

## **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  
September 15th, 2021  
6:00 p.m.

**Deputy Mayor Hogan, Chair**

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

You may attend this meeting virtually via the platform Blue Jeans by clicking the following link

<https://bluejeans.com/587899224/4802>, by telephone by dialing 1.408.419.1715 –

Meeting ID 948 626 840, or in person at the Orting Station located at the corner of Washington Ave N and Calistoga St W. Per the Governor's directives, all in person attendees shall comply with social distancing regulations and non-vaccinated attendees shall wear a face covering. If you log in at bluejeans.com you will need to enter the meeting ID 587 899 224, the passcode 4802, and your name.

### **2. COMMITTEE REPORTS**

Public Works

***CM Drennan & CM Bradshaw***

Public Safety

***CM Belot & CM Gunther***

Community and Government Affairs

***CM Kelly & CM Williams***

### **3. STAFF REPORTS**

### **4. ORTING FIRE DEPARTMENT UPDATE**

***Chief Zane Gibson***

### **5. AGENDA ITEMS**

- AB 21-74** – No Sit, No Lie Ordinance  
***Scott Larson***
- AB21-60** – Deck Code Amendments  
***Emily Adams***
- AB21-77** – E2SHB 1220 – Supportive and Transitional Housing Code Amendments  
***Emily Adams***
- AB21-76** – Orting Emergency Evacuation Bridge System Aesthetic Design  
***JC Hungerford and Scott Larson***
- AB21-48** – Speed Limit Ordinance  
***Maryanne Zukowski and Scott Larson***
- AB 21-72** – Body Worn Cameras and Tasers  
***Chris Gard***
- AB 21-73** – Harman Tank Demolition  
***Greg Reed***

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

***Next Regular Meeting: September 29, 2021, 7:00pm***

- H. **AB 21-70** – Sponsorship Resolution  
*CM Kelly and CM Williams*
- I. **AB21-71** – Whitehawk Blvd. Extension Project.  
*Maryanne Zukowski*
- J. **AB21-75** – Memorial Wall Refresh  
*CM Kelly and CM Williams*
- K. Meeting location for next meeting

## 6. EXECUTIVE SESSION

## 7. ADJOURNMENT

*Motion:* *To Adjourn.*



# Notice of Special Meeting of the Orting City Council

The Council will hold a special meeting  
beginning at 6:00pm  
on  
Wednesday, September 15, 2021  
at the Orting Station  
located at 101 Washington Ave N.  
(corner of Washington Ave N. and  
Calistoga St. W.)

Anyone wishing to attend this meeting may do  
so at the above-mentioned time and place.



**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: No Sit No Lie Regulation Discussion</b>	<b>AB21-74</b>	<b>Public Safety</b> <b>9.2.2021</b>	<b>9.15.2021</b>	
	<b>Department:</b>	Public Safety		
	<b>Date Submitted:</b>	9.9.2021		
<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>	City Administrator Scott Larson			
<b>Fiscal Note:</b> None				
<b>Attachments:</b> City of Everett No Sit No Lie Ordinance (as example)				
<b>SUMMARY STATEMENT:</b>				
<p>The Public Safety Committee discussed community impacts related to homelessness and what issues, if any are being seen in the city. The committee also discussed an ordinance that was passed in Everett within the past year prohibiting certain activities typically associated with homelessness within certain areas of their city to lessen the impacts of those activities. The Committee would like to have a discussion related to the needs of Orting and if there is a community need to update our code.</p>				
<b>RECOMMENDED ACTION:</b> Determine if an ordinance should be drafted by City Attorney.				
<b>FUTURE MOTION:</b> <u>Motion:</u> TBD				



City Council Agenda Item Cover Sheet

Project title: An ordinance prohibiting certain conduct within designated rights of way

Council Bill #

CB 2102-06

Agenda dates requested:

3/03/2021

Briefing 3/03/21

Proposed action 3/10/21

Action 3/17/21

Ordinance Yes

Public hearing

Yes x No

Budget amendment:

Yes x No

PowerPoint presentation:

Yes X No

Attachments:

Draft Ordinance

Department(s) involved:

Administration

Legal

Contact person:

David Hall

Phone number: 425-257-8700

Email: dhall@everettwa.gov

Initialed by:

Department head

Administration

Council President

Consideration: An ordinance prohibiting certain conduct within designated rights of way

Project:

Partner/Supplier:

Location:

Preceding action:

Fund:

Fiscal summary statement:

Project summary statement: The proposed ordinance would prohibit sitting, lying, and the distribution of goods within a designated area.

Recommendation (exact action requested of Council): Adopt An Ordinance Prohibiting Certain Conduct within Designated Rights of Way.

ORDINANCE NO. \_\_\_\_

**An Ordinance Prohibiting Certain Conduct within Designated Public Rights of Way, including Sitting, Lying, Pedestrian Interference, and Distributing Goods, Products or Supplies without a Street Use Permit.**

**WHEREAS**, RCW 35.22.280 empowers first class cities to regulate and control the use of streets and sidewalks, to declare and abate nuisances, to provide for the punishment of conduct and practices dangerous to public health or safety and to provide for regulations necessary for the preservation of public morality, health, peace and good order, and Article XI, section 11 of the State Constitution authorizes cities to make and enforce all police, sanitary and other regulations not in conflict with general laws; and

**WHEREAS**, homelessness is a significant problem in the City of Everett and the City is committed to providing additional temporary shelter and permanent housing for the City's unhoused residents; and

**WHEREAS**, the City also recognizes that the impacts of street-level social issues are not evenly distributed throughout the City; and

**WHEREAS**, the area in the vicinity of Smith Avenue (more specifically identified in Attachment A) is disproportionately affected by the adverse impacts of street-level social issues in public rights of way that make the use of the right of way difficult, unsafe, or unwelcoming and affect the safety and quality of life of nearby property owners, businesses, residents, and the general public; and

**WHEREAS**, adopting an ordinance prohibiting these activities in the delineated, limited geographic area will mitigate the inequitable concentration of impacts; and

**WHEREAS**, the Everett City Council finds that the provisions of this Ordinance are necessary for the public health, safety, and welfare;

**NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:**

**Section 1. Findings adopted**

The findings set forth in the above recitals are hereby adopted and incorporated by reference. Further, the City Council specifically finds that the regulation of the conduct addressed in this Ordinance is a valid exercise of police power.

**Section 2. A. Prohibition.** No person shall sit or lie down upon, or place a blanket, sleeping bag, back pack, chair, mattress, couch, stool, or any similar equipment, item, or

furniture upon, a public sidewalk or any portion of the public right of way, whether improved or unimproved, in the area identified in Exhibit A.

B. Exceptions. The prohibitions in subsection (A) of this section shall not apply to any person:

1. Temporarily sitting or lying down on a sidewalk due to a medical emergency;
2. Who, as the result of a disability, utilizes a wheelchair, walker, or similar device to move about the public sidewalk;
3. Operating or patronizing an activity on the public sidewalk pursuant to a City issued permit for the activity; or a person participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event conducted on the public sidewalk pursuant to a street use or other applicable permit issued by the City.

Nothing in any of these exceptions shall be construed to permit any conduct which is prohibited by any City ordinance or regulation.

C. No person shall be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a law enforcement officer that the conduct violates this section and refuses or intentionally fails to cease such activity when ordered to do so.

D. A violation of this section shall be a misdemeanor punishable by up to 90 days in jail, a fine of up to \$500.00, or both.

**Section 3. No Goods or Services to be Provided within the Right of Way without Permit.**

No person may provide food, beverages, goods, supplies or services of any sort within the public right of way in the area described in section 2.A unless authorized by a valid right-of-way use permit issued by the department of Public Works. Such permit shall identify the specific activity authorized by the permit, the specific location at which such activity is permitted, and the times during which the activity may occur. The Department may issue such permit only if it determines that the activity and location for which the permit is requested will not have an unreasonable adverse impact on the neighborhood, other uses in the vicinity, or the public's use of the right-of-way. The Department may revoke such permit at any time if it determines that the activity does have an unreasonable adverse impact on the neighborhood, other uses in the vicinity, or the public's use of the right-of-way. No such permit shall be valid for longer than one year.

**Section 4. Severability**

Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or situation, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**Section 5. General Duty**

It is expressly the purpose of this Ordinance to provide for and promote the health, safety, and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees, or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees, or agents.

**Section 6. Savings**

The enactment of this Ordinance shall not affect any case, proceeding, appeal, or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

**Section 7. Corrections**

The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers and any references thereto.

**Section 8. Codification**

Sections 2 and 3 of this Ordinance shall be codified in a new chapter in Title 13 of the Everett Municipal Code entitled "Certain Conduct within Designated Public Rights of Way Prohibited."

---

**Cassie Franklin, Mayor**



**ATTEST:**

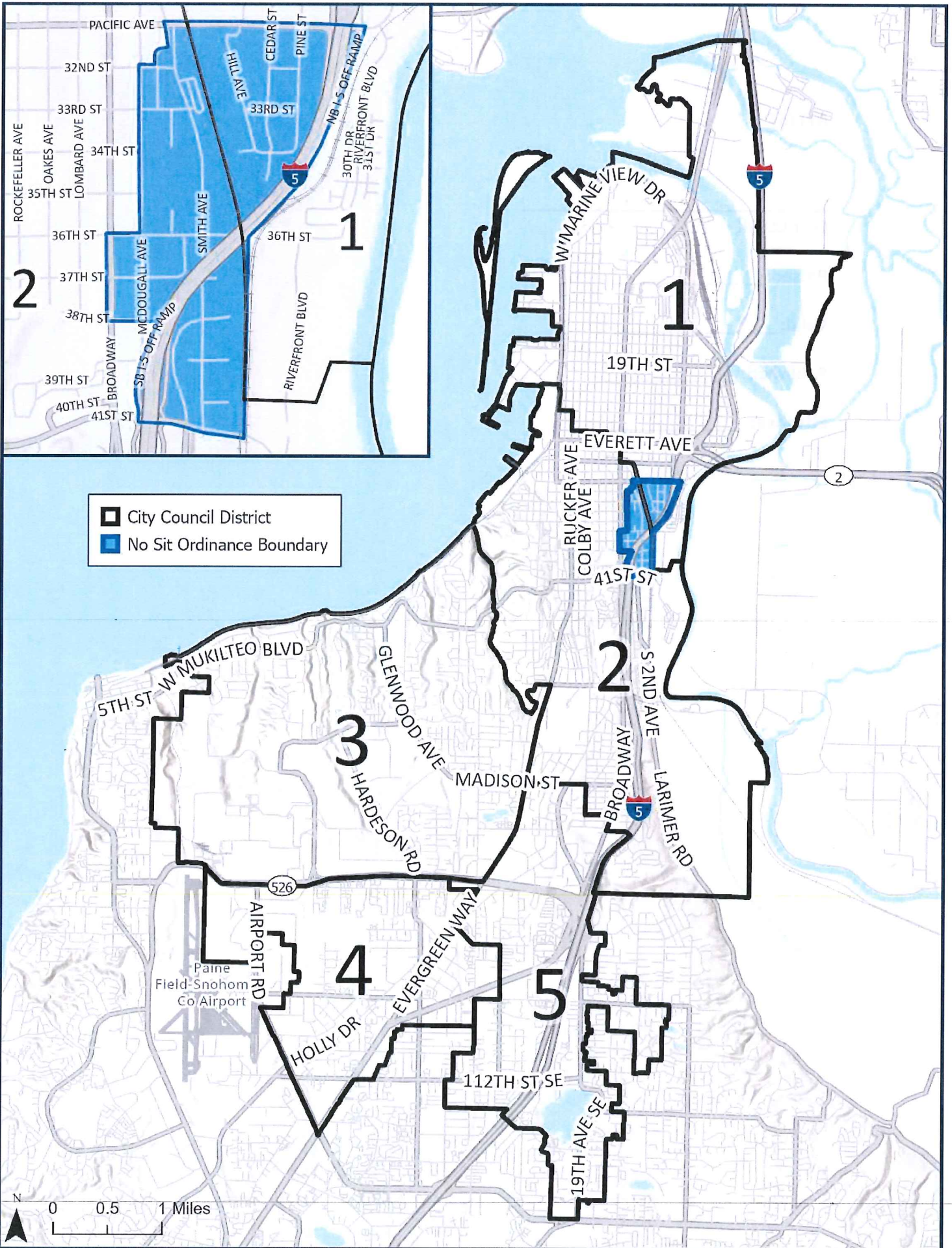
\_\_\_\_\_  
**CITY CLERK**

**Passed:** \_\_\_\_\_

**Valid:** \_\_\_\_\_

**Published:** \_\_\_\_\_

**Effective:** \_\_\_\_\_



City Council District  
 No Sit Ordinance Boundary



**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: Deck Code Amendments - Side Yard Decks</b>	<b>AB21-60</b>			
		<b>CGA</b>	<b>9.15.2021</b>	<b>9.29.2021</b>
	<b>Department:</b>	Planning		
	<b>Date Submitted:</b>	<b>9.10.2021</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 memo			
<b>SUMMARY STATEMENT:</b>				
<p>The proposal is to amend the section of the OMC that permits projections into the required setbacks. This amendment will extend the allowed deck side yard projection from 18-inches to within five feet of the side yard lot line. The five feet distance is at the request of the City’s building official for fire safety reasons.</p>				
<p><b>Recommended Action:</b> Move to regular meeting on September 29, 2021 as agenda item for additional public hearing and action OR as an agenda item for action with no public hearing.</p> <p><b>Future Motion: Motion:</b> to approve Ordinance 2021-1082, an Ordinance of the City of Orting, Washington, relating to uncovered porches and decks; amending Orting Municipal Code sections 13-5-1-C; providing for severability; and establishing an effective date.</p>				



## City Council Staff Report

<b>Project Name:</b>	Deck Code Amendments
<b>Applicant:</b>	City of Orting
<b>Date of Staff Report:</b>	August 18, 2021
<b>Date of Meeting:</b>	September 15, 2021
<b>Staff Recommendation:</b>	Approval
<b>City Staff Contact:</b>	Emily Adams, AICP Contract City Planner
<b>Public Comment Period:</b>	August 30 – September 9, 2021 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. Notice Planning Commission public hearing – posted
3. Notice Planning Commission public hearing – published
4. Proposed Ordinance

### Findings of Fact

Recently an application came before the City that included a request to build a deck in the existing 8-foot side yard setback. Upon review of the code it became evident this area of code needs to be reviewed to ensure it was best serving the community.

The code currently allows uncovered porches and decks which do not exceed 30" from finished lot grade to project into any setback, provided such projections do not extend more than six feet into a front yard setback or 18" into a side yard setback. For lots that are built to the 8-foot side yard setback in the RU zone, this only allows a 1.5-foot-wide deck along the side of a house.

There are different approaches City's use in regard to decks extending into setbacks, examples:

#### *Buckley*

Uncovered porches, platforms and decks that are less than 30 inches above grade may intrude no closer than five feet to the side lot line and six feet into the front lot setback area

*Issaquah*

Minor structural elements, such as decks, porches and patios, may intrude into a required setback as follows:

Any portion of a minor structural element which equals or exceeds thirty (30) inches above finished grade at the setback location may intrude into a required setback a distance no greater than twenty (20) percent of that setback, keeping at least five (5) feet of undisturbed setback.

Any portion of a minor structural element which is less than thirty (30) inches above finished grade at the setback location may extend within three (3) feet of the side or rear lot line.

*Tacoma*

Uncovered, ground level decks (deck surface no more than 30-inches in height from surrounding grade) may occupy up to 50 percent of a required setback area and may also extend into required side yard setbacks to within 3-feet of the property line.

Coverage limits would continue to apply to the site, and decks would not be allowed to exceed those limits.

The City’s Building Official, Tim Lincoln, has indicated a preference to not allow decks within 5-feet of property lines due to building codes and fire-resistant construction standards. If the deck is closer than 5-feet to the property line it must be fire-resistance rated for 1 hour on the underside, or heavy timber, or fire-retardant-treated wood.

**Proposed Revised Deck Code**

13-5-1: DENSITY AND DIMENSION: C. 10. Projection Exception:

b. Uncovered porches and decks which do not exceed thirty inches (30") from finished lot grade may project into any setback, provided such projections do not extend more than six feet (6') into a front yard setback or ~~no closer than five feet (5') to the side lot line eighteen inches (18") into a side yard setback.~~

**Public Hearing**

A public hearing was held by the Planning Commission on September 9, 2021. No comments were received.

**Staff Recommendation**

Staff recommends approval of the ordinance and amendments as proposed.

**Reconsideration**

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.

**Appeal**

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



**CITY OF ORTING  
WASHINGTON  
ORDINANCE NO. 2021-1082**

---

**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO UNCOVERED PORCHES  
AND DECKS; AMENDING ORTING MUNICIPAL CODE  
SECTIONS 13-5-1-C; 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 project exceptions related to decks and uncovered porches to respond to citizen needs; and

**WHEREAS**, the current development code only allows uncovered porches and decks to project eighteen inches into a side yard setback; 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 July 9, 2021 for its review and comment period; and

**WHEREAS**, the City's Planning Commission held a public hearing on the proposed amendments on September 9, 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 September 29, 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 13-5-1, Amended.** Orting Municipal Code Section 13-5-1-C is hereby amended as follows:

**13-5-1: DENSITY AND DIMENSION:**

C. 10. Projection Exception:

\*\*\*

b. Uncovered porches and decks which do not exceed thirty inches (30") from finished lot grade may project into any setback, provided such projections do not extend more than six feet (6') into a front yard setback or no closer than five feet (5') to the side lot line ~~eighteen inches (18") into a side yard setback.~~

\*\*\*

**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. 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:

\_\_\_\_\_  
Kim Agfalvi, City Clerk

Approved as to form:

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



**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:</b> E2SHB 1220 – Supportive and Transitional Housing Code Amendments	<b>AB20-77</b>			
		<b>N/A</b>	<b>9.15.2021</b>	<b>9.29.2021</b>
	<b>Department:</b>	Planning		
	<b>Date Submitted:</b>	<b>9.10.2021</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, Ordinance			
<b>SUMMARY STATEMENT:</b>				
<p>E2SHB 1220 was signed into law, it states: “A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed” and “a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed.” The bill does allow for reasonable occupancy, spacing and intensity of use requirements to be imposed.</p> <p>Staff is proposing interim zoning regulations, which would expire in six months if not renewed. During the six-month period these regulations would be in place, staff would work to develop and propose long-term zoning regulations consistent with the requirements of E2SHB 1220. These regulations would adopt definitions for emergency shelters, emergency housing, transitional housing, and permanent supportive housing. Transitional housing and permanent supportive housing would be added to the table as conditional uses with the stipulations that the number of units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the zoning of the property and that neither may be located within a mile of another property than contains permanent supportive housing or transitional housing or a quarter mile of any school or park. Hotel and motel would be removed as a permitted use, and therefore emergency shelters and housing would not be permitted, as part of the interim regulations to give staff time to research and create permanent regulations for each of the uses.</p> <p>Per the bill regulations must be in place by September 30, 2021. The Planning Commission held a public hearing on 9/9/21.</p>				
<b>Recommended Action:</b> move to regular meeting on September 29, 2021 and hold an additional public hearing OR move to regular meeting on September 29, 2021 as an agenda item for a closed record final decision (no public hearing).				
<b>FUTURE MOTION: Motion:</b> Adopt ordinance 2021-1083; relating to interim zoning controls pertaining to permanent supportive housing and transitional housing for a period of six months in response to ESSHB 1220.				





## Staff Report

<b>Project Name:</b>	Supportive and Transitional Housing Code Amendments (E2SHB 1220)
<b>Applicant:</b>	City of Orting
<b>Date of Staff Report:</b>	September 10, 2021
<b>Date of Meeting:</b>	September 15, 2021 (study session)
<b>Staff Recommendation:</b>	Approval
<b>City Staff Contact:</b>	Emily Adams, AICP Contract City Planner
<b>Public Comment Period:</b>	August 30 - September 9, 2021 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. Notice of Planning Commission public hearing
3. Proposed Ordinance

### Findings of Fact

E2SHB 1220 was signed into law in May 2021. Its purpose is to encourage cities to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness-related facilities through local planning and changes to local development regulations. This signed bill contains new requirements related to:

- Comprehensive plan housing element updates;
- Adoption of moratoria or interim zoning controls; and
- Zoning and development regulations regarding indoor shelters, permanent supportive housing, and transitional housing.

The bill states: “A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed” and “a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed.” The bill does allow for reasonable occupancy, spacing and intensity of use requirements to be imposed on the uses.

The City’s current code has no regulations related to the development and operation of transitional housing or permanent supportive housing or shelters. And currently hotels/motels are permitted in the

MUTC and MUTCN zones. Therefore, under this new law, emergency shelters, emergency housing, transitional housing, and permanent supportive housing would be required to be permitted in the MUTC and MTUCN zones.

### **Proposal**

City staff have not had sufficient time to evaluate the needs to transitional housing or permanent supportive housing and develop regulations between the time that E2SHB 1220 was signed by the Governor and became law. Staff is therefore proposing interim zoning regulations, which would expire in six months if not renewed. During the six-month period these regulations would be in place, staff would work to develop and propose long-term zoning regulations consistent with the requirements of E2SHB 1220. These uses will also be addressed as part of the periodic comprehensive plan update.

These regulations would adopt definitions emergency shelters, emergency housing, transitional housing, and permanent supportive housing. Transitional housing and permanent supportive housing would be added to the table as conditional uses with the stipulations that the number of units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the zoning of the property and that neither may be located within half a mile of another property than contains permanent supportive housing or transitional housing. Hotel and motel would be removed as a permitted use as part of the interim regulations to give staff time to research and create permanent regulations for each of the uses.

### **Public Hearing**

A public hearing was held by the Planning Commission on September 9, 2021. No comments were received.

Council may choose to hold another public hearing prior to adoption or have a closed record final decision.

### **Staff Recommendation**

Staff recommends approval of the ordinance and amendments as proposed.

### **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.

**CITY OF ORTING  
WASHINGTON  
ORDINANCE NO. 2021-1083**

---

**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO INTERIM ZONING  
CONTROLS PERTAINING TO PERMANENT  
SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING  
FOR A PERIOD OF SIX MONTHS IN RESPONSE TO E2SHB  
1220; PROVIDING FOR SEVERABILITY; AND  
ESTABLISHING AN EFFECTIVE DATE**

---

**WHEREAS**, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose interim regulations to be effective for a period of up to six months, and for six-month intervals thereafter; and

**WHEREAS**, earlier this year the state legislature enacted Engrossed Second Substitute House Bill (E2SHB) 1220 signed by Governor Inslee on May 12, 2021, became Chapter 254, Laws of 2021 and will take effect on partially on July 25, 2021 and partially on September 30, 2021; and

**WHEREAS**, Section 3 of E2SHB 1220 contains the following preemption of local zoning authority:

A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a code city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit.; and

**WHEREAS**, the City of Orting has no regulations related to the development and operation of transitional housing or permanent supportive housing needed to protect the community and residents of these units; and

**WHEREAS**, the City has not had sufficient time to evaluate the needs associated with transitional housing or permanent supportive housing and develop regulations between the time that E2SHB 1220 was signed by the Governor and became law; 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 for its expediated review and comment period; and

**WHEREAS**, the City’s Planning Commission held a public hearing on the proposed amendments on September 9, 2021 and proposed a recommendation and forwarded it to the City Council to adopt the proposed OMC amendments; and

**WHEREAS**, the City Council, on September 29, 2021, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission; and

**WHEREAS**, in response to E2SHB 1220 the Orting City Council would like to make certain changes to its development regulations on an interim basis to give City staff and the Planning Commission time to make a recommendation to the City Council with respect to recommendations that will keep the City compliant with E2SHB 1220 on a permanent basis;

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

**13-3-3: USES**

**TABLE 1  
CITY OF ORTING LAND USE**

	<b>Zones</b>							
	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		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>
Adult family homes	P	P	P	P	P			
Attached ground related residences					P			
<u>Permanent Supportive Housing</u>	C <sup>26</sup>	C <sup>26</sup>	C <sup>26</sup>	C <sup>3,26</sup>	C <sup>3,26</sup>			
Single room occupancy sleeping units								C
<u>Transitional Housing</u>	C <sup>26</sup>	C <sup>26</sup>	C <sup>26</sup>	C <sup>3,26</sup>	C <sup>3,26</sup>			
Other <sup>6</sup>		C	P	C				
Manufactured home park	C	C	C					

Mobile/ manufactured home	P <sup>7</sup>	P <sup>7</sup>	P <sup>7</sup>					
Multiple-family			P	P <sup>3</sup>	P			
Single-family detached	P	P	P		P <sup>25</sup>			
Temporary Lodging								
Bed and breakfast	C	C	C	P <sup>3</sup>				
Hotel/motel				<del>P<sup>3</sup></del>	<del>P</del>			
Rooming house			C	C <sup>3</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.
5. Not located along retail street frontages.
6. Housing more than 12 unrelated individuals.
7. On a legal lot with permanent foundation.
8. On upper floors above ground floor commercial only.
9. On upper floors above ground floor commercial, or in freestanding residential buildings.
10. Duplexes and townhouses are not allowed on flag lots in the RU zone.
11. In planned retail centers when building area is less than 10,000 square feet.
12. See section 13-5-4 of this title.
13. On site sales of agricultural products allowed.
14. Food stores only.
15. On upper floors above ground floor retail.
16. Including outdoor display or sales yards.
17. Not including overnight kennels or treatment facilities.
18. Machine shops, incinerators, wrecking yards, and feedlots may be permitted subject to appropriate mitigation of impacts on surrounding nonindustrial areas. Significant adverse noise, air quality, or other impacts caused by manufacturing processes shall be contained within buildings.
19. When entirely located in a building, not producing adverse noise or air quality impacts, and not located along retail street frontage. Ground floor area limited to 10,000 square feet maximum.
20. Private facilities.
21. Subject to all other City regulations regarding livestock.
22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.
23. Three or more units per building.
24. May not have frontage along SR 162/Washington Avenue N. Must be screened from all adjacent residences with sight obscuring landscaping, 6-foot tall solid fencing.
25. For Senior Housing (aged 55+) only.
26. The number of permanent supportive housing units and transitional housing units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the applicable zoning of the property. No permanent supportive housing or transitional housing may be located within one mile of another property than contains permanent supportive housing or transitional housing or a fourth a mile of any school or park.

\*\*\*

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

**13-2: DEFINITIONS**

\*\*\*

**13-2-6: E**

EMERGENCY HOUSING: Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

EMERGENCY SHELTER: a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

\*\*\*

**13-2-17: P**

PERMANENT SUPPORTIVE HOUSING: One or more subsidized, leased dwelling units with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in the Residential Landlord Tenant Act, chapter 59.18 RCW.

\*\*\*

**13-2-21: T**

TRANSITIONAL HOUSING: A facility that is owner, operated, or managed by a nonprofit organization or governmental entity that provides housing and supportive services to homeless individuals or families for up to two years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing.

\*\*\*

**Section 4. Duration.** The interim zoning regulations adopted herein shall be in effect for one year, beginning upon the effective date of this Ordinance and ending six months thereafter, unless an ordinance is adopted prior thereto rescinding the interim zoning regulations adopted herein.

**Section 5. 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 6. Codification.** The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

**Section 7. 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, 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:  
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: Orting Emergency Evacuation Bridge System Aesthetic Design</b>	<b>AB21-76</b>	<b>N/A</b>	<b>9.15.2021</b>	
	<b>Department:</b>	Engineering		
	<b>Date Submitted:</b>	9.9.2021		
<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>	JC Hungerford, PE/Scott Larson			
<b>Fiscal Note:</b> None				
<b>Attachments:</b>				
<b>SUMMARY STATEMENT:</b>				
<p>The OEEBS ad-hoc committee met on July 20 and August 17, 2021 to discuss the aesthetic design elements of the Orting Emergency Evacuation Bridge System. This included lighting, rail design and façade treatments. The attached drawing shows the selected design elements.</p>				
<b>RECOMMENDED ACTION:</b> Move to Planning Commission meeting on October 4, 2021 for approval.				





Welcome to *Orting*

+50





**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: Ordinance No 2021-1078; Extending 30 mph HWY 162 Speed Limit</b>	<b>AB21-48</b>	<b>Public Works</b>		
		<b>6.2.2021</b>	<b>6.16.2021 8.18.2021</b>	<b>6.30.2021, 8.25.2021 9.8.2021, 9.15.2021</b>
	<b>Department:</b>	Public Works/Admin		
	<b>Date Submitted:</b>	5.26.2021		
<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> Ordinance 2021-1078, WA DOT Memo				
<b>SUMMARY STATEMENT:</b>				
<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.</p> <p>At the Public Works Committee meeting, the members discussed extending the speed limit to 30 mph for the roughly 0.03 miles of the currently 50 mph highway that is within City limits. WSDOT has agreed with this further reduction to the speed limit within City Limits. WSDOT has asked that we match the city’s current 30 mph portion or their proposed 45 mph speed limit outside of town before they implement the changed speed limit to 45mph across the entire corridor beyond the City limits. 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>				
<b>RECOMMENDED ACTION:</b> Move to regular meeting on September 29, 2021 as standalone item.				
<b>Future Motion: <u>Motion:</u></b> To adopt ordinance No. 2021-1078, extending the speed limit to 30 miles per hour between milepost 10.31 and 10.34.				



August 4, 2021

SR 162 MP 10.31 to MP 17.25 Speed Study

The Olympic Region Traffic Office evaluated the speed limit on SR 162 between MP 10.31 to MP 17.25. This 6.94 mile corridor is located between the City of Orting and the Town of South Prairie in Pierce County. This urban minor arterial has a 2019 AADT of 8,600 and is currently posted as 50 mph. The traffic volumes have increased by 25 percent from 2015 to 2019 in this developing corridor.

Table 1 summarizes the recent speed data and Figure 1 shows the regulatory speed limits in the vicinity. The roadway characteristics include one lane in each direction and narrow shoulders.

Table 1. SR 162 Speed Data

MP	Direction	85 <sup>th</sup> Percentile Speed (mph)	95 <sup>th</sup> Percentile Speed (mph)	Pace (mph)	Date
11.30	Decreasing	39	42	31-40	June 2018
11.30	Decreasing	38	41	31-40	June 2018
11.30	Decreasing	42	46	36-45	June 2018
11.30	Increasing	44	49	36-45	June 2018
11.30	Increasing	43	48	36-45	June 2018
11.30	Increasing	44	48	36-45	June 2018
11.35	Decreasing	47	52	36-45	June 2018
11.35	Increasing	40	45	36-45	June 2018
11.98	Decreasing	50.2	54	40-49	June 2020
11.98	Increasing	52.1	55.8	40-49	June 2020
12.05	Decreasing	52	56	41-50	June 2018
12.05	Decreasing	47	52	36-45	June 2018
12.05	Increasing	53	57	46-55	June 2018
12.05	Increasing	49	54	41-50	June 2018
13.23	Decreasing	47.7	51.5	40-49	June 2020
13.23	Increasing	50.2	54	40-49	June 2020
13.29	Decreasing	54	58	46-55	June 2018
13.29	Increasing	50	54	41-50	June 2018

The SR 162 MP 10.58 to 11.08 corridor was included in a 2020 CAL/CAC, the MP 10.88 to 11.38 corridor was included in a 2017 CAL/CAC, and the SR 162/Orville Rd intersection at MP 10.97 is included of the I2 compact roundabout systemic safety program. The MP 10.31 to MP 17.25 corridor had 156 crashes in the five year crash

August 4, 2021

Page 2

history from 2016 to 2020, including 13 fatal or serious injury crashes. Of these 13 crashes, 8 of 13 involved a single vehicle.

There are no transit stops along the facility. Pedestrians and bicyclists commonly use the parallel Foothills Trail, though a warning sign at MP 15.72 cautions motorists about bicyclists on road.

There are several horizontal curves with advisory speeds below the posted speed: 25 mph advisory near MP 10.97, 40-45 mph advisories near MP 12.95, and 45 mph advisory near MP 14.50.

The speed study was initiated by constituent concern for speed on SR 162 in the 50 mph zone. WSDOT will require an ordinance for the MP 10.31 to MP 10.34 portion with City of Orting limits. In coordination with the City of Orting, the City recommended to extend the 30 mph speed limit with the city limits.

The SR 162/Orville Rd compact roundabout project has a current Advertisement date of October 2023, with expected construction in 2024.

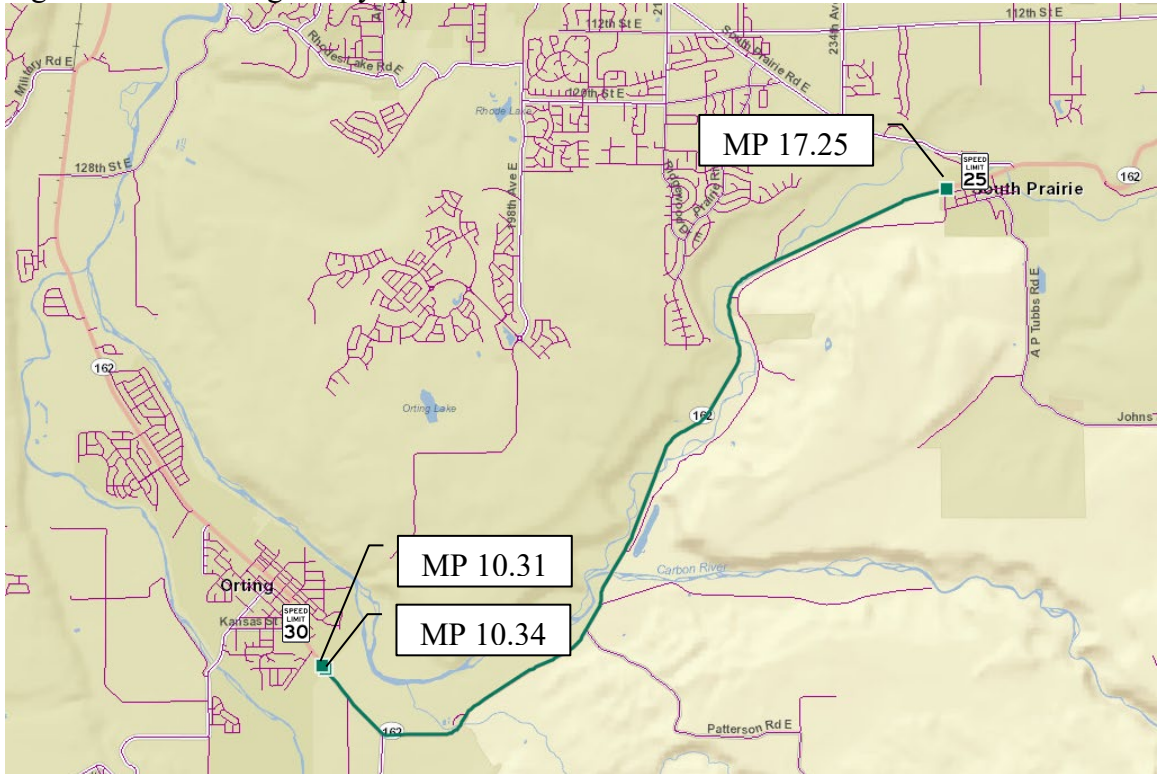
**Conclusion:**

Based on the crash history, increasing traffic volumes, and engineering analysis, we recommend reducing the regulatory speed limit to 45 mph outside city limits, and reducing the speed limit to 30 mph within the city limits in partnership with the City's request.

Page 2

Under 23 U.S. Code § 148 and 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

Figure 1. SR 162 Regulatory Speed Limits



SEO:

**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 extending the 30 mph speed limit 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 30 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, 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**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: Body worn cameras and tasers</b>		<b>Public Safety</b>	<b>9.15.2021</b>	<b>9.29.2021</b>
	<b>AB21-72</b>			
	<b>Department:</b> Police			
	<b>Date Submitted:</b> <b>8.31.2021</b>			
	<b>Cost of Item:</b>		<u>\$25,650 each year for 5 years</u>	
<b>Amount Budgeted:</b>		<u>\$</u>		
<b>Unexpended Balance:</b>		<u>\$</u>		
<b>Bars #:</b>		<b>001-594-21-64-43</b>		
<b>Timeline:</b>		<b>September 2021</b>		
<b>Submitted By:</b>		<b>Chris Gard</b>		
<b>Fiscal Note: 5-year contract</b>				
<b>Attachments:</b>				
<b>SUMMARY STATEMENT:</b>				
<p>This five (5) year contract provides the Police Department with body worn cameras and Tasers.</p> <p>Cameras: Law enforcement agencies across the country are implementing body worn cameras with the intent to increase transparency and public trust. The cameras provide the ability to review encounters to resolve potential complaints and can also be used as evidence in arrests or prosecutions. It also can be used to train new and existing officers how to perform during difficult encounters with the public.</p> <p>Tasers: This equipment enables police officers to temporarily immobilize a person who may be combative or resisting arrest. This less than lethal means protects both the officers and individuals who are resisting arrest. This replacement contract covers an upgraded version of the leased Tasers currently being used by the department and includes automatic downloads of a weapon log for tracking purposes.</p> <p>The City received \$34,260 in August 2021 to offset costs generated by law enforcement legislation in 2020 and 2021. This revenue can be used to help offset the cost of the replacement lease of Tasers and the addition of the body cameras lease.</p>				
<b>RECOMMENDED ACTION:</b> Move to regular meeting on September 29, 2021 as a standalone item.				
<b>FUTURE MOTION: <u>Motion:</u></b> to authorize the Mayor to sign a 5-year contract not to exceed \$25,650.00 each year to provide the Police Department with body worn cameras and tasers.				





**Axon Enterprise, Inc.**  
 17800 N 85th St.  
 Scottsdale, Arizona 85255  
 United States  
 VAT: 86-0741227  
 Domestic: (800) 978-2737  
 International: +1.800.978.2737

**Q-329577-44434.724KH**

Issued: 08/26/2021

➔ **Quote Expiration: 10/31/2021**

EST Contract Start Date: 12/01/2021

Account Number: 137827

Payment Terms: N30

Delivery Method: Fedex - Ground

SHIP TO	BILL TO
Delivery-401 WASHINGTON AVE 401 WASHINGTON AVE ORTING, WA 98360 USA	Orting Police Dept. - WA PO Box 489 Orting, WA 98360-0489 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Thom Ruseva-Mahan Phone: +1 4804148450 Email: tmahan@axon.com Fax: +1 4809993359	Chris Gard Phone: (360) 893-3111 Email: cgard@cityoforting.org Fax:

Program Length	60 Months
<b>TOTAL COST</b>	<b>\$124,050.04</b>
<b>ESTIMATED TOTAL W/ TAX</b>	<b>\$124,050.04</b>

Bundle Savings	\$53,006.67
Additional Savings	\$2,750.00
<b>TOTAL SAVINGS</b>	<b>\$55,756.67</b>

PAYMENT PLAN		
PLAN NAME	INVOICE DATE	AMOUNT DUE
Year 1	Oct, 2021	\$23,445.99
Year 2	Oct, 2022	\$23,445.99
Year 3	Oct, 2023	\$23,445.99
Year 4	Oct, 2024	\$23,445.99
Year 5	Oct, 2025	\$23,445.99

**BILLED ON FULFILLMENT**

PLAN NAME	INVOICE DATE	AMOUNT DUE
None	As Fulfilled	\$9,570.00

## Quote Details

**Bundle Summary**

Item	Description	QTY
Core+	2021 Core+	12
DynamicBundle	Dynamic Bundle	1

**Bundle: 2021 Core+    Quantity: 12    Start: 12/1/2021    End: 11/30/2026    Total: 114480.04 USD**

Category	Item	Description	QTY
Signal Sidearm Kit	75015	SIGNAL SIDEARM KIT	12
Camera Warranty	80464	EXT WARRANTY, CAMERA (TAP)	12
E.com License	73746	PROFESSIONAL EVIDENCE.COM LICENSE (Formerly SKU 73746)	12
Respond License	73449	RESPOND DEVICE LICENSE	12
Auto Tagging	73682	AUTO TAGGING LICENSE	12
Camera Refresh 1 with Spares	73309	AXON CAMERA REFRESH ONE	12
Device Storage	73686	EVIDENCE.COM UNLIMITED AXON DEVICE STORAGE	12
Camera Refresh 2 with Spares	73310	AXON CAMERA REFRESH TWO	12
A La Carte Storage	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	36
Auto Tagging Implementation	79999	AUTO TAGGING / PERFORMANCE IMPLEMENTATION SERVICE	1
Fleet Signal Unit	70112	AXON SIGNAL UNIT	4
Installation	80129	SIGNAL ONLY OR ROUTER ONLY INSTALLATION PER VEHICLE	4
Cable Assembly	70117	AXON SIGNAL UNIT, CABLE ASSEMBLY	4
Handle License	20248	TASER 7 EVIDENCE.COM LICENSE	12
Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	36
Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	36
Handles	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	12
Inert Cartridges	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS	12
Inert Cartridges	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	12
Admin License	20248	TASER 7 EVIDENCE.COM LICENSE	1

Taser 7 Target	80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	1
Taser 7 Target Frame	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	1
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	24
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	24
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	24
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	24
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	24
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	24
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	24
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	24
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	24
Batteries	20018	TASER 7 BATTERY PACK, TACTICAL	14
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	24
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	24
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	24
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	24
Duty Cartridge Replenishment Program	20246	TASER 7 DUTY CARTRIDGE REPLACEMENT LICENSE	12
Docks	74200	TASER 7 6-BAY DOCK AND CORE	1
Dock Mount	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1
Dock Power Cord	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1
Holsters	20160	TASER 7 HOLSTER - SAFARILAND, RH+CART CARRIER	12
Camera	73202	AXON BODY 3 - NA10	12
Camera Mount	74020	MAGNET MOUNT, FLEXIBLE, AXON RAPIDLOCK	12
Other	80379	EXT WARRANTY, FLEET 2 SIGNAL UNIT	4
Other	80395	EXT WARRANTY, TASER 7 HANDLE	12
Other	80374	EXT WARRANTY, TASER 7 BATTERY PACK	14
Other	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1
Warranty	80466	EXT WARRANTY, SINGLE-BAY DOCK (TAP)	12
Single-bay Dock Refresh 1	73313	1-BAY DOCK AXON CAMERA REFRESH ONE	12
Single-bay Dock Refresh 2	73314	1-BAY DOCK AXON CAMERA REFRESH TWO	12
1-Bay Dock	74211	AXON BODY 3 - 1 BAY DOCK	12
1-Bay Power Cord	71104	NORTH AMER POWER CORD FOR AB3 1-BAY DOCK	12

<b>Bundle: Dynamic Bundle</b>				<b>Quantity: 1</b>	<b>Start: 12/1/2021</b>	<b>End: 11/30/2026</b>	<b>Total: 3090 USD</b>
Category	Item	Description	QTY				
Other	85144	AXON STARTER	1				
Other	20050	HOOK-AND-LOOP TRAINING (HALT) SUIT	1				
Other	73746	PROFESSIONAL EVIDENCE.COM LICENSE (Formerly SKU 73746)	1				

**Individual Items USD**

<b>Category</b>	<b>Item</b>	<b>Description</b>	<b>QTY</b>
Other	80322	LIVE STREAMING ADD-ON LICENSE	12

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

## Standard Terms and Conditions

### Axon Enterprise Inc. Sales Terms and Conditions

#### Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

#### ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

#### Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

---

Signature

---

Date Signed

8/26/2021



**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: Harmon Tank Demolition</b>	<b>AB21-73</b>	<b>Public Works</b> <b>9.1.2021</b>	<b>9.15.2021</b>	
	<b>Department:</b>	Public Works		
	<b>Date Submitted:</b>	9.9.2021		
<b>Cost of Item:</b>		<u>\$37,486.80</u>		
<b>Amount Budgeted:</b>		<u>\$60,000</u>		
<b>Unexpended Balance:</b>		<u>\$22,513.20</u>		
<b>Bars #:</b>		401-594-34-63-55		
<b>Timeline:</b>		None		
<b>Submitted By:</b>		Greg Reed		
<b>Fiscal Note:</b> None				
<b>Attachments:</b> Contractor Bid, Bid summary sheet				
<b>SUMMARY STATEMENT:</b>				
<p>Staff solicited bids for the demolition of a water tank at the city’s Harmon Spring water source. The tank was decommissioned a number of years ago when it was replaced and needs to be demolished as it is deteriorating. The proposal is to demolish the tank in place and cap it with top soil. We utilized the MRSC Small Works Roster and received only one response. Staff recommends we move forward with awarding the project to Dirty Deeds LLC.</p>				
<b>RECOMMENDED ACTION:</b> Move to September 29, 2021 meeting as consent agenda item.				
<b>FUTURE MOTION: <u>Motion:</u></b> to approve Dirty Deeds, LLC as low bidder for the Harmon Tank Demolition for an amount not to exceed \$37,486.80.				



# CITY OF ORTING

900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039

## SECTION 3 Harman Springs Tank Demolition PRICE SHEET

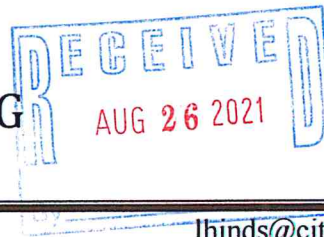
### PRICE SHEET

Subtotal	\$ 34,710.00
Tax	\$ 2,776.80
Total	\$ 37,486.80

Note: Above price is as estimated per this contract. Unit price shall remain firm for the contract period.



# CITY OF ORTING



900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039



## BIDDER RESPONSIBILITY CHECKLIST

The following checklist is used in documenting that a bidder meets the mandatory Bidder Responsibility Criteria. Please print a copy of documentation from the appropriate website to be included with the submittal.

### GENERAL INFORMATION

Project Name: Harman Springs Tank Demolition	Project Number: PW2021-06
Bidder's Business Name: Dirty Deeds LLC.	Bid Submittal Deadline: 8/26/21

### CONTRACTOR REGISTRATION

License Number: DIRTYD826RM	Status: Active: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Effective Date (must be effective on or before Bid Submittal Deadline): 12/14/18	Expiration Date: 12/14/22

### CONTRACTOR INFRACTION LIST

Is Bidder on Infraction List:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
-------------------------------	---

### CURRENT UBI NUMBER

UBI Number: 604-298-884	Account Closed: Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/>
----------------------------	---

### INDUSTRIAL INSURANCE COVERAGE

Account Number: NXT8269E3R-02-6L	Account Current: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
-------------------------------------	---

### EMPLOYMENT SECURITY DEPARTMENT NUMBER

Employment Security Department Number: 000878072005
Please Provide a copy of your latest correspondence, containing your account number, with Employment Security Department. Please do not provide document containing personal information such as social security numbers.

### STATE EXCISE TAX REGISTRATION NUMBER

Tax Registration Number: 604298884	Account Closed: Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/>
---------------------------------------	---

### NOT DISQUALIFIED FROM BIDDING

Is the Bidder listed on the "Contractors Not Allowed to Bid" list of the Department of Labor and Industries?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--	---

### INFORMATION SUPPLIED BY:

Print Name of Bidder Representative: Kory Edkin	Date: 8/23/21
--	------------------

### VERIFIED BY:

Signature of District Employee	Date
--------------------------------	------



# Employment Security Department

WASHINGTON STATE  
P.O. Box 9046 • Olympia, WA 98507-9046



## Tax Rate Notice

36923

ESD number: 000-878072-00-5

UBI number: 604-298-884

DIRTY DEEDS  
8643 JOYCE CT SE  
YFT M, WA 98507-0172

Mailing date: February 26, 2021

If you want us to review your tax rate, the law says you must send us a request in writing by March 29, 2021.

**Your tax rate for 2021 will be 3.34%.**  
**Your new tax rate is higher than last year.**

Your tax rate is the average tax rate for your business activity.

You pay tax on all employee's wages only up to the 2021 taxable wage base:  <b>\$56,500</b>	Unemployment Insurance (UI) tax rate based on experience	2.70%
	UI social cost rate	0.53%
	UI Trust Fund solvency surcharge	0.00%
	UI limit deduction (This deduction reduces your rate to the maximum rate.)	0.00%
	Subtotal of unemployment insurance rate	3.32%
	Employment Administrative Fund (EAF)	0.02%
	<b>Total of the above tax rates</b>	<b>3.34%</b>

To learn more about how your tax rate is determined, please visit [esd.wa.gov/tax-rates](http://esd.wa.gov/tax-rates).

Please contact us if we can assist you.

**For tax rate questions and corrections:**

Employment Security Department  
Experience Rating Unit  
P.O. Box 9046  
Olympia, WA 98507-9046  
855-829-9243 800-794-7657 fax

**For account questions:**

Employment Security Department  
AMC Olympia (Vancouver)  
PO Box 9046  
Olympia, WA 98507-9046  
855-829-9243 800-794-7657 fax



4000003-036923-01-01000000

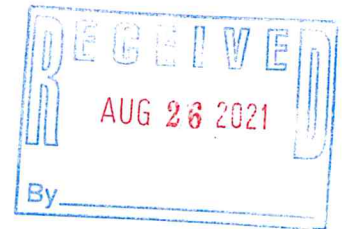


# CITY OF ORTING

900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039

## SECTION 2 Harman Springs Tank Demolition SCOPE OF WORK



### SCOPE OF WORK: PART 1

1. The Contractor shall certify that the demolition work included in this contract will be completed in strict accordance with all requirements of the scope of work.
2. The tank is located in a remote location, on a hillside. A site visit is required. The Contractor shall schedule a visit with the City and provide the name of the corporation they are representing at the time of the request.
3. Remove woody debris (haul off site)
4. Fracture, drilling or poking holes in bottom of concrete base for drainage
5. Break concrete sidewalls 1' below existing grade adjacent to the reservoir to match existing contour of hillside. All pieces shall be 1 foot in dimension in any direction or smaller.
6. Walls 1' below existing grade shall be left in place to match the contour of the hillside
7. Import 2"-4" quarry spalls up to 6" of existing grade. Cap with owner provided topsoil to match existing adjacent grade.
8. Owner provided topsoil is available for pickup by the contractor at Gratzer Park. The park is at the intersection of Whitehawk Blvd NW and Orting Ave NW (approximately 5 miles each way). Contractor shall provide equipment and labor to load at the site.
9. Contractor cannot leave reservoir in un-backfilled state for very long, as it will be acting as a retaining wall until it is backfilled and compacted with imported material.
10. Spill prevention plan & kit required
11. All equipment fueled outside of fence
12. All heavy equipment shall be leak free
13. Flagging and traffic plans shall be submitted by the Contractor prior to Notice to Proceed and is incidental to this contract.
14. TESC plan shall be submitted prior to mobilization and is incidental to this contract
15. All mobilization, import, export, and testing is incidental to the contract.

# CITY OF ORTING

---

900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039

## **Regulations, Codes and Permits:**

1. To the extent applicable, all work, equipment or materials shall comply with Washington State vehicle regulations, Federal regulations, OSHA and WISHA requirements, to include EPA Standards and City safety codes.
2. Compliance with but not limited to all State and Local building codes, Pierce County Clean Air Authority regulations, Washington State Department of Labor and Industries & current Uniform Building Code (UBC). In addition, the contractor shall ensure that any subcontractor performing this contract shall comply with all applicable laws and regulations pertaining to this contract.
3. Where applicable, the Contractor must obtain, schedule and purchase all required permits, licenses and inspections required for all phases of this work unless otherwise directed by the City. All required inspections shall be the responsibility of the Contractor, and as such scheduled by the Contractor. Final acceptance and payment will not be made until all required approvals are obtained.
4. The Contractor and sub-contractors, if applicable, must obtain and maintain a City of Orting Business license.

## **Technical Specification Checklist**

# CITY OF ORTING

900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039

## PART 2

Item No.	Specification	Yes	No	Comments
<b>A</b>	<b>General</b>			
<b>A1</b>	It is mandatory that all work shall be done in compliance with the current federal, state and local building codes	X		
<b>A2</b>	The Contractor shall be responsible to maintain a clean and safe worksite at all times. All work provided under this Contract are to be performed safely & in accordance with all applicable federal, state, & local laws & regulations.	X		
<b>A3</b>	Manufacturer's instructions: All materials & equipment shall be applied, installed, connected, erected, used, cleaned, & conditioned in accordance with the instructions of the applicable manufacturer, fabricator, supplier, or distributor, except as otherwise specifically provided in the contract documents.	X		
<b>A4</b>	The Contractor will conduct operations as to offer the least possible obstruction & inconvenience to employees and the public, & shall have under construction no greater length or amount of work than can be performed with due regard to employees and the rights of the public.	X		
<b>A5</b>	Execute all operations and provide a safe work environment in accordance to OSHA and Labor & Industries standards and regulations. The requirement applies to all Contractor personnel, associated subcontractors, working in other trades, jobsite visitors and City staff working at the site. Contractor shall obey all applicable and current OSHA/WISHA, Labor and Industries Construction, General Health and Safety and General Occupational Health Standards (WAC 296-24, 296-62 and 296-155).	X		
<b>A6</b>	Owner/Operators: While it is understood that owner/operators are not required to follow the same safety rules administered by the Department of Labor & Industries, by submission of a bid, it shall be expressly understood that due care shall be exercised at all times to maintain a safe environment. Anytime an owner/operator hires an employee, the employee shall be required to follow all pertinent safety rules. Owner/operators are still required to maintain the proper certificates of insurance in full force & effect & the City shall be held harmless of any liability whatsoever that could result from injuries, property damage, etc.	X		
<b>A7</b>	The contractor must take whatever steps, procedures or means as are required to prevent abnormal dust & debris conditions being caused by the operation in connection with the work. Dust control must be incidental to this project and in accordance with Clean Air Laws.	X		
<b>A8</b>	All areas where personnel are, or will be present during the			



# CITY OF ORTING

900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039

	course of work, shall be thoroughly cleaned of debris & garbage daily. Specific areas are adjacent buildings, walkways & parking areas. Project waste shall be disposed of at a Contractor furnished waste site.	X		
<b>A9</b>	The Contractor shall call/notify the City of Orting regarding any conflict or concern with existing site improvements. The Contractor is to proceed with the intent of maintaining existing structures, fences, curbs, and other improvements. Any damage to existing improvements must be replaced to original condition and per OK standards as part of this project and shall be the responsibility of the Contractor.	X		
<b>B</b>	<b>Contractor's Use of Premises</b>			
	This section applies to situations in which the Contractor or his representatives including, but not limited to. Suppliers, subcontractor's, employees & field engineers, enter upon the Owner's property			
<b>B1</b>	Truck & equipment access: Provide adequate protection for curbs & sidewalks over which trucks & equipment pass to reach the job site.	X		
<b>B2</b>	Contractor's Vehicles: Contractor shall use signing, barricades and cones to show work or intrusion into the sidewalk or roadway and is required to follow proper traffic control set-up as shown in the 2009 MUTCD and Section 1 - 07.23 of WSDOT Standard Specifications for road, bridge & municipal construction.	X		
<b>B3</b>	The Contractor and staff shall follow all established safety procedures and shall take special care not to endanger the public in any way.	X		
<b>C</b>	<b>Equipment &amp; Labor</b>			
	Contractor shall provide all labor, equipment, materials, & other supplies necessary to safely & effectively accomplish all services required under this Agreement.			

# CITY OF ORTING

900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039

## PART 3

### CONTACT INFORMATION

INSTRUCTIONS: Provide the requested information, sign and date. If the Owner requires further description, the Owner may request Bidder to provide such information within a mandatory due date. You must submit this completed form to the Owner with your Bid proposal. **Failure to submit this form fully complete, may result in disqualification of Bid Proposal.**

Bidder's Legal Name: Dirty Deeds LLC.  
Company's dba: (if applicable) Dirty Deeds  
CEO/President Name: Kory Edkin

Federal EIN No. 38-4096072

Phone: (360) 986-2020 E-Mail Address: sales@dirtydeedsllc.com

Mailing Address: 8643 JOYCE CT, SE.

City Yelm State WA Zip 98597

Physical Address: 8643 JOYCE CT, SE.

City Yelm State WA Zip 98597

### COMPLIANCE

Within the previous five years, has your firm or any of its owners, partners, or officers, been assessed penalties or found to have violated any laws, rules, or regulations enforced or administered by a governmental entity? This does not include owners of stock if your firm is a publicly traded corporation.

YES: \_\_\_\_\_ NO: X

If YES, Please explain: \_\_\_\_\_

License(s) are required to perform the services sought by this solicitation. Within the previous five years, has your firm had a license suspended by a licensing agency or been found to have violated licensing laws?

YES: \_\_\_\_\_ NO: X

If YES, Please explain: \_\_\_\_\_

The Bidder as a contractor has never failed to satisfactorily perform a contract awarded to him expect as follows:  
(Name of any and all exceptions and reason thereof)

YES: \_\_\_\_\_ NO: X

Please explain: \_\_\_\_\_



# CITY OF ORTING

900 Rocky Rd NE  
Orting, WA 98360

lhinds@cityoforting.org  
(360) 893-9039

## EXPERIENCE

Contractor must have at least five (5) years' experience as a contractor in this field or work and have satisfactorily completed three (3) projects of this nature in the last five (5) years:

1. Location and for whom performed:

Nisqually State Park - Washington State Parks and Recreation Commission  
Phone: 360-725-9763 Contact Person: Brian Yearout

2. Location and for whom performed:

Yelm - Yelm Public Cemetery  
Phone: 360-458-5377 Contact Person: Wendy Dionne-rivers

3. Location and for whom performed:

Olympia, WA - Dominik Fry  
Phone: 720-577-8633 Contact Person: Dominik Fry

4. Technician(s) must have at least two (2) years' experience in this field of work. Please provide experience details for technician (2) to work on this contract:

Technician 1: 30 years heavy equipment operation, Demolition & Soil Stabilization. Technician 2: 8 years of dump truck driving, over the road driving and equipment hauling

## Harman Springs Tank Demolition

<u>Contractor</u>	<u>BID Amount</u>
Dirty Deeds LLC	\$37,486.80
Baker Underground construction	n/r
barrett Utilities	n/r
BB Utilities	n/r
DND Construction	n/r
Huber Contractors	n/r
Holt Services, Inc.	n/r
McClung Construction	n/r
NW Casade	n/r
RWScott Construction	n/r
Durnford Construction	n/r



**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: Sponsorship Resolution - Clock Tower Grant to Orting Historical Society</b>	<b>AB21-70</b>	<b>CGA Committee</b> <b>9.2.2021</b>	<b>9.15.2021</b>	
	<b>Department:</b>	N/A		
	<b>Date Submitted:</b>	9.9.2021		
<b>Cost of Item:</b>	<u>TBD</u>			
<b>Amount Budgeted:</b>	<u>\$21,000</u>			
<b>Unexpended Balance:</b>	<u>TBD</u>			
<b>Bars #:</b>	N/A			
<b>Timeline:</b>	None			
<b>Submitted By:</b>	CM Kelly and CM Williams			
<b>Fiscal Note:</b> None				
<b>Attachments:</b> Resolution No. 2021-12				
<b>SUMMARY STATEMENT:</b>				
<p>The City of Orting has adopted a grant policy to provide grant funding to organizations which the City Council determines brings significant value to the citizens of Orting and which serve valid municipal purposes. The 2021 budget included Council discretionary funds that are available for councilmembers to use in any way that has a valid municipal purpose. The Orting Historical Society is raising funds to install two clocks in the City Hall clock tower. The CGA Committee would like to grant council discretionary funds to this community project, and the Orting Historical Society agrees the City funds granted will be used to install the clocks. A contract between the City and Orting Historical Society will be executed to that effect prior to the grant funding. The grant funding amount will be determined by council.</p>				
<b>RECOMMENDED ACTION:</b> Move to regular meeting on September 9, 2021 as consent agenda item.				
<b>FUTURE MOTION: <u>Motion:</u></b> to adopt resolution 2021-12, a Resolution of the City of Orting, Washington, declaring a public purpose and authorizing a City grant of funds to the Orting Historical Society.				

**CITY OF ORTING  
WASHINGTON  
RESOLUTION NO. 2021-12**

**A RESOLUTION OF THE CITY OF ORTING,  
WASHINGTON, DECLARING A PUBLIC PURPOSE AND  
AUTHORIZING A CITY GRANT OF FUNDS TO ORTING  
HISTORICAL SOCIETY.**

---

**WHEREAS**, the City of Orting has adopted a Grant Policy (the “Policy”) to provide grant funding to organizations which the City Council determines bring significant value to the citizens of Orting and which serve valid municipal purposes; and

**WHEREAS**, in the 2021 Budget included Council Discretionary Funds that are available for councilmembers to grant or use in any way that have a valid municipal purpose; and

**WHEREAS**, the Orting Historical Society is raising money to install two clocks in the City Hall clock tower; and

**WHEREAS**, the City Council’s Community & Government Affairs Committee would like to grant Council Discretionary Funds to this community project; and

**WHEREAS**, the Historical Society agrees that the city funds granted to it will be used to install the clocks, and a contract between the City and the Historical Society shall be executed to that effect prior to the Historical Society’s receipt of the grant funding described herein; and

**WHEREAS**, the City Council finds that funding the aforementioned activity serves the valid municipal purposes of promoting the historic character of the community, improving the City’s position in the larger area and vitality and thus the health, safety and welfare of the community; and

**WHEREAS**, the City Council finds that the Orting Historical Society meets the requirements of the City’s Policy, and qualifies for grant funding as an organization serving valid municipal purposes; and

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

**Section 1. Declaration of Public Purpose.** The City Council declares that the Orting Historical Society serves the valid municipal purposes described herein, and that the described intent for the requested funding is instrumental in ensuring that the organization meets those purposes.

**Section 2. Authorization for Funding.** The City Council authorizes the City’s grant funding Orting Historical Society, for the municipal purposes described herein, in the amount of

§ \_\_\_\_\_. The Mayor is authorized to enter into a contract with the Orting Historical Society to memorialize the City's grant funding described herein.

**Section 3. Effective Date.** This Resolution shall take effect and be in full force immediately upon its passage.

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

CITY OF ORTING

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

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Kim Agfalvi, City Clerk

Approved as to form:

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



**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: Whitehawk Blvd. Extension Project</b>	<b>AB21-71</b>	<b>Public Works</b>	<b>9.15.2021</b>	
	<b>Department:</b>	Public Works		
	<b>Date Submitted:</b>	September 9, 2021		
<b>Cost of Item:</b>	<u>\$30,000</u>			
<b>Amount Budgeted:</b>	<u>\$250,000.00</u>			
<b>Unexpended Balance:</b>	<u>N/A</u>			
<b>Bars #:</b>	320 595 20 60 01			
<b>Timeline:</b>	ASAP			
<b>Submitted By:</b>	Maryanne Zukowski, PE and Scott Larson			
<b>Fiscal Note:</b> Whitehawk Boulevard Extension - Right of Way Remediation				
<b>Attachments:</b> None				
<b>SUMMARY STATEMENT:</b>				
As part of the requirements for right of way acquisition per WSDOT/FHWA, the Whitehawk Boulevard Extension project completed an assessment report for the following:				
<p><b>Relocation Assistance Program Notice of Relocation Eligibility, Entitlements, &amp; 90-Day Assurance</b></p> <p>Project Title: Whitehawk Boulevard Extension Parcel No.: 683000-0030</p> <p>The project’s consultant Epic Land Solutions completed the report and the process letter has been reviewed and approved by WSDOT, FHWA, and the City Attorney. This is part of the right of way remediation required for the project. The summary of the report shows comparable homes and the cost difference of up to \$30,000 to be offered to the previous owners for assistance in purchasing a new comparable property. This cost difference payment is a federal requirement when a city purchases right of way under the Relocation Assistance Program (Replacement Housing Payment-Price Differential Entitlement).</p>				
<b>RECOMMENDED ACTION:</b> Move to regular meeting on September 29, 2021 as consent agenda item.				
<b>FUTURE MOTION: <u>Motion:</u></b> to approve up to \$30,000 in relocation assistance to the previous owners of 515 Calistoga St. W.				



**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: Memorial Wall Refresh – Main City Park</b>	<b>AB21-75</b>	<b>CGA</b>	<b>9.15.2021</b>	
	<b>Department:</b>	Public Works		
	<b>Date Submitted:</b>	9.10.2021		
<b>Cost of Item:</b>	\$1875.00 - \$2750.00			
<b>Amount Budgeted:</b>	<u>\$5,500.00</u>			
<b>Unexpended Balance:</b>	<u>TBD</u>			
<b>Bars #:</b>	105-576-80-31-00			
<b>Timeline:</b>	None			
<b>Submitted By:</b>	<b>Greg Reed</b>			

**Fiscal Note:** None

**Attachments:** Picture and scope of work

**SUMMARY STATEMENT:**

The City of Orting has a memorial wall in the main City park that pays tribute to military members of all branches. The wall is currently painted white, and in need of a refresh. Painting a flag on the front face of the memorial wall will help to draw attention to it, and give it the refresh that is needed. Valley Sign has submitted a bid for the work, with a cost range of \$1875.00 - \$2750.00. A range was given because with projects of this nature, there needs to be some flexibility built in due to the condition of the underlying wall. The project may go quicker or slightly longer than planned. Attached is a picture of the proposed design, with the wall re-painted white, and a flag added to it. Scope of work would include making repairs to the wall where bricks may be broken or damages, completely repainting the wall (front, sides, and back) including the electrical boxes on the back side so they blend better into the wall, repainting of the top cap and lower mantle and base, and sketching and painting the American flag as shown on the attached picture.

**RECOMMENDED ACTION:** Move to regular meeting on September 29, 2021 as agenda item.

**FUTURE MOTION:** Motion: to approve Valley Sign to complete the work as described in the attached scope of work for a cost not to exceed \$2,750.00.



**From:** [Greg Reed](#)  
**To:** [Kim Agfalvi](#)  
**Cc:** [Scott Larson](#)  
**Subject:** RE: Memorial Wall  
**Date:** Thursday, September 9, 2021 1:52:28 PM

---

Hi Kim,

FYI – cost range provided by Valley Signs.

Greg

**From:** Valley Sign <[info@valley-sign.com](mailto:info@valley-sign.com)>  
**Sent:** Tuesday, July 13, 2021 10:55 AM  
**To:** Greg Reed <[GReed@cityoforting.org](mailto:GReed@cityoforting.org)>; Guy Colorossi <[gcolorossi@centurytel.net](mailto:gcolorossi@centurytel.net)>; Laura Hinds <[LHinds@cityoforting.org](mailto:LHinds@cityoforting.org)>  
**Cc:** Mark Barfield <[MBarfield@cityoforting.org](mailto:MBarfield@cityoforting.org)>; Scott Larson <[SLarson@cityoforting.org](mailto:SLarson@cityoforting.org)>  
**Subject:** RE: Memorial wall damage

Hello again everyone,

So you had brought up the idea about repainting that entire wall to spruce it up. Attached is our concept. Our scope of work would include the following:

- Make some repairs to the wall to repair some of the major areas where bricks have been damaged, broken, missing sections, etc.
- Completely repaint the wall (front, sides, back) including the electrical boxes on the back side so they blend better into the wall for better visual appearance.
- Repaint the top cap and lower mantle and base.
- Sketch out and paint the flag artwork as shown.

For the main wall color, we are imagining a sky blue color. Then traditional colors for the flag.

For us to complete this work, you'd be looking at a cost of between \$1,875 – \$2,750. I'm giving a range because with projects like this, we want there to be some flexibility built in. The project may go quicker than anticipated, so we are providing a low end price. Or, it may take longer, require more coats of paint than anticipated, need more repairs than planned, etc. So we are providing a high end price as well.

Let us know what you think.

*Mike*

**Owner**

**Valley Sign**

Office: (253) 841-1003 | Cell: (253) 298-1860  
14504 134th St. Ct. E. Orting, WA 98360

---

**From:** Kim Agfalvi  
**Sent:** Thursday, September 9, 2021 1:20 PM  
**To:** Greg Reed <GReed@cityoforting.org>  
**Cc:** Scott Larson <SLarson@cityoforting.org>  
**Subject:** Memorial Wall

Greg,

Will you be presenting the memorial wall at study session? I have it added to the agenda, but need an agenda bill and the proof of the wall with the white paint from you for the packet.

Thanks,

Kim

**Kim Agfalvi**  
City Clerk  
City of Orting | PO Box 489 | 104 Bridge St S | Orting, WA 98360  
360-893-9008  
Fax 360-893-6809

[KAgfalvi@CityofOrting.org](mailto:KAgfalvi@CityofOrting.org)

[Clerk@CityofOrting.org](mailto:Clerk@CityofOrting.org)

NOTICE OF PUBLIC DISCLOSURE: This email is public domain. Any correspondence from or to this email account may be public record. Accordingly, this email, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

