

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE 3.16.020 CLARIFYING REQUIREMENTS RELATED TO INTERLOCAL AGREEMENTS AND OTHER CONTRACTS**

**WHEREAS**, the powers granted under Chapter 39.34 RCW are supplemental according to RCW 39.34.100; and

**WHEREAS**, the City of Olympia (City) operates under the Optional Municipal Code, which provides broad authority in RCW 35A.11.010 for the City to contract and be contracted with; and

**WHEREAS**, the current language in Olympia Municipal Code (OMC) 3.16.020 is unnecessarily limiting, requiring that even contracts with other jurisdictions that are not governed by Chapter 39.34 must be presented to Council for approval; and

**WHEREAS**, the requirement for contracts with other governmental entities to be approved by the City's governing authority exists in state law only where the contract is entered into under Chapter 39.34 RCW;

**WHEREAS**, the City wishes to amend the OMC to be consistent with the requirements of state law with respect to contracts entered into with other governmental entities;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC 3.16.020.** Olympia Municipal Code Section 3.16.020 is hereby amended to read as follows:

**3.16.020 Council Approval.**

The following documents and instruments shall be presented to the City Council for approval prior to their execution by the City Manager:

A. Interlocal agreements: All contracts, agreements, memoranda of understanding, or other documents between the City of Olympia and any other governmental agency or agencies that are entered into pursuant to the supplemental authority for the City to contract in Chapter 39.34 RCW. ~~An agreement in association with a grant application is not considered an interlocal agreement for purpose of this subsection but is subject to the monetary thresholds in Subsection C.~~

B. Instruments pertaining to real property: any contract, agreement, lease, easement, bill of sale, or other instrument pertaining to the City's use, disposition, conveyance, or acquisition of real property.

Exceptions:

(1) An acceptance by the City in its regulatory capacity of a dedication from a development is not subject to Council approval.

(2) Temporary construction licenses are not subject to Council approval.

(3) The City Manager is authorized to sign the following without further City Council approval: All instruments pertaining to the City's use, disposition, conveyance, or acquisition of real property by whatever method, provided that such transaction is associated with a capital improvement project that has been previously approved by Council.

C. Any contract, agreement, or other document with a cost over \$300,000.

**Section 2. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 3. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

**Section 4. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 5. Effective Date.** This Ordinance shall take effect thirty (30) after publication, as provided by law.

\_\_\_\_\_  
MAYOR

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
CITY ATTORNEY

**PASSED:** (Set)

**APPROVED:**

**PUBLISHED:**