TBD				