

Agenda Setting

- **Annual Goal Setting Retreat:** At the retreat Councilmembers decide on the council goals and implementation items for staff to focus on during the year.
- **Advisory Committee Work plans:** The General Government committee will draft committee work plans at the end of each year, and the committee chairs will come to Council in January with a year-long agenda. At that time, a majority of Councilmembers may request other items be added to the work plan.
- **Regular Meetings:** At any time during a regular Council meeting, a member may make a referral for an item to be addressed by a committee or by the full Council in the form of a study session. This request is subject to concurrence by a majority of the Council present. Also, such matter shall not be considered by the Council at the same meeting it is submitted to the Council without the concurrence of the majority of the Council present.
 - **Referral to Committee:** Item will be scheduled on the committee work plan agenda for a future date, and the committee chair will report back to full council on findings during a regular meeting.
 - **Referral to Study Session:** Item will be scheduled on the Council agenda for a future date.
- **During Budget Deliberations:** At the end of each year, the full Council sets priorities for the future year in setting the budget. This is a time of deliberation and decision-making.
- **City Manager's Performance Review:** Council can decide on items that need to be addressed during the City Manager's biannual review.

Legislative Process

All measures proposed for Council consideration must have the endorsement and sponsorship of at least one member or be recommended by a Council committee or be advanced by staff as a Consent Calendar item.

All proposed measures, except Consent Calendar items, must be referred to a Council committee of proper jurisdiction, unless the majority of the Councilmembers present approve a suspension of the rules and one of the following alternative dispositions of the proposal:

1. Referral to the Committee of the whole for later consideration, or
2. Immediate consideration, or

3. Referral to an advisory committee, or
4. Referral to staff for investigation and report.

Scheduling the Agenda

The agenda is the schedule of items the Council has determined they will address at a meeting. Agenda items may also be certain items proposed for the Council to address (i.e., lot vacations, ordinances to accept grants, etc.). The proposed agenda is set by the Mayor and/or Mayor Pro Tem in consultation with the City Manager, and is usually available by 3:00 p.m. on the Thursday immediately preceding the meeting.

Each Monday morning the City Manager meets with Department Directors to go over proposed future agendas, at which time any issues that need to be brought forth to the City Council are discussed with the City Manager.

Agenda - Order of Business

The City Council has established the following order of business for its regular meetings:

1. Opening and Roll Call
 - a. Changes to Agenda
 - b. Approval of Agenda
2. Special Recognition (Including Proclamations)
3. Public Communications - not to exceed 30 minutes
 - a. Council response to public communications
4. Consent Calendar
5. Public Hearings
6. Other Business or Study Session
7. Continued Public Communications
8. Reports and Referrals
 - a. Council Intergovernmental/Committee Reports and Referrals
 - b. City Manager's Report and Referrals
9. Adjournment

Advisory Boards and Committees

For more information about Advisory Bodies, see the City’s website at <http://www.olympiawa.gov>. Also, see Appendix A for the Board and Commission Membership & Qualification Matrix.

Boards, commissions and citizen committees provide a great deal of assistance to the Olympia City Council when formulating public policy and transforming policy decisions into action. The City has the following standing boards and commissions which are appointed by Council:

- Arts Commission
- Bicycle & Pedestrian Advisory Committee
- Design Review Board
- Heritage Commission
- Lodging Tax Advisory Committee
- Parks & Recreation Advisory Committee
- Planning Commission
- Utility Advisory Committee

In addition, special purpose committees and task forces are appointed from time-to-time by the City Council to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad hoc committees will be dissolved upon completion of the intended task.

While membership on most committees is by Council appointment, the following exceptions apply:

- Civil Service Commission (appointed by the City Manager)
- LEOFF Disability Board (elected and member appointed)
- Parking and Business Improvement Area Board/PBIA (elected by ratepayers)

The City Council appoints one (1) citizen member to each of these community boards:

- Human Services Review Council (HSRC)
- Thurston Community Television Board (TCTV)

Establishment of Advisory Committees/Commissions/Boards Appointed by the City Council

Council appointed Committees/Commissions/Boards are established by action of the entire Council, usually by ordinance. Short term or Ad Hoc Committees may not necessitate an ordinance and may be established by majority Council approval of the scope for the committee and the term of its appointment.

Most of the positions are citizen-at-large, without specific affiliations, and a majority of each committee's members must reside in the City of Olympia or Olympia's Urban Growth Area. Most Olympia advisory committees have eleven (11) members, with terms for about 1/3rd of the members ending on March 31 each year.

The General Government Committee has adopted Rules of Procedure and conduct expectations for City Advisory Committees and its members. The Rules of Procedure outline such things as number of members, term of office, etc. See Appendix A for the City Advisory Committee Rules of Procedure.

Appointment to Advisory Committee/Commissions/Boards

The General Government Committee, on behalf of the entire Council, accepts applications annually at a time specified by the committee, and makes appointment recommendations to the full City Council following review of applications and personal interviews with qualified candidates.

The General Government Committee will establish the procedures for public notification of advisory committee openings and the method for individuals to apply for appointment consideration.

Partial-term vacancies will be filled when appropriate, as determined by the Council's General Government Committee.

Committee/Commission Resignations

In the interest of timely noticing of vacancies and to minimize the impact of vacancies on boards and commissions, the City Council delegates to the Mayor or the chair of the General Government Committee the authority to accept resignations.

Staff Relationship to Advisory Bodies

The City's Communications Manager serves as a liaison from the City Manager's office to all advisory committees and provides professional staff support to the General Government Committee. Other staff support and assistance may be

provided to advisory boards, commissions, and task forces; however, advisory bodies do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager.

The members of the commissions, boards, or committees are responsible for the functions of the advisory body. The chairperson is responsible for committee compliance with the municipal code and/or committee bylaws.

Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations. Staff support includes: 1) preparation of a summary agenda after approval by the chairperson; 2) preparation of reports providing a brief background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary; and 3) preparation of minutes of advisory body meetings. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues.

Councilmembers' Role and Relationship with City Advisory Bodies

The City Council annually reviews and approves work plans for each advisory committee, except for the Design Review Board (primarily a quasi-judicial group).

The General Government Committee is the Council's liaison with advisory committees for membership, procedural and general oversight purposes.

For communication and policy development purposes, the City Council's Land Use and Environment Committee is liaison with the Design Review Board and the Olympia Planning Commission. A Councilmember serves as the Chair of the Lodging Tax Advisory Committee as required by State law. By City ordinance, the Council may appoint a liaison with the Parking and Business Improvement Area Advisory Board. The General Government Committee is liaison with the other Council-appointed committees.

Each year, the General Government Committee shall facilitate the identification of a Councilmember to serve as liaisons to the Arts Commission, Bicycle and Pedestrian Advisory Committee, Heritage Commission, Parks and Recreation Advisory Committee, and the Utility Advisory Committee. The purpose of the liaison role is to serve as a communication contact with the committee(s) on behalf of the City Council. The liaison shall not attempt to influence the committee(s) to endorse or validate their personal point of view on an issue. The liaisons shall briefly report their contacts with committees at City Council meetings, as appropriate.

Unless required by State law (such as with the Lodging Tax Advisory Committee) Olympia Councilmembers do not serve on Council-appointed committees. It is expected that any newly elected Councilmember who is serving on a City advisory board or committee at the time of election will resign from their committee appointment at the time of assuming Council office.

In general, individual Councilmembers may attend advisory committee meetings to observe the committee's discussion and action, and should refrain from any comments or actions intended to influence the committee.

If an advisory committee chair requests the presence of a Councilmember at a committee meeting, the Councilmember shall inform the full Council of the request. If requested by the committee or committee chair to express an opinion on a policy topic being discussed by the committee, the Councilmember shall make it clear that the opinion they express is their own and should not be construed as reflecting the opinions of other Councilmembers or of the full Council.

What happens to an item once it is referred to an advisory board or committee?

Each year, advisory boards and committees form a work plan for the year. If an item is referred during the year, the staff liaison will notify the Committee Chair of the referral. The Committee Chair will usually report back to the Council regarding their ability to absorb the referral into their current work plan.

It is expected the chair of the advisory committee or their designee, rather than a staff person, report the findings of the committee to the Council. Accordingly, committee chairs should attend the Council meeting when the recommendation is presented and be available for questions or clarifications on the committee recommendation.

Typically, items of a policy nature are presented to Council in written form. Accordingly, committee chairs should review staff materials representing the committee recommendation to assure they accurately convey the committee's intent prior to completion of the council packet.

Washington Public Disclosure Act

The following is a summary. Please refer to the Public Records Act and Electronic Records Guide and the Public Disclosure Law Interpretation in Appendix B for more information. For Frequently Asked Questions about Public Disclosure, see the Municipal Research and Services Center of Washington (MRSC) website at <http://www.mrsc.org/askmrsc/pastinqsubject.aspx?sid=30>.

To ensure that business communications submitted to and by elected and appointed officials comply with the State Public Record Act, RCW 42.56, and the State Open Public Meetings Act, RCW 42.30, the following is set forth:

Public Records Act

Almost **everything** we handle is a public record. According to RCW 42.56.010(2), a "public record" is defined to include "... any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."

"Writing" is also defined in the disclosure statutes: "Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound records, and other documents including existing data compilations from which information may be obtained or translated (RCW 42.56.010(3))."

Electronic Communications

- As soon as an email hits the server it may be subject to public disclosure.
- Email is automatically saved in an archive and retained in accordance with State law.

E-mail communications that are intended to be shared among four or more Councilmembers, whether concurrently or serially must be considered in light of the Open Public Meetings Act. Such emails should be restricted to the providing of information such as materials for later review or notice of a potential new agenda item. Responses to such emails should be limited to ensure that Council business is conducted only at its scheduled meetings. Discussion of City business by a majority of the Council should be done at an open meeting.

Councilmembers agree that emails will not be exchanged by Councilmembers during public Council meetings.

E-mail should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other “confidential” City business. In general, e-mail is discoverable in litigation, and even deleted e-mail is not removed from the archive system. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

Email between Councilmembers and between staff and Councilmembers may be disclosed to the public or news media if a public disclosure request is filed with the City Clerk.

Email on a Councilmember’s private computer pertaining to city business may be considered open to public disclosure.

The City accepts public records requests via email if the request is addressed to cityclerk@ci.olympia.wa.us.

An online form to register and submit a public record request can be found on the City’s website at this link: www.olympiawa.gov/online-services

Correspondence from Councilmembers

Members of the City Council will often be called upon to write letters to citizens, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City’s position on policy matters to outside agencies on behalf of the City Council. Individual members of Council will often prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

Response to Emails

If any Councilmember receives an email sent directly to his/her address, s/he is not required to share his/her response with the full Council. However, if s/he would like the full Council to be aware of the response, it is up to him/her to copy to the “citycouncil” email address on that response. However, keep in mind the discussion above on limiting such emails to a one-way exchange of information in light of requirements under the Open Public Meetings Act.

When correspondence is sent to the citycouncil@ci.olympia.wa.us address, the Executive Secretary will generally send the writer an initial reply stating “Thank you for your letter. It has been forwarded to the City Council (and appropriate staff)”. S/he will copy the full Council on that response.

If the Executive Secretary recognizes such letter needs a response (i.e., it asks a specific question) s/he will identify a staff member who will respond. Accordingly, she will name the staff member in the initial response as well as copy that staff member. S/he will then notify the Executive Office Program Specialist, who will record the response task in a database. The Program Specialist will then follow-up two weeks later to make sure staff has responded to the letter. The staff responder should always copy to the "citycouncil" address on the response to close the loop.

If the nature of the letter is only one of opinion, the Executive Secretary will not identify a staff person to respond. If a Councilmember wishes to respond to any letter, it is up to him/her to copy the full Council on the response.

Response to Paper Letters

All paper letters (whether addressed to all or one) will be scanned and emailed to the full Council. If the Executive Secretary deems the letter needs a response (i.e., it asks a specific question) s/he will identify a staff member to respond, and follow the same procedure listed above (except s/he will not send an initial response to the sender, and the staff responder should forward a paper copy of his/her response to the Executive Secretary so s/he can forward it to the full Council).

On occasion, members may wish to correspond on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, members should clearly indicate that they are not speaking for the City Council as a whole, but for themselves as one member of Council. City letterhead and office support may be utilized in these circumstances.

City letterhead and staff support cannot be utilized for personal or political purposes.

Posting of Councilmember Information on the City's Website

Each Councilmember has the opportunity to post a biographical page on the City's website. Councilmembers will work with the City's Communications Manager to draft biographical information and a list of Councilmember assignments and areas of focus. The City's Communications Manager or designee will post, publish, and update each biographical information page once it has been reviewed and approved by the respective Councilmember.

Individual Councilmembers may initiate a request to the full Council to post information on the City's website. The initiating Councilmember must draft the copy to be posted and present it at the public meeting of the full Council for approval. The City's Communications Manager or designee will publish the copy after approval by a majority of Councilmembers. The information will be

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at Council Meetings

The order of business may be revised by a majority vote of the Council. Items pulled from the Consent Calendar for substantive discussion will be moved to a later place on the Agenda at the discretion of the Council with placement recommendation made by the Mayor.

Procedure for Public Communication

The City Council appreciates hearing from citizens about items relating to city business and normally sets aside up to thirty minutes near the beginning of Council business meetings for public communication. This forum is a limited public forum and all matters discussed shall relate to city business.

The manner and extent to which members of the public participate in the Public Communication portion of the agenda is under the control of the Mayor. Therefore, to the extent necessary to prevent unreasonable interference with the meeting, the Mayor is empowered to curtail or prohibit testimony that is overly repetitive or lengthy, beyond the reasonable scope of City business, or of a nature that would endanger the safety or wellbeing of the persons attending the meeting or individual city employees. The Mayor is also empowered to establish time constraints on testimony, if necessary, to prevent unreasonable delay of the Council meeting.

Interested citizens may sign up to speak before the Council regarding any item related to City business, except issues for which the City Council either held a Public Hearing in the last 45 days or will hold a Public Hearing within 45 days. Individuals will be asked to indicate on the sign-in sheet whether or not they have addressed the Council as part of Public Communication within the past 30 days. The Mayor has the discretion to move to the end of Public Communication testimony from those individuals who indicate on the sign-in sheet that they have testified in the last 30 days or who are known to the Mayor to have testified in the last 30 days.

Sign-in for Public Communication begins when the lobby doors to the Council Chambers are open (about 30 minutes in advance of the start of the meeting) and continues until after the Mayor gavels the meeting to order, with the exact time at staff's discretion. Everyone who has signed in by the time the registration is closed will be provided an opportunity to comment at that evening's meeting, either during the initial 30 minutes scheduled on the agenda for Public Communication, at the end of the meeting if everyone is not accommodated within the initial 30 minutes, or in another order if proposed by the Mayor at any time during a meeting and agreed to by a majority of Councilmembers in attendance at the meeting.

If time allows during the initial 30 minutes set aside on the agenda for Public Communications, the Mayor may ask if anyone else in the audience wishes to speak. In this circumstance, Public Communication will not exceed 30 minutes

total of testimony time, and additional comment will not be carried forward to the end of the meeting.

Individual comment during Public Communication is generally limited to three minutes or less. Comments should be directed to the Council as a whole. Speakers may not cede all or a part of their time to another speaker.

In order to hear as many people as possible, the Council will refrain from commenting on individual statements until all public comment has been taken, or at the end of the 30-minute time allotment.

Out of respect for the time of our citizens, Council and staff - the Mayor, on behalf of the entire Council, will thank the individuals who spoke. Councilmembers may request additional information from the persons who spoke, information or a report from the City Manager, or make brief comments to help inform the issues.

The Consent Calendar

The City Manager, Mayor and Mayor ProTem will propose which items are on the consent calendar.

The Consent calendar consists of items of a routine nature that do not require discussion. An ordinance or budget resolution typically requires two separate readings at a regularly scheduled council meeting. Final passage typically occurs on second reading, although second reading may be waived by an affirmative vote of at least two-thirds of the Councilmembers present, unless precluded by law. Resolutions may be passed in one reading.

During the regular meeting, any Councilmember may pull a consent calendar item for discussion prior to approval of the consent calendar.

Councilmember Reports

Councilmember reports are intended to allow Councilmembers an opportunity to share brief updates on committee and Council assignments and to seek guidance and direction. Councilmembers should do their best to be concise and restrict their remarks to these topics. Generally, Councilmember Reports should be no more than 5 minutes each.

For reports about Council Committee actions, the Committee's chair should give a brief recap of the substance of the Committee's discussion and recommendations. Items needing Council action or discussion will be scheduled for a subsequent Council meeting, so that all Councilmembers and the public have background information on the topic and any recommendations.

Interaction with City Staff/ Officials

Overview

City Council policies are implemented through a dedicated and professional staff. It is critical to understand the Council/staff relationship so that policies and programs may be implemented successfully.

Council-Manager Plan of Government

The introduction of this guidebook gives a brief overview of the Council-Manager form of government, which is outlined in 35A.13 RCW and 2.04 and 2.08 OMC. The responsibilities and duties of the City Manager include:

- Generally supervise the administration of the City
- Appoint and remove department directors and employees
- Attend all meetings of the Council at which the manager's attendance is required by Council
- See that all laws and ordinances are faithfully executed, subject to the authority which the Council may grant the Mayor to maintain law and order in times of emergency
- Make policy recommendations to the City Council
- Prepare and submit reports to the Council
- Keep the Council fully advised of the financial condition of the City and its future needs
- Prepare and submit to the Council a proposed budget for the fiscal year, and a six year capital facilities plan
- Perform such other duties as the Council may determine by ordinance or resolution.

Roles and Information Flow

Council Roles

The City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

Members of the City Council must not intrude into those areas that are the responsibility of staff. Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. Individual Councilmembers will refrain from asking City staff to work outside normal hours. This is necessary to keep staff focused on established Council priorities and avoid undue influence and

pressure from individual Councilmembers. It also allows staff to execute priorities given by management and the Council as a whole using their best professional judgment without fear of reprisal. If a Councilmember wishes to influence the actions, decisions, recommendations, workload, work schedule, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

Significant Requests

Councilmembers are free to directly contact staff for general information. If the request is significant in nature or initiates any significant project or study the consent of a majority of the Council must be obtained before redirecting work to this new effort. Individual Councilmembers also should not request or direct the City Manager or Department Directors to initiate any significant action or prepare any report that is significant in nature, without majority Council approval. Councilmembers may discuss ideas with the City Manager, and s/he will determine whether or not the request is significant and needs Council direction.

Access to Information

The City Manager is the liaison between Council and City staff other than general information or routine service requests (e.g., potholes). Requests from Councilmembers are to be directed to the City Manager and will be responded to promptly. The information or response will generally be copied to all members of Council so that each member may be equally informed. The equal sharing of information with City Council is one of the City Manager's highest priorities.

There are limited restrictions regarding when information can and cannot be provided. The City is legally bound not to release certain confidential personnel information. Likewise, certain aspects of police department affairs (i.e., access to restricted or confidential information related to crimes) may not be available to members of the City Council. The City Attorney can advise Councilmembers in these areas.

City Council/ City Manager Relationship

The employment relationship between the City Council and City Manager recognizes that the City Manager is the chief executive of the City. All dealings with the City Manager, whether in public or private, should acknowledge the authority of the City Manager in administrative matters.

The City Manager must respect and be sensitive to the policy responsibilities of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

Administrative Issues

The City Council is to work through the City Manager when dealing with management of the City. In no manner, either directly or indirectly, shall a Councilmember become involved in, or attempt to influence, personnel matters that are under the direction of the City Manager. Nor shall the City Council be involved in, or influence, the purchase of any supplies beyond the requirements of the City procurement code/procedures.

Performance Evaluation

The City Council evaluates the City Manager on a bi-annual basis to ensure that both the City Council and City Manager are in agreement about performance and goals based upon mutual trust and common objectives. The City Manager's performance is evaluated in the areas as mutually agreed by the Council and Manager.

Code of Ethics

There is a code of ethics for municipal officers found in 42.23 RCW that outlines prohibited acts with respect to contract interests. The City Manager may also be a member of the International City/County Management Association (ICMA) and, as such, is subject to a professional code of ethics through that organization. These principles appear in Appendix B of this guidebook. The code binds the City Manager to certain practices that are designed to ensure actions are in support of the City's best interests. Violations of such principles can result in censure by ICMA.

City Council/ City Staff Relationship

The primary functions of staff are to execute Council policy and actions and to keep the Council informed. Staff is to take guidance and direction only from the City Manager or Department Director. This direction shall follow the policy guidance of the City Council as a whole.

City Councilmember contact with City staff members, exclusive of the City Manager, will be during regular business hours as much as possible, except in the case of unforeseeable circumstances.

Political Involvement

Olympia is a nonpartisan local government. Professional staff formulates recommendations in compliance with Council policy and are not to be influenced by political factors. For this reason, it is very important to understand the restrictions of political involvement of staff.

By working for the City, staff members do not surrender rights to be involved in political activities during their non-working hours. They may register to vote, sign nominating or recall petitions, and they may vote in any election.

There are restrictions against the use of public funds, public property or public facilities to support or oppose ballot propositions or individual candidates. The basic concepts to keep in mind are that public facilities should not be used for campaign purposes, and employees should not promote or oppose a ballot measure or a candidate during work hours

City Council/ City Attorney Relationship

The City Attorney is an employee appointed by the City Manager. The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The City Attorney supervises other attorneys in the city Attorney's Office to ensure coverage of the City's civil and criminal matters and may hire special counsel as necessary. The general legal responsibilities of the City Attorney's Office are to:

1. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
2. Represent the City's interest in criminal prosecution, civil litigation, administrative hearings, negotiations, and similar proceedings;
3. Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
4. Keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the city.

It is important to note that the City Attorney does not represent individual members of Council, but rather the City Council as a whole.