

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. Chris Moore
3. Don Tracy
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Melodi Koenig



ORTING CITY COUNCIL
Study Session Meeting Agenda
104 Bridge Street S, Orting, WA
Zoom – Virtual
June 15th, 2022
6:00 p.m.

Deputy Mayor Greg Hogan, Chair

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

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

Zoom: <https://us06web.zoom.us/j/88488109269?pwd=ZT dneEI0RmNYZkiYL0xkSVl teVZSdz09>

Meeting ID: 884 8810 9269

Passcode: 038174

2. COMMITTEE REPORTS.

- A. Public Works.
CM Bradshaw & CM Williams
- B. Public Safety.
CM Moore & CM Koenig
- C. Community and Government Affairs.
CM Gunther & CM Tracy

3. STAFF REPORTS.

4. AGENDA ITEMS.

- A. **AB22-42** – Supportive and Transitional Housing Amendments.
Stefanie Hindmarch
- B. **AB22-14** – Manufactured Home Code Amendments.
Stephanie Hindmarch
- C. **AB22-59** – Public Outreach SMAP.
Jeff Coop
- D. **AB22-58** – Emergency Ordinance 2022-1096 – Amending OMC 9-5A-9 Regarding Stormwater Regulations.
Scott Larson
- E. **AB22-56** – Sole Source Designation.
Gretchen Russo
- F. **AB22-46** – Chief Hiring Process.
Scott Larson
- G. **AB22-45** – Reader Board.
Scott Larson
- H. **AB22-47** – Low Income Home Water Assistance Program.
Gretchen Russo
- I. **AB22-49** – Seek Grant Additional Funds.
Kim Agfalvi
- J. **AB22-38** – Tunnels to Towers Sponsorship.
Kim Agfalvi

- K. **AB22-53** - Surplus of Firearms.
Gretchen Russo
- L. **AB22-51** – Vehicle Surplus.
Gretchen Russo
- M. **AB22-52** – Vehicle Purchase.
Gretchen Russo
- N. **AB22-57** – Shorten Study Session Meetings.
CM Bradshaw
- O. **AB22-55** - Facility Tour.
CM Bradshaw

5. EXECUTIVE SESSION.

6. ADJOURNMENT.



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: E2SHB 1220 – Supportive, Emergency, and Transitional Housing Code Amendments	AB22-42			
			5.18.2022 6.15.2022	TBD
	Department: Planning			
	Date Submitted: 6.9.2022			
	Cost of Item: <u>\$NA</u>			
Amount Budgeted: <u>\$NA</u>				
Unexpended Balance: <u>\$NA</u>				
Bars #:				
Timeline:				
Submitted By:		Stefanie Hindmarch (Planner)		
Fiscal Note:				
Attachments: Staff Report and Exhibits, Ordinance				
SUMMARY STATEMENT: 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. Interim regulations are currently in place regarding emergency shelters, emergency housing, transitional housing, and permanent supportive housing. The permanent regulations would add hotel/motel back in as a permitted use, thus requiring emergency shelters and emergency housing be permitted in the same zone. All four uses are proposed as conditional uses with further stipulations. See ordinance and staff report for specifics. This is proposed as a discussion item. If there is consensus on the ordinance it can move forward for a decision with or without a public hearing. If revisions to the ordinance are requested by Council, staff will revise the ordinance and bring it back through CGA and a subsequent study session prior to going to a regular meeting for action.				
RECOMMENDED ACTION: <u>Action:</u> Move forward to June 29 th , 2022 regular business Council meeting.				
RECOMMENDED MOTION: <u>Motion:</u> To adopt Ordinance No. 2022-1095, an ordinance of the City of Orting, Washington, relating to zoning controls pertaining to permanent supportive housing, transitional housing, emergency housing and emergency shelters in response to E2SHB 1220; amending Orting Municipal Code sections 13-2, 13-3-3 and 13-5-3; providing for severability; and establishing an effective date.				

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2022-1095**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO ZONING CONTROLS
PERTAINING TO PERMANENT SUPPORTIVE HOUSING,
TRANSITIONAL HOUSING, EMERGENCY HOUSING AND
EMERGENCY SHELTERS IN RESPONSE TO E2SHB 1220;
AMENDING ORTING MUNICIPAL CODE SECTIONS 13-2,
13-3-3 and 13-5-3; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, in 2021 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 had 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 had 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 enacted interim regulations; and

WHEREAS, Pierce County conducted an annual point in-time count of homeless individuals in the County in January 2021; and

WHEREAS, the homeless census counted 1,005 homeless individuals in the County; and

WHEREAS, the homeless census counted three homeless individuals in Orting; and

WHEREAS, according to the 2020 decennial Census Pierce County has a population of 921,130 and Orting has a population of 9,041 accounting for approximately 1% of the County's population; and

WHEREAS, the City of Orting is planning to accommodate its share of the homeless population which is calculated at 10 individuals; and

WHEREAS, the City of Orting wishes to implement E2SHB1220 with restrictions that fit the small-town context of the City, which has no public transit and limited resources; 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 60-day review and comment period on March 8, 2022; and

WHEREAS, the City's Planning Commission considered the amendments on March 8, 2022 and held a public hearing on the proposed amendments on April 4, 2022 and forwarded a recommendation to the City Council to adopt the proposed OMC amendments; and

WHEREAS, the City Council, on May 11, 2022, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission and had a closed record final decision; and

WHEREAS, in response to E2SHB 1220 the Orting City Council would like to make certain changes to its development regulations;

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 13-2, 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 (2) years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing.

Section 3. 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**

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Residential Uses ¹ :								
Cottage	P	P	P		P			
Cottage development		P ^{3,4}	P ^{3,4}		P			
Duplex		P ¹⁰	P	P	P ²⁵			
Group residences:		C	C ³	C ³				C ²²

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Adult family homes	P	P	P	P	P			
Attached ground related residences					P			
Emergency Housing				C ²⁷⁻³²	C ²⁷⁻³²			
Emergency Shelter				C ²⁷⁻³²	C ²⁷⁻³²			
Permanent Supportive Housing	C ^{26,30-32}	C ^{26,30-32}	C ^{26,30-32}	C ^{3,26,30-32}	C ^{3,26,30-32}			
Single room occupancy sleeping units								C
Transitional Housing	C ²⁶⁻³²	C ²⁶⁻³²	C ²⁶⁻³²	C ^{3,26-32}	C ^{3,26-32}			
Other ⁶		C	P	C				
Manufactured home park	C	C	C					
Mobile/ manufactured home	P ⁷	P ⁷	P ⁷					
Multiple-family			P	P ³	P			
Single-family detached	P	P	P		P ²⁵			
Temporary Lodging								
Bed and breakfast	C	C	C	P ³				
Hotel/motel				P ³ P ³	P P			
Rooming house			C	C ³				

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.
27. The total combined capacity of all emergency shelter beds, emergency housing beds, and transitional housing units in the City shall not exceed 0.4% of the City's population, as estimated annually by the Washington Office of Financial Management.
28. Emergency housing and emergency shelters are required to be indoors. An operations and security plan shall be required that addresses site management and neighborhood impacts. Each facility shall be limited to a total of 10 individuals.
29. Emergency housing, emergency shelter, and transitional housing uses shall not be located on any parcel that abuts or is directly across a public right-of-way from a parcel with an existing school or park use, or on any parcel within the main street area of Orting, defined as the area bounded by Whitsell Street, Bridge Street, Corrin Avenue Northwest, and Rainier Lane Northeast. This does not include indoor emergency shelter facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency (ex: heating and cooling centers).
30. No person convicted of a felony assault, arson, illegal drug manufacturing, burglary, or kidnapping charge within the past three (3) years, or otherwise under court supervision or sex offender registration requirements can receive services from a provider, unless providing such services is consistent with the laws, regulations, and/or supervisory requirements related to such persons. To ensure compliance, providers of transitional housing and permanent supportive housing shall order and review background checks prior to resident entry. Providers of emergency housing and emergency shelter shall order and review background checks within three days of intake.
31. All providers of emergency shelter, emergency housing, transitional housing, and permanent supportive housing shall, after the initial two years of operation of any such facility, provide the City with a report that demonstrates ongoing compliance with the terms of the Conditional Use Permit as defined at the time of approval. Such providers are also required to maintain a valid City of Orting business license and liability insurance. These service providers should prioritize individuals living in the Orting valley. Upon intake, providers shall record each individual's most recent city or other place of residence and shall provide a report on such data to the City every year. Providers shall also record the number of individuals seeking services who are turned away due to lack of capacity and their most recent place of residence.
32. In reviewing Conditional Use Permit applications for emergency shelter, emergency housing, transitional housing, and permanent supportive housing, the Hearing Examiner shall not treat adversely or discriminate against people experiencing homelessness.

Section 4. OMC Section 13-5-3, Amended. Orting Municipal Code Section 13-5-3 is hereby amended as follows:

H. Uses Not Specified: In the case of a use not specifically mentioned in subsection I of this section, the requirements for off street parking facilities shall be determined by the Administrator. Such determination shall be based upon the requirements for the most comparable use specified in subsection I of this section and/or [through a parking study as required by the Administrator or their designee.](#)

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 [DATE TO BE DETERMINED].

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly 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 Council Staff Report

Project Name:	Supportive and Transitional Housing Code Amendments (E2SHB 1220)
Applicant:	City of Orting
Date of Staff Report:	June 9, 2022
Date of Meeting:	June 15, 2022 (Study Session)
Staff Recommendation:	Approval
City Staff Contact:	Stefanie Hindmarch, AICP Candidate Contract City Planner Wayne Carlson, FAICP
Public Notice:	Type 5 applications do not require notice of application per OMC 15-4-1. Notice of a public hearing was published in the newspaper and on the City's website on March 25, 2022 in accordance with OMC 15-7-3.

Exhibits:

1. Proposed Ordinance
2. Draft Emergency Shelter and Housing Regulations Map
3. Draft Transitional Housing Regulations Map

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.

When the bill was signed, the City's current code had no regulations related to the development and operation of transitional housing or permanent supportive housing or shelters; and hotels/motels were

permitted in the MUTC and MUTCN zones. Without changes under the new law, emergency shelters, emergency housing, transitional housing, and permanent supportive housing would have been required to be permitted in the MUTC and MTUCN zones.

Interim Regulations

Interim regulations, which expire after 6 months, addressing the new law were adopted on September 29, 2021 and were extended another six months on March 30, 2022. Interim regulations were done as city staff did 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. The interim regulations were extended for another six months, to give staff time to work further on the permanent regulations and go through the appropriate process with the Planning Commission and City Council. These regulations adopted definitions for emergency shelters, emergency housing, transitional housing, and permanent supportive housing. Transitional housing and permanent supportive housing were added to the use 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 were 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(s)

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

A public hearing on the permanent regulations was held at the April 4, 2022 Planning Commission meeting. No comments were received.

Planning Commission

Following further discussion at the May 2 meeting, the planning commission recommended approval of the ordinance as proposed to City Council 4-1.

Staff Recommendation

The ordinance and amendments as proposed meet the state requirements and include the revisions requested by the Planning Commission at its March 7 and April 4, 2022 meeting and City Council at its May 18, 2022 study session and June 1, 2022 CGA Work Group meeting.

Staff has adjusted their recommendation since the May 18, 2022 City Council meeting:

1. Staff recommend limiting the total combined capacity of all emergency shelter beds, emergency housing beds, and transitional housing units in the City to 0.4% of the City's population, based on the proportion of homeless individuals to total Pierce County population.
2. Staff recommend prohibiting emergency housing, emergency shelter, and transitional housing from locating on parcels adjacent to or across a public right-of-way from schools and parks. Staff also recommends prohibiting these uses in the main street area.
3. Staff recommend prohibiting persons convicted of felony assault, arson, illegal drug manufacturing, burglary and kidnapping within the past three years from receiving services from an emergency housing, emergency shelter, transitional housing, or permanent supportive

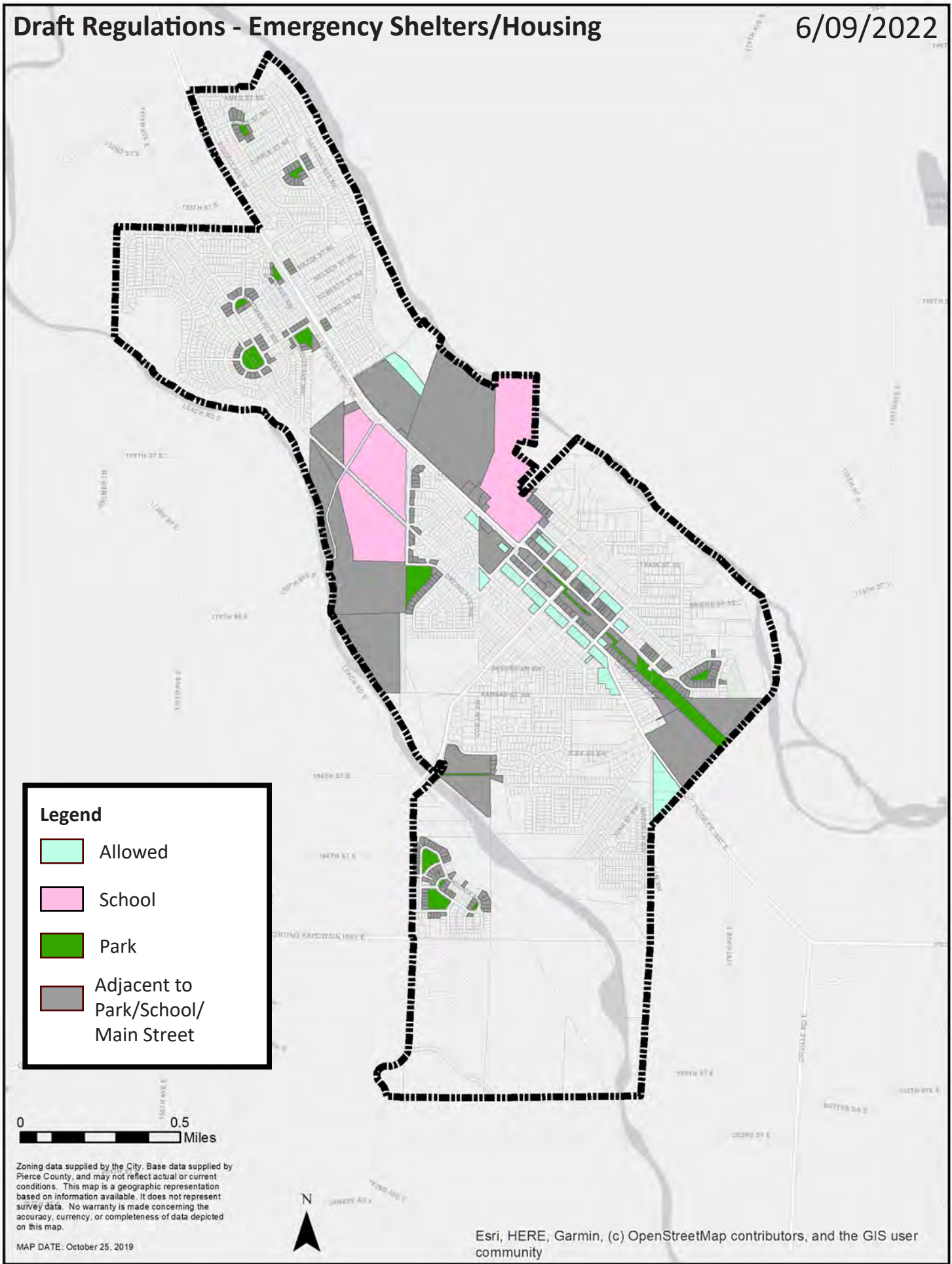
housing facility. The draft ordinance also stipulates background check requirements to enforce this measure.

4. Staff recommend requiring providers of emergency shelter, emergency housing, transitional housing, and permanent supportive housing to provide a report after the first two years demonstrating compliance with the terms of the Conditional Use Permit. Staff also recommends requiring such providers to maintain a City of Orting business license and liability insurance, and to collect data on individuals' most recent place of residence prior to intake.
5. Staff recommend a footnote that prohibits discrimination against people experiencing homelessness in the Conditional Use Permit process.



The attached ordinance indicates draft permanent amendments since the last Council study session in red, and text remaining from the previous draft in blue.

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.



Legend

-  Allowed
-  School
-  Park
-  Adjacent to Park/School/Main Street

0 0.5 Miles

Zoning data supplied by the City. Base data supplied by Pierce County, and may not reflect actual or current conditions. This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.

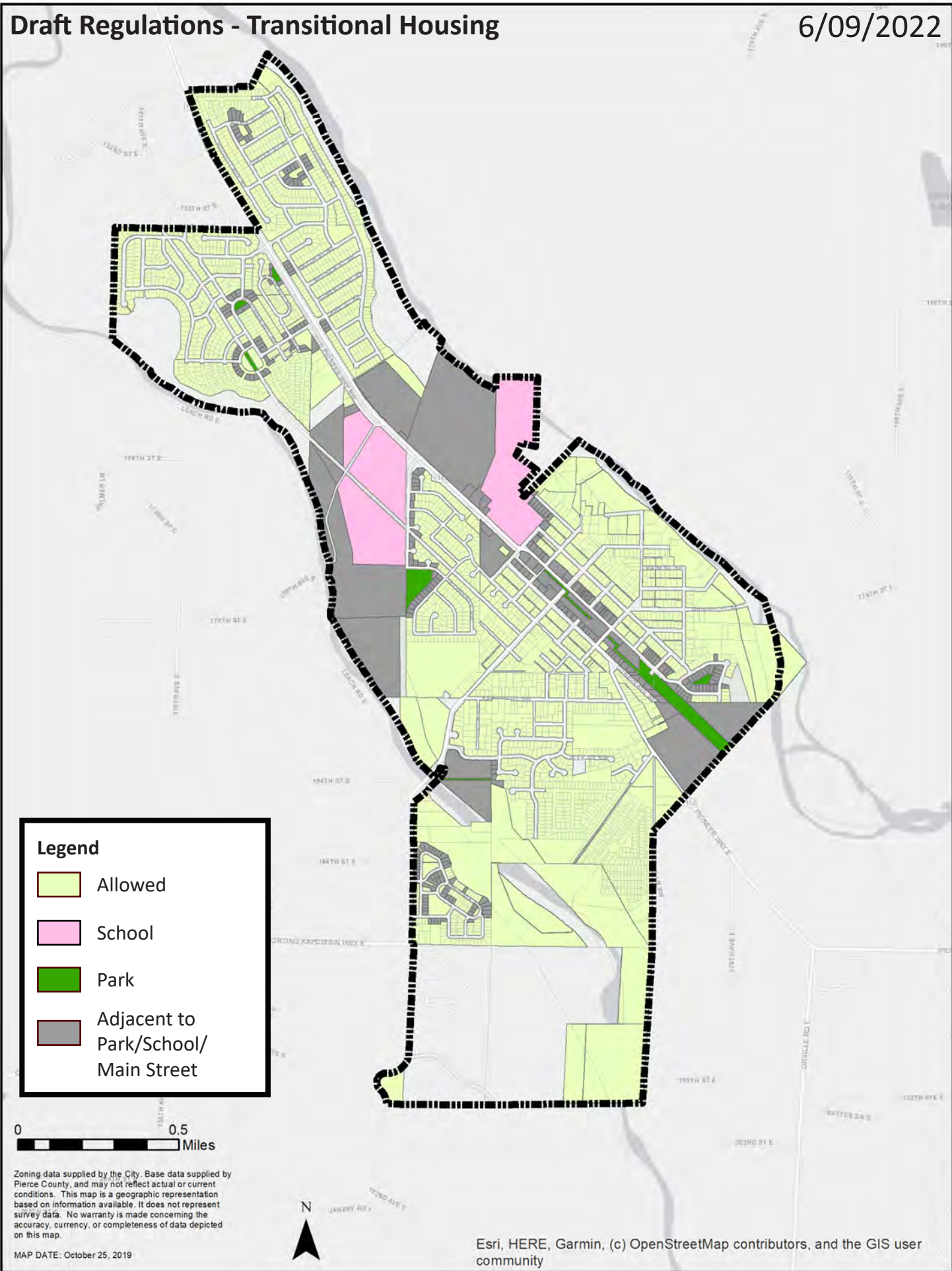


MAP DATE: October 25, 2019

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Draft Regulations - Transitional Housing

6/09/2022





**City Of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Manufactured Home Code Amendments	AB22-14			
			2.16.2022	
			6.15.2022	
	Department:	Planning		
	Date Submitted:	6.9.2022		
Cost of Item:	<u>\$NA</u>			
Amount Budgeted:	<u>\$NA</u>			
Unexpended Balance:	<u>\$NA</u>			
Bars #:				
Timeline:				
Submitted By:	Stefanie Hindmarch (Planner)			
Fiscal Note:				
Attachments:	Staff Memo, Ordinance No. 2022-1097			
SUMMARY STATEMENT:				
Code amendments are proposed restricting the age of a manufactured home placed on an individual lot to three years old.				
These code amendments were written following Council discussion at the February Study Session meeting and a planning commission public hearing, and comply with RCW 35A.21.312.				
RECOMMENDED ACTION: <u>Action:</u>				
Move forward to next meeting for additional public hearing and action OR to the consent agenda.				
RECOMMENDED MOTION: <u>Motion:</u>				
To adopt Ordinance No. 2022-1097, an ordinance of the City of Orting, Washington, relating to zoning controls pertaining to manufactured homes; amending Orting Municipal Code section 13-3-3; providing for severability, and establishing an effective date.				

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2022-1097**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO ZONING CONTROLS
PERTAINING TO MANUFACTURED HOMES; AMENDING
ORTING MUNICIPAL CODE SECTION 13-3-3;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN EFFECTIVE DATE**

WHEREAS, in the City of Orting, under Orting Municipal Code 13-3-3, manufactured homes are allowed in the Residential-Conservation, Residential-Urban, and Residential-Multi-Family zones when on a legal lot with a permanent foundation; and

WHEREAS, the City of Orting had no regulations related to the age of manufactured homes when placed on a lot; and

WHEREAS, the City of Orting wishes to ensure that manufactured homes are up to current building codes; and

WHEREAS, in accordance with the requirement set forth in RCW 36.0A.106, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed ordinance for its 60-day review and comment period on **[DATE TO BE DETERMINED]**; and

WHEREAS, the City's Planning Commission considered the amendments on May 2, 2022 and held a public hearing on the proposed amendments on June 6, 2022 and forwarded a recommendation to the City Council to adopt the proposed OMC amendments; and

WHEREAS, the City Council, on June 15, 2022 and **[DATE TO BE DETERMINED]**, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission and, on **[DATE TO BE DETERMINED]** had a closed record final decision; 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 13-3, Amended. Orting Municipal Code Section 13-3 is hereby amended as follows:

13-3-3: USES:

**TABLE 1
CITY OF ORTING LAND USE**

	Zones							
	RC	RU	RMF	MUTC	MUTCN	LM	OS	PF
Manufactured home park	C	C	C					
Mobile/manufactured home	P ⁷	P ⁷	P ⁷					
Multiple-family			P	P ³	P			

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 and no older than three years old on the date the home is placed on the lot.
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.

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 [DATE TO BE DETERMINED].

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly 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 Council Staff Report

Project Name: Manufactured Homes Code Amendments

Applicant: City of Orting

Date of Staff Report: June 9, 2022

Date of Meeting: June 15, 2022

Staff Recommendation: Approval

City Staff Contact: Stefanie Hindmarch Contract City Planner Tim Lincoln Building Official

Public Notice: Type 5 applications do not require notice of application per OMC 15-4-1. Notice of a public hearing was published in the newspaper and posted online on May 27, 2022 in accordance with OMC 15-7-3.

Exhibits:

1. Proposed Ordinance

Background

In the City of Orting regulations are in place specifically for both mobile and manufactured homes . Per OMC 10-14-3 parking or occupying a mobile home outside an approved manufactured home park is not allowed, with a few exceptions. Exceptions include an unoccupied one in a private grange, a sale lot, or temporary parking per OMC 10-14-3.C.

Manufactured homes and mobiles homes are different uses. Per RCW 43.22A.010:

"Manufactured home" means a single-family dwelling built in accordance with the department of housing and urban development manufactured home construction and safety standards act, which is a national, preemptive building code.

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since introduction of the HUD manufactured home construction and safety standards act.

In Orting, manufactured homes are permitted on legal lots in the Residential Conservation (RC), residential Urban (RU) and Residential Multi-Family (RMF) zones. They must be on a permanent foundation and meet the following definition: "A dwelling unit manufactured off-site in a factory, transported to the site and placed on a permanent foundation and bearing an insignia by a state or federal regulatory agency indicating that the building complies with all applicable construction standards of the U.S. Department of housing and urban development's definition of a manufactured

home.” They must also meet all applicable development/zoning regulations (setbacks, coverage etc.) as well.

The City’s Building Official requested that the City’s code be looked at to potentially be amended to require manufactured homes placed on individual lots to be new (in compliance with item (1), below). This will mainly ensure the homes are up to current Codes and conform to the surrounding residential atmosphere.

In initial Council discussions, some Councilmembers expressed a desire to see any manufactured home that was placed on an individual lot in the City to be brought up to current code rather than be “new” and not used, or perhaps put an age requirement on them rather than requiring they be new.

A question was also posed about if typical stick-built housing could be moved into the City. This housing can be moved into the City, the foundation would be required to meet current adopted code, but the whole building would not be required to be brought up to current building code standards. The building must just be safe for human occupancy as determined by the International Fire Code and the International Property Maintenance Code. Any repair, alteration or change of occupancy undertaken within the moved structure shall comply with the requirements of the building code applicable to the work being performed and can be inspected to ensure that structural damage did not occur during the move.

Based on Commission discussion at the May 2, 2022 Planning Commission Meeting, staff propose that manufactured homes be limited to an age of no more than three years old when the home is placed on the lot. On June 6, 2022 the Planning Commission recommended approval of the amendments as proposed.

Findings of Fact

State law allows manufactured homes to be further regulated, though the state legislature since 2004 has required cities and counties to regulate manufactured homes built to federal manufactured housing construction standards no differently than they regulate other types of homes.¹ However, under those regulations, cities may require that manufactured homes²:

- (1) be new manufactured homes³;
- (2) be set on a permanent foundation;
- (3) comply with any local design standards that may apply to all other homes in the neighborhood in which the manufactured home is to be located;
- (4) be thermally equivalent to the state energy code; and/or
- (5) otherwise meet requirements for a "designated manufactured home" in RCW 35.63.160.

Labor and Industries (L&I) permits manufactured homes and remodeling of manufactured homes. L&I was contacted to provide information regarding these code amendments. The L&I representative stated: *“Manufactured homes are built to 24 CFR MHCSS 3280 Federal HUD requirements. This code is*

¹ <https://mrsc.org/Home/Explore-Topics/Planning/Housing/Local-Land-Use-Regulation-of-Manufactured-Housing.aspx>

² RCW 35A.21.312

³ Per RCW 35.63.160(2) "New manufactured home" means any manufactured home required to be titled under Title 46 RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW 82.45.032(2).

unique for HUD built homes and you cannot establish they be brought up to the IRC requirements. The state of Washington nor the Building Code Council has adopted the section in the IRC outlining requirements for the installation of manufactured homes. Most of these requirements do match the manufacturer’s installation manuals and the Federal Manufactured Home Model Code 24 CFR 3285.”

Therefore, City code cannot mandate that manufactured homes placed on individual lots be brought up to current code that same as other single-family homes as they are controlled by L&I and any remodeling is permitted and controlled by L&I. The City can however put an age limitation on the manufactured homes, such as three years old, or require they be new, per the RCW above.

Proposal

13-2-14: M:

MANUFACTURED HOME: A dwelling unit manufactured off site in a factory, transported to the site and placed on a permanent foundation and bearing an insignia by a state or federal regulatory agency indicating that the building complies with all applicable construction standards of the U.S. department of housing and urban development's definition of a manufactured home.

13-3-3: USES:

Table 1: City of Orting Land Use

	Zones							
	RC	RU	RMF	MUTC	MUTCN	LM	OS	PF
Manufactured home park	C	C	C					
Mobile/manufactured home	p ⁷	p ⁷	p ⁷					
Multiple-family			P	p ³	P			

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 and no older than three years old on the date the home is placed on the lot.

Public Hearing

A public hearing was held by the planning commission on June 6, 2022.

Staff Recommendation

Staff recommends approval the ordinance 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:	AB22-59	Public Works	6.15.2022	6.29.2022
Stormwater Management Action Plan Public Outreach				
	Department:	Engineering/Public Works		
	Date Submitted:	6.9.2022		
Cost of Item:	<u>\$0</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	Study Session 6/15 and City Council 6/29			
Submitted By:	JC Hungerford, PE			
Fiscal Note:				
Attachments:	PowerPoint Presentation			
SUMMARY STATEMENT:	<p>The Washington Department of Ecology required Stormwater Management Action Plan (SMAP), shall include a process for the public to provide comment on the Receiving Water Prioritization prior to 6/30/2022. Through this process, Parametrix has assisted the City with developing a prioritization method and process to determine which receiving waters will receive the most benefit from the implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions. Jeff Coop from Parametrix will be providing a brief presentation.</p>			
RECOMMENDED ACTION: <u>Action:</u>	<p>Informational only.</p>			

STORMWATER MANAGEMENT ACTION PLAN (SMAP)

CITY OF ORTING
COUNCIL STUDY SESSION



JUNE 15, 2022

WHY IS A SMAP BEING DONE?



- NPDES Permit (8/1/19 effective date)
- Section S5C.1.d
 - i. Receiving Water Assessment
 - ii. Receiving Water Prioritization
 - iii. SMAP

WHAT IS A SMAP SUPPOSED TO ACCOMPLISH?



- S5C.1.d.iii: Selection of at least one high priority catchment area that:
 - a. Describes potential stormwater facility retrofits, BMP types, and locations
 - b. Identify water quality related actions and/or land management / development strategies
 - c. Targeted, enhanced or customized implementation of Permit Section S5
 - d. Identify applicable changes to long-range plans to address SMAP priorities
 - e. Implementation schedule and budget sources
 - f. Process and schedule for future assessments and updates

HOW IS THIS DONE?



- PHASE 1 - S5.C.1.d.i: Understand your:
 - receiving waters,
 - water characteristics,
 - contributions
- PHASE 2 - S5.C.1.d.ii: Develop a method to prioritize the receiving waters so that at least one can be selected

SCHEDULE AND COMPLETED ACTIVITIES



- PHASE 1 – S5.C.1.d.i, Receiving Water Assessment: By March 31, 2022 – DONE (3/16/22)
 - Step 1 & 2, 2/11/22 Technical Memorandum – identified receiving waters and conditions
 - Added Step 3, 2/22/22 Technical Memorandum – assess stormwater influence
 - Added Step 4: 3/16/22 Technical Memorandum – conceptual pollutant loading analyses

SCHEDULE AND COMPLETED ACTIVITIES (CONT.)



- PHASE 2 – S5.C.1.d.ii, Receiving Water Prioritization: By June 30, 2022 – DONE
 - Step 1, 4/22/22 Technical Memorandum – coordination with other planning; retrofits; actions
 - Step 2, 5/4/22 Technical Memorandum – ranking process development
 - Step 3, 6/3/22 Technical Memorandum – ranking process analyses, results

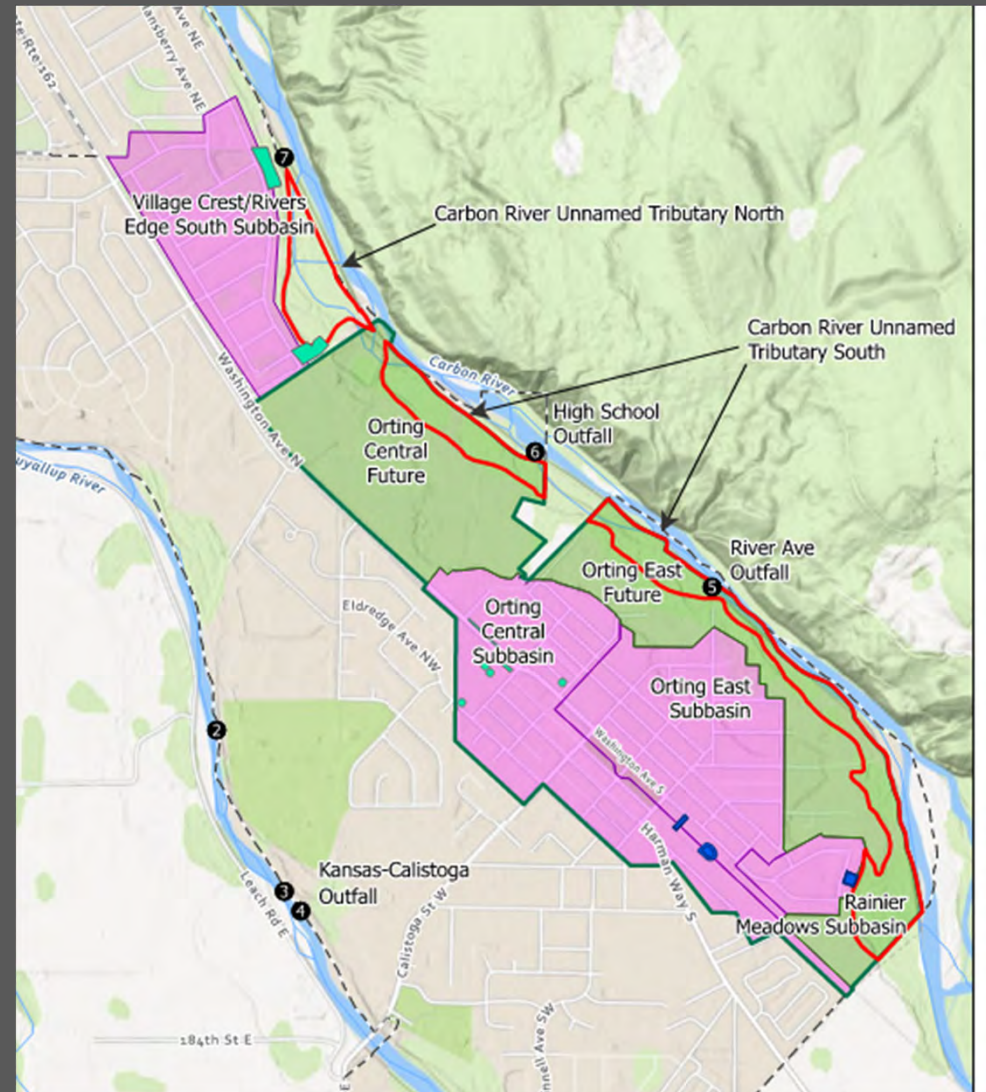
FUTURE ACTIVITIES



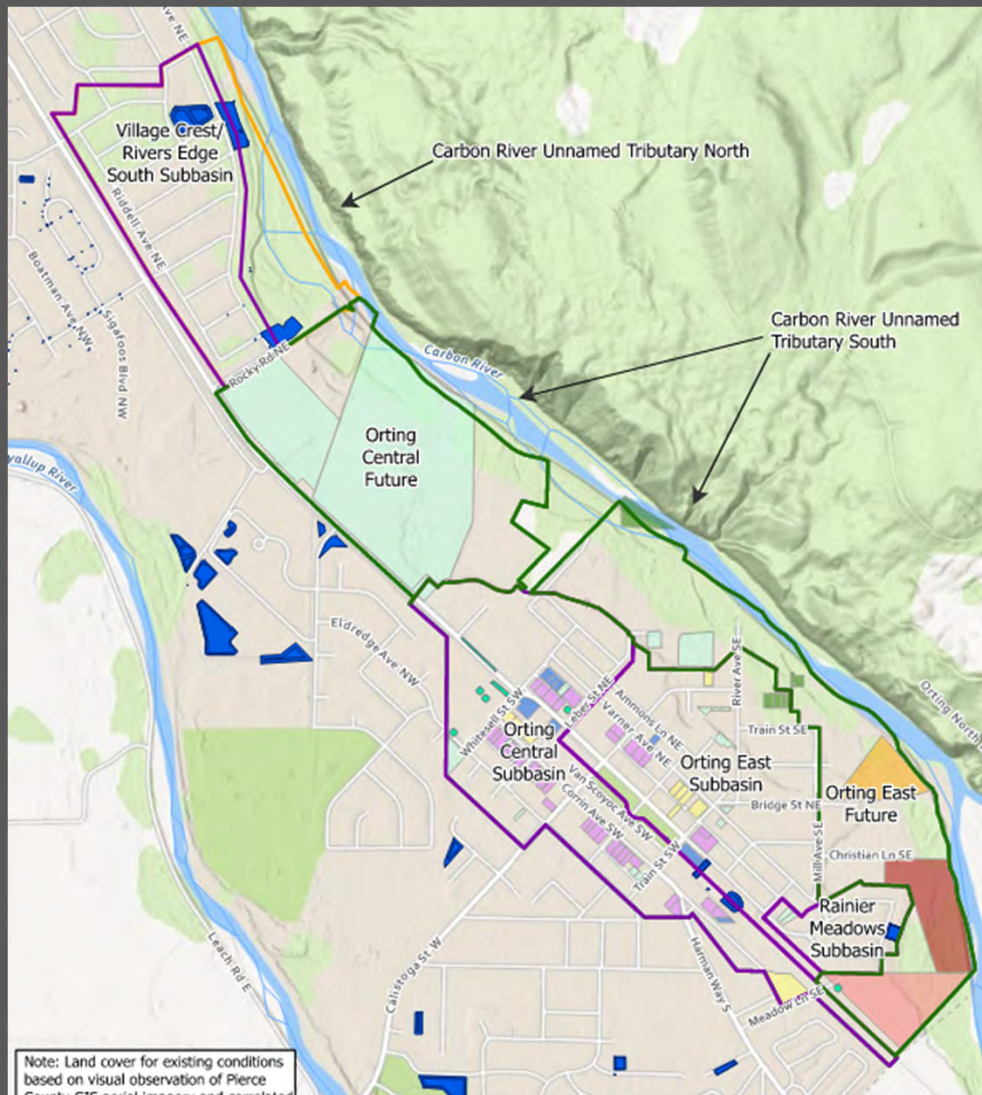
- PHASE 3 - S5.C.1.d.iii, SMAP: By March 31, 2023; future task
 - a. Potential stormwater facility retrofits, BMP types, and locations
 - b. Identify water quality related actions and/or land management / development strategies
 - c. Targeted, enhanced or customized implementation of Permit Section S5
 - d. Identify applicable changes to long-range plans to address SMAP priorities
 - e. Implementation schedule and budget sources
 - f. Process and schedule for future assessments and updates

CONCLUSIONS – PHASE 1

- Two receiving water areas
- Various levels of development
- Surface Flow vs Direct Discharge



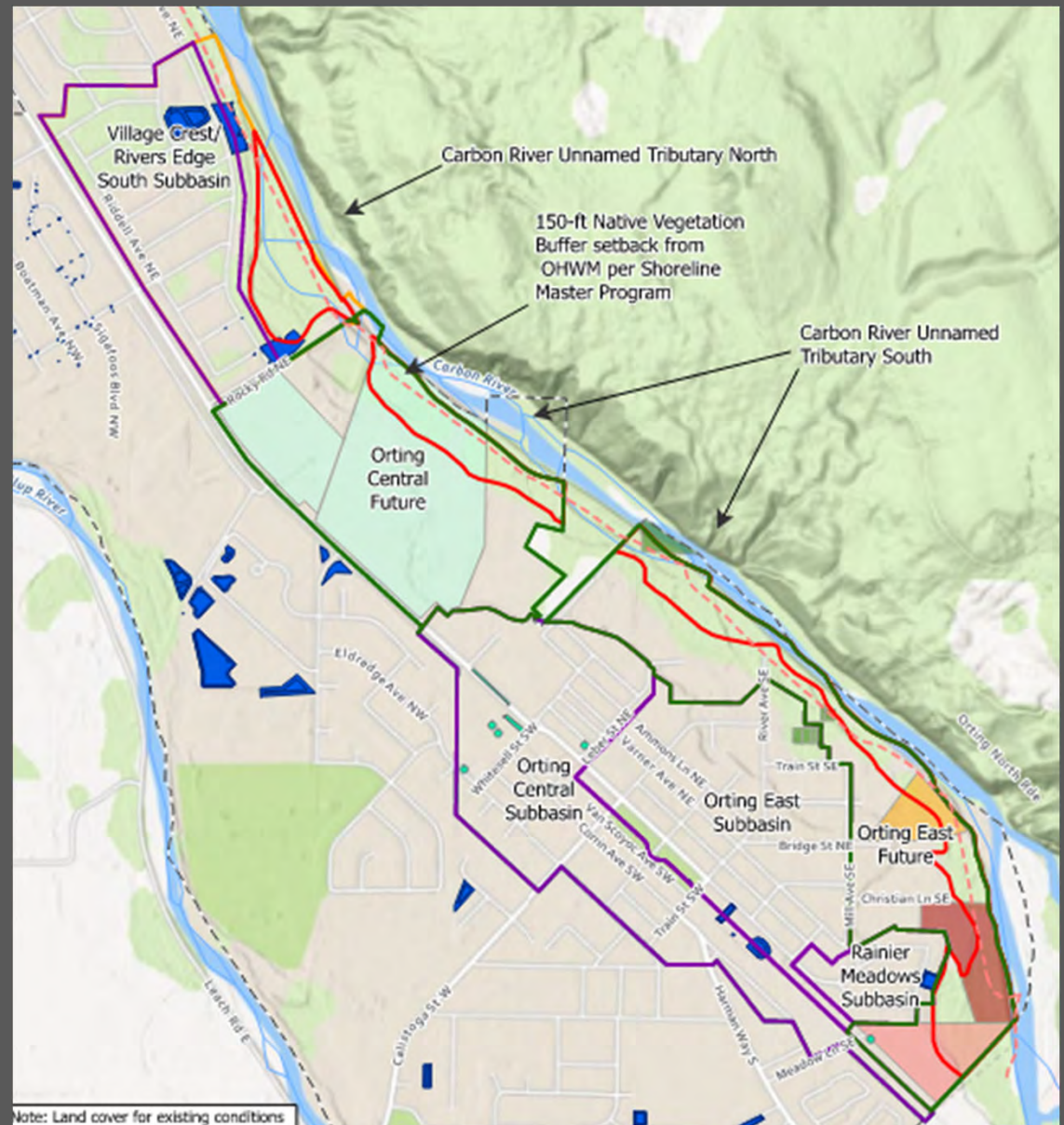
CONCLUSIONS (CONT.) – PHASE 2, STEP 1



- No applicable local / regional plans for stormwater retrofits
- Infiltration BMPs likely not feasible
- Carbon River North Unnamed Tributary – inspection, O&M
- Carbon River South Unnamed Tributary – new facilities for development / redevelopment, inspection, O&M

CONCLUSIONS (CONT.) – PHASE 2, STEPS 2 AND 3

- Phase 2, Step 2:
 - Developed ranking prioritization process
 - Accounted for overall areas and subareas
- Phase 2, Step 3:
 - Prioritize stormwater actions for Carbon River Unnamed Tributary South



WHAT DECISIONS NEED TO BE MADE?



- Use level spreaders and avoid point discharges for future development in areas tributary to Carbon River Unnamed Tributary South
- Use LID land use approaches for areas tributary to Carbon River Unnamed Tributary South – 150-ft setback
- Ranking process
- Flow control alternatives:
 - Stream, wetland, channel, dispersion
 - Confirmation of discharge through levee

INFORMING THE PUBLIC



- Stormwater Management Action Planning Guidance (Ecology Publication 19-10-010; August 2019)
 - “actively seek input from natural resource agencies and tribes; and involve interested parties [and] the public early on in the prioritization process.”
 - Residents, businesses
 - Pierce County
 - Tribes

TECHNICAL MEMORANDUM

DATE: June 9, 2022
TO: Greg Reed, Public Works Director
FROM: Jeffrey Coop, PE, CFM
SUBJECT: SMAP Phase 2 – Step 3
CC: JC Hungerford
PROJECT NUMBER: 216-1711-024
PROJECT NAME: Stormwater Management Action Plan



INTRODUCTION

Section S5.C.1.d of the National Pollutant Discharge Elimination System (NPDES) Western Washington Phase 2 Municipal Stormwater Permit (NPDES Permit effective date August 2, 2019) (Ecology 2019a) issued by the Washington State Department of Ecology (Ecology) requires permittees to prepare a Stormwater Management Action Plan (SMAP). The first phase of the SMAP process required by Section S5.C.1.d.i of the NPDES Permit is to assess receiving waters and document the results. A technical memorandum (Parametrix 2022a) was prepared to support the City of Orting (City) with Section S5.C.1.d.i to address the Phase 1 receiving water assessment requirement.

The second phase of the SMAP is based on Section S5.C.1.d.ii of the NPDES Permit, which requires a prioritization process to be completed for the receiving waters identified in SMAP Phase 1. To facilitate the schedule for City review and public input, SMAP Phase 2 was completed based on the steps listed below. The following steps are based on Stormwater Management Action Planning Guidance (Ecology 2019b). SMAP Phase 2 will be completed based on input received in June 2022 from the City Public Works Committee and City Council meeting.

- Phase 2 Step 1 – This purpose of this step was to identify retrofits and land management actions for the receiving waters identified in SMAP Phase 1. The results of Phase 2 Step 1 are documented in the technical memorandum that was submitted to the City April 22, 2022 (Parametrix 2022b). Phase 2 Step 1 included considerations such as:
 - Conservation, protection, or restoration of receiving waters through stormwater and land management strategies that act as water quality management tools.
 - Reduction of pollutant loading.
 - Addressing hydrologic impacts from existing and proposed future development.
- Phase 2 Step 2 – The purpose of this step was to develop a ranking process for identifying the highest-priority catchment area. A technical memorandum summarizing the ranking process was submitted to the City May 4, 2022.

- Phase 2 Step 3 – Develop a draft technical memorandum that summarizes the results of Steps 1 and 2 and input received through public outreach. Phase 2 Step 3 will identify the selected receiving water that will be included in the SMAP document to be prepared under NPDES Permit Section S5.c.1.d.iii. The Phase 2 Step 3 technical memorandum was developed based on the following:
 - City comments on the ranking process identified in the May 4, 2022, technical memorandum (Parametrix 2022c).
 - Input received during the City Public Works Committee on June 1, 2022.
 - Draft submittal to the City Council for public comment on June 8, 2022.
 - Final submittal to the City by June 29, 2022.

OVERVIEW

The City is located between the Puyallup River and the Carbon River. The City has stormwater outfalls that discharge directly into these rivers on the water side of existing levees or into constructed drainage channels along the levees that subsequently discharge into these rivers through outfalls on the river side of the levees. Based on Appendix I-A of the Stormwater Management Manual for Western Washington (SWMMWW, Ecology 2019c), direct discharges from the City into both the Puyallup River and the Carbon River are exempt from flow control. Based on SWMMWW Appendix III-A, discharges from the City into both the Puyallup River and the Carbon River require enhanced treatment for the types of projects identified in SWMMWW Section III-1.2 Step 5. The Puyallup River is designated as a basic treatment receiving water downstream of the confluence with the Carbon River, which is to the north of the City.

Based on relative sizes, the City has little impact to the flow regime from stormwater discharges in either the Puyallup River or the Carbon River. Enhanced treatment is required for both rivers along the City for projects triggering enhanced treatment. However, basic treatment is required for the Puyallup River downstream of the confluence with the Carbon River. As documented in the SMAP Phase 1 technical memorandum, the City has a negligible area tributary to either the Puyallup River or the Carbon River.

As discussed in the previous technical memorandums (Parametrix 2022a; Parametrix 2022b; Parametrix 2022c), two drainage paths exist along the landward side of the Carbon River levee. These two drainage paths are referred to as Carbon River Unnamed Tributary North and Carbon River Unnamed Tributary South. These two drainage paths are informal flow paths that receive overland flow from areas within the City and discharge to the Carbon River through existing culverts, the conditions of which are unknown. These two drainage paths are generally through wooded areas and unmapped but potential wetlands. These two drainage paths are within the area subject to the Shoreline Master Program (Orting 2019) (SMP), which requires a 150-foot setback from the ordinary high water mark (OHWM) of the Carbon River. The OHWM is located on the river side of the levee. The SMP also requires a 150-foot buffer of native vegetation from the OHWM of the Carbon River.

The Carbon River Unnamed Tributary North is located within the Orting Central Subbasin. The Carbon River Unnamed Tributary South is located within the Orting East Subbasin. However, the surface area that is directly connected to these two tributaries is limited because much of the developed areas within the two subbasins have direct discharges into the Carbon River. Consequently, the areas that contribute surface flows directly to the two smaller tributaries are smaller subareas within the overall larger subbasins. The surface area that contributes surface flows to the Carbon River Unnamed Tributary North is referred to as Orting Central Future. The surface area that contributes surface flows to the Carbon River Unnamed Tributary South is referred to as Orting East Future. The subbasins and the associated smaller subareas are shown in the exhibits in Appendix A and summarized in Table 1.

Table 1. Summary of Tributary Areas

Overall Subbasin Name	Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Overall subbasin area, acres	83.47	399.67
Contributing subbasins	Village Crest/Rivers Edge	Orting Central, Orting East, Rainier Meadows
Subarea of future development	None	Orting Central Future, Orting East Future
Future development area, acres	0	199.64

As discussed above, discharges to the Carbon River are exempt from flow control. However, the City has an existing 36-inch-diameter outfall for the Orting Central subbasin and an existing 30-inch-diameter outfall for the Orting East subbasin. The Stormwater Comprehensive Plan (Parametrix 2010) includes improvements to both of these outfalls due to existing capacity constraints. The planned conveyance improvements for the Orting Central subbasin are in conjunction with providing on-site flow control for new impervious surfaces and a portion of existing impervious surfaces as sites develop or redevelop. The Stormwater Comprehensive Plan is based on flow control in conjunction with system improvements for the Orting Central subbasin rather than the Orting East subbasin because the area zoned as Mixed Use Town Center or Mixed Use Town Center-North is much greater for the Orting Central subbasin than for the Orting East subbasin.

Both the Orting Central subbasin and the Orting East subbasin have areas that are tributary to the existing outfalls as well as areas tributary to the Carbon River South Unnamed Tributary prior to discharging to the Carbon River. The SMAP ranking process discussed in the following section **Ranking Methodology** includes provisions to consider the areas tributary to the existing outfalls different from the areas that are not directly connected to the existing outfalls. This provides a way to consider existing development with or without existing stormwater facilities that discharge directly to the Carbon River differently than developable or redevelopable areas that have a surface flow discharge prior to entering the Carbon River.

RANKING METHODOLOGY

The subbasins and smaller subareas discussed above have variations in size and potential for development or redevelopment as well as amount of existing development and number of existing stormwater facilities. The following summarizes the ranking methodology that was developed to select either the Carbon River Unnamed Tributary North or the Carbon River Unnamed Tributary South as the prioritized receiving water. The ranking methodology was developed based on the series of questions that were discussed in the Phase 2 Step 1 technical memorandum (Parametrix 2022b). Those questions and responses are included in Attachment B.

The ranking process was developed to calculate a numeric value associated with the questions in Attachment B. The receiving water with the highest score could then potentially become the prioritized receiving water. The focus of this technical memorandum is to summarize how the ranking process was developed. The actual ranking and selection will be performed in Phase 2 Step 3 and may include other factors that are identified during the public review process.

The factors considered for the ranking process and associated formulas are summarized in Table 2.

The ranking process generally includes ratios and calculations based on input data, such as:

- Number of existing or future stormwater management (SWM) facilities.
- Existing area routed to existing SWM facilities.
- Area that is inside or outside of the 150-foot native vegetation buffer.

- Area within existing developed area that is not routed to existing SWM facilities.
- Developable or redevelopable areas.
- Number of projects associated with local or regional stormwater or surface water plans.
- Number of factors associated with environmental health risk factors.

Factors that are input based on professional judgment relate to:

- Selection of a factor based on the ratio of developable or redevelopable area that is within the 150-foot native vegetation buffer to the area within the receiving water subarea. A factor of 1, 2, 3, or 4 is selected based on whether the ratio is 0 to 0.25, 0.26 to 0.50, 0.51 to 0.75, or 0.76 to 1.00. The higher the ratio of areas, the more important preserving the 150-foot native vegetation buffer is, so a higher factor is selected.
- For considering low impact development (LID) best management practices (BMPs), such as land use or infiltration type BMPs, the following factors are input:
 - 1, 5, or 10 depending on whether LID has a low, moderate, or high potential for implementation.
 - 1, 5, or 10 depending on whether infiltration has a low, moderate, or high potential for implementation.
 - 1, 5, or 10 depending on whether reduced footprints, preservation of native vegetation, and/or revegetation have a low, moderate, or high potential for implementation.
- For relative importance of preservation of an area as a high-quality receiving water, a factor of 1, 5, or 10 is input depending on whether there are other areas that could be considered. If an area is being considered for preservation as a high-quality area but there are several other areas that could be considered if preserving the area is determined to be infeasible in the future, then a factor of 1 is assigned. If an area is being considered for preservation as a high-quality area but there are some other areas, but not many, that could be considered if preserving the area is determined to be infeasible in the future, then a factor of 5 is assigned because it is becoming more important to preserve. If an area is being considered for preservation as a high-quality area but there are no other areas that could be considered if preserving the area is determined to be infeasible in the future, then a factor of 10 is assigned because there are no other areas available to consider preserving.
- For developable or redevelopable areas, a factor of 1 or 2 is applied depending on if the zoning would likely trigger basic treatment or enhanced treatment.

The ranking does not consider applying a higher level of treatment than what is already required if water quality treatment thresholds are exceeded for basic or enhanced treatment. The level of treatment is contingent on multiple factors, such as influent concentration. If influent concentrations are not high enough, then the removal efficiencies may decrease. Installing an enhanced treatment BMP if basic treatment is required may not provide enhanced treatment because the influent concentrations may be too low for the BMP to operate at its peak efficiency and because the pollutants of concern associated with enhanced treatment BMPs might not occur for the proposed land use that is triggering only basic treatment.

Ranking calculations for the Carbon River Unnamed Tributary North and Carbon River Unnamed Tributary South are included in Attachment C.

Table 2. Summary of Ranking Methodology

Consideration	Units or Formula for Scoring	Example Receiving Water #1
<p>Major subbasin overview</p> <p>Receiving water subarea overview</p> <p>Relative importance of how much existing area drains to existing stormwater facilities. This helps determine the relative importance of ongoing operations and maintenance (O&M) and inspections as well as identifies potential amounts of retrofit, which would then be considered further based on opportunities and costs.</p>		<p>Provide general description of relative size, relative amount that is developed, relative amount that is routed to existing stormwater management (SWM) facilities</p> <p>Provide general description of remaining area, relative amount of developable and redevelopable land that is outside the 150-foot native vegetation buffer</p>
Major subbasin name		Major subbasin name
Total subbasin area; this is the total tributary area within overall subbasin, even if portions do not have direct surface flow contributions to the receiving water subarea (i.e., portions of the subbasin area may have direct discharges to major receiving water, such as a river or lake).	Acres	Input value
Number of existing public or private SWM facilities	Number	Input value
Area that is routed to existing SWM facility that provides treatment, flow control, or both, regardless of when constructed (does not account for changes in design standards over time)	Acres	Input value
Fraction of existing area that is routed to existing SWM facility	$\text{Fraction of area} = \frac{\text{area routed to existing SWM facilities}}{\text{total subbasin area}}$	X.XX; <i>calculated result</i>
<p>A higher score indicates a higher relative importance to maintain existing SWM facilities</p> <p>Relative importance of preserving the 150-foot native vegetation buffer from ordinary high water mark (OHWM) for developable + redevelopable area. Only the area with direct surface discharge to the receiving water is considered. This illustrates the importance of preserving the buffer during future development or redevelopment.</p>	$\text{Score} = \text{number of existing SWM facilities} * \text{fraction of area}$	X.XX; <i>calculated result</i>
Subarea name that has surface area flows		Smaller subarea name
Amount of area that is already developed, is not routed to an existing SWM facility, and is outside of the receiving water subarea	Acres	Input area

Consideration	Units or Formula for Scoring	Example Receiving Water #1
Receiving water subarea	Acres	Calculated value
Total developable + redevelopable area; excludes areas that are already developed	Acres	Input area
Developable + redevelopable area that is inside of 150-foot OHWM setback	Acres	Input area
Developable + redevelopable area that is outside of 150-foot OHWM setback	Acres	Calculated value
Developable + redevelopable area inside the 150-foot OHWM setback ÷ area within sub-area	Fraction of area	X.XX; calculated value
Factor from look-up table, 1 through 4. The higher the fraction of area within the 150-foot setback, the more important the area is	1, 2, 3, or 4	From look-up table
A higher score indicates a higher relative importance to retain the 150-foot native vegetation buffer Relative importance of future SWM facilities as development or redevelopment occurs. This is based on the total developable or redevelopable land, whether it is inside or outside the 150-foot setback, and the total area in the subbasin.	Score = factor * fraction of developable + redevelopable area within the 150-foot OHWM setback	X.XX; calculated value
A higher score indicates a higher relative importance for future SWM facilities as development or redevelopment occurs Relative importance of new facilities to retrofit for existing conditions. Considers if there are there previous plans that identify facilities that can retrofit existing areas.	Score = 1 ÷ (total developable + redevelopable ÷ total subbasin area)	X.XX; calculated value
Number of planned new facilities	Number	Input value
Area that is outside of the smaller receiving water subarea that is not routed to existing SWM facilities	Acres	Linked to value above
Number of planned new facilities ÷ acre of untreated	A = number of planned facilities * (existing area without SWM facilities ÷ total area outside of receiving water subarea)	X.XX; calculated value
Importance for considering future best management practices for development or redevelopment	B = total developable + redevelopable area ÷ receiving water subarea	X.XX; calculated value

Consideration	Units or Formula for Scoring	Example Receiving Water #1
<p>A higher score indicates a higher relative importance for retrofitting existing areas not routed to existing SWM facilities</p> <p>Relative importance of land management strategies, such as low impact development (LID), infiltration, other</p>	<p>Score = A + B</p>	<p>Sum of A + B</p>
<p>Would LID help? 1 = low potential to implement; 5 = moderate potential; 10 = high potential</p>	<p>A: 1, 5, or 10</p>	<p>Input value</p>
<p>Is infiltration feasible? 1 = low potential; 5 = moderate potential; 10 = high potential</p>	<p>B: 1, 5, or 10</p>	<p>Input value</p>
<p>Are reduced footprints and/or native vegetation preservation or revegetation feasible? 1 = low potential; 5 = moderate potential; 10 = high potential</p>	<p>C: 1, 5, or 10</p>	<p>Input value</p>
<p>A higher score indicates a higher relative importance of LID-type best management practices (BMPs)</p> <p>Relative importance of Stormwater Management Program (SWMP) actions</p>	<p>Score = (A + B + C) * (amount of developable + redevelopable area ÷ receiving water subarea)</p>	<p>X.XX; calculated value</p>
<p>Maintain existing SWM facilities; O&M; inspection; monitor inspection reports</p>	<p>A = number of existing SWM facilities * (existing area routed to existing SWM facilities ÷ total subbasin area)</p>	<p>X.XX; calculated value</p>
<p>Public education and outreach re: SMP, wetlands, buffers, preserving native vegetation</p>	<p>B = (amount of developable + redevelopable area ÷ receiving water subarea)</p>	<p>X.XX; calculated value</p>
<p>A higher score indicates a higher relative importance of SWMP actions within the subbasin and receiving water subarea</p> <p>Relative importance of preservation</p>	<p>Score = A + B</p>	<p>Sum of A + B</p>
<p>This helps determine how important is it to preserve a receiving water as a high-quality receiving water. Considers if there are other receiving waters the City has predominant influence over that could be an alternative. 1 = many other alternatives; 5 = some other alternatives; 10 = no other practicable alternative.</p>	<p>Factor = 1, 5, or 10</p>	<p>Input value</p>
<p>A higher score indicates a higher relative importance for preserving a receiving water subarea over other receiving water subareas</p> <p>Relative importance of regional plans to help with improving water quality (WQ) or hydrology with future development or redevelopment</p>	<p>Score = factor * (amount of developable + redevelopable area ÷ receiving water subarea)</p>	<p>X.XX; calculated value</p>

Consideration	Units or Formula for Scoring	Example Receiving Water #1
Number of projects planned		Input value
A higher score indicates a higher relative importance of regional plans to preserve or restore water quality and/or hydrology Relative importance to address environmental health risk indicators	Score = number of projects * (total developable + redevelopable area ÷ receiving water subarea)	X.XX; calculated value
Number of all health risk factors that discharge from developable or redevelopable areas via surface flow to the receiving subareas	Number of factors	Input value
A higher score indicates a higher relative importance of environmental health risk factors in considering stormwater management approaches Relative importance of providing a higher level of treatment for surfaces triggering enhanced treatment	Score = number of factors * (total developable + redevelopable area ÷ receiving water subarea)	X.XX; calculated value
Would requiring enhanced treatment if not triggered be helpful? 0 = no because the loading concentrations are too low, rendering the treatment BMP ineffective; 10 = great benefit because the percent of pollutant reduction is high regardless of influent concentrations		
Developable + redevelopable area	Acres	Input value
Zoning		Input zoning designations that could trigger enhanced treatment
Fraction of developable + redevelopable		X.XX; calculated value
Level of treatment	1 = basic; 2 = enhanced	Input value
Developable + redevelopable area	Acres	Calculated value
Zoning		Input zoning designations that could trigger basic treatment
Fraction of developable + redevelopable		X.XX; calculated value
Level of treatment	1 = basic; 2 = enhanced	Input value
A higher score indicates a higher relative importance of future WQ treatment BMPs as development or redevelopment occurs in the receiving water area	Score = sum (treatment * area)	X.XX; calculated value
TOTAL SCORE	Sum of individual scores	X.XX; calculated value

Table 3. Ranking Calculation Results

Consideration	Units or Formula for Scoring	Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Major subbasin overview		Medium sized subbasin; half developed; all developed area is routed to existing stormwater management (SWM) facilities	Large major subbasin that is predominantly developed but has little existing stormwater facilities
Receiving water subarea overview		All remaining area that is developable or redevelopable is outside of the 150-foot native vegetation buffer	Half the remaining area that is developable or redevelopable is within the 150-foot native vegetation buffer from OHWM; the other half is outside the buffer
Relative importance of how much existing area drains to existing stormwater facilities. This helps determine the relative importance of ongoing operations and maintenance (O&M) and inspections as well as identifies potential amounts of retrofit, which would then be considered further based on opportunities and costs. A higher score indicates a higher relative importance to maintain existing SWM facilities.	Score = number of existing SWM facilities * fraction of area		
Relative importance of preserving the 150-foot native vegetation buffer from the ordinary high water mark (OHWM) for developable + redevelopable area. Only the area with direct surface discharge to the receiving water is considered. This illustrates the importance of preserving the buffer during future development or redevelopment. A higher score indicates a higher relative importance to retain the 150-foot native vegetation buffer.	Score = factor * fraction of developable + redevelopable area within the 150-foot OHWM setback		
Relative importance of future SWM facilities as development or redevelopment occurs. This is based on the total developable or redevelopable land, whether it is inside or outside the 150-foot setback and the total area in the subbasin. A higher score indicates a higher relative importance for future SWM facilities as development or redevelopment occurs.	Score = $1 \div (\text{total developable} + \text{redevelopable} \div \text{total subbasin area})$		
Relative importance of new facilities to retrofit for existing conditions. Considers if there are previous plans that identify facilities that can retrofit existing areas. A higher score indicates a higher relative importance for retrofitting existing areas not routed to existing SWM facilities.	Score = A + B		

Consideration	Units or Formula for Scoring	Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Relative importance of land management strategies, such as low impact development (LID), infiltration, other. A higher score indicates a higher relative importance of LID-type best management practices (BMPs).	Score = (A + B + C) * (amount of developable + redevelopable area ÷ receiving water subarea)		
Relative importance of Stormwater Management Program (SWMP) actions. A higher score indicates a higher relative importance of SWMP actions within the subbasin and receiving water subarea.	Score = A + B		
Relative importance of preservation. A higher score indicates a higher relative importance for preserving a receiving water subarea over other receiving water subareas.	Score = factor * (amount of developable + redevelopable area ÷ receiving water subarea)		
Relative importance of regional plans to help with improving water quality (WQ) or hydrology with future development or redevelopment. A higher score indicates a higher relative importance of regional plans to preserve or restore water quality and/or hydrology.	Score = number of projects * (total developable + redevelopable area ÷ receiving water subarea)		
Relative importance to address environmental health risk indicators. A higher score indicates a higher relative importance of environmental health risk factors in considering stormwater management approaches.	Score = # of factors * (total developable + redevelopable area ÷ receiving water subarea)		
Relative importance of providing a higher level of treatment for surfaces triggering enhanced treatment. A higher score indicates a higher relative importance of future WQ treatment BMPs as development or redevelopment occurs in the receiving water area.	Score = sum (treatment * area)		
TOTAL SCORE			

Based on the results of the ranking methodology, Carbon River Unnamed Tributary South received a higher score than Carbon River Unnamed Tributary North. There is a larger amount of area that provides surface flows from developable/redevelopable land to Carbon River Unnamed Tributary South than to Carbon River Unnamed Tributary North. Based on the results of the ranking methodology, prioritizing the Carbon River Unnamed Tributary South for the next phase of the SMAP process is recommended.

SMAP PHASE 3 – SMAP DOCUMENT

The final phase of the SMAP after completion of Phase 2 is to document identified actions for the prioritized receiving water. The SMAP document is to include the following based on NPDES Permit Section S5.C.1.d.iii:

A description of identified stormwater facility retrofits, the BMP types, and preferred locations:

- Land management, development strategies, and/or actions identified for water quality management.
- Targeted, enhanced, or customized implementation of stormwater management actions related to NPDES Permit sections within S5, including:
 - Illicit discharge detection elimination field screening.
 - Prioritization of source control inspections.
 - Operations and maintenance inspections or enhanced maintenance.
 - Public education and outreach behavior change programs.
- Identification of changes needed to local long-range plans, if applicable, to address SMAP priorities.
- Proposed implementation schedule and budget sources for:
 - Short-term actions to be accomplished within 6 years.
 - Long-term actions to be accomplished within 7 to 20 years.
- A process and schedule to provide future assessment and feedback to improve the planning process and implementation of procedures and/or projects.

SMAP Phase 3 is to be completed by March 31, 2023. SMAP Phase 3 will be completed under a future scope of work.

REFERENCES

- Ecology (Washington State Department of Ecology). 2019a. Western Washington Phase 2 Municipal Stormwater Permit. August 2019.
- Ecology. 2019b. Stormwater Management Action Planning Guidance. August 2019.
- Ecology. 2019c. Stormwater Management Manual for Western Washington.
- Orting. 2019. Shoreline Master Program. Adopted by City of Orting February 2019.
- Parametrix. 2010. Stormwater Comprehensive Plan.
- Parametrix. 2022a. SMAP Phase 1 Technical Memorandum. Prepared March 16, 2022, by Parametrix, Puyallup, WA.
- Parametrix. 2022b. SMAP Phase 2 Step 1 Technical Memorandum. Prepared April 22, 2022, by Parametrix, Puyallup, WA.
- Parametrix. 2022c. SMAP Phase 2 Step 2 Technical Memorandum. Prepared May 4, 2022, by Parametrix, Puyallup, WA.

ATTACHMENTS

- A NPDES Permit – SMAP Excerpts
- B Mapping
- C Ranking Calculations
- D Public Notification
- E Public Works Committee Comments
- F City Council Comments

Attachment A
NPDES Permit – SMAP Excerpts

EXCERPTS FROM NPDES PHASE II MUNICIPAL PERMIT
SECTION S5.C.1

STORMWATER MANAGEMENT ACTION PLANNING

- d. Stormwater Management Action Planning³ (SMAP). Permittees shall conduct a similar process and consider the range of issues outlined in the *Stormwater Management Action Planning Guidance* (Ecology, 2019; Publication 19-10-010). Permittees may rely on another jurisdiction to meet all or part of SMAP requirements at a watershed-scale, provided a SMAP is completed for at least one priority catchment located within the Permittee's jurisdiction.
- i. *Receiving Water Assessment*. Permittees shall document and assess existing information related to their local receiving waters and contributing area conditions to identify which receiving waters are most likely to benefit from stormwater management planning.

By March 31, 2022, Permittees shall submit a watershed inventory and include a brief description of the relative conditions of the receiving waters and the contributing areas. The watershed inventory shall be submitted as a table with each receiving water name, its total watershed area, the percent of the total watershed area that is in the Permittee's jurisdiction, and the findings of the stormwater management influence assessment for each basin. Indicate which

³ New Permittees are exempt from S5.C.1.d. for this permit term.

receiving waters will be included in the S5.C.1.d.ii prioritization process. Include a map of the delineated basins with references to the watershed inventory table.

- (a) Identify which basins are expected to have a relatively low Stormwater Management Influence for SMAP. See the guidance document for definition and description of this assessment.

Basins having relatively low expected Stormwater Management Influence for SMAP do not need to be included in S5.C.1.d.ii-iii.

SMAP
Phase 2

- ii. *Receiving Water Prioritization.* Informed by the assessment of receiving water conditions in (i), above, and other local and regional information, Permittees shall develop and implement a prioritization method and process to determine which receiving waters will receive the most benefit from implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions (different than the existing new and redevelopment requirements). The retrofits and actions shall be designed to: 1) conserve, protect, or restore receiving waters through stormwater and land management strategies that act as water quality management tools, 2) reduce pollutant loading, and 3) address hydrologic impacts from existing development as well as planned for and expected future buildout conditions.

No later than June 30, 2022, document the prioritized and ranked list of receiving waters.

- (a) The Permittee shall document the priority ranking process used to identify high priority receiving waters. The Permittee may reference existing local watershed management plan(s) as source(s) of information or rationale for the prioritization.
- (b) The ranking process shall include the identification of high priority catchment area(s) for focus of the Stormwater Management Action Plan (SMAP) in (iii), below.

- iii. Stormwater Management Action Plan (SMAP). No later than March 31, 2023, Permittees shall develop a SMAP for at least one high priority catchment area from (ii), above, that identifies all of the following:

- (a) A description of the stormwater facility retrofits needed for the area, including the BMP types and preferred locations.
- (b) Land management/development strategies and/or actions identified for water quality management.
- (c) Targeted, enhanced, or customized implementation of stormwater management actions related to permit sections within S5, including:
- IDDE field screening,
 - Prioritization of Source Control inspections,
 - O&M inspections or enhanced maintenance, or
 - Public Education and Outreach behavior change programs.

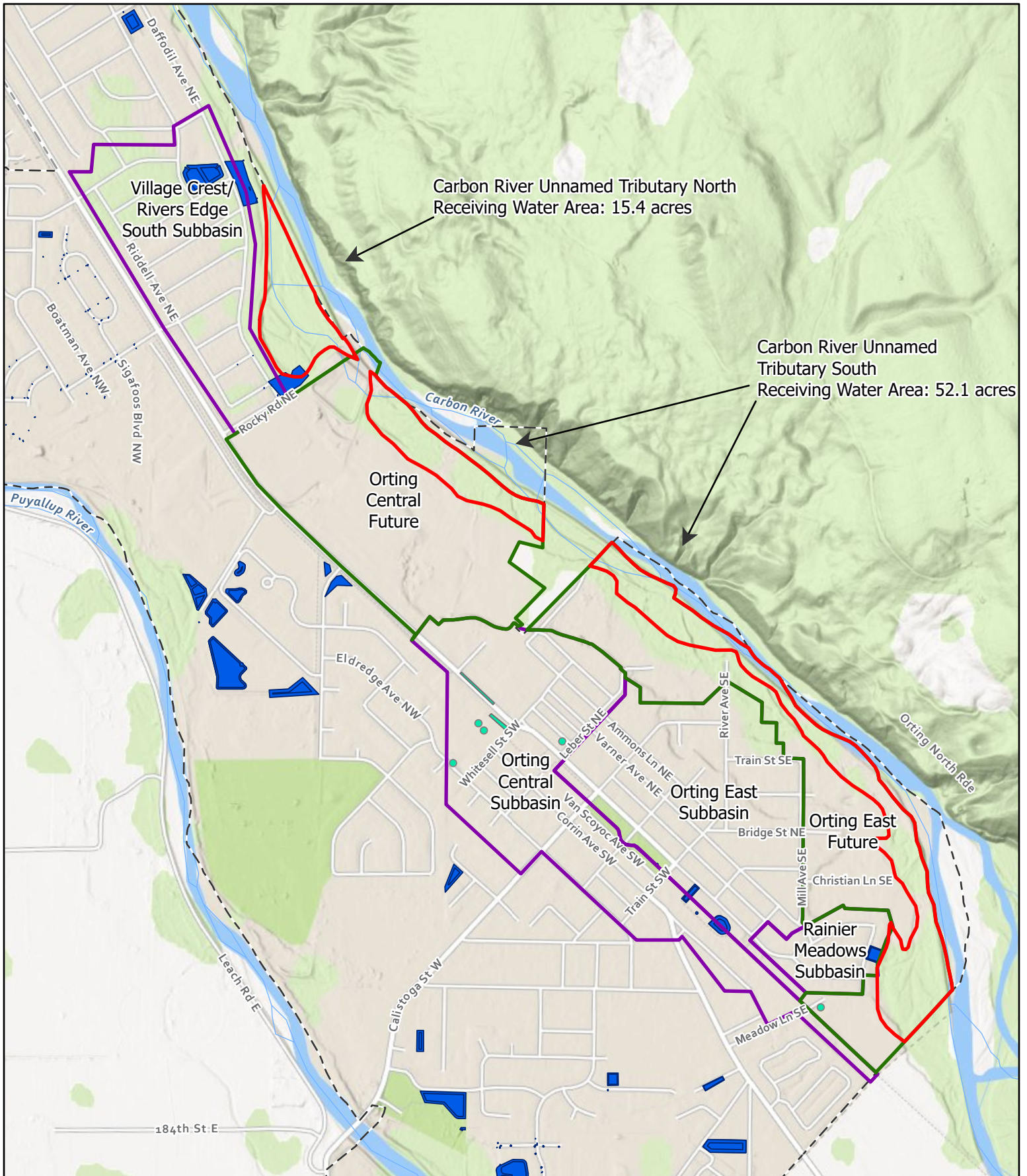
Identified actions shall support other specifically identified stormwater management strategies and actions for the basin overall, or for the catchment area in particular.

- (d) If applicable, identification of changes needed to local long-range plans, to address SMAP priorities.
- (e) A proposed implementation schedule and budget sources for:
 - Short-term actions (*i.e.*, actions to be accomplished within six years), and
 - Long-term actions (*i.e.*, actions to be accomplished within seven to 20 years).
- (f) A process and schedule to provide future assessment and feedback to improve the planning process and implementation of procedures or projects.

⁴ New Permittees shall begin implementing the requirements of S5.C.2 no later than August 1, 2021.

Attachment B
Mapping





Date: 5/27/2022
 Sources: City of Orting, Pierce County, Esri, NASA, NGA, USGS, FEMA

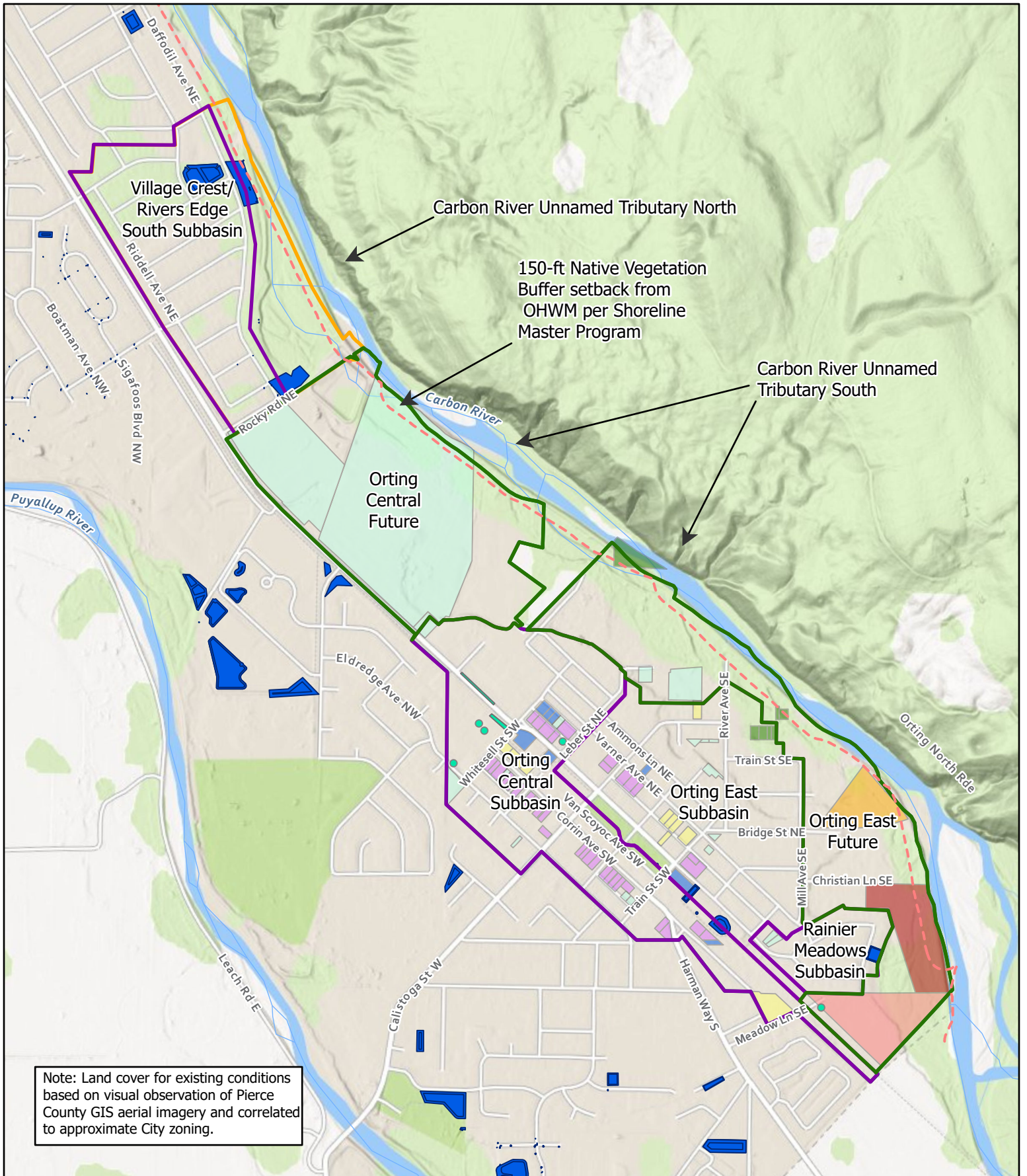
Scale: 1 in: 1,200 ft



- ▬ Receiving Waters Boundary
- ▬ Developed Subbasins
- ▬ Undeveloped Subbasins
- Existing Private SWM Facilities
- Existing Public SWM Facilities
- ▬ City Boundary

Exhibit 1
 Receiving Water Areas

Orting, WA



Note: Land cover for existing conditions based on visual observation of Pierce County GIS aerial imagery and correlated to approximate City zoning.

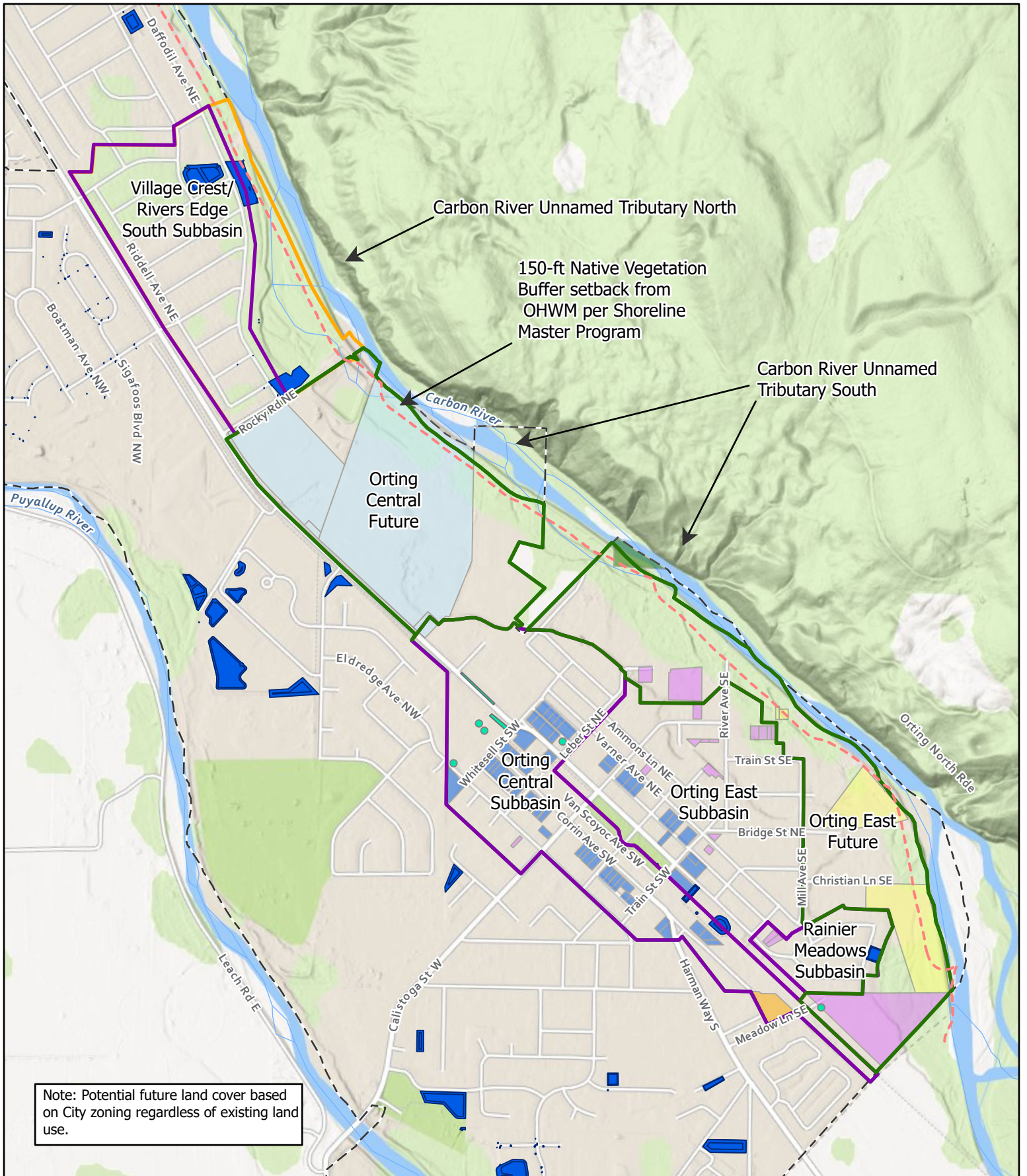
Date: 5/2/2022
 Sources: City of Orting, Pierce County, Esri, NASA, NGA, USGS, FEMA
 Note: Source for parcel designations is Pierce County 2020 Buildable Lands layer (web server link https://services2.arcgis.com/1UvBaQ5y1ubjUPmd/ArcGIS/rest/services/2020_Buildable_Lands_Inventory_DRAFT_Review/FeatureServer)

Scale: 1 in : 1,200 ft



- | | |
|-------------------------------|--|
| Underdeveloped Parcels | Carbon River Unnamed Tributary South Drainage Area |
| Mixed Use - Town Center | Carbon River Unnamed Tributary North Drainage Area |
| Residential Urban | Undeveloped Subbasins |
| Residential Conservation | Existing Public SWM Facilities |
| Open Space/Recreation Pasture | Existing Private SWM Facilities |
| Open Space/Recreation Grass | Native Vegetation Buffer |
| Open Space/Recreation Forest | City Boundary |
| Undeveloped Parcels | |
| Undeveloped Pasture | |
| Undeveloped Forested | |

Exhibit 2
 Developable and
 Redevelopable Parcels
 Existing Conditions



Note: Potential future land cover based on City zoning regardless of existing land use.

Date: 5/2/2022
 Sources: City of Orting, Pierce County, Esri, NASA, NGA, USGS, FEMA

- Future Land Cover**
- Mixed Use - Town Center
 - Mixed Use - Town Center North
 - Public Facilities
 - Residential Conservation
 - Residential Multi-Family
 - Residential Urban

- Carbon River Unnamed Tributary South Drainage Area
- Carbon River Unnamed Tributary North Drainage Area
- Existing Public SWM Facilities
- Existing Private SWM Facilities
- Developed Subbasins
- Undeveloped Subbasins
- - - Native Vegetation Buffer
- - - City Boundary

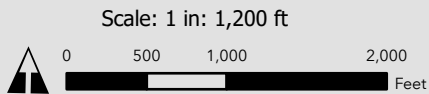
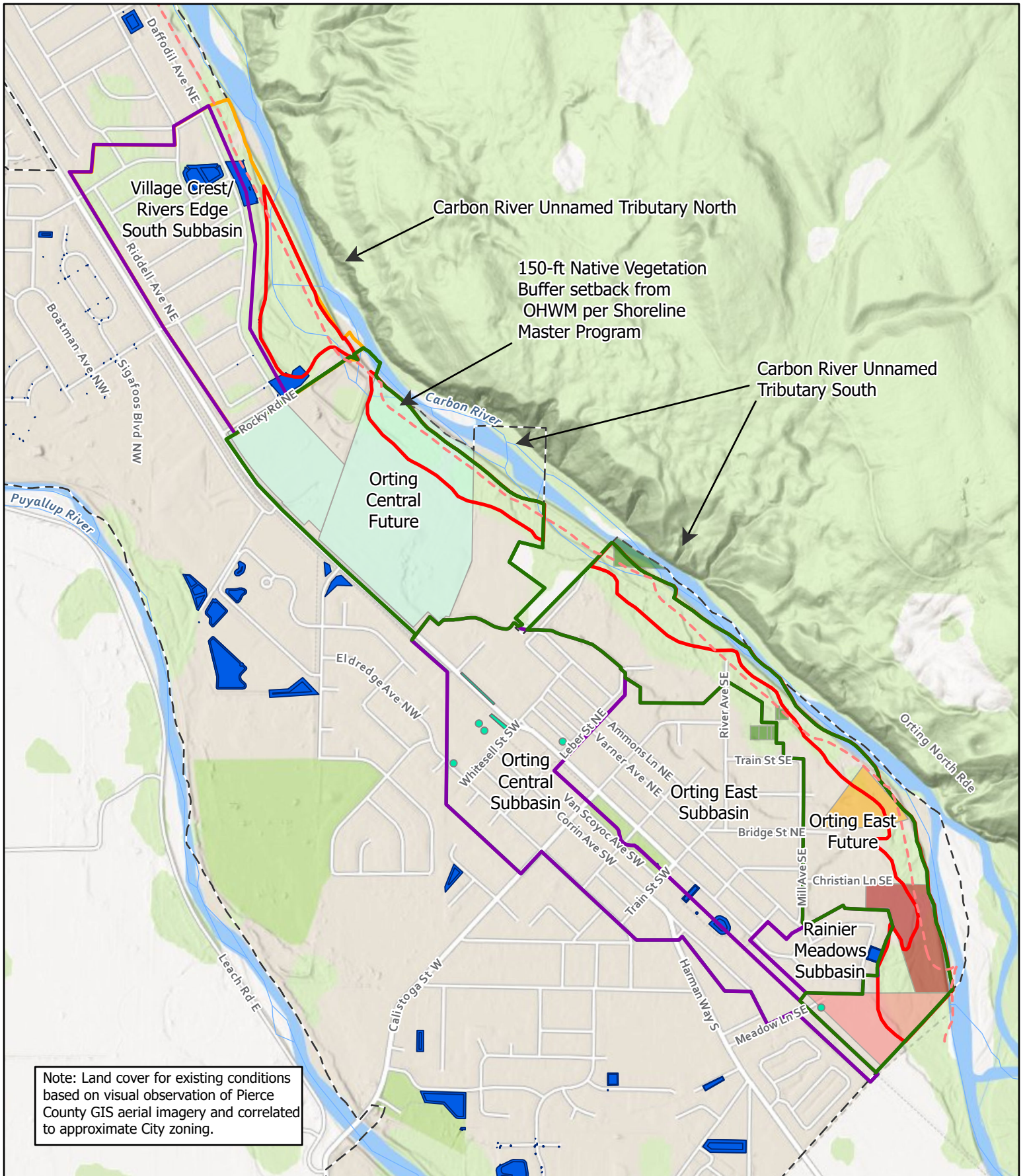


Exhibit 3
 Developable and
 Redevelopable Parcels
 Potential Future Conditions

Orting, WA



Note: Land cover for existing conditions based on visual observation of Pierce County GIS aerial imagery and correlated to approximate City zoning.

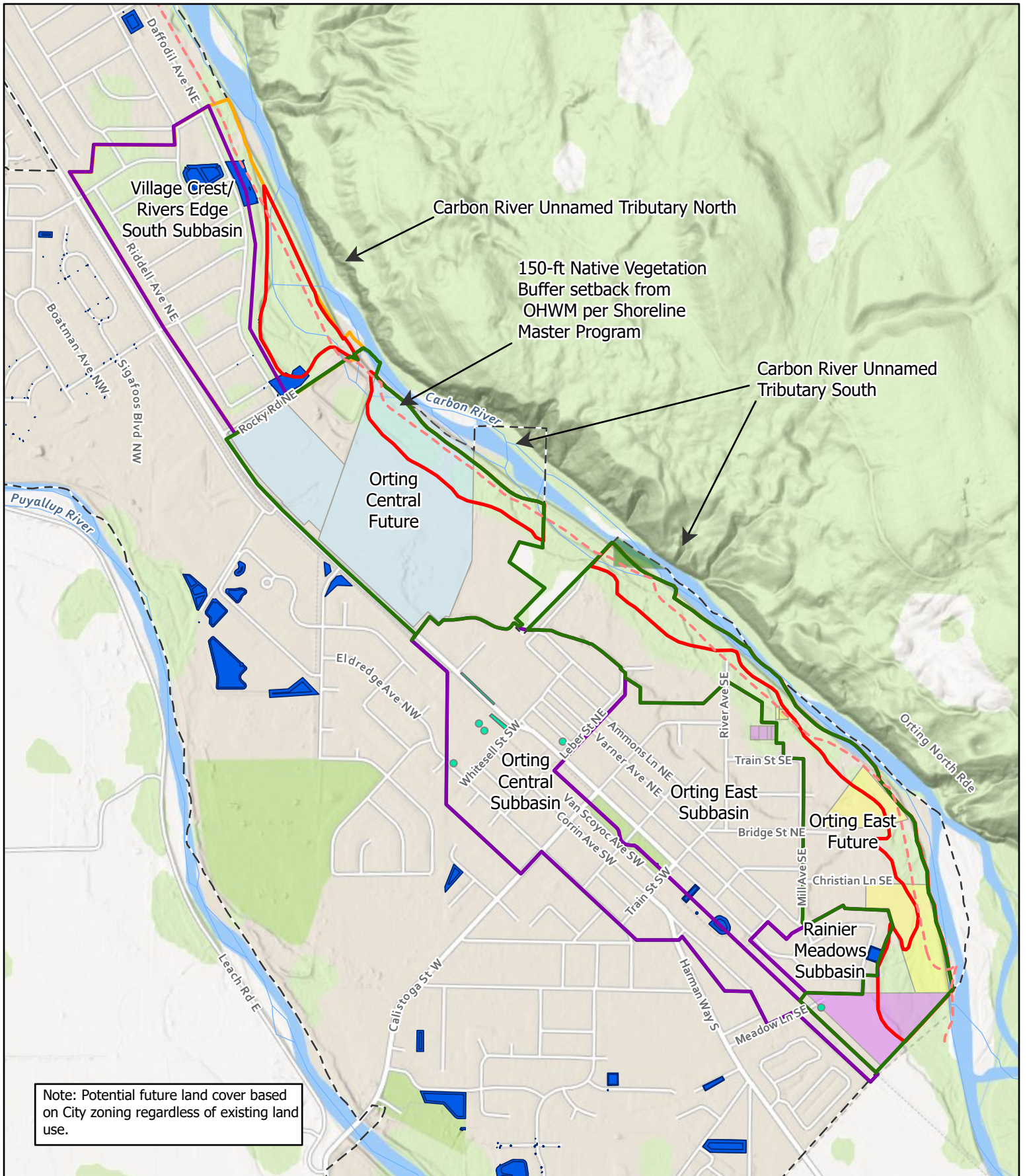
Date: 5/2/2022
 Sources: City of Orting, Pierce County, Esri, NASA, NGA, USGS, FEMA
 Note: Source for parcel designations is Pierce County 2020 Buildable Lands layer (web server link https://services2.arcgis.com/1UvBaQ5y1ubjUPmd/ArcGIS/rest/services/2020_Buildable_Lands_Inventory_DRAFT_Review/FeatureServer)

Scale: 1 in : 1,200 ft



- Underdeveloped Parcels
 - Open Space/Recreation Pasture
 - Open Space/Recreation Grass
 - Open Space/Recreation Forest
- Undeveloped Parcels
 - Undeveloped Pasture
 - Undeveloped Forested
- SMAP Study Area
- Carbon River Unnamed Tributary South Drainage Area
- Carbon River Unnamed Tributary North Drainage Area
- Developed Subbasins
- Undeveloped Subbasins
- Existing Private SWM Facilities
- Existing Public SWM Facilities
- Native Vegetation Buffer
- City Boundary

Exhibit 4 - Developable and Redevelopable Parcels with Surface Water Discharge Prior to Carbon River Existing Conditions



Note: Potential future land cover based on City zoning regardless of existing land use.

Date: 5/2/2022
 Sources: City of Orting, Pierce County, Esri, NASA, NGA, USGS, FEMA

- Future Land Cover**
- Mixed Use - Town Center North
 - Public Facilities
 - Residential Conservation
 - Residential Urban

- SMAP Study Area
- Carbon River Unnamed Tributary South Drainage Area
- Carbon River Unnamed Tributary North Drainage Area
- Developed Subbasins
- Undeveloped Subbasins
- Existing Private SWM Facilities
- Existing Public SWM Facilities
- Native Vegetation Buffer
- City Boundary

Exhibit 5 - Developable and Redevelopable Parcels with Surface Water Discharge Potential Future Conditions

Orting, WA

Scale: 1 in: 1,200 ft



Attachment C
Ranking Calculations



CITY OF ORTING			
SMAP Phase 2 Step 3			
Ranking calculations for Receiving Water Prioritization			
Consideration		Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Major Sub-basin name		Village Crest/Rivers Edge South Subbasin	Orting Central Subbasin, Orting East Subbasin, Rainier Meadows Subbasin
Major Sub-basin overview		Fully developed. Area routed to existing SWM facilities.	Rainier Meadows Subbasin is developed and routed to existing SWM facility. No future development or redevelopment anticipated in Rainier Meadows Subbasin. Some existing development and some existing SWM facilities in Orting Central Subbasin and Orting East Subbasin. Future development, redevelopment and SWM facilities anticipated in Orting Central Subbasin and Orting East Subbasin.
Receiving water subarea overview		Existing SWM facilities discharge to the Carbon River Unnamed Tributary North.	Portions of the subbasins have direct discharge to Carbon River. Other portions of the subbasins discharge to Carbon River Unnamed Tributary South. This includes the Orting Central Future and Orting East Future subareas.
Relative importance of how much existing area drains to existing stormwater facilities. This helps determine the relative importance of ongoing O&M and inspections as well as identifies potential amounts of retrofit, which would then be considered further based on opportunities and costs.			
Major Subbasin name		Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Total Subbasin area; this is the total tributary area within overall subbasin, even if portions do not have direct surface flow contributions to the Receiving Water subarea (i.e., portions of the Subbasin area may have direct discharges to major receiving water such as a river or lake)	ac	83.47	399.67
# of existing public or private SWM facilities	#	3	7
Area that is routed to existing SWM facility that provides treatment, flow control, or both, regardless of when constructed (does not account for changes in design standards over time)	ac	68.03	29.4
Fraction of existing area that is routed to existing SWM facility	Fraction of area = Area routed to existing SWM facilities / Total Subbasin Area	0.82	0.07
A higher score indicates a higher relative importance to maintain existing SWM facilities	Score = # of existing SWM facilities * Fraction of area	2.45	0.51
Relative importance of preserving the 150-ft native vegetation buffer from OHWM for developable + redevelopable area. Only the area with direct surface discharge to the receiving water is considered. This illustrates the importance of preserving the buffer during future development or redevelopment.			
Sub-area name that has surface area flows		N/A	Orting Central Future, Orting East Future
Amount of area that is already developed, is not routed to an existing SWM facility, and is outside of the receiving water subarea	ac	0	170.63
Receiving Water subarea + future subareas	ac	15.44	199.64
Total developable + redevelopable area within the future subareas with surface flow to Receiving Water Area; excludes areas that are already developed	ac	0	96.49

CITY OF ORTING			
SMAP Phase 2 Step 3			
Ranking calculations for Receiving Water Prioritization			
		Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Consideration		Village Crest/Rivers Edge South Subbasin	Orting Central Subbasin, Orting East Subbasin, Rainier Meadows Subbasin
Major Sub-basin name			
Developable + redevelopable area that is inside of 150-ft OHWM setback	ac	0	5.77
Developable + redevelopable area that is outside of 150-ft OHWM setback	ac	0	90.72
Developable + redevelopable area inside the 150-ft OHW setback / Area within sub-area	Fraction of area	0	0.0289
Factor from look-up table below, 1 to 4. The higher the fraction of area within the 150-ft setback, the more important the area is	Factor from lookup table in Notes, below	1	1
A higher score indicates a higher relative importance to retain the 150-ft native vegetation buffer		Score = factor * fraction of developable + redevelopable area within the 150-ft OHWM setback	0
Relative importance of future SWM facilities as development or redevelopment occurs. This is based on the total developable or redevelopable land whether it is inside or outside the 150-ft setback and the total area in the Subbasin			0.0289
A higher score indicates a higher relative importance for future SWM facilities as development or redevelopment occurs		Score = 1 / (Total developable + redevelopable / Total Subbasin area)	0.00
Relative importance of new facilities to retrofit for existing conditions. Considers if there are there previous plans that identify facilities that can retrofit existing areas.			4.14
# of planned new facilities	#	0	0
Area that is outside of the smaller Receiving Water subarea that is not routed to existing SWM facilities	ac	0.00	170.63
# of planned new facilities / acre of untreated	A = # of planned facilities * (Existing area without SWM facilities / Total area outside of Receiving Water subarea)	0.00	0.00
Importance for considering future best management practices for development / redevelopment	B = Total developable + redevelopable area / Receiving Water subarea	0.00	0.48
A higher score indicates a higher relative importance for retrofitting existing areas not routed to existing SWM facilities		Score = A + B	0.00
Relative importance of land management strategies, such as LID, infiltration, other			0.48
Would LID help? 1 = low potential to implement; 5 = moderate potential, 10 = high potential	A: 1, 5 or 10	1	5
Is infiltration feasible? 1 = low potential; 5 = moderate potential, 10 = high potential	B: 1, 5 or 10	1	1
Are reduced footprints and / or native vegetation preservation or revegetation feasible? 1 = low potential, 5 = moderate potential, 10 = high potential	C: 1, 5 or 10	1	10

CITY OF ORTING			
SMAP Phase 2 Step 3			
Ranking calculations for Receiving Water Prioritization			
Consideration		Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Major Sub-basin name		Village Crest/Rivers Edge South Subbasin	Orting Central Subbasin, Orting East Subbasin, Rainier Meadows Subbasin
A higher score indicates a higher relative importance of LID-type BMPs	Score = (A + B + C) * (Amount of developable + redevelopable area / Receiving Water subarea)	0.00	3.86
Relative importance of SWMP actions			
Maintain existing SWM facilities; O&M; inspection; monitor inspection reports	A = # of existing SWM facilities * (existing area routed to existing SWM facilities / Total Subbasin area)	2.45	0.51
Public education and outreach re: SMP, wetlands, buffers, preserving native vegetation	B = (Amount of developable + redevelopable area / Receiving Water subarea)	0.00	0.48
A higher score indicates a higher relative importance of SWMP actions within the Subbasin and Receiving Water subarea	Score = A + B	2.45	1.00
Relative importance of preservation			
This helps determine how important is it to preserve a receiving water as a high quality receiving water. Considers if there are other receiving waters which the City has predominant influence that could be an alternative. 1 = many other alternatives, 5 = some other alternatives, or 10 = no other practicable alternative	Factor = 1, 5 or 10	5	10
A higher score indicates a higher relative importance for preserving a Receiving Water subarea over other receiving water subareas	Score: Factor * (Amount of developable + redevelopable area / Receiving Water subarea)	0.00	4.83
Relative importance of regional plans to help with improving WQ or hydrology with future development or redevelopment			
Number of projects planned		0	0
A higher score indicates a higher relative importance of regional plans to preserve or restore water quality and / or hydrology	Score = # of projects * (Total developable + redevelopable area / Receiving Water subarea)	0.00	0.00
Relative importance to address environmental health risk indicators			
# of all health risk factors that discharge from developable or redevelopable areas via surface flow to the receiving subareas	# of factors	0	0
A higher score indicates a higher relative importance of environmental health risk factors in considering stormwater management approaches	Score = # of factors * (Total developable + redevelopable area / Receiving Water subarea)	0	0
Relative importance of providing a higher level of treatment for surfaces triggering enhanced treatment			

CITY OF ORTING			
SMAP Phase 2 Step 3			
Ranking calculations for Receiving Water Prioritization			
Consideration		Carbon River Unnamed Tributary North	Carbon River Unnamed Tributary South
Major Sub-basin name		Village Crest/Rivers Edge South Subbasin	Orting Central Subbasin, Orting East Subbasin, Rainier Meadows Subbasin
Would requiring enhanced treatment if not triggered be helpful? 0 = no because the loading concentrations are too low, rendering the treatment BMP ineffective; 10 = great benefit because the % of pollutant reduction is high regardless of influent concentrations.			
Developable + Redevelopable Area	ac	0	65.92
Zoning		MUTC/MUTCN	MUTC/MUTCN
Fraction of Developable + Redevelopable		0	0.68
Level of treatment	1 = Basic; 2 = Enhanced	2	2
Developable + Redevelopable Area	ac	0	30.57
Zoning		P, RC, RMF, RU	P, RC, RMF, RU
Fraction of Developable + Redevelopable		0	0.32
Level of treatment	1 = Basic; 2 = Enhanced	1	1
A higher score indicates a higher relative importance of future WQ treatment BMPs as development or redevelopment occurs in the Receiving Water area		Score = sum (Treatment * Area)	
		0	1.68
TOTAL SCORE		4.89	16.55
Notes:			
1. Example calculations for illustrative purposes only. Actual values to be inserted for SMAP Phase 2 Step 3.			
2. Zoning codes:		Potential treatment triggered	
MUTC = Mixed Use Town Center		Enhanced	
MUTCN = Mixed Use Town Center North		Enhanced	
P = Public		Basic	
RC = Residential Conservation		Basic	
RMF= Residential Multifamily		Basic	
RU = Residential Urban		Basic	
3. Factors for area within 150-ft OHWM setback from Shoreline Management Program:			
	Fraction	Factor	
	0	1	
	0.26	2	
	0.51	3	
	0.76	4	

Attachment D
Public Notification



Attachment E
Public Works Committee Comments



Attachment F
City Council Comments





**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject:	AB22-58		6.15.2022	6.29.2022
Emergency Ordinance No. 2022-1096, Amending Orting Municipal Code 9-5A-9 regarding stormwater regulations.				
	Department:	PW/Engineering/Planning		
	Date Submitted:	6.9.2022		
Cost of Item:	<u>\$ N/A</u>			
Amount Budgeted:	<u>\$ N/A</u>			
Unexpended Balance:	<u>\$</u>			
Bars #:				
Timeline:	Must be adopted and effective by 6.30.2022			
Submitted By:	Stefanie Hindmarch/JC Hungerford			
Fiscal Note:				
Attachments:	Ordinance No. 2022-1096			
SUMMARY STATEMENT:				
<p>The National Pollutant Discharge Elimination System (NPDES) is a federal permit program that regulates the discharge of stormwater and wastewater to waters of the State. The Western Washington Phase II Municipal Stormwater Permit was re-issued on August 1, 2019 and will be in effect until July 31, 2024. This permit authorizes the City of Orting to discharge stormwater from its municipally owned system. The City of Orting is required to update its stormwater regulations in response to the terms of the Permit, including the adoption of the most current 2019 Washington Department of Ecology’s Stormwater Management Manual for Western Washington. The full manual is available at: https://fortress.wa.gov/ecy/ezshare/wq/Permits/Flare/2019SWMMWW/Content/Resources/DocsForDownload/2019SWMMWW.pdf. The Manual “provides guidance on the measures necessary to control the quantity and quality of stormwater. Local municipalities use this manual to set stormwater requirements for new development and redevelopment projects. Land developers and development engineers use this manual to design permanent stormwater control plans, create construction stormwater pollution prevention plans, and determine stormwater infrastructure. Businesses use this manual to help design their stormwater pollution prevention plans.”</p>				
<p>By this ordinance the City Council would adopt this version of the Manual, in compliance with the City’s NPDES Permit. Note: adoption must occur prior to June 30, 2022, thus the request is for emergency adoption at the meeting on 6/29.</p>				

RECOMMENDED ACTION: Action:

Move forward to meeting on June 29, 2022 for a public hearing and consideration of the ordinance for adoption.

FUTURE MOTION: Motion:

To adopt Ordinance No. 2022-1096, an emergency ordinance amending OMC 9-5A-9, regarding stormwater regulation.

CITY OF ORTING WASHINGTON

ORDINANCE NO. 2022-1096

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO STORMWATER
MAINTENANCE AND MANAGEMENT;
AMENDING ORTING MUNICIPAL CODE
SECTIONS 9-5A-9; PROVIDING FOR
SEVERABILITY; DECLARING AN EMERGENCY;
AND ESTABLISHING AN IMMEDIATE
EFFECTIVE DATE**

WHEREAS, the City has adopted certain provisions codified at Chapter 5A of Title 9 of the Orting Municipal Code (“OMC”) that provide for surface water management within the City of Orting; and

WHEREAS, in January of 2007, the State Department of Ecology issued the first National Pollution Discharge Elimination System (“NPDES”) permit for Phase II communities in Western Washington which permit is intended to implement the Clean Water Act; and

WHEREAS, although the City already has certain regulations in place that comply with many of the requirements of the Phase II NPDES permit, certain amendments are necessary in order to ensure that the City is in compliance with provisions of the permit that must be implemented by the City by June 30, 2022; and

WHEREAS, the proposed amendments to Chapter 5A of Title 9 of the Orting Municipal Code are consistent in scope and subject matter with the surface water management programs of other jurisdictions; and

WHEREAS, this Ordinance is enacted as an exercise of the police power authority of the City of Orting to protect and preserve the public health and welfare; and

WHEREAS, on June 9, 2022, the City’s SEPA official issued a determination of non-significance for the proposed code amendments and there have been no appeals; and

WHEREAS, on June 29, 2022, the City Council held a public hearing on the proposed code amendments; and

WHEREAS, RCW 35A.13.190 provides that an ordinance may be made effective upon adoption if passed by a majority plus one of the whole membership of the council, and if

designated as a public emergency ordinance necessary for the protection of the public health, public safety, public property or public peace; and

WHEREAS, pursuant to RCW 35A.13.190, the City Council finds that this ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace for the reasons set forth herein;

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

Section 1. Findings. The City Council adopts the recitals set forth above, which are incorporated by reference, as findings in support of a declaration of this ordinance as a public emergency ordinance.

Section 2. OMC 9-5A-9, Amended. Orting Municipal Code 9-5A-9 is hereby amended to read as follows:

9-5A-9: GENERAL REQUIREMENTS:

A. Stormwater Management Manual Adopted: The Department of Ecology 2019 ~~2012~~ "Stormwater Management Manual for Western Washington" ~~as amended in 2014~~, together with the 2019 City of Orting Stormwater Management Manual Amendment, ~~are~~ is hereby adopted by reference, as though fully set forth herein, as the Stormwater Management Manual for the City of Orting and is hereinafter referred to as the "manual" or the "Stormwater Management Manual".

B. Low Impact Development Manual Adopted: The ~~December 2012~~ Volume 5 of the Ecology 2019 "Stormwater Management Manual for Western Washington" "Low Impact Development Technical Guidance Manual for Puget Sound" ~~as published by the Puget Sound Partnership~~, is hereby adopted by reference as though fully set forth herein as the Low Impact Development Manual for the City of Orting and is hereinafter referred to as the "LID Manual".

C. Rain Garden Handbook: The June 2013 "Rain Garden Handbook for Western Washington" as published by the Washington State Department of Ecology is hereby adopted by reference as though fully set forth herein as the Rain Garden Handbook for the City of Orting and is hereinafter referred to as the "Rain Garden Handbook".

D. The following hierarchy shall be used in the order listed to determine applicable requirements:

1. The 2019 City of Orting Stormwater Management Manual Amendment;
2. The 2019 ~~2012~~ "Stormwater Management Manual for Western Washington" ~~as amended in 2014~~;

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 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. Designation of Emergency Ordinance; Immediate Effective Date. Pursuant to RCW 35A.13.190, the City Council declares and designates this ordinance as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or the public peace. Upon adoption of this ordinance by a majority plus one of the whole membership of the council, this ordinance shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE XX DAY OF _____, 2022.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, City Clerk

Approved as to form:

Charlotte A. Archer
Inslee Best
City Attorney

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



**City of Orting
Council Agenda Summary Sheet**

Subject: Approval of Sole Source Vendor	Agenda Item #:	Committee	Study Session	Council
	AB22-56	Public Works		
		6.1.2022	6.15.2022	6.29.2022
	Department: Water			
	Date Submitted: 5.27.2022			

Cost of Item:	\$22,251 (plus tax)
Amount Budgeted:	\$0
Unexpended Balance:	N/A
Bars #:	408-534-10-31-00 and 408-534-10-31-01
Timeline:	
Submitted By:	Gretchen Russo/Greg Reed

Fiscal Note: This specific item was not budgeted but can be covered by current year revenue.

Attachments: Draft Resolution

SUMMARY STATEMENT:
As part of our new Purchasing Policy, the Council through a resolution may waive competitive bidding requirements through a sole source process. This request would approve TMG Services, Inc. as the sole source provider for the purchase of parts and repair of the chlorine analyzers of the City of Orting’s Municipal Water System.

Replacement of the chlorine analyzers at Well One, Harman and Wingate is required. Replacement parts for these analyzers are no longer being manufactured and the parts are no longer available.

The City currently uses the Evoqua Depolkox 400M monitors at Well 3 and Well 4. This purchase would standardize all sites to this newer model facilitating the staff’s ability to repair and maintain one set of parts, rather than multiple sets of parts.

A Sole Source declaration is needed for this purchase for the following reasons:

- Purchases exceeding \$15,000 require a sole source or formal bid process
- Establishing a standard analyzer
- A formal bid process would delay ordering – if the current analyzers fail, it could create a water health issue.

RECOMMENDED ACTION: Action:

Move forward as consent agenda item at June 29th, 2022 regular business Council meeting.

RECOMMENDED MOTION: Motion:

To Approve TMG Services Inc as the sole source provider of the Evoqua Deplox 400M Series Chlorine Residual Analyzer.

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2022-17

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, APPROVING TMG SERVICES INC. AS
THE SOLE SOURCE SUPPLIER OF EVOQUA DEPOLOX
400M SERIES CHLORINE RESIDUAL ANALYZERS;
SETTING AN EFFECTIVE DATE.**

WHEREAS, the City of Orting Purchasing Policy Part IX, Section 2 requires Council to approve sole source suppliers by Resolution; and

WHEREAS, the City of Orting Municipal Water System Operations requires the City to disinfect our supply systems with Chlorine. The Evoqua Depolox 400M monitors and adjusts the injection of chlorine to insure proper chlorine levels; and

WHEREAS, TMG Services, Inc. is a sole source Supplier of the Evoqua Depolox 400M series Chlorine Residual Analyzers; and

WHEREAS, the City's Purchasing Policy, previously approved by the City Council, allows the City Council to waive the bidding requirements for purchases by resolution where the purchase is clearly and legitimately limited to a single source; and

WHEREAS, pursuant to RCW 39.04.280(1)(a), the City Council finds that the purchase is clearly and legitimately limited to a single source;

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

Section 1. Sole Source Supplier, Adopted. The City Council waives the bidding requirements set out in the City's Purchasing Policy, and approves TMG Services, Inc. as the sole source supplier of the Evoqua Depolox 400M series Chlorine Residual Analyzers as required by the Municipal Water Systems Operation Manuals requirement to disinfect the City's Water sources. The Mayor is hereby authorized to effectuate this purchase.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution 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 Resolution or its application to other persons or circumstances.

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 29TH DAY OF JUNE 22:**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, City Clerk

Approved as to form:

Charlotte A. Archer
City Attorney



April 11, 2022

To Whom It May Concern,

This letter is to advise that TMG Services Inc. is an authorized Sales Representative and Distributor for Evoqua Water Technologies, LLC. The following shows the products and markets in which TMG Services, Inc. is authorized for the sale of equipment, instruments and products manufactured by us.

Authorized to represent the following Evoqua Products:

- Millennium III ClO2 Generators Products
- Wallace & Tiernan Products
 - OSEC
 - Chemical Feed Analyzers / Process Controllers
 - Gas Feed
 - Water Champ

Authorized Markets within Alaska, Washington, Idaho, and Montana.

TMG Services, Inc. is located at:

3216 E Portland Ave
Tacoma, WA 98404

Evoqua Water Technologies, LLC utilizes Distributors and Sales Representatives to promote and support our equipment on a regional basis.

Contract#: TMG_2020_0420

Letter Expiration Date: December 31, 2022

With regards,

DocuSigned by:
Tim Schneller
AAD8055D88AD4B7...

Tim Schneller

Global Channel Leader

Cc: Erika Boswell (via email erika@tmgservices.net)



3216 E. Portland Avenue
Tacoma, WA 98404
253-779-4160
tmginc@tmgservices.net

May 25th, 2022
QUOTATION rev. 3

Greg Reed
City of Orting
PO Box 489
Orting, WA 98360

Reference: Residual Chlorine Analyzer Upgrade for Harmon Springs/Wingate/Well 1

3 Evoqua/W&T Depolox 400M Series Residual Analyzers:

- Electronic Module: 100-240vAC Power – optional 24vDC
- Flow Cell Module: Depolox 5 Bare Electrode
 - Measurement 1: Bare Electrode Free Chlorine Sensor, Self-Cleaning
 - Measurement 2: pH Sensor
- Ethernet Port
- Color Touchscreen, 4.3"
- Integral LED Light Status Indicator
- Integral Temperature Sensor, PT1000
- Flow Switch
- Data Logging
- Panel Mounted on Blue Polypropylene Material

PRICE EACH: \$6,550

PRICE TOTAL: \$19,650 (Freight Included)

OPTIONAL ADDER

3 Analyzer Panel Accessories for a complete turn-key Analyzer Panel

**This includes a Y-Strainer, Ball Valve, Pressure Gauge & Pressure Reducing Valve*

PRICE EACH: \$867

PRICE TOTAL: \$2,601 (Add to above Analyzer Price)

TOTAL IF OPTIONAL ADDER INCLUDED: \$22,251 (Freight Included)

Terms & Conditions of Sale:

- F.O.B.: Orting, WA
- Payment Terms: Net 30 Days – Our terms of payment are 100% payable 30 days after shipment. Since this is an agreement between Buyer and Seller, and Seller has no relationship with the third party owner, this agreement must be independent of any third party action or inaction. Payment will be due as indicated above without a dependency on the buyer being paid by the owner, with no further restriction or impediments, and regardless of any payment arrangement that may exist between contractor and owner.
- This price is in effect for 60 days.
- Submittals, if required, will be provided 2 weeks after receipt of all technical data at T M G Services.
- Delivery will be made in approximately 6-8 weeks after receipt of order and/or approvals and resolution of all necessary technical data at T M G Services.
- Quotation prices do not include any sales taxes or any other taxes that may apply.
- This quotation is limited to the products and/or services as listed and excludes any item or service not specifically listed.

Thank you,

Brittany Apodaca
TMG Services, Inc.



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Chief Hiring Process	AB22-46			
			5.18.2022, 6.15.2022	
	Department:	Executive		
	Date Submitted:	6.8.2022		
Cost of Item:	<u>\$10,000 (not to exceed)</u>			
Amount Budgeted:	\$			
Unexpended Balance:	\$			
Bars #:				
Timeline:	Discussion Item			
Submitted By:	Scott Larson			
Fiscal Note: This will be paid for out of executive professional services and general fund balance.				
Attachments: Draft WASPC Professional Services Agreement				
SUMMARY STATEMENT:				
<p>Based on the feedback we received from council in May staff are engaging WASPC to assist with recruiting a new Chief of Police. Staff have started to build the announcement and profile for the position and expect to get materials completed in June for advertisement starting in July.</p> <p>Attached is a draft professional services agreement including a scope of services with WASPC, the initial fee is \$2,000 and then we are billed \$75 per hour based on the amount of effort WASPC provides the city.</p>				
RECOMMENDED ACTION: <u>Action:</u>				
Move forward as consent agenda item at June 29 th , 2022 regular business Council meeting				
FUTURE MOTION: <u>Motion:</u>				
To authorize the Mayor to sign a contract with WASPC for executive search services for an amount not to exceed \$10,000.				



Washington Association of
**SHERIFFS &
POLICE CHIEFS**

3060 Willamette Drive NE
Lacey, WA 98516
360-486-2380 (Phone)
360-486-2381 (Fax)
www.waspc.org

President

Sheriff Rick Scott
Grays Harbor County

President-Elect

Chief Steve Crown
City of Wenatchee

Vice President

Sheriff Tom Jones
Grant County

Past President

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Treasurer

Chief Brett Vance
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Executive Board

Chief John Batiste
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Chief Cherie Harris
City of Kirkland

Sheriff Mitzi Johanknecht
King County

Chief Darrell Lowe
City of Redmond

Sheriff Kevin Morris
Douglas County

Chief Rafael Padilla
City of Kent

Sheriff James Raymond
Franklin County

Don Voiret, SAC
FBI—Seattle

Chief Sam White
Lower Elwha Klallam
Police Department

Steven D. Strachan
Executive Director

Police Executive Search Agreement

The **Washington Association of Sheriffs and Police Chiefs (WASPC)** and the **City of Orting (City)** enter into this agreement for the purpose of selecting a Police Chief.

The selection process may include any of the following dimensions:

1. Assistance with development of the assistant police chief position profile
2. Advertisement and recruitment of candidates
3. Review of applications
4. Identification of finalists
5. Interview of finalists
6. Final interview

WASPC agrees to provide personnel to facilitate any of the foregoing dimensions as requested by the **City**. The **City** agrees to pay WASPC \$2,000, plus staff time and expenses. Staff time is billable at \$75 per hour and is estimated at approximately 40 hours. The **City** also agrees to comply with the terms and conditions of **RCW 43.101.095, Peace Officer Certification**.

AGREED:

Name/title
City of Orting

Date

Steve Strachan, Executive Director
Washington Association of Sheriffs and Police Chiefs

Date



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Reader Board	AB22-45	PW		
		6.1.2022	6.15.2022	6.29.2022
	Department:	Administration		
	Date Submitted:	5.31.2022		
Cost of Item:	<u>\$51,870.92</u>			
Amount Budgeted:	<u>\$85,000.00</u>			
Unexpended Balance:	<u>\$ 33,129.08</u>			
Bars #:	TBD			
Timeline:	Summer			
Submitted By:	Scott Larson			
Fiscal Note: These funds are part of our ARPA allotment.				
Attachments: Reader Board Invoice				
SUMMARY STATEMENT:				
<p>In 2021 the city issued an RFP for a digital reader board to replace the current analogue reader board and did not receive any responses. Per our purchasing policy and state bidding requirements we can contract directly with a vendor for these services.</p> <p>Valley Sign has provided a quote for a digital reader board and has brought out a demo which CM Williams was able to see. Staff are recommending that we move forward with the purchase of the led panels from valley sign as they are long-lead items. In the meantime, staff is working on getting necessary permits from the county and state to be able to install the reader board.</p>				

RECOMMENDED ACTION: Action:

Move forward as consent agenda item at June 29th, 2022 regular business Council meeting.

RECOMMENDED MOTION: Motion:

To authorize the Mayor to sign a contract with Valley Sign for purchase and installation of a new digital reader board at the north entrance to Orting in the amount of \$51,870.92.



INVOICE

City of Orting (360) 893-2219
PO Box 489
ORTING WA 98360

Invoice Date
May 4, 2022

Invoice Number
3325

Reference
LED Reader board sign
project

Valley Sign
14504 134th St. Ct. E.
ORTING WA 98360
(253) 841-1003
info@valley-sign.com

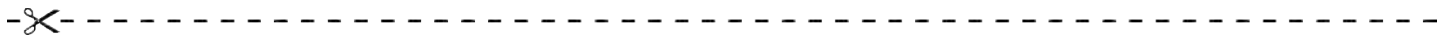
Description	Quantity	Unit Price	Tax	Amount USD
New LED reader board signs for entrance to city of Orting. This project encompasses various components and at this time, the exact scope of installation has not yet been finalized due to easement issues with the current sign location that is being replaced. This invoice is based on the proposal submitted to install the new LED signs where the current signs are located near the intersection of State Route 162 and Williams Blvd. If for some reason the location of the sign needs to be moved and the scope of work adjusted, any funds paid towards portions of the project that need to be changed will be allocated to the new scope of work. - As currently proposed, the scope of work is as follows: * \$550 towards the removal of the existing reader boards and signage * \$43,974 covers the cost of 2 new GT6x LED reader board signs, delivery and installation/hook up of the panels * \$900 towards the fabrication and installation of 1/4" thick plexiglass panels that will get mounted over top the displays in order to prevent impact damage from things being thrown at the displays * \$1,990 towards the cost and installation of new sandblast carved and painted Welcome to Orting signs that would get mounted over top the new LED reader board signs	1.00	47,414.00	9.4%	47,414.00
			Subtotal	47,414.00
			TOTAL SALES TAX 9.4%	4,456.92
			TOTAL USD	51,870.92

Due Date: May 31, 2022

For payment, you can click on the PAY NOW link in the email to pay instantly with a debit/credit card. You can pay with a check. We ask that you bring it in or mail it so the check arrives on or before the due date. Thank you.



[View and pay online now](#)



PAYMENT ADVICE

To: Valley Sign
14504 134th St. Ct. E.
ORTING WA 98360
(253) 841-1003
info@valley-sign.com

Customer	City of Orting (360) 893-2219
Invoice Number	3325
Amount Due	51,870.92
Due Date	May 31, 2022
Amount Enclosed	<hr/>
	Enter the amount you are paying above



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject:	AB22-48	Public Works	6.15.2022	6.29.2022
Low Income Home Water Assistance Program Interlocal Agreement. (LIHWAP).				
	Department:	Finance/Utility Billing		
	Finance	5.19.2022		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:				
Timeline:				
Submitted By:	Gretchen Russo, Finance Director			
Fiscal Note:				
Attachments:	Draft Interlocal Agreement			
SUMMARY STATEMENT:				
<p>By signing the attached interlocal agreement with Pierce County will make payments to the City of Orting on behalf of customers who have been determined eligible for the Low Income Home Water Assistance Program (LIHWAP).</p> <p>Public Law No: 116-260 signed on December 27, 2020, included funding with instructions for the Administration for Children and Families (ACF) within the U.S. Department of Health and Human Services (HHS) to carry out grants to assist low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services, by providing funds to owners or operators of public water systems or treatment works to reduce arrearages of, and rates charged to, such households for such services.</p>				
RECOMMENDED ACTION: <u>Action:</u>				
Move forward as consent agenda item at June 29 th , 2022 regular business Council meeting.				
RECOMMENDED MOTION: <u>Motion:</u>				
To authorize the Mayor to enter into an interlocal agreement with Pierce County for the purpose of participating in the Low-Income Home Water Assistance Program (LIHWAP).				

**PIERCE COUNTY HUMAN SERVICES
LOW INCOME HOME WATER ASSISTANCE PROGRAM
(LIHWAP) VENDOR AGREEMENT**

This Agreement, effective as of October 1, 2021, is entered into by and between PIERCE COUNTY HUMAN SERVICES (hereinafter, referred to as the "County" or "Agency") and **City of Orting**, a supplier of home water and/or waste water, (hereinafter, referred to as the "Water Vendor" or "Vendor") of the Low-Income Home Water Assistance Program (LIHWAP).

1. PURPOSE

Public Law No: 116-260 signed on December 27, 2020, included funding with instructions for the Administration for Children and Families (ACF) within the U.S. Department of Health and Human Services (HHS) to carry out grants to assist low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services, by providing funds to owners or operators of public water systems or treatment works to reduce arrearages of, and rates charged to, such households for such services. This act requires that certain assurances be satisfied before assistance payments are made, on behalf of eligible individuals, to suppliers of drinking water and wastewater. This agreement defines the conditions that the Vendor must agree to so that the Agency can make assistance payments to the Vendor on behalf of eligible households.

2. DEFINITIONS

For purposes of this Agreement, the following definitions shall apply:

- a. "County" shall mean the Pierce County through its Department of Human Services;
- b. "Supplier of home water" shall mean the Water Vendor receiving LIHWAP payments from the County for eligible households; and
- c. "Eligible household" or "eligible customer" shall mean a customer who qualifies for water assistance as determined by the County under LIHWAP.

3. TERM OF THE AGREEMENT

This Agreement is effective October 1, 2021 and shall end on September 30, 2022.

4. COMPENSATION

The maximum consideration of this Agreement shall not exceed the maximum LIHWAP direct service funds allowed, per the Contract between the Washington State Department of Commerce and Pierce County Human Services. (See Section 5 below.)

5. PERIOD OF PAYMENT

The County will make payments to the Vendor on behalf of customers who have been determined eligible by the County for the term of the Agreement (LIHWAP payments). All payments are contingent upon appropriation and allocation of funds in accordance with federal, state, and local law.

6. COUNTY RESPONSIBILITIES

The County shall:

- a. Accept and review client applications and determine eligibility of households for payments.
- b. Follow procedures that minimize the time elapsing between the receipt of funds and their disbursement to vendor.
- c. Make payments in a timely manner to the vendor on behalf of eligible households for the term of this agreement.
- d. Follow sound fiscal management policies, including, but not limited to segregation of funds from other operating funds of the agency.
- e. Notify customer and/or vendor of the customer's eligibility and total benefit amount.
- f. Incorporate policies that assure the confidentiality of eligible household's usage, balance, and payments.
- g. Upon request from vendor, provide a statement verifying income of an eligible household for the sole purpose of determining moratorium eligibility, within the statutory guidelines of confidentiality.

7. CLIENT ELIGIBILITY REQUIREMENTS AND BENEFIT LIMITS

- a. Households must be at or below 150% of the Federal Poverty Level.

- b. Households must have delinquent charges, have service disconnected, and/or be facing legal action for nonpayment.
- c. The benefit level will depend on what is needed to reconnect service or bring the account to a zero-dollar balance, not to exceed \$2,500 per household. As illustrative, but not exclusive, examples:
 - i. If a household owes \$700, the County will pay \$700.
 - ii. If another household owes \$2,800, the County will pay \$2,500, and the utility provider and the household will enter into a payment arrangement for the \$300 balance.

8. WATER VENDOR RESPONSIBILITIES

The Water Vendor shall:

- a. Notify the County if the Vendor receives more than one water assistance payment for a customer between October 1, 2021, and September 30, 2022;
- b. Immediately apply the benefit to customer's current/past due bill, deposit/reconnect requirements, or arrearages to eliminate the amount owed by the customer and agree to maintain service to customer for a period of 30-days;
- c. Notify the customer of the amount of benefit payment applied to the customer's billing.
- d. Keep customer records confidential.
- e. Maintain records for four (4) years from the date of this agreement, or longer if the vendor is notified that a fiscal audit for a specific program year is unresolved.
- f. Not treat adversely, or discriminate against, any household that receives assistance payments; either in the cost of the goods supplied or the services provided.
- g. Upon request of the agency, provide eligible customer's consumption history and account balance for the sole purpose of determining customer benefit.
- h. Comply with the provisions of the state law regarding disconnects and pertinent provisions of the Washington Administrative Code related to moratoria, if governed by that ruling.

- i. Make records available for review by authorized staff of the agency and Washington State Department of Commerce and the U.S. Department of Health and Human Services.

9. DATA COLLECTION

The Water Vendor shall keep records showing the following:

- a. Name and address of households who received LIHWAP payments;
- b. Amount of assistance accrued to each household;
- c. Source of payment; and
- d. Amount of the household's credit balance when the LIHWAP payment establishes a line of credit. This credit balance also needs to show on all customer billing documents.

10. INSURANCE REQUIREMENTS

The Vendor shall, at the Vendor's own expense, maintain, with an insurance carrier licensed or eligible under RCW Chapter 48.15 to do business in the State of Washington, with minimum coverage as outlined below, commercial automobile liability insurance, and commercial general liability insurance:

Commercial General Liability

Bodily Injury Liability and Property Damage Liability Insurance \$1,000,000.00 each occurrence OR combined single limit coverage of \$2,000,000.00, with no greater than a \$1,000.00 deductible.

Employee Dishonesty Coverage

The Vendor shall obtain, at Vendor's expense, and maintain through the life of this Agreement, Employee Dishonesty coverage in the minimum amount of \$100,000. The insurance shall be conditioned upon the Vendor faithfully accounting for all funds received by the Vendor under this Agreement, including subsequent amendments, and further assuring that such funds are used solely for the purposes of this Agreement. The County shall request in writing any increases in the amount of insurance coverage and the Vendor shall comply within fifteen (15) calendar days of receipt of the written notice.

Pierce County shall be named as an additional insured on all required policies, and such insurance carried by the Vendor shall be primary over any insurance carried by Pierce County. The Vendor shall provide a certificate of insurance to be approved by the County Risk Manager prior to contract execution, which shall be attached to the contract.

Pierce County shall have no obligation to report occurrences unless a claim is filed with the Pierce County Auditor; nor shall Pierce County have an obligation to pay premiums.

In the event of nonrenewal or cancellation of, or material change in the coverage required, thirty (30) days written notice will be furnished by the County prior to the date of cancellation, change or nonrenewal, and such notice is to be sent to Pierce County Human Services, 3602 Pacific Avenue, Suite 200, Tacoma, WA 98418.

11. INDEMNIFICATION, BIND AND CONVEY

- a. The Vendor and its officers, agents, employees, subcontractors and/or consultants agree to defend, Indemnify, and save harmless Pierce County and Washington State Department of Commerce (DOC) and their appointed and elective officers and employees, from and against all loss or expense including, but not limited to, judgments, settlements, attorney's fees, and costs by reason of any and all claims and demands upon the County and DOC, and their elected or appointed officials or employees, for damages because of personal or bodily injury, including death, at any time resulting there from, sustained by any person or persons, or on account of damage to property, including loss of use thereof, whether such injury to persons or damage to property is due to the negligence of the Vendor, its officers, agents, employees, subcontractors, and/or consultants, successor or assigns, or the County and DOC, or their appointed or elected officers, employees or agents, except only such injury or damage as shall have been occasioned by the sole negligence of the County or DOC, or their appointed or elected officials or employees. The Vendor's obligation to indemnify, defend, and hold harmless shall not be eliminated by any actual or alleged concurrent negligence of the County or DOC, or their agents, agencies, employees, and officers, except as provided below.
- b. The following paragraph applies to all work in connection with or collateral to, a contract or agreement relative to construction, alteration, repair, addition to, subtraction from, improvement to, or maintenance of, any building, highway, road, railroad, excavation, or other structure, project, development, or improvement attached to real estate, including moving and demolition in

connection therewith, or to a contract or agreement for architectural, landscape architectural, engineering, or land surveying services, or a motor carrier transportation contract:

- i. If the claim, suit, or action for injuries, death, or damages as provided for in the preceding paragraph is caused by or results from the concurrent negligence of the County or DOC the County's or DOC's agents or employees, and the Vendor or its officers, agents, or employees, the indemnity provisions provided for in this Agreement shall be valid and enforceable only to the extent of the Vendor's negligence.
- c. The Vendor agrees that the obligation "to indemnify, defend, and hold the County and DOC harmless as provided above extends to any claim brought on behalf of any employee of the Vendor and its subcontractors or consultants." The Vendor specifically and expressly waives any immunity under Insurance Title 51, RCW, and acknowledges that this waiver was mutually negotiated and agreed to by the parties herein.
- d. The Vendor agrees to be bound by the General Terms and Conditions of the Washington State Department of Commerce Low-Income Home Water Assistance Program (LIHWAP) contract, which is available upon request.

12. INDEPENDENT CONTRACTORS

In the performance of this Agreement the Water Vendor, its agents and employees, is acting as an independent contractor and not as an agent or employee of the County, Department of Commerce, the State of Washington, or the United States Government.

13. DEBARMENT

The Water Vendor shall assure that its officers, agents, subcontractors, and consultants shall not fund, contract with, or engage the services of any consultant, subcontractor, supplier, or other party who is debarred, suspended, or otherwise ineligible to receive funds.

The Water Vendor certifies that the Water Vendor is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in the Agreement by any federal department or agency. If requested by the County, the Water Vendor shall complete a Certification Debarment, Suspension, Ineligibility, and Voluntary Exclusion form.

14. TERMINATION

This agreement may be terminated by either party with a thirty (30) day written notice to the other party. Termination shall not extinguish authorized obligations incurred during the term of the agreement. If funding is withdrawn, reduced, or eliminated by Commerce, the agency has the right to terminate this agreement immediately.

15. ASSIGNMENT OF AGREEMENT

Neither party may assign the agreement or any of the rights, benefits and remedies conferred upon it by this agreement to a third party without the prior written consent of the other party, which consent shall not be unreasonably withheld.

16. REGULATIONS AND REQUIREMENTS

This Agreement shall be subject to all laws, rules, and regulations of the United States of America, the State of Washington, and political subdivisions of the State of Washington, and to any other provisions set forth in this Agreement.

17. VENUE AND CHOICE OF LAW

In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action of litigation shall be in the courts of the State of Washington in and for the County of Pierce. This Agreement shall be governed by the law of the State of Washington.

18. DISPUTES

Differences between the Vendor and the County, arising under and by virtue of the Agreement shall be brought to the attention of the County Director at the earliest possible time in order that such matters may be settled, or other appropriate action promptly taken.

19. ENTIRE AGREEMENT

This written contract represents the entire Agreement between the parties and supersedes any prior oral statements, discussions or understandings between the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the days indicated below:

AGENCY:

PIERCE COUNTY:



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Summer Experiences & Enrichment for Kids (SEEK) Grant	AB22-49	CGA Committee		
		2.2.2022 6.1.2022	2.16.2022 6.15.2022	2.23.2022 6.29.2022
	Department:	Parks and Recreation		
	Date Submitted:	1.31.2022, 5.27.2022		
Cost of Item:	\$			
Amount Budgeted:	\$			
Unexpended Balance:	\$			
Bars #:				
Timeline:	Summer 2022			
Submitted By:	Kim Agfalvi, City Clerk			
Fiscal Note:				
Attachments: SEEK Grant award email and contract.				
SUMMARY STATEMENT:				
<p>In November of 2021, the City applied to the Summer Experiences and Enrichment for Kids (SEEK) Grant program proposing two summer enrichment programs that would be ran through a partnership between the City of Orting and the Orting School District. The Association of Washington Cities (AWC) is the granting organization and the city is required to sign a contract with AWC to utilize the grant funds. Below is a brief description of each program:</p>				
<p>Program #1: The City of Orting’s Youth Outdoor Adventure Program (YOAP) Every Wednesday over a series of 5 weeks, a group of up to 50 students will visit a state or regional park for a day of hiking and outdoor education. Transportation would be provided to the state or regional park, with pick-up and drop-off occurring at the student’s regular school bus stop or at a central location in Orting such as City Hall or Orting Primary School. Upon reaching the park, groups of students will be chaperoned by a City of Orting or Orting School District employee throughout the day. Activities will include hiking and exploring, taking tours led by park rangers, and engaging in educational activities about geology, plants, wildlife, and local history. Students will have a sack lunch provided, along with a snack and water.</p>				
<p>Program #2: The City of Orting’s Summer Day Camp Program The City of Orting is proposing an outdoor enrichment program in the form of a summer day camp for up to 30 elementary aged students. The camp would take place Monday, Tuesday, Thursday, and Friday for two weeks in the month of July (most likely the week of the 18th and 25th). The city of Orting’s downtown park as well as the city’s Multipurpose center would be used to host the day camp. The Foothills trail which runs through Orting would also be utilized. From approximately 9am</p>				

to 5pm each day, students would engage in a variety of activities that encourage social interaction, physical activity, and outdoor education. Lunch, snacks and water would be provided to students. On Wednesday's students would have the option to participate in the Youth Outdoor Adventure Program in addition to the day camp.

The City was awarded grants in the amount of:

Youth Outdoor Program: \$21,000.00

Summer Day Camp Program: \$17,000.00

In May 2022, the City applied for and was awarded additional funds as follows:

Summer Day Camp Program - \$500.00 – new scholarship funds.

Summer Day Camp Program - \$5000.00 – additional funds to offset unexpected program costs.

Youth Outdoor Adventure Program - \$7500.00 – additional funds to offset unexpected program costs.

RECOMMENDED ACTION: Action:

Move forward as consent agenda item at June 29th, 2022 regular business Council meeting.

RECOMMENDED MOTION: Motion:

To authorize the Mayor to enter into an amended reimbursement contract with the Association of Washington Cities to include additional funds received from SEEK grant funds.

SEEK Funding Opportunity Subcontractor Funding Agreement

Amendment A

Redistribution of SEEK Funds

Amendment Effective Date:

The subcontract agreement, Subcontract Number: 22-40 (SUBCONTRACT), made on April 15, 2022, by and between the Association of Washington Cities (AWC), a private nonprofit corporation, and City of Orting (Subcontractor) is amended as follows:

The Subcontract Amount for this agreement is increased from \$38000 to \$51000. AWC shall pay an amount not to exceed \$51000 for the performance of all things necessary for or incidental to the performance of work as set forth in the SEEK Application and described in Attachment A.

The Budget & Project Costs Worksheet (Attachment B) is hereby amended to read as follows:

Project: Youth Outdoor Adventure Program

Project Costs	Original Estimated Summer 2022	Updated Estimated Summer 2022	Difference
Staff	\$8000	\$14000	\$6000
Equipment & Supplies	\$1000	\$1000	\$0
Scholarships	\$0	\$0	\$0
Transportation	\$7000	\$8000	\$1000
Facilities	\$0	\$0	\$0
Professional Services	\$1000	\$1000	\$0
Fees	\$1000	\$1500	\$500
Meals	\$3000	\$3000	\$0
Other	\$0	\$0	\$0
Total	\$21000	\$28500	\$7500

Project: Summer Day Camp Program

Project Costs	Original Estimated Summer 2022	Updated Estimated Summer 2022	Difference
Staff	\$7000	\$10000	\$3000
Equipment & Supplies	\$2000	\$3000	\$1000
Scholarships	\$1000	\$1500	\$500

Transportation	\$2000	\$2000	\$0
Facilities	\$500	\$500	\$0
Professional Services	\$1000	\$1000	\$0
Fees	\$1000	\$1000	\$0
Meals	\$2500	\$3500	\$1000
Other	\$0	\$0	\$0
Total	\$17000	\$22500	\$5500

The Subcontractor, as defined in the SUBCONTRACT, affirms that the updated category amounts in the Budget & Project Costs Worksheet will be fully used to carry out the programs as described in “Attachment A – SEEK Application & Scope of Work” of the Funding Agreement, as well as the mission and goals of the SEEK Fund.

All other terms and conditions of the SUBCONTRACT shall remain in full force and effect.

By their execution below, the parties hereto have agreed to all of the terms and conditions of this Amendment effective as of the Amendment Effective Date listed above, and each signatory represents it has the full authority to accept this Amendment, and to bind their respective party to all of the terms and conditions herein.

For Subcontractor

Date

For Association of Washington Cities

Alicia Seegers Martinelli, Interim CEO

Date

Kim Agfalvi

From: Jacob Ewing <jacobe@awcnet.org>
Sent: Wednesday, May 25, 2022 4:36 PM
To: Michell Alfieri
Cc: Kim Agfalvi; Scott Larson; 'David Slagle'
Subject: RE: Additional SEEK Funds

Thank you for confirming, Michell!

Jacob Ewing

Legislative & Policy Analyst
Association of Washington Cities
1076 Franklin St SE Olympia, Washington 98501-1346
360.753.4137 (office)
800.562.8981 (toll free)
jacobe@awcnet.org

Check out AWC's [upcoming events!](#)

Disclaimer: Documents and correspondence are available under RCW 42.56. This e-mail may be disclosable to a third-party requestor.

From: Michell Alfieri <MALfieri@cityoforting.org>
Sent: Wednesday, May 25, 2022 8:51 AM
To: Jacob Ewing <jacobe@awcnet.org>
Cc: Kim Agfalvi <KAgfalvi@cityoforting.org>; Scott Larson <SLarson@cityoforting.org>; 'David Slagle' <slagled@orting.wednet.edu>
Subject: RE: Additional SEEK Funds

EXTERNAL EMAIL: Do not click links or open attachments unless you expected this email.

Hi Jacob,
Thank you! Yes, we do plan on accepting these additional funds.

Thanks,

Michell Alfieri
Activities & Events Coordinator
City of Orting | PO Box 489 | 104 Bridge St S | Orting, WA 98360
(360) 893-9017 direct line
(253) 262-7842 work cell
malfiere@cityoforting.org
[Orting Recreation | Facebook](#)
[Recreation | City of Orting](#)

From: Jacob Ewing <jacobe@awcnet.org>
Sent: Tuesday, May 24, 2022 5:14 PM
To: Michell Alfiere <MAlfiere@cityoforting.org>
Subject: Additional SEEK Funds

Michell,

Thank you for your application for additional SEEK funds. In total, we received 35 requests for close to \$400,000 in additional funds.

We are pleased to let you know that OSPI approved your organization to receive an additional \$13,000 to provide additional scholarships and offset unexpected program costs. Below is a breakdown of the award for your programs:

Program Name	Original Scholarship Budget	New Scholarship Funds	Total Scholarship Funding
Summer Day Camp Program	\$1,000	\$500	\$1,500

Program Name	Original Budget	Additional Funds	New Total
Summer Day Camp Program	\$17,000	\$5,000	\$22,000
Youth Outdoor Adventure	\$21,000	\$7,500	\$28,500

In the next week, I will follow up with you with a contract amendment that will need to be signed. Please take a moment to respond to this email letting me know that your organization plans to accept these additional funds.

If you have any questions or concerns, please let me know!

Jacob Ewing
Legislative & Policy Analyst
Association of Washington Cities
1076 Franklin St SE Olympia, Washington 98501-1346
360.753.4137 (office)
800.562.8981 (toll free)
jacobe@awcnet.org

Check out AWC's [upcoming events!](#)

Disclaimer: Documents and correspondence are available under RCW 42.56. This e-mail may be disclosable to a third-party requestor.

Total Control Panel

[Login](#)

To: kagfalvi@cityoforting.org
From: jacobe@awcnet.org

Message Score: 50
My Spam Blocking Level: High

High (60): Pass
Medium (75): Pass
Low (90): Pass

[Block](#) this sender
[Block](#) awcnet.org

This message was delivered because the content filter score did not exceed your filter level.



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Tunnels to Towers 5k Sponsorship	AB22-38	CGA		
		4.6.2022 5.4.2022 6.1.2022	6.15.2022	6.29.2022
	Department:	Clerk		
	Date Submitted:	4.29.2022		
Cost of Item:	<u>\$N/A</u>			
Amount Budgeted:	<u>\$N/A</u>			
Unexpended Balance:	<u>\$ N/A</u>			
Bars #:	N/A			
Timeline:	Approval as soon as possible			
Submitted By:	Kim Agfalvi			
Fiscal Note: None				
Attachments: Application and emails, Resolution No. 2022-15				
SUMMARY STATEMENT:				
<p>The City received an application for sponsorship from the Tunnels to Towers Foundation. Policy requires that the City Council review and approve all applications for sponsorship, and determine whether an event qualifies for sponsorship (after review and approval of the application by the Community & Government Affairs Committee). To qualify for sponsorship, an approved event must:</p> <ol style="list-style-type: none"> 1. Allow all citizens to reasonably participate; 2. Serve a valid municipal purpose, such as strengthening the City’s sense of community or celebrating a City’s history and; 3. May provide, through increased customers, additional revenues for Orting businesses and subsequent improved tax revenues for the City. <p>CGA reviewed the application on April 6th, May 4th, and June 1st, 2022.</p> <p>The recommendation from CGA is to offer the following items for sponsorship for the Tunnels to Towers 5k race being held on September 17th, 2022:</p> <ul style="list-style-type: none"> • One port a potty. • Reservation of the gazebo area for packet pick up. • One dumpster. 				

The requestor is asking that Train Street between Washington Ave. and Van Scoyoc be closed to traffic for their event and they will need to pay \$50.00 for barricade usage for the street closing. The requestor will be using power for a small sound system and will be able to plug their system into the gazebo.

RECOMMENDED ACTION: Action:

Move forward as consent agenda item at June 29th, 2022 regular business Council meeting.

RECOMMENDED MOTION: Motion:

To approve Resolution No. 2022-15, a resolution of the City of Orting, Washington, declaring a public purpose and authorizing a partial City sponsorship of the Tunnels to Towers 5K Run and Walk.

CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2022-15

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, DECLARING A PUBLIC PURPOSE AND
AUTHORIZING PARTIAL CITY SPONSORSHIP OF THE
TUNNELS TO TOWERS 5K RUN AND WALK**

WHEREAS, the City of Orting has adopted a Special Event Sponsorship Policy (the “Policy”) to extend City-sponsorship to events that the City Council determines serve valid municipal purposes; and

WHEREAS, in accordance with the Policy, sponsorship is extended to events upon application, on a case-by-case basis and at various levels of support depending on the value the event has for the community; and

WHEREAS, upon a declaration by the City Council that a particular event qualifies for partial sponsorship, the event may be entitled to use of city facilities and services without charge; and

WHEREAS, the City received an application for sponsorship from the Tunnels to Towers 5k Run and Walk; and

WHEREAS, the City Council’s Community & Government Affairs Committee reviewed the application on June 1st, 2022, and recommended approval of the application for partial sponsorship; and

WHEREAS, the City Council finds that the Tunnels to Towers 5k Run and Walk has been an institution of public service for many years, is open to the public, and serves the valid municipal purposes of providing an opportunity for strengthening the City’s sense of community and celebrating the agricultural assets that are fundamental to the City; and

WHEREAS, the City Council finds that the Tunnels to Towers 5k Run and Walk application meets the requirements of the City’s Policy, and qualifies for partial City-sponsorship as an event 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 Tunnels to Towers 5k Run and Walk is an event open to the public, which serves the valid municipal purposes described herein.

Section 2. Authorization for Sponsorship of Event. The City Council authorizes the City's sponsorship of the Tunnels to Towers 5k Run and Walk, pursuant to the City's Policy, at the following level: partial sponsorship to include one port a potty, one dumpster, and use of the gazebo area. This authorization extends to the event identified on the Tunnels to Towers 5k Run and Walk application for sponsorship, on Saturday, September 17th, 2022 from 5:00am–5:00pm. The Mayor is authorized to enter into a contract with the Tunnels to Towers 5k Run and Walk to memorialize the City's sponsorship 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 29th DAY OF JUNE, 2022.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kimberly Agfalvi, City Clerk

Approved as to form:

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



SPECIAL EVENT APPLICATION

Definition: A Special Event is an activity which occurs upon public or private property that will affect the standard and ordinary use of public streets, rights-of-way, sidewalks, parks/facilities and/or which requires extraordinary levels of City Services. This includes, but is not limited to; fairs, festivals, carnivals, circus, sporting events, foot runs/walks that utilize City parks and facilities, cycling events, block parties, markets, parades, exhibitions, auctions, dances, riding galleries, theatrical, musical entertainments, motion picture filming, etc.

Application: This completed application, a detailed event map showing where the event will take place, a certificate of insurance naming the City of Orting as an additional insurer for this event in the amount of \$1,000,000.00, and any other pertinent information, along with the Special Event fee (\$200) must be submitted to the City of Orting at least ninety (90) days prior to event. Upon receipt, a meeting with City Department Heads will be scheduled. It is required that the applicant meet with Department Heads in a scheduled meeting to go over the Special Event Application to assure guidelines and preparation prior to the event. After this meeting, you will be notified if your event has been approved. Failure to meet any deadlines required by the City of Orting may result in cancelation of the event. **Applicant initials:** JO

NAME OF APPLICANT: Jolin Lowry

NAME OF ORGANIZATION: Tunnel to Towers Foundation

ARE YOU NON-PROFIT: Yes [] No IF YES, UBI#: EIN# 02-0554654

MAILING ADDRESS: 2361 Hylan Blvd Staten Island, NY
10306

EMAIL ADDRESS: jolinlowry@gmail.com

NAME OF EVENT: Tunnel to Towers Puget Sound

TYPE OF EVENT (parade, festival, etc.): 5K run/walk

DATE(S) OF EVENT: September 17, 2022

TIME(S) OF EVENT: Set-Up 0500 Start of Event 0900
 End of Event 1500 Exit Time 1700

PRIMARY CONTACT NAME: John Howry
 PRIMARY CONTACT EMAIL: johnl@6t@gmail.com 253 312 6002
 DAY OF CONTACT NAME: (Same as above) PHONE: _____
 DAY OF CONTACT EMAIL: _____
 ALTERNATE CONTACT: Tara Simmelink PHONE: 253 312 1320
email for Tara: lovely.copper@hotmail.com

FOR ALL SPECIAL EVENTS:

TYPE OF EVENT:

- Festival/Carnival/Fair
- Parade
- Run/Race (If you do not require the use of City parks or facilities, you do not need to complete this application. You will need to submit a separate trail use application.)
- Walk Procession/Organized Rally
- March
- Block Party
- Demonstration
- Other (Specify) _____

FACILITIES & PARKS USAGE REQUESTED (See Appendix A for rental rates):

- BBQ Area
- Basketball Court
- Multi-Purpose Center (MPC)
- Fountain Pavilion
- Gazebo
- City Park grass areas (south)
- Orting Station
- North Park grass area

If the Event is providing for the following, what arrangements will be in place?

Will you have additional garbage service and where will they be placed (show on Map)?
I am applying for Tier 2 Sponsorship - if awarded I will leave this to the experts, if not awarded I will supply a map.

Will you have adequate restroom facilities and where will they be placed (show on Map)?
I believe the ones that are already in place should be adequate

Will there be any open flame, cooking facilities or gas cylinders (show on Map)?
N/A

ADDITIONAL SERVICES: Will you need additional services for a Non-Sponsored event, or from the City that are not covered under Tier 1 or Tier 2 for a Sponsored Event? Yes No

City Services (please mark all that apply)

	<u>Price</u>	<u>Total Price</u>
<input type="checkbox"/> 1 Public Work staff	\$75/hr x ___ hrs	\$ <u>yes, if no sponsorship</u>
<input type="checkbox"/> 1 Police Officer	\$85/hr x ___ hrs	\$ <u>yes, if no sponsorship</u>
<input type="checkbox"/> 1 Dumpster	\$20/event	\$ <u>''</u>
<input type="checkbox"/> 2 Standard Portable Restrooms (Delivery/Pick Up/Cleaning)	\$150/event	\$ <u>''</u>
<input type="checkbox"/> Electricity (2 Spider Boxes)	\$50/event	\$ <u>''</u>
<input type="checkbox"/> Audio/PA system (Does not include a DJ)	\$75/event	\$ <u>?</u>
<input type="checkbox"/> Barricades (Must provide placement on map)	\$50/event	\$ <u>N/A</u>
<input type="checkbox"/> Street Sweeper (man power/vehicle)	\$150/hr x ___ hrs	\$ <u>N/A</u>
<input type="checkbox"/> Portable Trailer Sign	\$50/day x ___ days	\$ <u>''</u>
<input type="checkbox"/> Banner (Banner request required)	\$195 (up for 2 weeks only)	\$ <u>N/A</u>
<input type="checkbox"/> Facility Rental Fees & Deposits	\$ Varies	\$ <u>N/A</u>
*See Appendix A for rental rates**		
<input type="checkbox"/> Blanket Vendor Permit	\$100/event	\$ <u>N/A</u>

Total For Special Event Services \$ _____
 Special Event Fee \$200

TOTAL TO BE PAID \$ 200.00

BANNER REQUEST: Please complete the following if you would like a banner in place across Washington Ave./SR 162 before and/or during your event.

Banner must meet the following requirements: Banner shall not be larger than 24 feet wide and 36 inches high. Banner shall maintain minimal vertical clearance to overhead utility lines set forth by PSE. Banners shall have wind load relief flaps eighteen (18) inches wide and ten (10) inches high spaced at a density of one flap for each ten (10) square feet of surface area. Relief flaps shall be spaced uniformly to provide uniform wind load reduction. Banners shall have two (2) inch high vinyl coated nylon strip (13oz) securely sewn along top and bottom.

Requested period for the banner to be displayed: N/A through _____
 The banner may only be across SR 162 for 2 weeks

Material Type: _____ Size: _____ X _____ Thickness: _____

How many cuts are on banner? _____ One sided or two-sided? One Two

VENDORS: Will there be any vendors? Yes No

If yes, vendors are required to purchase a City of Orting Business License through the State of Washington prior to the event or the Applicant (Event) must purchase a Blanket License to cover all vendors. (Resolution 2011-12)

It will be the responsibility of the Event Coordinator to ensure vendor parking does not block Orting Businesses on Washington Ave., Van Scoyoc Ave. or customer parking areas next to the parks or businesses with exceptions determined by the City of Orting.

PARADE INFORMATION: Will a parade be part of this event? Yes No
If yes, please answer the following:

PARADE START TIME: _____ START LOCATION (show on map): _____

STAGING AREA - WHERE/WHAT TIME (show on map): _____

PARADE ROUTE (show on map): _____

WILL HORSES OR OTHER ANIMALS BE IN PARADE? Yes No

If yes, approximately how many animals? _____

N/A

You will be responsible for cleaning up after animals participating in the parade

WOULD YOU LIKE THE POLICE OR FIRE DEPARTMENT TO PARTICIPATE IN THE PARADE?

Yes No *Due to the fact the event is to Remember and Honor*

1st Responders and Military Personnel I will invite them to attend.

OTHER: _____

ARE YOU PLANNING TO CLOSE SR 162 (WASHINGTON AVE.) TO TRAFFIC? Yes No

If Yes, you will need to coordinate with WSDOT to approve the road closure. Visit <https://wsdot.wa.gov/about/contacts> for more information.

ARE YOU PLANNING TO CLOSE ANY OTHER LOCAL STREETS? Yes No

If yes, which streets (show on map)? _____

Will the event interfere with access to emergency services or cause undue hardship or excessive noise levels to adjacent businesses and/or residents? (Please explain)

No

What methods will you be using to notify adjacent homeowners/businesses? (Please explain)

There will be a flyer handed out to affected businesses. The information will invite & explain why the Tunnel to Towers 5K run/walk is honoring & remembering the Fallen from September 11, 2001.

I understand that if deadlines are not met, our event may not be considered for Sponsorship and/or the event may not occur. Initials:

~~If roads are to be closed for any time at all the Applicant/Sponsoring Unit must contact Washington State Department of Transportation (WSDOT) to obtain a permit for the event and provide a copy for the City at least 2 weeks prior to the event. Initials:~~

I understand that in the planning of activity I must allow for ~~a 20ft~~ access for emergency vehicles and also notify adjacent homeowners and businesses. Initials:

Permittee agrees to defend, indemnify and save harmless the City of Orting, its appointed and elective officers and employees, from and against all loss or expense, including but not limited to judgments, settlements, attorney's fees and costs by reason of any and all claims and demands upon the City of Orting, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons and on account of damage to property including loss of therefrom, arising out of any activity under or in connection with this event, except only such injury as shall have been occasioned by the sole negligence of the City of Orting, its appointed or elected officers or employees. I also am aware that I must provide \$1,000,000 liability insurance and name the City of Orting as an additional insurer. Initials: _____

Certificate of Insurance in the amount of \$1,000,000 showing the City of Orting as an additional insurer (please attach).

Name of Insurance Company: Lambros Insurance Services

Policy Number: PHPK2354297, ~~PHPK2354297~~ PHUB794736, 7178148, 82A3FF0003349-00

HOLD HARMLESS STIPULATION: Permittee covenants and agrees to indemnify, defend and hold harmless the City, its officers, agents and employees from and against any and all claims, actions, liability, cost and expense. Permittee understands that the Community Event will include the Covered Facilities, Orting Station and the Multi-Purpose Center facilities which are all owned by the City of Orting. Initials: JD

THE UNDERSIGNED APPLICANT HEREBY warrants that he/she is the authorized representative of the Sponsoring Organization, and further AGREES to defend, indemnify and hold harmless the City, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the use of City's property or from any activity, work or thing done, permitted, or suffered by APPLICANT or public in or about the City's property as a result of the APPLICANT'S use of the City's property. Initials: JD

I declare under penalty of perjury (under the laws of the United States of America) that the foregoing is true and correct.

APPLICANT SIGNATURE: Jeanne DellaRegione DATE: 2/1/2022

PRINT NAME: Jeanne DellaRegione

Title/Role with Organization: Executive Vice President/General Counsel

Facilities are based on a first come, first serve basis. Events do not have special privileges. Applications and all required documents may be mailed or brought in to the following to be added to the yearly calendar:

Mail to: _____
City of Orting
Attention: Special Events
PO Box 489
Orting, WA 98360

Or

Stop by:
City Hall
104 Bridge St S
Orting, WA 98360

If you have questions regarding the application please call (253) 262-7842
****A receipt showing payment is NOT approval of the event****

City of Orting Sponsorship Application

Are you requesting City sponsorship? Yes No

If no, please skip to the *FOR ALL SPECIAL EVENTS*

CITY SPONSORSHIP OF A SPECIAL EVENT:

Some Special Events may qualify for City Sponsorship, according to the City's Special Event Sponsorship Policy. Applicants for City Sponsorship for a Special Event shall comply with the City's Special Event Sponsorship Policy. Applicants are advised to review the City's Policy before requesting City Sponsorship for a Special Event. All City Sponsored Events shall comply with all applicable local, state and federal regulations.

All requests for City Sponsorship are reviewed by the City Council's Community and Government Affairs (CGA) Committee, and Applicants will be required to have a representative attend a CGA Committee meeting to answer any questions regarding the request.

Applicants seeking City Sponsorship must meet these baseline criteria, and to qualify for City Sponsorship the event must abide by all requirements of the Policy, including:

- Hosted by a Non-Profit Organization registered with the Washington Secretary of State, and provide proof of active status;
- Be open to all Orting residents;
- Serve a valid municipal purpose, such as strengthening the City's sense of community or celebrating the City's history.
- All items of the application are completed in full and received by the City 90 days prior to the date of the event;
- A brief letter defining the purpose of the event and the tier of sponsorship requested (Review the Special Event Sponsorship Policy for more information);
- Proof of liability insurance that compiles with the terms of Section IV of the City Special Event Sponsorship Policy (you may request a copy of the Special Event Sponsorship policy by emailing recreation@cityoforting.org).

There is no additional fee to apply for City Sponsorship, and Applicants may request sponsorship for a specific "Tier." The City offers two "Tiers" of sponsorship, with differing levels of support offered by the City depending upon the City's determination of the value added by the event to the community:

Which Tier level of sponsorship are you asking for?

Tier 1:

The following are examples of Tier #1 type events and available locations, and any special requirements therefor:

Gazebo, BBQ Area, or North Park – Open to nonprofit organizations registered Active with Secretary of State, and must comply with City's insurance and indemnification requirements. Organization must also purchase a City Business License Blanket Permit if vendors are participating in the event.

North Park- For Events more than 1-day usage, open to nonprofit organizations registered with Secretary of State, and must comply with City's insurance and indemnification requirements. Organization must also purchase a City Business License Blanket Permit if vendors are participating in the event.

Tier 1~ Sponsorship includes:

- City Logo on Event (all City-Sponsored Events shall place the City Logo on all materials advertising the Event)
- City has a Booth at No Charge
- Posting of the Event on the City Reader Board
- Posting of the Event on the City Website and Facebook
- Usage of the above noted facilities at No Fee
- 1 Maintenance Staff for eight (8) hours
- City to hang the banner, provided by the event, over Washington Avenue at no fee.

X1 Tier 2:

The following are examples of Tier #2 type events and available locations, and any special requirements therefor:

Block Train Street/Calistoga/Parking Lots with MPC/Gazebos/North Park- Open to nonprofit organizations registered Active with Secretary of State, and must comply with City's insurance and indemnification requirements. Must purchase a City Business License Blanket Permit if vendors are participating in the event.

Block Train Street/Calistoga/Washington/Parking Lots with MPC/ Gazebos/North Park-Open to nonprofit organizations registered Active with Secretary of State, and must comply with City's insurance and indemnification. Must purchase a City Business License Blanket Permit if vendors are participating in the event.

Tier 2 ~ Sponsorship Includes:

- City Logo on Event
- City has a booth at No Charge
- Posting of the Event on the City Reader Board
- Posting of the Event on the City Website and Facebook
- Usage of above noted Facilities at No Fee
- Spider Box (2) Usage
- 1 Maintenance Staff for eight (8) hours
- Police Staff for set up/take down of Barricades, Cones, Traffic Signs & Directing Traffic or Police to set up/take down Barricades/Traffic Signs/Cones, but will not stay for the event
- 2 Port-A-Potties
- 1 Dumpster
- Barricades/Cones/Traffic Signs
- City to hang the banner, provided by the event, over Washington Avenue at no fee

If City Sponsorship is authorized by the City Council, the Sponsored Organization will be required to execute an Agreement with the City, acknowledging and agreeing to terms including but not limited to such issues as insurance and indemnification.

FACILITY RENTAL RATES

MULTI-PURPOSE CENTER (MPC)

The multi-purpose center is located at 202 Washington Ave. S in the same building as the library. This rental includes a large room with a stage (occupancy of 148), a kitchen with 2 stoves, a refrigerator, a freezer, and counter space. This facility also includes tables and chairs. A refundable deposit of \$150 is required to secure this space. If you will be serving alcohol, a \$300 banquet permit will be required.

	Resident	Non-Resident	Non-Profit Organization
Full day M-F	\$150.00	\$200.00	\$20.00
Half day (5 hours) M-F	\$100.00	\$150.00	\$20.00
Full day Sat/Sun	\$200.00	\$250.00	\$100.00
Half day (5 hours) Sat/Sun	\$150.00	\$200.00	\$50.00

ORTING STATION

The Orting station located at 101 Washington Ave. NW is an open building that includes a large open area, a restroom, some counter space and a sink. This facility does NOT include tables and chairs. A refundable deposit of \$50 is required to secure this space.

	Resident	Non-Resident	Non-Profit Organization
Full day (any day)	\$100.00	\$200.00	\$50.00
Half day (5 hours)	\$50.00	\$100.00	\$25.00

COVERED BBQ AREA

The covered BBQ area is located in the Main Park at 101 Train St. SW near the Bell Tower. This facility is also near the playground, horse shoe pits and park restrooms. Contact the Lions Club for BBQ racks. Up to 5 picnic tables can be placed under the covered area upon request. A refundable deposit of \$50 is required to secure this space.

	Resident	Non-Resident	Non-Profit Organization
Half day (5 hours)	\$30.00	\$60.00	\$20.00

*** GAZEBO**

The Gazebo is located in the South Main Park at 102 Train St. SW near the Bell Tower. This facility is also near the basketball court. A refundable deposit of \$50 is required to secure this space.

	Resident	Non-Resident	Non-Profit Organization
Half day (5 hours)	\$30.00	\$60.00	\$20.00

Date Application Received: 2/10/22 Dept. Meeting Date: _____

Event Application Completed: [] Yes [] No Certificate of Insurance: [X] Yes [] No

Detailed Event Map: [] Yes [] No WSDOT Street Closure Permit: [] Yes [] No [] N/A

Application Approved: [] Yes [] No Date: _____ Initials: _____

Total Fee Amt \$ _____ Date Paid: _____ Receipt # _____

NOTES:

\$200 App fee paid 2/10/22 receipt # 24045

Board

Jennifer Brekke
CEO, SCOUT Marketing

Anthony J. Buffalano III
COO & CFO, Southpoint Capital Advisors LP

Pete Capel
VP, Home Depot

John Carroll
Battalion Chief, FDNY (Ret.)

Jerry Chan

Jay S. Feldman
Chairman & CEO, Feldman Automotive Group

Kathy Cunningham
9/11 Family Member

Joseph D. Davidson
Colonel, USA (Retired)

Charlie Dilks
CPO, CCA Global Partners

Peter Dunn
President, CBS Television Stations

Steven L. Elkin
CEO, DanABlis

Theresa Fisher
SVP, CCA Global Partners

Bill Gadulis
VP Sales, AlohaVik Industries, Inc.

Joel Goldberg
SVP of Operations, WCBG

Steve Hill
VP, US Sales & Service, General Motors

John P. Huvane
Detective, NYPD (Ret.)

Jack Kieilty
Lieutenant, FDNY

Rich Latek
Director of Marketing, GMC

Tony Lemma
Regional Vice President, Home Depot

Michael Lentini
President Champion Windows/Citiquiet Windows

Jack Oehm
Battalion Commander, FDNY (Ret.)

Jean R. Ringhoff
VP, Northfield Bank

John Turturro
Actor/Writer/Director



2361 Hylan Boulevard
Staten Island, New York, 10306
Office: 718.987.1931
Fax: 718.987.3909

January 25, 2022

To Whom It May Concern,

This letter is to certify that Jolin Lowry is working with the Tunnel to Towers Foundation in the capacity of a Volunteer Race Director in Puget Sound, WA. We are proud to have Jennifer working with our Foundation and the entire Stephen's Squad volunteer committee in Puget Sound, WA. Every event planned by volunteers across the country serves as the Foundation's opportunity to raise funds and honor first responders and veterans.

The Foundation was born out of one of the many tragic stories on 9/11. Stephen Siller was a NYC firefighter that sacrificed his life in order to save others on 9/11. He was heading out to golf with his brothers on that fateful day when he received a call about a plane crashing into the World Trade Center. He didn't even have time to think before he went back to his firehouse to assist his squad. They had already left to respond, so he strapped 60 pounds of gear on his back and raced, ultimately to his death, through the Brooklyn Battery Tunnel to the World Trade Center. The Foundation was created by Stephen's siblings with the hope that "doing good" would put things back into perspective after such a tragic loss. Their mission is to honor the sacrifice of their brother and all those military and first responders who continue the supreme sacrifice of life and limb for these United States.

To honor the lives lost on September 11, 2001, the Tunnel to Towers Foundation, a non-profit organization, developed the **In the Line of Duty Program**, which provides mortgage free homes to our nation's catastrophically injured veterans and first responders, and Gold Star and fallen first responder families with young children. At the end of 2020, the Foundation had delivered 250 homes.

Through the **Smart Home Program**, the Foundation builds specially adapted mortgage-free **smart homes** that help our

EXECUTIVE BOARD

Sarah Siller <i>President</i>	Frank Siller <i>Chairman/ CEO</i>	Regina Siller Vogt <i>Secretary</i>	Janis Siller Hannan <i>Vice Chair</i>	Mary Siller Scullin <i>Treasurer / Chief Admin Officer</i>	George Siller <i>Vice Chair</i>	Russell Siller <i>Founding Member 01-'19'</i>	Salvatore Cassano <i>Commissioner FDNY (Ret.)</i>	John V. LaBarbera <i>Battalion Commander, FDNY (Ret.)</i>
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Board

Jennifer Brökke
CEO, SCOUT Marketing

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COO & CFO, Southpoint Capital Advisors LP

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Chairman & CEO, Feldman Automotive Group

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CEO, DuraBlis

Theresa Fisher
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Bill Gaddis
VP Sales, Mohawk Industrials, Inc.

Joel Goldberg
SVP of Operations, WCBS

Steve Hill
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Actor/Writer/Director



2361 Hylan Boulevard
Staten Island, New York, 10306
Office: 718.987.1931
Fax: 718.987.3909

most catastrophically injured veterans and first responders reclaim their day-to-day independence. Through the **Fallen First Responder Program**, the Foundation pays off the mortgages for the families of law enforcement officers and firefighters who are killed in the line of duty with young children. Through the **Gold Star Family Home Program**, the Foundation honors the legacy of those who have made the ultimate sacrifice while serving our country by providing the surviving spouses and young children with mortgage-free homes.

Lastly, we at the Foundation are extremely proud of our high ranking of four stars with Charity Navigator, a third party watchdog for non-profit organizations. We can only do this because of our generous donors and our grassroots volunteer supporters.

If you have any questions about our events, our volunteer race directors or the Foundation, please do not hesitate to contact me at the number below.

Sincerely,
Jennifer McGurk
Jennifer McGurk
347-708-9391
Jennifer.McGurk@tunnel2towers.org
Coordinator, National Run & Climb Series

EXECUTIVE BOARD

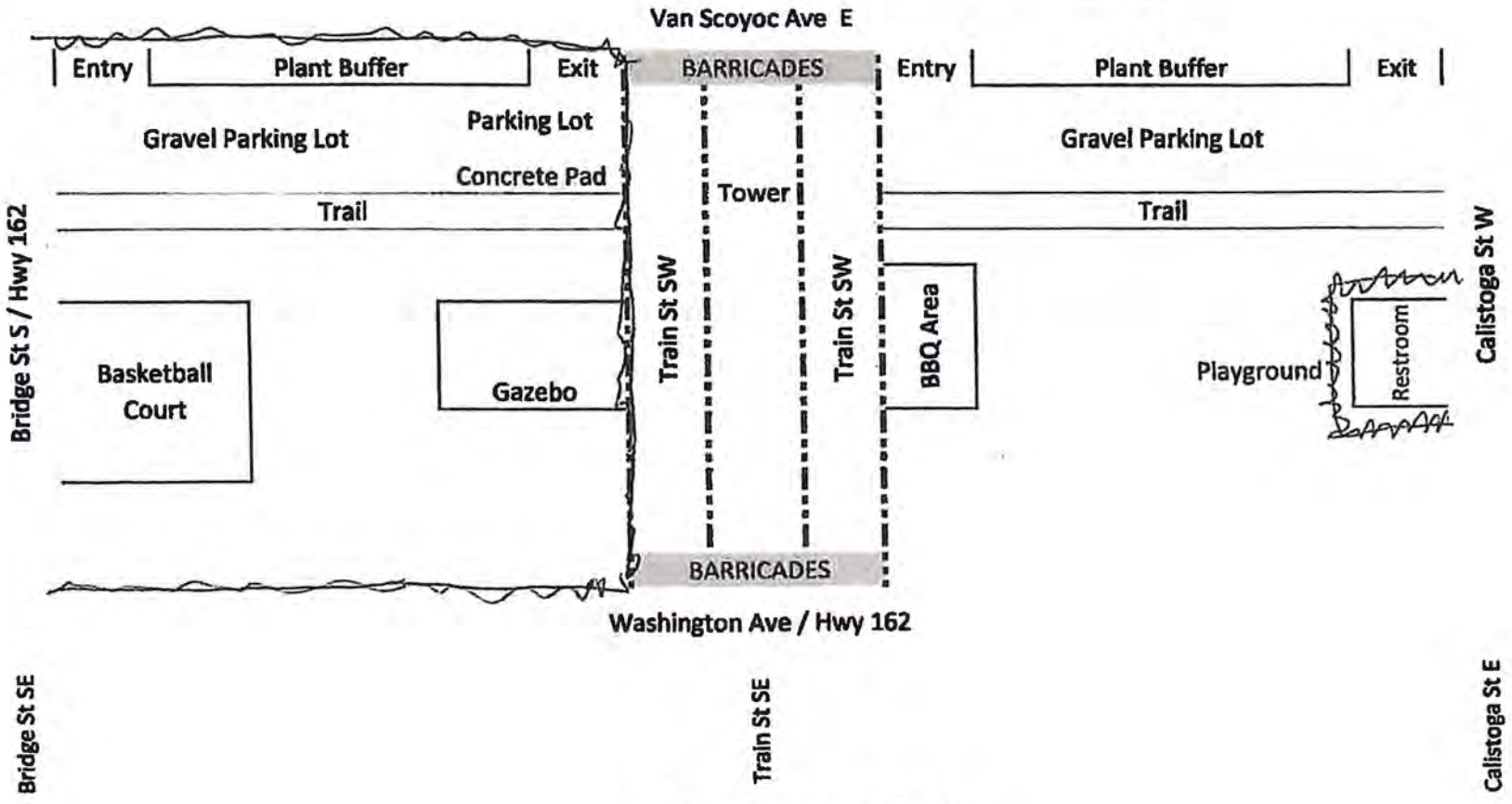
Sarah Siller <i>President</i>	Frank Siller <i>Chairman/ CEO</i>	Regina Siller Vogt <i>Secretary</i>	Janis Siller Hannan <i>Vice Chair</i>	Mary Siller Scullin <i>Treasurer / Chief Admin Officer</i>	George Siller <i>Vice Chair</i>	Russell Siller <i>Founding Member 01-'19'</i>	Salvatore Cassano <i>Commissioner FDNY (Ret.)</i>	John V. LaBarbera <i>Battalion Commander, FDNY (Ret.)</i>
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← Harman Way S

Corrin Ave E

Post Office

Eagles



Bridge St S / Hwy 162

Bridge St SE

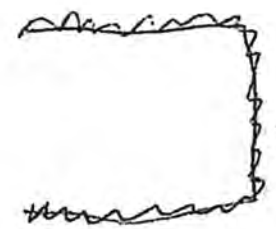
Washington Ave / Hwy 162

Train St SE

Orting City Park

Calistoga St W

Calistoga St E



← are the areas requesting to use

Distances

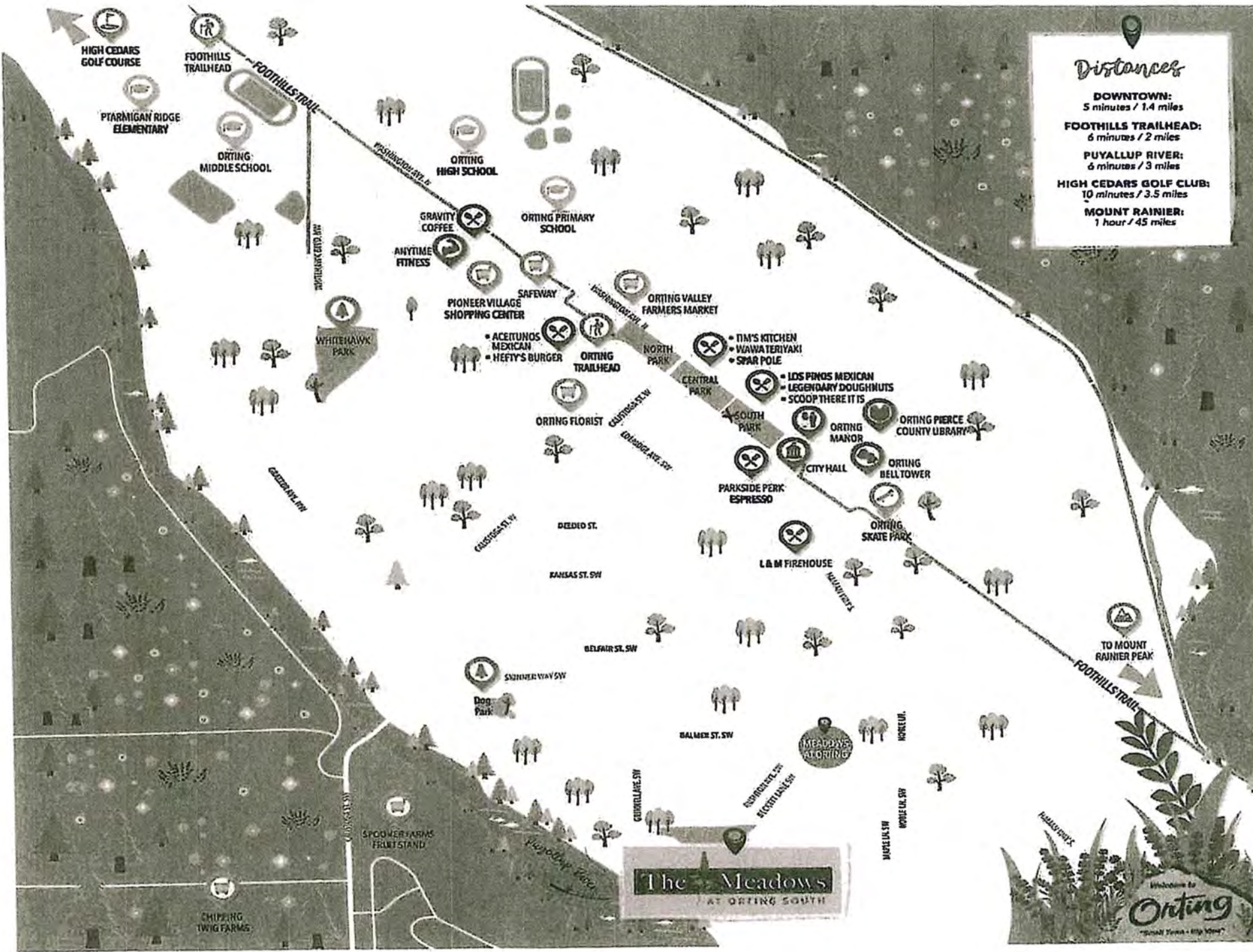
DOWNTOWN:
5 minutes / 1.4 miles

FOOTHILLS TRAILHEAD:
6 minutes / 2 miles

PUYALLUP RIVER:
6 minutes / 3 miles

HIGH CEDARS GOLF CLUB:
10 minutes / 3.5 miles

MOUNT RAINIER:
1 hour / 45 miles



High Cedars Golf Course

Foothills Trailhead

Ptarmigan Ridge Elementary

Orting Middle School

Orting High School

Orting Primary School

Gravity Coffee

Anytime Fitness

Pioneer Village Shopping Center

Safeway

Orting Valley Farmers Market

Whitehawk Park

Acetunus Mexican
Hefty's Burger

Orting Trailhead

Tim's Kitchen
Wawateriyaki
Spar Pole

Orting Florist

Central Park

Los Finos Mexican
Legendary Doughnuts
Scoop There It Is

Orting Manor

Orting Pierce County Library

City Hall

Orting Bell Tower

Parkside Perk Espresso

Orting Skate Park

L & M Firehouse

Deledo St.

Kansas St. SW

Balmer St. SW

Shimmer Way SW

Dog Park

Balmer St. SW

Meadows at Orting

North St.

Spooner Farms Fruit Stand

Cornell Ave. SW

North St. SW

Rockwell Ave. SW

North St. SW

North St. SW

Chipping Twig Farms

The Meadows AT ORTING SOUTH

Welcome to Orting
"Small Town • Big View"



CITY OF ORTING
Policy No. 2017-1

Special Event Sponsorship Policy

Mission Statement: The City of Orting supports the development of events and activities that are vibrant and active and bring significant value to its citizens.

Section 1. Baseline Criteria for all Sponsored Events

Sponsorship is extended to events that serve valid municipal purposes for which the City Council approves use of city facilities and services by a non-profit group without charge. Sponsorship is extended to events upon application, on a case-by-case basis and at various levels of support depending on the value the event has for the community.

To qualify for sponsorship, an approved event must:

1. Be one where all citizens can reasonably participate;
2. Serve a valid municipal purpose, such as strengthening the City's sense of community or celebrating a City's history and;
3. May provide, through increased customers, additional revenues for Orting businesses and subsequently improved tax revenues for the City.

All groups proposing events which seek sponsorship by the City of Orting must meet these baseline criteria:

1. Organizations must be a non-profit that is actively registered with the Secretary of State.
2. Organizations must fill out the Special Event Application and carry their own liability insurance that complies with the terms of Section IV of this policy.

Approved 4.26.17. 2

Section II. What Sponsorship May Include for Sponsored Events:

The City offers two “tiers” of sponsorship, with differing levels of support offered by the City depending upon the City’s determination of the value added by the event to the community.

Tier #1:

The following are examples of Tier #1 type events and available locations, and any special requirements therefor:

Gazebo or BBQ Area or North Park – Open to nonprofit organizations registered Active with Secretary of State, and must comply with City’s insurance and indemnification requirements (see Section IV of this Policy).

North Park- For Event more than 1 day usage, open to nonprofit organizations registered Active with Secretary of State, and must comply with City’s insurance and indemnification requirements (see Section IV of this Policy). Organization must also purchase a City Business License Blanket Permit.

Tier #1~Sponsorship May Include:

- City Logo on Event
- City Has a Booth at No Charge
- Reader Board
- Website
- Facility Usage at No Fee
- City to display banner over Washington Avenue at no fee.

Tier #2:

The following are examples of Tier #2 type events and available locations, and any special requirements therefor:

Block Train Street/Calistoga/Parking Lots with MPC/Gazebo/North Park- Open to nonprofit organizations registered Active with Secretary of State, and must comply with City’s insurance and indemnification requirements (see Section IV of this Policy). Must purchase a City Business License Blanket Permit.

Block Train Street/Calistoga/Washington/Parking Lots with MPC/ Gazebo/North Park- Open to nonprofit organizations registered Active with Secretary of State, and must comply with City’s insurance and indemnification requirements (see Section IV of this Policy). Must purchase a City Business License Blanket Permit.

Approved 4.26.17. 2

Tier #2~Sponsorship May Include:

- City Logo on Event
- City Has a Booth at No Charge
- Reader Board
- Website
- Facility Usage at No Fee
- Spider Box Usage
- 1 Maintenance Staff 8 hours
- Police Staff for set up/take down of Barricades, Cones, Traffic Signs & Directing Traffic or Police to set up/take down Barricades/Traffic Signs/Cones but not stay for event
- 2 Port-A-Potties
- 1 Dumpster
- Barricades/Cones/Traffic Signs
- City to display banner over Washington Avenue at no fee

Section III. Process for seeking Sponsorship:

All groups seeking sponsorship must submit a written request to the Council's Community and Governmental Affairs Committee (CGA), at least 60 days prior to the month in which they are seeking services and/or facilities. The group shall provide ten (10) copies of the written submission to the City Administrator by the aforementioned deadline, and the written submission shall comply with the following

1. The written submission can be simple, such as a brief letter along with the Special Event Application, but it must clearly define the purpose of the event, including reference to a valid municipal purpose, and who it serves. All requested services/facility use must be specified in the letter of request.
2. Any deviation at the time of the event from the use proposed in the written submission may result in the immediate termination of the City's sponsorship of the event.
3. A representative of the group must attend the CGA Committee meeting in order to answer any questions.
4. The CGA Committee will review applications prior to recommendation to the City Council for final determination by Resolution.

Approved 4.26.17. 2

5. When approved, all materials distributed by the Organization pertaining to the City Sponsored event must contain the City of Orting logo.
6. An authorized representative of the group shall execute an Agreement with the City, acknowledging and agreeing to terms including but not limited to such issues as insurance and indemnification (described in Section IV).
7. Within sixty (60) days of the City-Sponsored Event, the Group shall provide a written report and may give an additional oral report at a City Council Meeting to the City Council about the event, including but not limited to the following topics:
 - Summarize the event.
 - Were the event's objectives achieved? Why or why not? Were there any unexpected positive outcomes or challenges?
 - Reference the event's budget. Provide an analysis of actual expenses and income in relation to the projected budget.
 - Provide a good faith best-estimate of actual attendance at the event.
 - Describe the methodologies used to arrive at the good faith estimate of actual attendance numbers described above.

Section IV.

Insurance & Indemnity Requirements for City-Sponsored Events

All organizations selected to host City-Sponsored events pursuant to this policy shall execute an agreement with the City prior to the event, and said agreement shall include the following requirements pertaining to indemnification and insurance:

1. Indemnification / Hold Harmless

User shall defend, indemnify and hold harmless the City of Orting, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the use of Premises or from any activity, work or thing done, permitted, or suffered by User in or about the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of the City of Orting.

2. Insurance

A. Insurance Term

The User shall procure and maintain for the duration of the use or rental period insurance against claims for injuries to persons or damage to property which may arise from or in connection with

Approved 4.26.17. 2

the use of the facilities and the activities of the User and his or her guests, representatives, volunteers and employees.

B. No Limitation

User's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the User to the coverage provided by such insurance, or otherwise limit the City of Orting's recourse to any remedy available at law or in equity.

C. Required Insurance

User's required insurance shall be as follows:

General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 covering premises, operations, products-completed operations and contractual liability. The City of Orting shall be named as an additional insured on User's General Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or an endorsement providing at least as broad coverage. The General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$1,000,000 general aggregate.

The insurance policy shall contain, or be endorsed to contain that the User's insurance coverage shall be primary insurance as respect the City of Orting. Any insurance, self-insurance, or self-insured pool coverage maintained by the City of Orting shall be excess of the User's insurance and shall not contribute with it.

D. City of Orting Full Availability of User Limits

If the User maintains higher insurance limits than the minimums shown above, the City of Orting shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the User, irrespective of whether such limits maintained by the User are greater than those required by this contract or whether any certificate of insurance furnished to the City of Orting evidences limits of liability lower than those maintained by the User.

E. Certificate of Insurance and Acceptability of Insurers

The User shall provide a certificate of insurance evidencing the required insurance before using the Premises.

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

Jolin Lowry
7407 53rd St. W.
University Place, WA 98467
253 312 6002
jolinl061@gmail.com

January 31, 2022

Don Tracy
City of Orting
PO Box 489
Orting, WA 98360

Dear Mr. Tracy,

My name is Jolin Lowry, and I am the Volunteer Director with Tunnel to Towers Foundation 5k run/walk for the Puget Sound area.

I am contacting you regarding the Special Event Sponsorship application for the Tunnel to Towers 5k run/walk scheduled on the Orting Trail on September 17, 2022.

The Tunnel to Towers Foundation honors the lives lost on September 11, 2001. It is a non-profit organization that has created programs such as; the Line of Duty Program, which provides mortgage-free homes, and the Smart Home Program that builds specially adapted mortgage-free homes to both catastrophically injured veterans and Fallen First Responders. There is a recipient from our area that has benefited from this program.

The Tunnel to Towers Foundation's vision is to Honor and Remember the Fallen and injured Veterans and First Responders and educate our youth. Every student attending K – 12th grades had not been born when 9/11 occurred. My goal is to involve the schools in Orting and the surrounding areas in the 5k run/walk event. Also, to involve First Responders, Military personnel, and Wreath across America organization since the Washington Old Soldiers Home Cemetery is part of Orting.

I am applying for the Tier 2 Sponsorship with the City. A few items that will not be needed are; dealing with any train blockage, hanging and removing a banner, barricades, cones, and traffic signs. Regarding the Police Department, I will not need the barricades, cones, traffic signs involving them, but I would appreciate their presence for the safety of all participants, volunteers, and citizens. Since this event is to honor

First Responders, I would like to include the Police and Fire Departments so that I may recognize and thank them for their service.

I look forward to attending the CGA meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Jolin Lowry". The signature is stylized with a large initial "J" and a long, sweeping underline.

Tunnel to Towers Volunteer Director

Jolin Lowry
7407 53rd St. W.
University Place, WA 98467
253 312 6002
jolinl061@gmail.com

January 31, 2022

Tod Gunther
City of Orting
PO Box 489
Orting, WA 98360

Dear Mr. Gunther,

My name is Jolin Lowry, and I am the Volunteer Director with Tunnel to Towers Foundation 5k run/walk for the Puget Sound area.

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The Tunnel to Towers Foundation's vision is to Honor and Remember the Fallen and injured Veterans and First Responders and educate our youth. Every student attending K – 12th grades had not been born when 9/11 occurred. My goal is to involve the schools in Orting and the surrounding areas in the 5k run/walk event. Also, to involve First Responders, Military personnel, and Wreath across America organization since the Washington Old Soldiers Home Cemetery is part of Orting.

I am applying for the Tier 2 Sponsorship with the City. A few items that will not be needed are; dealing with any train blockage, hanging and removing a banner, barricades, cones, and traffic signs. Regarding the Police Department, I will not need the barricades, cones, traffic signs involving them, but I would appreciate their presence for the safety of all participants, volunteers, and citizens. Since this event is to honor

First Responders, I would like to include the Police and Fire Departments so that I may recognize and thank them for their service.

I look forward to attending the CGA meeting.

Sincerely,



Colin Lowry

Tunnel to Towers Volunteer Director



CITY OF ORTING
110 TRAIN ST. SE • P.O. BOX 489
ORTING, WA 98360-0489
(360) 893-2219
Small Town Big View

Receipt Number: **24045**

Two Hundred and 0/100's Dollars
Received From:

Tunnel to Towers Foundation 5k Series
2361 Hylan Blvd.
Staten Island, NY 10306

Date	Receipt Number	Amount
2/10/2022	24045	\$200.00

Printed By DCharchenko	Check	7002	\$200.00
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001.362.40.04.00 - Special Event - 5k Run - Siller - 09/17/22

DEPARTMENT COPY



RUN WALK HONOR ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

TUNNEL TO TOWERS 5K RUN & WALK PUGET SOUND

FOLLOW THE FOOTSTEPS OF 9/11 HERO, NEW YORK CITY FIREFIGHTER
STEPHEN SILLER, TO ENSURE THAT WE NEVER FORGET AND HONOR THE
SACRIFICES OF OUR NATION'S FIRST RESPONDERS AND MILITARY HEROES.



★ ★ ★ ★ ★ ★ ★ ★ ★ ★

STAY INFORMED!

f i t #T2TRUN

SATURDAY
SEPT 17, 2022 8:15AM

THE ORTING TRAIL
SOUTH MAIN PARK
ORTING, WA 98360

FOR MORE INFO & REGISTRATION,
VISIT US AT T2T.ORG
PUGETSOUND@T2T.ORG



SCAN ME



**City Of Orting
Council Agenda Summary Sheet**

Subject: Resolution No. 2022-16 - Declaring Surplus Property and Authorizing Its Disposal.	Agenda Item #:	Committee	Study Session	Council
	AB22-53	N/A		
	For Agenda of:	6.2.2022	6.15.2022	6.29.2022
	Department:	Finance		
	Date Submitted:	5.25.2022		
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:	Gretchen Russo			
Fiscal Note:				
Attachments: Resolution and Exhibit A: Police Department Equipment Surplus List				
SUMMARY STATEMENT:				
<p>Exhibit A lists computers, body cameras, car cameras and firearms which are outdated or are no longer needed by the Police Department.</p> <p>Staff are requesting that these items be declared surplus and sold to benefit the City.</p> <p>The City Administrator will determine the best method of the sale of these assets which could include an auction, sealed bid or through a broker/agent. If no bids are received, the City Administrator may dispose of the items in any legal way that maximizes the benefit the City receives for the disposal of the vehicles.</p>				
RECOMMENDED ACTION: <u>Action:</u>				
Move forward as consent agenda item at June 29 th , 2022 regular business Council meeting.				
RECOMMENDED MOTION: <u>Motion:</u> To Adopt Resolution No. 2022-16, A resolution of the City of Orting, Washington, declaring the property in Exhibit as surplus property and Authorizing Its Disposal.				

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2022-16**

**A RESOLUTION OF THE CITY OF ORTING, WASHINGTON,
DECLARING THE PROPERTY DESCRIBED IN EXHIBIT "A"
AS SURPLUS PROPERTY AND AUTHORIZING DISPOSAL**

WHEREAS, it has been determined that the City has no further use of certain item(s) listed in attached Exhibit "A"; and that such items are surplus to the needs of the City; and

WHEREAS, the fair market value of the surplus property, if any, shall be determined and its sale or disposal will be for the common benefit; and

WHEREAS, at time of sale or disposal of the surplus item(s), any monies derived from the same will be allocated back to the appropriate department; and

WHEREAS, the City Administrator will oversee the sale of these item(s), or other method of disposal, including destruction, in the event the City Administrator determines that the surplus property has no fair market value or the cost of disposal will exceed the fair market value;

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

Section 1. The items described in Exhibit "A" attached hereto and incorporated herein by this reference are surplus to the needs of the City and the City Administrator is hereby authorized to dispose of such items at auction or a public sale through a sealed bid process that complies with applicable law; provided that, those items that have been determined to have no market value or the value of which will exceed the cost of disposal may be donated for charitable purposes or otherwise lawfully disposed of.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
29th DAY OF JUNE 2022.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, City Clerk

Approved as to form:

Charlotte Archer
City Attorney
Inslee Best, PLLC

EXHIBIT A- Resolution No. 2022-XX

Police Department Computers

ITEM DESCRIPTION	MAKE	MODEL	SERIAL
Rugged Laptop Computer	Panasonic	CF-31JAGAX1M	1ITYA17624
Rugged Laptop Computer	Panasonic	CF-30LAPDZ2m	9JKSA91110
Rugged Laptop Computer	Panasonic	CF-30KBPAX2B	0CKYA24241
Rugged Laptop Computer	Panasonic	CF30KBPAX1B	0CKYA24241
Rugged Laptop Computer	Panasonic	CF-30K5P752B	0EKYA33760
Rugged Laptop Computer	Panasonic	CF-31GT2AX1M	0K1CYA33863
Rugged Laptop Computer	Panasonic	CF-30CQQAX1M	6LKYA03874
Rugged Laptop Computer	Panasonic	CF-30CQQAXBN	6LK5A03874
Rugged Laptop Computer	Panasonic	CF-316T2AX1M	1CKYA58474
Rugged Laptop Computer	Panasonic	CF-30CCSANBM	7LLYA83166
Rugged Laptop Computer	Panasonic	CF30CASAXBM	7LKYB94621
Rugged Laptop Computer	Panasonic	CF-30CCSANBM	7KKYA83962
Rugged Laptop Computer	Panasonic	CF-31JEGAX1m	2CTSA58532
Rugged Laptop Computer	Panasonic	CF-31JEGAX2M	2CTSA58732

Police Department Body Cameras

ITEM DESCRIPTION	MAKE	MODEL	SERIAL
Body worn Camera	VieVU	PVRLE2	LE2-000066
Body worn Camera	VieVU	PVRLE2	LE2-000072
Body worn Camera	VieVU	PVRLE2	LE2-000063
Body worn Camera	VieVU	PVRLE2	LE2-000073
Body worn Camera	VieVU	PVRLE2	LE2-000062
Body worn Camera	VieVU	PVRLE2	LE2-005506
Body worn Camera	VieVU	PVRLE2	LE2-000061
Body worn Camera	VieVU	PVRLE2	LE2-000069
Body worn Camera	VieVU	PVRLE2	LE2-011748
Body worn Camera	VieVU	PVRLE2	LE2-011620
Body worn Camera	VieVU	PVRLE2	LE2-010023
Body worn Camera	VieVU	PVRLE3	LE3-006688
Body worn Camera	VieVU	PVRLE3	LE3-006675
Body worn Camera	VieVU	PVRLE3	LE3-006671

Police Department Car Cameras

ITEM DESCRIPTION	MAKE	MODEL	SERIAL
in-car cameras	Digital Alley	DVM-500 PLUS	N/A
in-car cameras	Digital Alley	DVM-500 PLUS	N/A

Police Department Firearms

ITEM DESCRIPTION/MAKE	CALIBER	MODEL	SERIAL
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Beretta	40	96	A25053M
Beretta	40	96	A25054M
Beretta	40	96	A00791M
Gen Precision Corp	22	20 .22 LR	37838
Glock	40	22	H00228HD
Glock	40	22g4	BCDS735
Glock	40	22	GET845
Glock	40	22	GET844
Glock	40	22	M01427HP
Glock	45	21	DCS885
Glock	40	22	GET839
Glock	45	21g4	ABNN386
Glock	40	22	GET800
Glock	40	22	GET834
Glock	40	22	GET842
HK	40	USP	22-083560
HK	40	USP	22-090736
HK	40	USP	22-083561
HK	40	USP	22-096238
Sig	9	P229	AD26087
Star Interarms	40	Ultrastar 40	09987-95-
Star Interarms	40	Ultrastar 40	09992-95-
Glock	9	19g4	BCWK545
Bryco	380	380 Auto	266588
Glock	9	17	BDTR709
Remington	Shotgun	Shotgun	RS47195M



**City Of Orting
Council Agenda Summary Sheet**

Subject: Resolution No. 2022-14, Declaring Surplus Property and Authorizing Its Disposal.	Agenda Item #:	Committee	Study Session	Council
	AB22-51			
	For Agenda of:	6.2.2022	6.15.2022	6.29.2022
	Department:	Finance		
	Date Submitted:	5.25.2022		
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:	Gretchen Russo			
Fiscal Note:				
Attachments: Resolution and Exhibit A: Surplus Vehicles				
SUMMARY STATEMENT:				
<p>Exhibit A lists several vehicles originally acquired for police use. The City has a policy of replacing police vehicles after 7 years or 80,000 miles. These vehicles listed on Exhibit A are no longer needed to provide police service and it would benefit the City to sell these vehicles.</p> <p>The City Administrator will determine the best method of the sale of these assets which could include an auction, sealed bid or through a broker/agent. If no bids are received, the City Administrator may dispose of the items in any legal way that maximizes the benefit the City receives for the disposal of the vehicles.</p>				
RECOMMENDED ACTION: <u>Action:</u>				
Move forward as consent agenda item at June 29 th , 2022 regular business Council meeting.				
RECOMMENDED MOTION: <u>Motion:</u>				
To Adopt Resolution No. 2022-14, Declaring Surplus Property as presented in Exhibit A, and Authorizing Its Disposal.				

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2022-14**

**A RESOLUTION OF THE CITY OF ORTING, WASHINGTON,
DECLARING THE PROPERTY DESCRIBED IN EXHIBIT "A"
AS SURPLUS PROPERTY AND AUTHORIZING DISPOSAL**

WHEREAS, it has been determined that the City has no further use of certain item(s) listed in attached Exhibit "A"; and that such items are surplus to the needs of the City; and

WHEREAS, the fair market value of the surplus property, if any, shall be determined and its sale or disposal will be for the common benefit; and

WHEREAS, at time of sale or disposal of the surplus item(s), any monies derived from the same will be allocated back to the appropriate department; and

WHEREAS, the City Administrator will oversee the sale of these item(s), or other method of disposal, including destruction, in the event the City Administrator determines that the surplus property has no fair market value or the cost of disposal will exceed the fair market value;

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

Section 1. The items described in Exhibit "A" attached hereto and incorporated herein by this reference are surplus to the needs of the City and the City Administrator is hereby authorized to dispose of such items at auction or a public sale through a sealed bid process that complies with applicable law; provided that, those items that have been determined to have no market value or the value of which will exceed the cost of disposal may be donated for charitable purposes or otherwise lawfully disposed of.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
29th DAY OF JUNE 2022.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, City Clerk

Approved as to form:

Charlotte Archer, City Attorney
Inslee Best, PLLC

**EXHIBIT A- Resolution
No. 2022-XX**

(List of Surplus Items)

The following vehicles are listed for surplus:

Type	Year	Vehicle Description	VIN#	Dept.	Fair Market Value
Police Vehicle	2007	Chevrolet Tahoe	1GNFK030X7R290423	Police	\$5,000
Police Vehicle	2006	Ford Explorer	1FMEU72E56UA01217	Police	\$3,000
Police Vehicle	2005	Ford Explorer	1FMZU72K35UA37476	Police	\$3,000



**City Of Orting
Council Agenda Summary Sheet**

Subject: Dump Truck and Police Vehicle Purchase.	Agenda Item #:	Committee	Study Session	Council								
	AB22-52	N/A										
	For Agenda of:	6.1.2022	6.15.2022	6.29.2022								
	Department: Public Works											
	Date Submitted: 5.26.2022											
Cost of Item:		See below										
Amount Budgeted:		See below										
Unexpended Balance:		See below										
Bars #:		Multiple										
Timeline:		N/A										
Submitted By:		Gretchen Russo										
Fiscal Note:												
Attachments:												
SUMMARY STATEMENT:												
<p>As part of our budget process Council approved the purchase of one police car and one dump truck. The dump truck will be purchased through the state vehicle contract and the police car will be purchased through the Arizona State Purchasing Cooperative Agreement. The items will be paid in full, no debt will be incurred.</p> <table border="0"> <tr> <td><u>Dump Truck</u></td> <td><u>Police Vehicle</u></td> </tr> <tr> <td>Budget: \$125,000</td> <td>Budget: \$60,000</td> </tr> <tr> <td>Truck: \$72,251</td> <td>Vehicle: \$42,335</td> </tr> <tr> <td>Remaining Balance: to be used for dump box, sander and plow after delivery</td> <td>Remaining Balance: to be used for installation of radios, lights, cages etc.</td> </tr> </table>					<u>Dump Truck</u>	<u>Police Vehicle</u>	Budget: \$125,000	Budget: \$60,000	Truck: \$72,251	Vehicle: \$42,335	Remaining Balance: to be used for dump box, sander and plow after delivery	Remaining Balance: to be used for installation of radios, lights, cages etc.
<u>Dump Truck</u>	<u>Police Vehicle</u>											
Budget: \$125,000	Budget: \$60,000											
Truck: \$72,251	Vehicle: \$42,335											
Remaining Balance: to be used for dump box, sander and plow after delivery	Remaining Balance: to be used for installation of radios, lights, cages etc.											
RECOMMENDED ACTION: <u>Action:</u>												
Move forward as consent agenda item at June 29 th , 2022 regular business Council meeting.												
RECOMMENDED MOTION: <u>Motion:</u>												
To authorize the Mayor to proceed with the purchase of a dump truck in the amount of \$72,251.00 and a police vehicle in the amount of \$42,335.00.												



PFVT MOTORS, INC.

QUOTE DATE: 5/12/2022

CUSTOMER: ORTING PD
CONTACT: EDWRD TURNER
E-MAIL: ETurner@cityoforting.org

SANDRA GONZALEZ

9130 West Bell Road
 Peoria, Arizona 85382
Direct: 480-696-5930
Cell: 505-850-5504
Fax: 480-393-5536

REFERENCE: GAS PIU QUOTE

Email: sgonzalez@peoriaford.com

LEAD TIME: IN STOCK

LINE ITEM	ORDER CODE	DESCRIPTION	PRICE
1	K8A	2022 FORD POLICE INTERCEPTOR UTILITY - 3.3L BASE ENGINE	\$ 35,225.00
2	86T	TAIL LAMP HOUSING	\$ 55.00
3	63B	SIDE MARKER LED	\$ 280.00
4	60A	PREWIRE FOR GRILL LIGHTS AND SIREN	\$ 50.00
5	60R	NOISE SUPPRESSION BONDS	\$ 95.00
6	17T	CARGO LAMP RED/WHITE	\$ 50.00
7	43D	DARK CAR FEATURE	\$ 20.00
8	47A	ENGINE IDLE FEATURE	\$ 255.00
9	52P	HIDDEN DOOR LOCK/REAR INOPER	\$ 155.00
10	76R	REVERSE SENSING SYSTEM	\$ 270.00
11	68B	POLICE PERIMETER ALERT	\$ 660.00
12	76P	PRE-COLLISION ASSIST	\$ 140.00
13	55F	KEYLESS ENTRY	\$ 330.00
14	85R	REAR CONSOLE PLATE	\$ 40.00
15	51T	SPOTLAMP WHELEN DRIVER	\$ 400.00
16	76D	UNDERBODY DEFLECTOR PLATE	\$ 335.00
17	85S	REAR CENTER SEAT DELETE	\$ -
18	52T	RECEIVER - CLASS IV	\$ -
19	19K	H8 AGM BATTERY UPGRADE	\$ 105.00
20	61B	OBD SPLITTER	\$ 50.00
21	UM	AGATE BLACK	\$ -
TAXABLE TOTAL			\$ 38,515.00
SALES TAX			
WARRANTY			
TIRE TAX			\$ 5.00
FREIGHT			NO CHARGE
TOTAL PER UNIT			\$ 38,520.00
QUANTITY OF UNITS			1
PO TOTAL			\$ 38,520.00

THANK YOU FOR YOUR BUSINESS!



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Shortening Study Session Meetings.	AB22-57			
			6.15.2022	6.29.2022
	Department:			
	Date Submitted:	6.8.2022		
Cost of Item:	<u>\$</u>			
Amount Budgeted:	<u>\$</u>			
Unexpended Balance:	<u>\$</u>			
Bars #:				
Timeline:				
Submitted By:	CM Bradshaw			
Fiscal Note:				
Attachments: Council Rules of Procedure DRAFT June 2022				
SUMMARY STATEMENT:				
<p>The proposed City Council Rules of Procedure amendment would remove item 4.1 (7) - Commission Reports & Committee Reports on titles of agenda bills moving to study session from committee from the Council Rules of Procedure, resulting in shortening study session meetings by removing the committee reporting requirement.</p>				
RECOMMENDED ACTION: <u>Action:</u>				
Move forward as consent agenda item at June 29 th , 2022 regular business Council meeting.				
FUTURE MOTION: <u>Motion:</u>				
To amend the City of Orting Council Rules of Procedure, removing item 4.1(7), commission reports and committee reports on titles of agenda bills moving to study session.				



City of Orting

City Council Rules of Procedure

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1. General Rules

1.1 Meetings to be Public:

The meetings of the City Council shall be open to the public with the exception of executive sessions for certain limited topics (as defined in RCW Chapter 42.30). After minutes have been approved, the City Clerk will post the minutes on the website and retain the minutes in a fire proof safe or file, and retain them in accordance with Washington State Retention schedules.

1.2 Quorum:

A simple majority of Councilmembers shall be in attendance to constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regular meeting.

1.3 Attendance, Excused Absences:

RCW 35A.12.060 provides that a Councilmember shall forfeit his/her office by failing to attend three (3) consecutive regular meetings of the Council without being excused by the Council. The member shall contact the Mayor or the City Clerk prior to the meeting and state the reason for his/her inability to attend the meeting. The Mayor shall inform the Council of the member's absence, state the reason for such absence and inquire if there is a motion to excuse the member. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes. If the motion is not passed, the City Clerk will note in the minutes that the absence is unexcused.

1.4 Remote Participation

Councilmembers are encouraged to attend meetings in person as often as possible. In the event that you are not able to attend meetings in person remote attendance (visually and audibly) will be permitted. [The council may consider adding additional parameters]

1.5 Council Meeting Staffing:

The City Administrator, City Clerk, City Treasurer, City Engineer and City Attorney shall attend all meetings of the Council unless excused. The staff may make recommendations to the Council and may take part in the discussions of the Council, but shall have no vote. The City Attorney shall give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian.

Other City staff may be asked to attend if their expertise is required to answer questions or make a report on a specific agenda item.

1.6 Journal of Proceedings:

The City Clerk will keep an account of all proceedings of the Council, in accordance with statutory requirements, all proceedings will be either audio or video recorded and then written minutes will be prepared by the City Clerk, as the official record of the Council meeting. All Planning Commission and Civil Service Commission meetings will be audio recorded and written minutes shall be retained according to Washington State Record Retention schedules Committee meetings may be audio and written recorded and retained according to Washington State Record Retention schedules.

1.7 Right of Floor:

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

1.8 Rule of Order:

Except as otherwise provided herein, *Robert's Rules of Order* shall be the guideline procedures for the proceedings of the Council.

1.9 Councilmember Seating:

A Councilmember's seat at the dais will be determined as follows or as mutually agreed upon by Council:

- (A) The Mayor shall sit in the center seat, and the Deputy Mayor shall sit to the Mayor's right.

2. Types of Meetings:

2.1 Regular Council Meetings:

The Council shall meet on the second, and last Wednesday of each month at 7:00 pm, at the Multipurpose Center (202 Washington Avenue South, or at another location the City Council may deem appropriate and noticed). The Council may reschedule regular meetings to a different date or time by a motion and majority vote of the Council. All meetings shall be open to the public.

2.1.1 Regular Study Sessions:

The Council shall hold, as regular meetings, study sessions at the Orting Multi-Purpose Center on the third Wednesday of each month, at 6:00 pm., unless otherwise noticed. Study sessions may be used by the city council to receive reports and presentations, review and evaluate complex matters, and/or engage in preliminary analysis of city issues or city council business.

2.2 Special Meetings and Workshops:

Special meetings may be called by the Mayor or any three members of the Council in conformance with Chapter 35A.12 RCW. The City Clerk shall prepare a notice of the special meeting stating the time, place and business to be transacted. The City Clerk shall notify each member of the Council, as required by law, of the special meeting. The City Clerk shall give at least 24 hours' notice of the special meeting and post that notice to the City's website, to the News Tribune, and to the information box at City Hall and at the location of the City Council meeting. No subjects other than those specified in the notice shall be considered during the meeting. The Council may not make final disposition on any matter not mentioned in the notice. All special meetings shall be open to the public. The Council may meet informally in study sessions and workshops (open to the public), at the call of the Mayor or of any three of more members of the Council. Discussions and conclusions shall be informal and do not constitute official actions of the Council.

2.3 Council Committee Meetings:

There shall be three standing council committees: Public Works; Public Safety; and Community and Government Affairs. Committee assignments shall be made in accordance with Rule 3.9. There shall be two councilmembers on each committee, with one serving as Chairperson and one serving as Vice Chairperson. The Chairperson shall chair the Committee meeting. A Councilmember may attend a Council Committee meeting for a Committee to which he or she is not assigned, however the non-committee member attends the Committee meeting as an observer and the Chair or presiding officer of the Committee determines the extent of the Councilmember's participation in the meeting.

Council Committees shall establish a regular time, date location for their meetings, and the City Clerk will maintain a list of committee meeting times, dates and locations. All meetings shall be publicly noticed and open to the public.

Agenda items for Council Committee Meetings may be submitted by any of the following: (1) the Mayor; (2) the City Administrator or his or her designee; and (3) a Department Director, with consent of the City Administrator; and/or (4) a City Councilmember.

Unless otherwise stated in these rules, the Council Committee may make recommendations on agenda items to the Council for consideration at a study session. In the event of a dispute between the Chairperson and Vice Chairperson on a particular agenda item, where no consensus can be reached, both recommendations may be submitted to the full council to debate at a study session.

2.4 Emergency Meetings:

An emergency meeting is a Special Council meeting called without 24-hour notice. An emergency meeting deals with injury or damage to persons or property or the

likelihood of such injury or damage, when time requirements of a 24-hour notice is impractical and would likely increase such injury or damage. Emergency meetings may be called by the City Administrator or the Mayor or two Councilmembers. The minutes will indicate the reason for the emergency.

2.5 Executive Sessions:

An executive session is a Council meeting that is closed except to the Council, City Administrator and staff members and/or consultants authorized by the Mayor. The public is restricted from attendance and all matters discussed during an executive session are confidential. Executive sessions may be held during regular or special Council meetings or at separate meetings and will be announced by the Mayor. Executive session subjects are limited to considering matters authorized by state law, as set forth in RCW 42.30.110, including considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, pending litigation, public employment applications and public employee evaluation, and elective office appointments. Before convening in executive session the Mayor shall publicly announce the purpose for excluding the public from the meeting place, the time when the executive session will be concluded and the potential for action by Council when it reconvenes. Should the session require more time, a public announcement shall be made by the City Clerk, extending the meeting to a specific time. At the end of that time, if the discussion has not concluded, the meeting shall, by public announcement, again be extended to a specific time. If the Council wishes to adjourn at the close of a meeting from executive session, that fact will be announced along with the estimated time for the executive session.

2.6 Council Contact outside an Official Meeting:

Generally Councilmembers have the same freedoms of association as any other citizen. Councilmembers must take great care when present at the same social, unofficial functions, or in any public setting to refrain from engaging in any activity which could be interpreted as de facto deliberation or action on a matter of city business.

3. Chairs and Duties

3.1 Chair:

The Mayor shall preside as Chair at all meetings of the Council, except as otherwise stated in these rules. In the absence of the Mayor, the Deputy Mayor shall preside. In the absence of both the Mayor and Deputy Mayor, the Council shall elect a Chair for that meeting.

3.2 Call to Order:

The meetings of the Council shall be called to order by the Chair.

3.3 Preservation of Order:

The Chair shall preserve order and decorum; prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion.

3.4 Points of Order:

The City Attorney who is the parliamentarian, shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be "Shall the decision of the parliamentarian be sustained?"

3.5 Questions to be stated:

The Chair shall state all motions submitted for a vote and announce the result. A roll call vote may be taken by the City Clerk on any question at the request of the Mayor or any member of the City Council.

3.6 Mayor – Powers:

The Mayor may not make or second motions, but may participate in debate to the extent that such debate does not interfere with chairing the meeting. If the Mayor wishes to participate vigorously in the debate of an issue, the Mayor shall turn over chairing of that portion of the meeting to the Deputy Mayor, or to another Councilmember if the Deputy Mayor is absent. The Mayor's voting rights and veto power are as specified in RCW 35A.12.100.

3.7 Duties:

The Mayor or designee shall:

- (A) Be the official spokesperson for the City.
- (B) Act as the official head of the City for all ceremonial purposes.
- (C) Sign contracts and other documents as appropriate on behalf of the Council.
- (D) Observe and enforce all policies and procedures adopted by the Council.
- (E) Act as presiding officer at all meetings of the Council.
- (F) Preserve order and decorum in the Council Chambers.
- (G) Recognize Councilmembers in the order in which they request the floor.
- (H) Endeavor to keep the discussion moving and within a reasonable timeframe.

- (I) Share information with Councilmembers on meetings, issues, etc., that the Mayor has received as part of his/her official status as Mayor.

3.8 Deputy Mayor – Powers:

- (A) In the event of the temporary disability or illness of the mayor the Deputy Mayor will assume the Mayor’s powers.

3.9 Deputy Mayor -- Duties:

- (A) Term of the Deputy Mayor shall be one year. (February 1st, to January 31st.)
- (B) Election of Deputy Mayor. At the first meeting of January, the Council shall elect a Deputy Mayor (DM) for a term of one year, beginning Febraury 1st, and ending the last day of January.
- (C) The election process shall be as follows:
 1. The Deputy Mayor shall serve as the Chair for the nomination process for the position of DM, unless they are a nominee in the process, at which time it will be turned over to the Mayor as Chair. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary.
 2. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Second nominations will then be accepted.
 3. Nominations may be made by another Councilmember, or by self.
 4. Nominations may include brief supporting comments by the Councilmember.
 5. A Councilmember may withdraw their nomination from consideration.
 6. Nominations do not require a second.
 7. After nominations have been closed (see #2 above for second nominations), each nominee will have an opportunity to speak, either at their seat or at the podium. If the nominee chooses to speak, it may not be for longer than three minutes, with a fifteen second wrap-up period. Then voting for DM will precede:

- a. Voting will be according to alphabetic order, A-Z of nominations made. Any second vote will be by reverse order, Z-A; continuing to reverse as necessary for subsequent votes. This is done to be as fair as possible to all nominees.
- b. If there is **only one nominee** for the position, the Chair will open the floor for a motion and appointment.
- c. If there are **two nominees**, the following scenario will be followed:

Scenario #1: 2 Nominees, 7 standing councilmembers

- 1. Clerk does a roll call for Councilmembers on their preferred candidates
 - 2. Nominee A receives 3 votes
 - 3. Nominee B receives 4 votes
 - 4. Deputy Mayor is chosen (Nominee/Candidate B) by majority consensus, no further motion of appointment necessary.
- d. If there are **three or more nominees**, the following scenarios will be followed:

Scenario #1: 3 or more Nominees, 7 standing Councilmembers

- 1. Clerk does a roll call for Council-members on their preferred candidates
- 2. Nominee A gets 3 votes
- 3. Nominee B gets 2 votes
- 4. Nominee C gets 2 votes
- 5. Nominee A is chosen as Candidate A. Chair sets a second ballot for Nominees B & C to determine second candidate.
- 6. Clerk does a roll call for Councilmembers on their preferred candidate
- 7. Nominee B gets 3 votes
- 8. Nominee C gets 4 votes
- 9. Nominee C is chosen as Candidate B.
- 10. Clerk does a roll call for Councilmembers on the two final candidates
- 11. Candidate A gets 2 votes
- 12. Candidate B gets 5 votes
- 13. Deputy Mayor is chosen (Candidate B) by majority consensus, no further motion of appointment necessary.

Scenario #2: 3 or more Nominees, 7 standing Councilmembers

1. Clerk does a roll call for Councilmembers on their preferred candidates
2. Nominee A gets 3 votes
3. Nominee B gets 3 votes
4. Nominee C gets 1 vote
5. Chair need not set a second ballot as there is a top-two
6. Clerk does a roll call for Councilmembers on their preferred candidate from A & B
7. Candidate A gets 5 votes
8. Candidate B gets 2 votes
9. Deputy Mayor is chosen (Candidate A) by majority consensus, no further motion of appointment necessary.

Scenario #3: 3 or more Nominees, 7 standing Councilmembers

1. Clerk does a roll call for Councilmembers on their preferred candidates.
2. Nominee A gets 4 votes
3. Nominee B gets 2 votes
4. Nominee C gets 1 vote
5. Deputy Mayor is chosen (Nominee/Candidate A) by majority consensus, no further motion of appointment necessary.

8. The goals of this procedure are, above all: public transparency, consensus, respect, and fairness.

(D) When filling Council vacancies, see section 8.

(E) An appointment committee consisting of the Deputy Mayor, one (1) Councilmember, and the Mayor shall recommend assignments for the Council Committee Chair and Vice-Chair positions in accordance with the following procedure:

- a) The appointment committee shall provide recommendations for Council Committee assignments to the full Council for its approval no later than the first regular meeting in February.
- b) Each Council member shall be assigned to at least one (1) Council Committee, with the exception of the Deputy Mayor who shall chair the study session and shall not be assigned a role in a Council Committee.
- c) Chairperson selection shall be based on seniority, balance of experience, knowledge and interest prior to assignment.

- d) The appointment committee shall give weighted consideration for those working on long range project.

3.10 Councilmember - Powers:

Any Councilmember may bring forth an item, resolution or ordinance by submitting a timely request to the City Clerk for inclusion on a Council Committee's Agenda or Study Session Agenda. At the request of the Councilmember(s) sponsoring the proposed legislation, their name(s) shall appear on the agenda indicating such sponsorship.

3.11 Councilmember – Duties:

Councilmembers are individually responsible for gathering additional information on issues, calling staff with questions or requesting information to be included in Council Meeting Packets. Councilmembers who attend meetings of another jurisdiction or regional meetings should provide a report.

4. Order of Business and Agenda

4.1 Order of Business:

The order of business for all regular meetings shall be transacted as follows unless the Council, by a majority vote of the members present, suspends the rules and changes the order:

- 1. Call to Order:** The Mayor calls the meeting to order.
- 2. Pledge of Allegiance**
- 3. Roll Call:** The Mayor requests a roll call of Councilmembers and indicates whether an absent Councilmember has requested an excused absence. Excused absences will be handled as stated in Section 1.3 of this document. After roll call any additions or deletions to the agenda should be addressed.
- 4. Public Comments:** Members of the audience may comment on items relating to any matter not on the agenda. Comments are limited to three minutes, or for a person speaking on behalf of a group or organization, comments are limited to five minutes. No speaker may convey or donate his or her time for speaking to another speaker. Persons addressing the Council will be requested to step to the podium and give their name and address for the record.
- 5. Awards, Confirmations & Presentations:** The Mayor makes announcements of upcoming meetings and events. Other special presentations may also be scheduled at this time.
- 6. Public Hearings:** See Section 6.

7. Consent Agenda: The Consent Agenda contains items which are of a routine and non-controversial nature which may include, but are not limited to, the following: meeting minutes, payroll, and claims. Any item on the Consent Agenda may be removed and considered separately as an agenda item at the request of any Councilmember.

~~**8. Commission Reports & Committee Reports on Titles of Agenda Bills Moving To Study Session From Committee.**~~

~~**9.8. Old Business**~~

~~**10.9. New Business**~~

~~**11.10. Executive Session**~~

~~**12.11. Adjournment**~~

4.2 Council Agenda:

4.2.1 Regular Council Meetings. The Mayor, City Administrator and the City Clerk shall prepare the agenda for Council meetings. Subject to the Council's right to amend the agenda, no legislative item shall be voted upon which is not on the Council agenda, except in emergency situations (defined as situations which would jeopardize the public's health, safety or welfare). An item may be placed on a Council regular meeting agenda by any of the following:

- (A) The Deputy Mayor or a majority of the Council (after consideration of the item at a study session);
- (B) The Mayor
- (C) The City Administrator or a Department Director, with the approval of the City Administrator.

Agenda items shall be submitted in final form to the City Clerk no later than 12:00 pm on the Thursday prior to the meeting.

4.2.2 Regular Study Sessions. An item may be placed on a Council study session agenda by any of the following:

- (A) A Councilmember;
- (B) A Council Committee, per Rule 2.3;
- (B) The Mayor; or
- (D) The City Administrator, or a Department Director with the approval of the City Administrator.

Agenda items shall be submitted in final form to the City Clerk no later than 12:00pm on the Thursday prior to the meeting.

Items reviewed by Committee will be scheduled for Council review at a study session, per committee recommendation (see Rule 2.3). Committee Chairs will notify the City Clerk of any upcoming Council agenda items or hearings, so that proper notification may be made.

An item may be delayed if the Mayor and/or City Administrator know it is of particular importance to an absent Councilmember.

4.3 Ordinances:

Ordinances are legislative acts or local laws. They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance. Ordinances normally become effective five days after publication in the City's official newspaper. Ordinances may be passed under any of the agenda sections.

The City Clerk shall assign a permanent ordinance number prior to placing the ordinance on the agenda. The City Attorney shall review the ordinance prior to placing it before the City Council for their consideration.

Upon enactment of the ordinance, the City Clerk shall obtain the signature of the City Attorney and the Mayor. The City Clerk is responsible for notifying Sterling Publisher of new ordinances, so that they will be codified, and Ordinance titles or summaries shall be published in the official newspaper as a legal publication in the first publication following enactment.

4.4 Resolutions:

Resolutions are adopted to express Council policy or to direct certain types of administrative action by the Mayor. A resolution may be changed by adoption of a subsequent resolution. Resolutions may be passed under any of the agenda sections.

The City Clerk shall assign a permanent resolution number prior to placing the resolution on the agenda. The City Attorney shall review the resolution prior to placing it before the City Council for their consideration.

Upon enactment of the resolution, the City Clerk shall obtain the signature of the City Attorney and the Mayor. After the Mayor's signature, the City Clerk shall sign the resolution.

4.5 Council Packets:

Agendas and packets will be provided to the City Council by 5 pm the Friday prior to the meeting. The City Clerk will post the Agenda Packet on the City's Website.

Agendas and packet materials will be available at the Council meeting and may be requested at City Hall from the City Clerk by the public.

4.6 Council Confirmation of Mayoral Appointments:

In addition to select Councilmember participation in any Mayoral-defined hiring process, the Council will, per Ordinance 961, confirm the appointment of certain mayoral appointments prior to final hiring actions.

Currently the appointment of the City Administrator, City Treasurer, City Clerk, Police Chief, City Attorney, Public Works Director, Building Inspector/Official, and Parks and Recreation Director are subject to Council confirmation. The confirmation of the Municipal Judge is provided pursuant to OMC Chapter 1-10.

The confirmation process, if circumstances allow, should be scheduled for televised meetings. These meetings should be broadly advertised via the official publication, reader boards, City website, social media pages, etc. to allow maximum public notification. The Mayor may request a Special Meeting if pressing and extenuating hiring circumstances exist.

The confirmation process is as follows:

- (A) Prior to the meeting, the Council will be provided a copy of the Employment Application and/or resume (with personal information redacted) for review in the Council Packet. Staff may provide other pertinent information as appropriate.
- (B) During the Confirmation agenda item of the Council meeting the:
 - 1. Mayor or City Administrator will introduce the nominated applicant and briefly recap the process that resulted in the nominee being selected for the position,
 - 2. The applicant (if available to attend) will provide a brief background and description of their qualifications to the Council.
 - 3. Council will have a question and answer opportunity with the applicant and/or staff to last up to 30 minutes (time may be extended upon majority Council consent), and
 - 4. Public Testimony will be taken with each speaker given a maximum of three minutes to provide comments. All comments must be directed toward the Chair and limited to the confirmation discussion. Two-way discussions are discouraged.
- (C) An executive session in accordance with RCW 42.30.110(g) may be requested by any Councilmember to “evaluate the qualifications of an

applicant for public employment or to review the performance of a public employee” if questions or concerns arise that should not be discussed in a public forum. Final actions must take place in an open meeting.

- (D) After the question and answer session, upon resumption of the regular meeting after an Executive Session (if requested), and upon a motion, the Council will vote to confirm the hire/ nomination on a simple majority vote of the present Council quorum.

5. Consensus, Motions and Decorum

5.1 Consensus Votes:

When a formal motion is not required on a Council action or opinion, a consensus voice vote may be taken. The Chair will state the action or opinion. The Council as a group will indicate concurrence or non-concurrence. When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion.

5.2 Motions:

- (A) **Making a Motion.** Motions shall be clear and concise and not include arguments for or against the motion within the motion. No motion shall be entertained or debated until duly seconded and announced by the Chair. A motion that does not receive a second dies. After a motion and second, the Mayor will indicate the names of the Councilmembers making the motion and second. After a motion has been made and seconded, the Councilmember making the motion may speak to the motion and then the Council may discuss their opinions on the issue prior to the vote. Motions that do not need a second include nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- (B) **Audience Comment.** Audience comment on a motion may be taken after the briefing on the motion occurs and before the motion is voted on by the Council.
- (C) **Restatement of Motions.** The City Council votes on motion as restated by the Chair if the motion is amended.
- (D) **Votes on Motions.** Each member present shall vote on all questions put to the Council except on matters in which he or she has a conflict of interest. If a conflict of interest exists, such member shall disqualify himself or herself prior to any discussion of the matter. If a majority of Council arrives at a consensus to put up an issue for vote and a Councilmember is not there when the vote takes place, the Councilmember cannot bring the item back.

- (E) **Failure to Vote on a Motion.** Any Councilmember present who fails to vote without a valid disqualification shall be declared to have voted in the affirmative on the question.
- (F) **Unanimous Vote.** If the vote is unanimous, the Mayor shall state that the motion has passed unanimously according to the number of Councilmembers present such as “7-0” or “6-0”.
- (G) **Roll Call Vote.** If a vote is not unanimous, and the Mayor or a Councilmember requests it, each Councilmember shall state his/her vote and the City Clerk shall record it. The City Clerk then restates the outcome of the vote. For example, the outcome may be restated as, “Councilmembers A, B, C and D vote ‘yes’. Councilmembers E, F and G vote ‘no’. The vote is 4-3 to adopt Ordinance No_____. The motion carries.”
- (H) **Tie Vote.** A motion that receives a tie vote is deemed to have failed.
- (I) **Topic Closed.** Once a vote on a motion has been taken, the topic of motion is closed for the remainder of that meeting.
- (J) **Withdrawal of Motion.** A motion may be withdrawn by the maker of the motion at any time before a vote is taken without the consent of the Council. If the motion had received a second, the Councilmember making the second must also agree to withdraw or the motion remains on the table for discussion, debate and disposition.
- (K) **Motions to Reconsider.** A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding regular meeting. No motion to reconsider an adopted quasi-judicial written decision shall be entertained after the close of the meeting at which the written findings were adopted.
- (L) **Motion to Lay on the Table.** A motion to table shall preclude all amendments or debates of the issue under consideration. It requires a second, is not debatable, is not amendable, and requires a majority vote. The purpose of the motion to lay on the table is to temporarily set aside the motion in order to conduct other more urgent business. A motion not taken from the table by the close of that meeting or the next regular meeting dies on the table. If the motion to table prevails, the matter may be “taken from the table” by motion which requires a second, is not debatable and requires a majority vote. When a motion is taken from the table, everything is in the same condition as it was when laid on the table, including any amendments to the original motion that received an affirmative vote prior to the motion to table.
- (M) **Motion to Postpone to Date Certain.** A motion to postpone to a time certain requires a second, is debatable, is amendable, requires a majority

vote and may be reconsidered at the same meeting. The original motion being postponed must be considered at a time certain at a future regular or special Council meeting.

- (N) Motion to Postpone Indefinitely.** A motion to postpone indefinitely requires a second, is debatable, is not amendable, and takes precedence over the main motion and requires a majority vote. This motion assists in disposing of the main motion. Its purpose is to reject a main motion without a vote on the main motion. Postponed indefinitely is an indirect or polite motion by which a main motion may be disposed of.
- (O) Motion to Call for the Question.** A motion to call for the question shall close debate on the main motion and is not debatable. This motion must receive a second and fails without a two-thirds (2/3) vote. Debate is reopened if the motion fails.
- (P) Motion to Amend.** A motion to amend is defined as amending a motion that is on the floor and has been seconded by inserting or adding, striking out, striking out and inserting, or substituting. Motions that cannot be amended include a motion to adjourn, to amend the agenda order, lay on the table, for a roll call vote, for a point of order, for reconsideration and take from the table. Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- (Q) Interpretation.** The City Attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature that may arise at a Council meeting.
- (R) Order of Precedence.** All cases not provided for in these rules shall be governed by the most current version of Robert's Rules of Order Newly Revised. In the event of a conflict between Robert's Rules of Order and these Council rules, these Council rules shall prevail.

5.3 Council Relations with City Staff:

The following guidelines should be adhered to:

- (A)** There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.
- (B)** City staff shall acknowledge the Council as policy makers, and the Councilmembers shall acknowledge the City staff as administering the Council's policies.

- (C) Councilmembers with particular interest in an item or topic should be given a courtesy call if that item is rescheduled.
- (D) Councilmembers shall not attempt to direct City staff in performing their regular daily functions.
- (E) No Councilmember shall direct the City staff to initiate any action or prepare any report, or initiate any project or study without the consent of the Mayor. New initiatives having policy implementation shall be directed to a Council Committee for consideration.
- (F) Individual requests for information can be made directly to any staff member. If the request would create a change in work assignments or City staffing levels, the request must be made through the Mayor or City Administrator.
- (G) To provide staff the necessary preparation time, Councilmembers will provide staff advance notice of any questions or concerns they may have regarding an agenda item prior to a public meeting, if possible.

5.4 Council Representation to any Media and other Organizations:

Councilmembers shall use the following guidelines when speaking with the media:

- (A) If a Councilmember appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember shall state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position.
- (B) Councilmembers need to have other Councilmembers' concurrence before representing: (1) another Councilmember's view or position, or (2) the majority of Council's view or position with the media, another governmental agency or community organization.
- (C) As a matter of courtesy, letters to the editor, interviews or other communication by a Councilmember of a controversial nature, which do not express the majority opinion of the Council, should be presented to the full Council and Mayor prior to publication so that the Councilmembers may be made aware of the pending publication.

6. Public Hearing Procedures

6.1 Definition of Public Hearing:

There are two types of public hearings: legislative and quasi-judicial. Legislative hearings focus on broad policy with general application. Quasi-judicial hearings focus on the rights of specific parties and decisions must be based on a formal record. The Mayor will state the public hearing procedures before each public hearing, staff and/or consultants will introduce the topic. Citizens may comment on public hearing items.

6.2 Speaker Sign-In:

Prior to the start of a public hearing the Mayor may require that all persons wishing to be heard sign in with the City Clerk, giving their name and whether they wish to speak as a proponent, opponent or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. The Mayor will establish time limits and otherwise control presentations. (The speaking time limit is three minutes per speaker or five minutes when presenting the official position of an organization or group). The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, etc.).

6.3 Conflict of Interest/Appearance of Fairness:

Prior to the start of a public hearing, the Chair will ask if any Councilmember has or may have an interest or may have engaged in an ex-parte communication which could, pursuant to Ch. 42.23 RCW or Ch. 42.36 RCW, prohibit or disqualify the Councilmember from participating in the public hearing process.

A Councilmember who refuses to step down after challenge and the advice of the City Attorney, a ruling by the Mayor or Chair and/or a request by the majority of the remaining members of the Council to step down, is subject to censure. The Councilmember who has stepped down shall not participate in the Council decision nor vote on the matter. The Councilmember shall leave the Council Chambers while the matter is under consideration, provided, however, that nothing herein shall be interpreted to prohibit a Councilmember from stepping down in order to participate in a hearing in which the Councilmember has a direct financial or other personal interest. The appearance of fairness doctrine applies only during quasi-judicial hearings. The conflict of interest provisions, however, apply anytime there will be a vote by the council on a contract. Normally, an announcement would not be required for a vote in which a conflict would occur and it is up to the elected official to bring up the conflict. The City Attorney may prompt the Councilmember to remove him or herself or not participate in the vote. However, if there is a conflict, this must be announced on the record before the vote. The Councilmember is not required to leave during the vote or discussion, but may not participate in the vote.

6.4 The Public Hearing Process:

The Chair introduces the agenda item, opens the public hearing and announces the following Rules of Order intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right to free speech.

- (A) All comments by proponents, opponents or other members of the public shall be made from the podium; individuals making comments shall first give their name and address.
- (B) No comments shall be made from any other location, unless is it is impractical to make comment from the podium. Anyone making “out of order” comments shall be subject to removal from the meeting. If a citizen is disabled and requires accommodation, the citizen is required to advise the City Clerk.
- (C) There will be no demonstrations during or at the conclusion of a public hearing.
- (D) The order for a public hearing shall be as follows:
 - 1. The Chair calls upon City Staff to describe the matter under consideration.
 - 2. The Chair calls upon proponents, opponents and all other individuals who wish to speak regarding the matter under consideration.
 - 3. The Chair inquires as to whether any Council-member has questions to ask the proponents, opponents, speakers or staff. If any Council-member has questions, the appropriate individual will be recalled to the podium.
 - 4. The Chair continues the public hearing to a specific time or closes the public hearing.

7. Duties and Privileges of Media and Citizens

7.1 Media Representation:

Seating space shall be provided for the media at each public meeting. The media shall also be provided with a packet containing the background information provided to the Council.

7.2 Meeting Participation:

Citizens are welcome at and encouraged to attend all Council meetings. Recognition of a speaker by the Chair is a prerequisite and necessary for an orderly and effective meeting, be the speaker a citizen, Councilmember or staff member. Further, it will be expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the specific subject under consideration. Anyone making out-of-order comments or acting in an unruly manner shall be subject to removal from the meeting. Cell phones will be silenced and not used for phone calls during council meetings.

7.3 Subjects Not on the Current Agenda:

Under agenda item "Comments from Citizens" citizens may address any item not already on the agenda. They shall first obtain recognition by the Chair, stand at the podium, state their name, address and subject of their comments. The Chair shall then allow the comments, subject to a three-minute limitation per speaker and five-minute limitation per speaker representing a group or organization, or other limitations as the Chair may deem necessary. Following such comments, if action is required or has been requested, the Chair may place the matter on the current agenda or a future agenda or refer the matter to staff or a Council committee for action or investigation and report at a future meeting.

7.4 Public Comments and Suggestions to Council:

When citizen comments or suggestions unrelated to the agenda are brought before the City Council, the Chair shall first determine whether the issue is legislative or administrative in nature and then:

- (A) If the issue is legislative, and comments on the letter or intent of a legislative act or is a suggestion for changes to such an act, and if any Councilmember suggests a change to an ordinance or resolution of the City, the Council may refer the matter to a committee, City Administration, City Attorney or the Council as a whole for study and recommendation.
- (B) If the issue is administrative and comments on administrative staff performance, administrative execution of legislative policy or administrative policy within the authority of the City Administrator, the Chair should then refer the complaint directly to the City Administrator for his/her review if the complaint has not yet been reviewed. The City Council may direct that the City Administrator report to the Council his/her response and resolution.

7.5 Personal and Slanderous Remarks:

Any person making personal, offensive, impertinent or slanderous remarks or who shall become boisterous while addressing the Council may be requested to leave the

meeting and may be barred from further audience participation before the Council during that Council meeting by the Mayor.

Any councilmember making personal, offensive, impertinent or slanderous remarks to a member of the audience, city staff member or another councilmember will be asked to refrain. If the remarks continue he/she may be asked to leave the meeting.

7.6 Written Communications:

Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council had control at any time. The written communication may be submitted by direct mail, e-mail, text message or by addressing the communication to the City Clerk who will distribute copies to the Mayor and Councilmembers. The communication will be entered into the record without the necessity for reading as long as sufficient copies are available to members of the audience/public.

7.7 Video Recording of Public Meetings:

All public meetings of the City of Orting, including but not limited to regular and special meetings of the City Council, committee meetings and commission and board meetings may be recorded by members of the public, including members of the media. The City reserves its right to place restrictions on the location of all recording equipment, so as to ensure the recording equipment does not pose a safety hazard, and that the recording does not hinder the public's attendance or disrupt the decorum of the meeting. Failure to comply with the City's request to move recording equipment may result in expulsion from the meeting.

In order to preserve the decorum of the regular and special meetings of the City Council, all recording equipment shall be placed south of the kitchen door at the Multipurpose Center, in a location that does not pose a safety hazard or otherwise interfere with the public's access to attend and view the meeting.

At Committee meetings located at the Public Safety Building, all recording equipment shall be placed at the end of the first row on the west side of the meeting space in a location that does not pose a safety hazard or otherwise interfere with the public's access to attend and view the meeting, and shall be placed at the northwest corner of the room at the Multipurpose Center Conference Room. The Committee Chair (or his or her designee) may proscribe an alternative location for placement of recording equipment, so long as the location does not pose a safety hazard, does not hinder the public's attendance and does not disrupt the decorum of the meeting.

8. Filling Council Vacancies and Selecting Deputy Mayor

8.1 Notice of Vacancy:

If a Council vacancy occurs, the Deputy Mayor will take the lead with the assistance of two councilmembers and guide the Council through the procedures as outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available, until an election is held, the Council will widely distribute and publish a notice of the vacancy, procedure, deadline for applying for the position and the date of the interview.

8.2 Application Procedure:

Each applicant will submit a written request to the City Clerk prior to the posted deadline.

8.3 Interview Process:

All candidates who submit an application by the deadline will be interviewed by the Council during a regular or special Council meeting. The order of the interviews will be determined by a drawing of names. Applicants will be asked to answer questions posed by each Councilmember during the interview process. Each candidate will be allowed two minutes for opening and closing comments. Candidates may not make comments or responses about other applicants.

8.4 Selection of Councilmember:

The Council may recess into executive session to discuss the qualifications of all candidates. Nominations via a motion, voting and selection of a person to fill the vacancy will be conducted during an open public meeting. If no motion is made, none of the candidates shall be selected.

The City Clerk will prepare the Oath of Office and the Mayor, The City Administrator or the City Clerk may swear in any newly-appointed Councilmember. The new Councilmember will immediately take his/her seat with the Council.

8.5 Selecting Deputy Mayor:

The Deputy Mayor will be selected by a majority of the Councilmembers annually at the first Council meeting in January.

9. Committees and Commissions

9.1 Citizen Committees, Boards and Commissions:

The Council will create committees and commissions to assist in the conduct and operation of city government with such duties as are consistent with the Orting Municipal Code.

9.2 Types of Committees:

There shall be four types of committees in the City of Orting.

- (A) Standing Committees. Such committees will be established to conduct business by the Deputy Mayor plus one council member and the mayor when delegated to the legislative body and approved by the council.
- (B) Ad Hoc Committees. Such Council Advisory Committees are to investigate a specific subject and report back to the City Council. Such a group may be chaired by a council-member. Typically such a Committee would focus on a policy issue or legislative matter.
- (C) Citizen Advisory Commissions. Such groups are formed to promote citizen participation on a particular subject and provide guidance on community views on a subject to the Council, for example Parks and Planning Commissions.
- (D) Mayor's Committee. Such Committees are formed to investigate a specific operational issue and report back to the Mayor and City Council. It may be chaired by a councilmember or the Mayor.

9.3 Membership and Selection:

Membership and selection of members shall be as provided by the Mayor or designee and confirmed by the Council. Any committee or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. Committees so appointed shall have advisory powers to the Council except as otherwise specified in the Orting Municipal Code (OMC).

9.4 Committee Meetings:

Committees shall establish a regular time, date location for their meetings. The City Clerk will maintain a list of committee meeting times, dates and locations. Committees may make recommendations for action to the Council as a whole. Councilmembers who do not serve on a committee with questions or concerns about an agenda item, are responsible to contact staff or a committee member prior to the meeting to express their concern or need for additional information.

9.5 Committee Records:

Draft summaries of each meeting will be prepared by a committee member or the staff assigned to the committee by the City Administrator and distributed to each Councilmember. Verbal reports may be given at Regular and Special Council meetings as requested by a committee member, the committee chair, the Mayor or any member of the Council.

9.6 Open Public Meetings Act:

The City Council Committees shall comply with the state's "Open Public Meetings Act."

9.7 Removal of Members of Boards and Commissions:

The Mayor may remove any member of any commission based upon the following criteria.

- (1) Parks Advisory Board: Three consecutive unexcused absences will result in automatic removal. (OMC 2-5-2)
- (2) Planning Commission: The mayor may remove after a public hearing and with approval by the council. (OMC 2-1-3)
- (3) Civil Service Commission: Any member of the commission may be removed from office for incompetency, incompatibility or dereliction of duty, or malfeasance in office, or other good cause. (RCW 41.12.030)

10. Public Records

10.1 Public Records:

Records created or received by the Mayor or any Councilmember should be transferred to the City Clerk for retention by the City in accordance with the Public Records Act, Chapter 42.56 RCW. Public records that are duplicates of those received by, or in the possession of the city, are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained; should be referred to the City Attorney.

10.2 Electronic Mail:

Electronic communications that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, do not constitute a public record. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute public records.

10.3 Open Public Meetings Act Regarding Electronic Mail:

E-mails between elected officials of a governing body can implicate the Open Public Meetings Act. If discussing city business with a fellow Councilmember via e-mail, it can constitute a meeting and all the requirements for a public meeting would have to be met or a violation of the Act could occur.

11. Council Travel Policy

11.1 Applications:

The provisions of Chapter 42.24 RCW and the Budgeting, Accounting, and Reporting Systems (BARS) manual prescribed by the Washington State Auditor's Office apply. The City of Orting reimburses its elected or appointed officials for reasonable travel, subsistence and related expenses incurred conducting City business provided the expenses are prudent and directly related to the individual's service on behalf of the City.

11.2 Administration:

The City Treasure administers the travel and expense reimbursement program, designs and distributes forms and instruction and carries responsibility for review of claims. Claims will not be allowed without a detailed account of monies spent certified by the individual making the claim as required by the Division of Municipal Corporations in the Office of the State Auditor.

11.3 Documentation:

Claims for personal reimbursement must be made on official forms, be accompanied by the vendor's original receipt or bankcard charge slip showing the date, vendor imprinted name, amount paid and the items/services received, and must be certified correct and signed by the individual seeking reimbursement.

In addition to the documentation above, claims for business related meals require the following documentation:

- (A) The names of the individuals participating.
- (B) Their official title or capacity as it relates to city business.
- (C) The nature of the topics discussed, nature of the occasion, what public purpose or policy was being served (and/or copy of agenda).

11.4 Council Retreats/Executive Team Retreats:

The reasonable cost of necessary food and beverages while conducting a City retreat is authorized for reimbursement.

11.5 Service Awards Ceremonies:

Expenditures for reasonable refreshments served and awards given are eligible for reimbursement.

11.6. Transportation Expenses:

Public officials are to exercise prudent judgment in incurring travel expenses on official City business. Excessive or unnecessary expenses will not be reimbursed or paid for by the City.

Authorization of travel is to be exercised through the use of the current budget. Reasonable transportation expenses for approved travel will be reimbursed. The most direct and cost effective mode of transportation will be the basis for the reimbursement. Out-of-state travel must be approved by the City Council. In-state travel means travel within the state of Washington. In special or unusual circumstances, arrangements will be made to accommodate unique transportation requirements.

11.7 Meals:

Based on recommendations from the State Auditor's Office, the City uses the following guidelines in determining the use of public funds for expenditures for food and beverages:

- (A) Name of the consumer.
- (B) Nature of the occasion for the consumption.
- (C) Public purpose or policy objective was served.
- (D) The expenses are consistent with the policy authorizing reimbursement.

11.8 Local Business Meals:

Meals (including snacks) between City public officials/employees will not normally be reimbursed. It is expected that City business between City public officials/employees can, for the most part, be conducted on City premises during normal work hours.

11.9 Meetings through Mealtimes:

The City recognizes that there are occasions when it may be necessary for a group of public officials and/or employees to work through a meal in order to meet a deadline or to keep a group convened in order to accomplish the task. To be considered for reimbursement as a working meal, the meeting must span over a three-hour period, which includes the group's normal mealtime.

11.10 Business Meals between City Employees and Non-City Employees:

The practice of the City providing meals to non-city employees is discouraged. However, for directors and above, the City recognizes that there are situations where non-city employees provide an unpaid service to the City during a mealtime. The costs of meals while conducting City business with persons other than City employees either locally or out of town are authorized for reimbursement subject to the limitations described in this document.

11.11 Meals While On Authorized Travel Status:

Per Diem shall be used for meals while out of town on city business. Out of town means the one-way travel distance is greater than 40 miles from the city and overnight stay is required. Per Diem for meals shall be at the rate in effect at the time of travel for the specific area or locality. The maximum allowable rate shall be those in effect by the State of Washington, Office of Financial Management.

11.12 Non-Reimbursable Expenditures:

Unauthorized expenditures include, but are not limited to, liquor, expenses of spouse, guests or other persons not authorized to receive reimbursement under this policy or state regulations. Situations not specifically addressed above will be reviewed by the City Administrator for propriety.

11.13 Lodging:

Hotel/motel accommodations for public officials/ employees attending out-of-town functions on city business are acceptable. Lodging expenses shall be reimbursed at actual costs, as evidenced by a receipt, up to the specific daily maximum allowable lodging rate in effect at the time of travel for the specific area or locality. The maximum allowable lodging rates shall be those in effect by the State of Washington, Office of Financial Management.

The cost of accommodations should be requested by purchase order and billed directly to the City by the vendor whenever possible. If advance payment is required, a purchase order will be prepared and the lodging registration will serve as supporting documentation for the claims check issued to the vendor. A vendor's receipt for these expenditures is required in all cases. In some situations, the maximum allowable lodging amount may not be adequate and the City Administrator may approve payment of lodging not to exceed 150% of the applicable maximum per diem amount.

11.14 Non-Allowable Expenses:

Certain travel expenses are considered personal and not essential to the transaction of official city business and therefore not reimbursable. Such non-reimbursable expenses include, but are not limited to: Baggage checking, valet services, laundry

services, entertainment expenses, radio or television rental, transportation to or from places of entertainment, costs of personal trip insurance, medical and hospital services, personal toiletry articles, barber or hairdresser, personal postage or reading materials, expenses of a spouse or other family member, mileage allowance for commuting to regular, special, and committee meetings of the City Council, expenses on a personal car, meal expenses for formal meetings of City Council committees, fines for violation of motor vehicle laws.

12. Suspension and Amendment of These Rules

12.1 Suspension of These Rules:

Any provision of these rules not governed by state law or the Orting Municipal Code may be temporarily suspended by a vote of a majority of the Council.

12.2 Amendment of These Rules:

These rules may be amended or new rules adopted by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

12.3 Conflict:

In the event of a conflict between the City Council Rules of Procedure and other rules adopted by resolution of the Council, these City Council Rules of Procedure shall prevail to the extent of the conflict. In the event of a conflict between these City Council Rules and state law, state law shall prevail to the extent of the conflict.



**City of Orting
Council Agenda Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Facility Tour	AB22-55			
		Public Works	6.15.2022	
	Department:	Public Works Committee		
	Date Submitted:	6.8.2022		
Cost of Item:	<u>\$</u>			
Amount Budgeted:	<u>\$</u>			
Unexpended Balance:	<u>\$</u>			
Bars #:				
Timeline:				
Submitted By:	Kim Agfalvi			
Fiscal Note:				
Attachments:				
SUMMARY STATEMENT:				
<p>The Public Works Committee would like to invite all Councilmembers to participate in a tour of the City of Orting public works facilities. Kim Agfalvi, City Clerk will coordinate a time that will work for Councilmembers to meet with Public Works director Greg Reed to tour facilities and learn how all facilities work.</p>				
RECOMMENDED ACTION: Informational only.				