



Meeting Agenda

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, February 14, 2017

7:00 PM

Council Chambers

1. ROLL CALL

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

2. SPECIAL RECOGNITION

2.A [17-0176](#) Special Recognition - McAllister Springs Transfer Signing Ceremony with Nisqually Indian Tribe

2.B [17-0177](#) Special Recognition - USS Olympia

Attachments: [Proclamation](#)

2.C [17-0175](#) Special Recognition - Jane Kirkemo

Attachments: [Proclamation](#)

3. PUBLIC COMMUNICATION

(Estimated Time: 0-30 Minutes) (Sign-up Sheets are provided in the Foyer.)

During this portion of the meeting, citizens may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these three areas: (1) on agenda items for which the City Council either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure.

Individual comments are limited to three (3) minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the City Council will refrain from commenting on individual remarks until all public comment has been taken. The City Council will allow for additional public comment to be taken at the end of the meeting for those who signed up at the beginning of the meeting and did not get an opportunity to speak during the allotted 30-minutes.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

4. CONSENT CALENDAR

(Items of a Routine Nature)

4.A [17-0158](#) Approval of February 2, 2017 City Council McAllister Springs Transfer

Agreement Signing Ceremony Meeting Minutes

Attachments: [Minutes](#)

- 4.B [17-0173](#) Approval of February 7, 2017 Study Session Meeting Minutes

Attachments: [Minutes](#)

- 4.C [17-0174](#) Approval of February 7, 2017 City Council Meeting Minutes

Attachments: [Minutes](#)

- 4.D [17-0171](#) Approval of 2016 Amendments to City Council Guidebook

Attachments: [Guidebook-2016 DRAFT](#)

- 4.E [17-0146](#) Approval of Interlocal Agreement with Olympia School District for Installation of School Speed Limit Zone Flashing Beacons

Attachments: [Interlocal Agreement](#)

- 4.F [17-0055](#) Approval of Resolution Regarding Development Review Fund Policies

Attachments: [Resolution](#)
[Ordinance](#)**4. SECOND READINGS - None****4. FIRST READINGS**

- 4.G [17-0152](#) Approval of Amendment to Ordinance 6983 - Development Fee Revenue Fund

Attachments: [Ordinance](#)**5. PUBLIC HEARING - None****6. OTHER BUSINESS**

- 6.A [17-0163](#) Approval of Resolution Authorizing the Use of General Funds Towards the Acquisition of Real Property from the Dawley Trusts for Use for Future Multi-Residential/Commercial Use

Attachments: [Resolution](#)**7. CONTINUED PUBLIC COMMUNICATION**

(If needed for those who signed up earlier and did not get an opportunity to speak during the allotted 30 minutes)

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**8.B CITY MANAGER'S REPORT AND REFERRALS****9. ADJOURNMENT**

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council meeting, please contact the Council's Executive Assistant at 360.753.8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.



City Council

Special Recognition - McAllister Springs Transfer Signing Ceremony with Nisqually Indian Tribe

Agenda Date: 2/14/2017
Agenda Item Number: 2.A
File Number: 17-0176

Type: recognition **Version:** 1 **Status:** Recognition

Title

Special Recognition - McAllister Springs Transfer Signing Ceremony with Nisqually Indian Tribe

Recommended Action

Committee Recommendation:

Not referred to a committee. Receive a special recognition briefing.

City Manager Recommendation:

Recognize the historic McAllister Springs transfer signing ceremony with the Nisqually Indian Tribe.

Report

Issue:

Whether to recognize the McAllister Springs signing ceremony with the Nisqually Tribe

Staff Contact:

Rich Hoey, P.E., Public Works Director, 360.753.8495

Presenter(s):

Rich Hoey, P.E.

Background and Analysis:

On February 2, 2017, the Olympia City Council and Nisqually Tribal Council held a signing ceremony for agreements transferring the McAllister Springs properties from the City to the Nisqually Tribe. This was an important, historic moment for both communities. Staff will provide a brief presentation to honor and recognize the event.

Attachments:

None



City Council

Special Recognition - USS Olympia

Agenda Date: 2/14/2017
Agenda Item Number: 2.B
File Number: 17-0177

Type: recognition **Version:** 1 **Status:** Recognition

Title

Special Recognition - USS Olympia

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Recognize the USS Olympia, its Captain, officers and crew and thank them for their tremendous service to our nation.

Report

Issue:

Whether to recognize the USS Olympia, its Captain, officers and crew.

Staff Contact:

Steve Hall, City Manager, Executive Department 360.753.8447

Presenter(s):

Mayor Selby and Councilmembers

Background and Analysis:

Recently the USS Olympia visited the Puget Sound and was welcomed on January 27 by Councilmember Jim Cooper. On January 28, Councilmembers Bateman and Cooper also hosted the Captain and some of the crew on the steps of Olympia City Hall.

The original USS OLYMPIA was a protected cruiser in active service from 1895 to 1922, most notably in the Spanish-American War, and presently a museum ship in Philadelphia.

The Olympia (SSN 717) submarine is the United States Navy's 95th of the attack submarine fleet. She was christened and launched at Newport News Shipbuilding and Drydocking Company in Newport News, Virginia, on April 30, 1983, Mrs. Dorothy Williams served as sponsor of the ship; and was commissioned on November 17, 1984. In February of 1986, the submarine set sail for her new homeport in Pearl Harbor, Hawaii.

The submarine is 362-feet long, displaces 6,900 tons and can be armed with sophisticated Mk-48 advanced capability torpedoes and Tomahawk cruise missiles.

In February 1986, Olympia set sail for her new homeport in Pearl Harbor, Hawaii.

In 1998, Olympia became the first Pacific-based submarine to pass through the Suez Canal in over 35 years.

September 3, 2002, since her commissioning the submarine has completed five deployments to the western Pacific including its most recent deployment where the crew directly participated in Operation Enduring Freedom.

April 17, 2003 USS Olympia departed Pearl Harbor for a six-month deployment to conduct operations in the western Pacific.

Upon arrival in 7th Fleet AoR, USS Olympia joined Exercise Tandem Thrust, a tri-service exercise in the western Pacific, in the vicinity of the northern Marianas Islands. She successfully engaged opposition force submarines and earned the nickname "Silent Spear," by exhibiting tactical superiority during operations with the USS Carl Vinson (CVN 70) Strike Group. After port visits to Saipan and Sasebo, Japan, the attack submarine transited to Chinhae, Republic of Korea, for a seven-day port visit.

October 23, USS Olympia returned to homeport after a routine six-month deployment. She supported a variety of operations and exercises throughout the deployment while assigned to the 7th Fleet area of operations in the western Pacific Theater. These included Exercise Tandem Thrust, a tri-service exercise designed to develop interaction between the services, and Exercise SHAREM 146, a major multi-national naval exercise with forward-deployed forces. The Olympia also conducted independent operations and a shallow water acoustic test. The crew visited liberty ports in South Korea, Japan, Guam and Saipan.

February 7, 2005 The Olympia departed for a scheduled western Pacific deployment, as part of the Vinson CSG.

August 6, USS Olympia returned to Pearl Harbor after a six-month underway period.

April 1, 2009 USS Olympia completed a three-year, \$190.5 million worth, Engineered Refueling Overhaul (ERO) at Pearl Harbor Naval Shipyard.

June 18, 2010 USS Olympia departed Joint Base Pearl Harbor-Hickam for a scheduled western Pacific deployment.

August 16, The Olympia moored at Akasaki Pier in Fleet Activities Sasebo, Japan, for a two-day port call.

October 10, The Los Angeles-class attack submarine made a brief stop at Okinawa, Japan, for personal transfer. Brief stop at Sasebo on Oct. 29.

November 5, SSN 717 pulled into Fleet Activities Yokosuka for a routine port call.

December 17, USS Olympia returned to Pearl Harbor after a six-month deployment.

December 15, USS Olympia finished undergoing deperming being the first submarine to complete this treatment at the new drive-in submarine magnetic silencing facility (MSF), at Joint Base Pearl Harbor-Hickam's Beckoning Point.

August 8, 2012 USS Olympia departed Pearl Harbor for a scheduled western Pacific deployment.

February 2, 2013 The Olympia moored at Changi Naval Base in Singapore for a scheduled port visit.

March 4, USS Olympia returned to homeport after a seven-month deployment.

August 25, 2014 USS Olympia departed Joint Base Pearl Harbor-Hickam for a scheduled western Pacific deployment.

February 25, USS Olympia returned to Pearl Harbor after a six-month deployment.

January 27, USS Olympia moored at Delta Pier South on Naval Base Kitsap-Bremerton, Wash., for a three-day liberty visit to its namesake city.

Attachments:

Proclamation

PROCLAMATION

WHEREAS, the City of Olympia is very proud to be the namesake of the naval submarine, USS Olympia; and

WHEREAS, the submarine is the second vessel in the naval fleet to be named after Olympia, the first was a protected cruiser that saw service from 1895-1922; and

WHEREAS, the USS Olympia submarine recently visited the Puget Sound; and

WHEREAS, the Captain and crew were able to participate in a number of activities around the area during their visit; and

WHEREAS, Councilmember Jim Cooper represented the City by greeting the sub in the Puget Sound and riding with its Captain and crew to Naval Base Kitsap-Bremerton; and

WHEREAS, Councilmembers Bateman and Cooper hosted the Captain and some of the crew on the steps of Olympia City Hall during their visit; and

WHEREAS, the City wants to honor and welcome the men and women who serve on the USS Olympia; and

NOW THEREFORE, BE IT RESOLVED, the City of Olympia welcomes the USS Olympia, its Captain, officers and crew and wishes to thank them for their tremendous service to our nation; and

FURTHERMORE, the City extends an open invitation for the boat and its crew to visit the Olympia community whenever their schedule allows.

SIGNED IN THE CITY OF OLYMPIA, WASHINGTON THIS 14th DAY OF FEBRUARY, 2017.

OLYMPIA CITY COUNCIL

*Cheryl Selby
Mayor*



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Special Recognition - Jane Kirkemo

Agenda Date: 2/14/2017
Agenda Item Number: 2.C
File Number: 17-0175

Type: recognition **Version:** 1 **Status:** Recognition

Title

Special Recognition - Jane Kirkemo

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Recognize Jane Kirkemo for her years of service to the City of Olympia.

Report

Issue:

Recognize Jane Kirkemo, upon the occasion of her retirement, for her 32 years of service to the City of Olympia

Staff Contact:

Dean Walz, Line of Business Director, Administrative Services, 360.753.8465

Presenter(s):

Mayor Selby and Councilmembers

Attachments:

Proclamation

PROCLAMATION

WHEREAS, Jane Kirkemo has served as the Administrative Services Director from September 1984 through February 2017; and

WHEREAS, Jane oversaw Human Resources from 1984 – 1992 and 2010 - 2016; and

WHEREAS, Jane significantly improved the budgeting process and budget communications with the public, and was instrumental and the force behind the City receiving the Government Finance Officers, Distinguished Budget Award for 33 consecutive years, the most of any City in the State of Washington; and

WHEREAS, Jane has been dedicated to improving financial excellence and accountability for the City of Olympia; and

WHEREAS, Jane was instrumental in acquiring financing for various capital improvements benefiting the citizens of Olympia, such as: The Olympia Center, Washington Center, Percival Bridge, Farmer's Market, Family Support Center, City Hall, Hands On Children's Museum, Fire Stations, Street & Utility projects; and

WHEREAS, Jane championed the growth of City operations into the age of modern technology; and

NOW THEREFORE, BE IT RESOLVED, that the Olympia City Council does hereby honor Jane Kirkemo for her years of service to the citizens of the City of Olympia and wish her well in her next adventures.

SIGNED IN THE CITY OF OLYMPIA, WASHINGTON THIS 14th DAY OF FEBRUARY, 2017.

OLYMPIA CITY COUNCIL

**Cheryl Selby
Mayor**



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Approval of February 2, 2017 City Council McAllister Springs Transfer Agreement Signing Ceremony Meeting Minutes

Agenda Date: 2/14/2017
Agenda Item Number: 4.A
File Number: 17-0158

Type: minutes **Version:** 1 **Status:** Consent Calendar

Title

Approval of February 2, 2017 City Council McAllister Springs Transfer Agreement Signing Ceremony Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Thursday, February 2, 2017

5:30 PM

Nisqually Tribal Center 4820 She
Nah Num Dr SE

Potential City Council Meeting

1. ROLL CALL

Present: 5 - Mayor Cheryl Selby, Mayor Pro Tem Nathaniel Jones,
Councilmember Jim Cooper, Councilmember Clark Gilman and
Councilmember Julie Hankins

Excused: 2 - Councilmember Jessica Bateman and Councilmember Jeannine Roe

2. EVENT

2.A [17-0112](#) McAllister Springs Transfer Agreement Signing Ceremony

City Councilmembers, Tribal Councilmembers, and staff from both jurisdictions gathered for the signing ceremony and had a shared dinner to celebrate the occasion.

The recognition was received.

3. ADJOURNMENT

The gathering ended at approximately 7:40 p.m.



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Approval of February 7, 2017 Study Session Meeting Minutes

Agenda Date: 2/14/2017
Agenda Item Number: 4.B
File Number: 17-0173

Type: minutes **Version:** 1 **Status:** Consent Calendar

Title

Approval of February 7, 2017 Study Session Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, February 7, 2017

5:30 PM

Council Chambers

Study Session

1. ROLL CALL

Present: 6 - Mayor Cheryl Selby, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Clark Gilman, Councilmember Julie Hankins and Councilmember Jeannine Roe

Excused: 1 - Councilmember Jessica Bateman

2. BUSINESS ITEMS

2.A [17-0148](#) Process and Schedule to Consider City Council Compensation (10 minutes)

City Manager Steve Hall discussed the options on how Councilmembers can move forward in considering a change in Council compensation. Mr. Hall pointed out the City Council has the authority to change the amount of the stipend for newly elected Council members or it can appoint a salary commission to review the stipend for all current and future members.

Councilmembers discussed the issue and decided to bring forward referrals to General Government and Finance Committees at the 7:00p.m. business meeting.

The discussion was completed.

2.B [17-0105](#) Auto Industry Update and Strategy Briefing

Economic Development Director Renee Sunde gave an overview of the Olympia auto mall. She shared the area sales tax revenue for 2016 in relation to auto sales, services and parts. Ms. Sunde discussed the strategy to support the auto mall. This includes understanding market trends, support retention of existing dealerships, support attraction of a new anchor tenant, strengthen operations and prevent sales leakage.

Ms. Sunde introduced Jodi Meade. Ms. Meade is the Principal & National Director of the Avison Young Automotive Properties Group. She gave statistics of auto sales in 2016 nationally and in Washington State.

Ms. Meade gave some automotive industry highlights including new brands and manufacturers, continued interest on alternate powered vehicles, continued demand for ride share services, autonomous vehicles, dedicated travel lanes and building

code requirements. She shared an overview of meetings held with local auto dealers to get a sense of where they are their needs, issues, concerns and ideas. Ms. Meade discussed partnering opportunities with the dealerships.

Councilmembers asked clarifying questions.

The briefing was received.

3. ADJOURNMENT

The meeting adjourned at 6:43 p.m.



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Approval of February 7, 2017 City Council Meeting Minutes

Agenda Date: 2/14/2017
Agenda Item Number: 4.C
File Number: 17-0174

Type: minutes **Version:** 1 **Status:** Consent Calendar

Title

Approval of February 7, 2017 City Council Meeting Minutes



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, February 7, 2017

7:00 PM

Council Chambers

1. ROLL CALL

Present: 6 - Mayor Cheryl Selby, Mayor Pro Tem Nathaniel Jones,
Councilmember Jim Cooper, Councilmember Clark Gilman,
Councilmember Julie Hankins and Councilmember Jeannine Roe

Excused: 1 - Councilmember Jessica Bateman

1.A ANNOUNCEMENTS

Mayor Selby announced the City Council met earlier in a Study Session.

1.B APPROVAL OF AGENDA

Mayor Selby noted that item 4.C will be moved to a future agenda and the order of items 6.B and 6.C will be swapped.

The agenda was approved as amended.

2. SPECIAL RECOGNITION

2.A [17-0114](#) Special Recognition - Comprehensive Annual Financial Report Award
from the Government Finance Officers Association

Washington Finance Officers Association and Government Finance Officers Association representative Kelly Collins presented the City Finance Team with the excellence in financial reporting award. The City has received this award for 26 consecutive years.

The recognition was received.

3. PUBLIC COMMUNICATION

The following people spoke: Reverend Amy La Croix, Pat Rasmussen, Qi Min Ji, Shauna Burmeister, James Lunsford, Emily Allen, Franz Kilmer-Schulz and Renata Rollins.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

Councilmember Cooper noted he will be looking into, and reporting back to the Council, the potential for divesture from US Bank for City banking due to their loan guarantees for construction of the Dakota Access Pipeline. The Councilmembers

also discussed a potential referral to the Finance Committee to discuss the issue further.

4. CONSENT CALENDAR

- 4.A** [17-0121](#) Approval of January 24, 2017 City Council Meeting Minutes

The minutes was adopted.

- 4.B** [17-0098](#) Approval of a Resolution Regarding Petty Cash and Change Funds

The resolution was adopted.

- 4.C** [17-0123](#) Approval of a Charter for an Ad Hoc Housing and Homelessness Committee

The decision was postponed.

- 4.D** [17-0102](#) Review and Approval of the 2017 Land Use and Environment Committee Work Plan

The decision was adopted.

- 4.E** [17-0127](#) Approval of Resolution Recommending Setting Aside Right of Way for Future City Owned Bentrige (Dawley Trusts) Property

The resolution was adopted.

4. SECOND READINGS - None

4. FIRST READINGS - None

Approval of the Consent Agenda

Councilmember Hankins moved, seconded by Mayor Pro Tem Jones, to adopt the Consent Calendar, except for item 4.C which has been postponed to a later date. The motion carried by the following vote:

Aye: 6 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

Excused: 1 - Councilmember Bateman

5. PUBLIC HEARING - None

6. OTHER BUSINESS

- 6.A** [17-0124](#) Approval of Amending Community Development Block Grant (CDBG)

Funding - Program Year (PY) 2016

Community Development Block Grant Program Manager Anna Schlecht gave an overview of the proposed amendments to the Program Year 2016 Annual Action Plan. The amendments include allocating \$225,000 toward housing rehabilitation projects and \$90,000 for the purchase of the Portland Loo (equipment only).

Councilmembers asked clarifying questions.

Councilmember Roe moved, seconded by Councilmember Cooper, moved to approve amending the PY 2016 CDBG Annual Action Plan and direct staff to commence the 30-day public comment period. The motion carried by the following vote:

Aye: 6 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

Excused: 1 - Councilmember Bateman

6.B [16-1370](#) 2016 Year-End Highlights

Assistant City Manager Jay Burney presented 2016 City accomplishments.

The information was received.

6.C [17-0103](#) Approval of Funding for a Permanent Restroom (Portland Loo) at Artesian Commons Park and Additional Portable Restrooms Downtown

Downtown Liaison Mark Rentfrow gave an overview of the existing and proposed locations for public restrooms in downtown Olympia. He reviewed the estimated cost for portable restroom units 3 and 4.

Mr. Rentfrow discussed the funding source for the Portland Loo unit and asked the Council to consider using unspent CDBG funds rather than Sewer Utility funds originally designated for the unit.

Councilmembers asked clarifying questions.

Parks, Arts and Recreation Director Paul Simmons reviewed the Crime Prevention Through Environmental Design analysis of the Percival West restroom. He shared what improvements would need to be made to convert it to a 24 hour facility, what challenges are presented and proposed solutions.

Councilmembers asked clarifying questions.

Mayor Selby moved, seconded by Councilmember Roe, to Move to approve funding a permanent restroom (Portland Loo) at the Artesian Commons Park using CDBG funds and approve funding two portable restrooms in Downtown using Sewer Utility Funds. The motion carried by the following

vote:

Aye: 6 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

Excused: 1 - Councilmember Bateman

Councilmember Roe moved, seconded by Councilmember Hankins, moved to convert one stall at the Percival West restroom to ADA compliance and add it to the 24 hour downtown restroom pilot using funds from the Percival Landing maintenance fund. The motion carried by the following vote:

Aye: 6 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

Excused: 1 - Councilmember Bateman

7. CONTINUED PUBLIC COMMUNICATION

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events attended.

Councilmember Cooper discussed working on referrals to the General Government Committee and Finance Committee regarding Council Compensation.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall noted 300 guests visited the Hands on Children's Museum last Friday to celebrate Melnic's retirement. He thanked the streets crew for keeping the roads safe and clear during the recent snow.

Mr. Hall announced Mary Verner as the City's new Administrative Director. Ms. Verner begins on February 27.

9. ADJOURNMENT

Meeting adjourned at 9:05 p.m.



City Council

Approval of 2016 Amendments to City Council Guidebook

Agenda Date: 2/14/2017
Agenda Item Number: 4.D
File Number: 17-0171

Type: decision **Version:** 1 **Status:** Consent Calendar

Title

Approval of 2016 Amendments to City Council Guidebook

Recommended Action

Committee Recommendation:

General Government Committee recommends the Guidebook amendments.

City Manager's Recommendation:

Move to approve the Council Guidebook amendments, as recommended by General Government Committee and discussed by City Council at the annual Council Retreat.

Report

Issue:

Whether to approve attached amendments to the Council Guidebook

Staff Contact:

Kellie Purce Braseth, Strategic Communications Director, Executive Department 360.753.8361

Presenter(s):

None - Consent Calendar item.

Background and Analysis:

The Olympia City Council's usual procedures and practices are contained in the Council's Guidebook. Biennially, or as needed, the Council's General Government Committee reviews the Guidebook and recommends changes, if warranted.

General Government agreed to forward recommended 2016 changes to Council on the Consent Calendar. The changes are shown in attached draft of the Council Guidebook. The changes occur on the following pages and sections:

- Page 13, Section 2.1.a
- Page 17, Section 2.6
- Page 18, Section 2.8
- Page 19, Section 2.9
- Page 19-20, Section 2.10

Page 21, Section 2.12
Page 24, Section 3.3

Neighborhood/Community Interests (if known):

None known

Options:

1. Approve the recommended changes.
2. Do not approve, or modify the recommended changes.

Financial Impact:

None

Attachment:

Draft 2016 Guidebook

DRAFT FOR REVIEW

**Council Guidebook
City of Olympia, Washington**

Page | 1

This guidebook was adopted by the Olympia City Council at a public meeting. The Guidebook is intended to be a working document that is a guide for Council actions and practices. It is expected that some laws, policies and ways of doing business will change over time and that this Guidebook will be amended.

The most current, signed version of the Council Guidebook is filed with the Olympia City Clerk. A copy is posted on the City of Olympia website under the City Government/City Council section, www.olympiawa.gov.

Olympia City Council
Olympia City Hall
601 4th Avenue E
Olympia, WA 98501

Mailing address:
PO Box 1967
Olympia WA 98507-1967

City Council Email: citycouncil@ci.olympia.wa.us

Olympia, Washington City Council Guidebook

Approved: November 17, 2008
Amended: February 10, 2009
Amended: August 11, 2009
Amended: December 14, 2010
Amended: December 2, 2011 (non-substantive changes only)
Amended: April 10, 2012
Amended: December 4, 2012
Amended: May 21, 2013
Amended: December 23, 2013 (non-substantive changes only)
Amended: February 2, 2016

Signed:

Cheryl Selby – signed copy on file with City Clerk

Cheryl Selby, Mayor

Date

|

Forward

In the course of serving as a public official, you will become involved with many issues. This manual attempts to centralize information on common practices related to local government and your role as a member of the Olympia City Council. The Guidelines and issues addressed in this publication are often complex and subjective.

Use this guide only as a reference; it is not intended to establish law. Many formal policies that impact the City Council are included in the Appendices. However, it is not possible for this guide to incorporate all material and information necessary for undertaking Council business. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices.

This guide is intended to be a helpful resource, and should not be used as a substitute for the guidance or opinion of the City Attorney.

Information contained in this guide will be reviewed by the General Government Committee as needed, or every two years in conjunction with orientation for new City Councilmembers.

TABLE OF CONTENTS

Section 1: Introduction and Overview	6
1.1 History of Olympia City Government	6
1.2 Council-Manager Form of Government	7
1.3 Orientation of New Members	7
1.4 Overview of Basic City Documents	8
 Section 2: Olympia City Council – General Powers and Responsibilities	11
2.1 Overview	11
2.1.a Affirmation of Council Expectations	11
2.2 Council Non-Participation in Administration	13
2.3 Council Non-Participation in Judicial Matters	14
2.4 Role of Councilmembers	14
2.5 Council Committees	15
2.6 Committee Meetings and Agenda	16
2.7 Committee Recommendations	16
2.8 Non-Committee Member Attendance at Council Committee Meetings	17
2.9 Representation on Interlocal and Community Boards by Councilmembers	17
2.10 Role of Mayor	18
2.11 Absence of Mayor and Councilmembers/Forfeiture of Office	19
2.12 Mayor Pro Tem	19
2.13 Personnel Appointments	19
2.14 Incompatibility of Offices	20
2.15 Emergency Response	20
 Section 3: City Council Meetings	22
3.1 Meeting Schedule	22
3.2 Public Notice of Meetings and Hearings	22
3.3 Advancing a Policy Issue	23
3.4 Legislative Process	24
3.5 Scheduling the Agenda	24
3.6 Agenda – Order of Business	24
3.7 Procedures for Public Communication	25
3.8 Consent Calendar	26
3.9 Councilmember Reports	27
3.10 Public Hearings	27
3.11 Council Action	28
3.12 Open Public Meetings Act	28
3.13 Study Sessions	29
3.14 Special Meetings	29
3.15 Executive Sessions	29
3.16 Televised Meetings	30
3.17 Council Attendance Policy	30
3.18 Councilmember Resignations	30
3.19 Meeting Minutes	31
3.20 Parliamentary Procedure	31
3.21 Parliamentary	31

3.22 Attendance via Speakerphone.....	33
3.23 Interrupted Meetings	34

Section 4: Advisory Boards and Commissions..... 32

4.1 Establishment of Advisory Committees/Commissions/Boards	33
4.2 Appointment to Advisory Bodies	33
4.3 Committee/Commission Resignations	33
4.4 Staff Relationship to Advisory Bodies.....	34
4.5 Councilmember’s Role and Relationship to Advisory Bodies	34
4.6 Work Plans and Referrals to Advisory Bodies	35

Section 5: Interaction with City Staff/Officials..... 36

5.1 Overview	36
5.2 Council-Manager Plan of Government	36
5.3 Roles and Information Flow	36
5.4 City Council/City Manager Relationship	38
5.5 City Council/City Staff Relationship	39
5.6 City Council/City Attorney Relationship	39

Section 6: Support Provided to City Council 41

6.1 Staff/Clerical Support	41
6.2 Office Equipment	41
6.3 Meeting Rooms	41
6.4 Mail, Deliveries.....	41

Section 7: Financial Matters..... 43

7.1 Council Compensation.....	43
7.2 Annual Operating Budget and Capital Facilities Plan (CFP)	43
7.3 Long Term Financial Strategy.....	44
7.4 Council “Goal Money”	46
7.5 Financial Disclosure	46
7.6 Contracting.....	47
7.7 Gift of Public Funds	47
7.8 Travel Policy	47
7.9 Miscellaneous Expense Policy (Reimbursements)	47
7.10 Food Policy.....	48
7.11 Recognition Policy	48
7.12 Credit Card/Merchant Card Procedures and Guidelines.....	48

Section 8: Communications 49

8.1 Overview	49
8.2 Local Ballot Measures.....	49
8.3 Proclamations	49
8.4 Washington Public Disclosure Act.....	50
8.5 Correspondence To/From Councilmembers.....	53
8.6 Posting of Councilmember Information on City’s Website	53

Section 9: Conflicts of Interest – Appearance of Fairness Doctrine – Liability	54
9.1 Conflicts of Interest	54
9.2 Liability.....	56
Section 10: Leaving Office.....	58
10.1 Return of Materials and Equipment.....	58
10.2 Filling Council Vacancies.....	58
Section 11: Retirement Options	60

Appendix A – City Procedures

- Advisory Committee / Commission Rules of Procedure
- Emergency Management – Ordinance 6632 (Amending the Comprehensive Emergency Management Plan)
- Policy: Compliance with State and Federal Discrimination Laws
- Policy: Credit / Merchant Card Procedures and Guidelines
- Policy: Miscellaneous Expenses
- Policy: Recognition
- Policy: Technology
- Policy: Travel and Expense Form

Appendix B – Professional Resources:

- Code City Handbook prepared by Municipal Research and Services Center (MRSC)
- ICMA Code of Ethics
- Open Public Meetings Act prepared by Municipal Research and Services Center (MRSC)
- Parliamentary Procedure information

Section 1:

Introduction and Overview

As an Olympia City Councilmember, you establish important and often critical policies for the community. You are also a board member of a public corporation with an annual budget in the millions of dollars. State laws and local ordinances grant the powers and responsibilities of the Council. New Councilmembers learn early on that the scope of services and issues addressed by the city organization go well beyond those frequently reported in the newspaper or discussed at City Council meetings. In addition, the City Council is subject to certain City of Olympia Administrative Guidelines, of which the applicable guidelines are included in Appendix A of this document.

1.1 History of Olympia City Government

Olympia was named the capital city of Washington Territory on November 28, 1853. In 1859, Olympia incorporated as a Town, and the city celebrated its 150th birthday in 2009.

The governing body elected in 1859 was a five-member Board of Trustees; the Office of Mayor was not created until November 11, 1873. At that time, the mayor and six Councilmembers (from three wards) were elected for one-year terms.

On November 16, 1925 the City government was changed to a three-member elected commission composed of the Mayor, Commissioner of Finance, and Commissioner of Public Works. The Commission began with three 3-year terms that were increased to four year terms in 1950.

On May 18, 1982, the voters of Olympia approved the Council-Manager form of government. A new seven member City Council held their first meeting on November 23, 1982. The Mayor was selected by the Councilmembers for a two-year term in January of each even numbered year.

In 1991 the voters approved the selection of the Mayor through election by the citizens, rather than through appointment by the Council. The Mayor is elected to serve a 4-year term.

1.2 Council-Manager Form of Government

Olympia is a non-Charter Code City that has operated under the Council-Manager form of government since 1982. As described in the Olympia Municipal Code (OMC 2.04 and 2.08) and Revised Code of Washington ([RCW 35A.13](#)), certain responsibilities are vested in the City Council and the City Manager.

According to the International City/County Management Association (ICMA), “under the council-manager form, power is concentrated in the elected council, which hires a professional administrator to implement its policies. This appointee ... has responsibility for preparing the budget, directing day-to-day operations, hiring and firing personnel, and serving as the council's chief policy advisor.” The City Council’s role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner.

See Appendix B for more detailed information, including the Washington State Laws defining the council-manager form of government and the ICMA Code of Ethics for City Managers.

1.3 Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Manager and Department heads will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff.

At any time, if there are facilities or programs about which you would like more information, please make arrangements through the City Manager and Department heads to increase your awareness of these operations.

In addition, the Association of Washington Cities (AWC) and the Municipal Research and Services Center (MRSC) offer much advice for Councilmembers beyond what is contained in this guidebook (See Appendix B for a list of local government support organizations). AWC hosts a newly elected officials’ orientation training opportunity for new members. In addition, see the MRSC Code City Handbook in Appendix B.

1.4 Overview of Basic City Documents

(Links to each of these documents and others can be found on the City's website at <http://www.olympiawa.gov/citygovernment/codes/>)

1.4.1 Revised Code of Washington (RCW)

Cities in Washington derive their powers from the State, and State laws contain many requirements for the operation of city government and the conduct of City Council business. Olympia is an "optional code city" which means it operates under the general laws of the state. As an optional code city of the State of Washington, Olympia is vested with all the powers of incorporated cities as set forth in the Revised Code of Washington (RCW), Constitution of the State of Washington, and Olympia Municipal Code.

1.4.2 Olympia Municipal Code (OMC)

The [Olympia Municipal Code \(OMC\)](#) contains local laws and regulations adopted by City Council ordinance. Title 2 of the OMC addresses the role of the City Council, describes the organization of City Council meetings, responsibilities and appointment of certain city staff positions, advisory boards and commissions.

In addition to these administrative matters, the OMC contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

1.4.3 City Policies

The [City Policies](#) are personnel policies approved by the City Manager for City of Olympia employee status, conduct, benefits, personnel actions and remedies. The City Council at prior annual retreats has indicated that the City Policies apply to the City Council, too, as appropriate. Accordingly, City Policies applicable to the City Council are included in Appendix A of this document.

1.4.4 Comprehensive Plan

A comprehensive plan is required by the State of Washington Growth Management Act (GMA), which was adopted in 1994. [The Comprehensive Plan](#) is a blueprint for how the City intends to accommodate its share of growth and still be a great place to live. It is

reviewed on an ongoing basis, but may only be revised once a year, except as provided by State law. The plan includes goals, policies, maps and other information to guide the City's vision. The plan is based on four major concepts:

1. Sustainability
2. Accommodating regional growth
3. Good Urban Design
4. Contributing to the goals of the Regional Transportation Plan

Comprehensive Plan amendments may be made to comply with changes in the GMA, better achieve city goals based on new information or circumstances, or consider land use and zoning map amendments. It is the City Council's decision whether or not to amend the Olympia Comprehensive Plan and the nature of the amendment.

Olympia's Comprehensive Plan Review Process is coordinated by the City's Community Planning and Development Department (CP&D). The department, on behalf of the City Council, solicits amendment proposals in the fall of each year for consideration the following year.

In January, the City Council reviews all of the proposals for amendment and identifies the amendments it is willing to consider that year (this is called the Comprehensive Plan Amendment docket). Once established by the City Council, the docket is referred by the Council to the Olympia Planning Commission. The Planning Commission studies and discusses each proposal on the docket and conducts a hearing to receive public comment. Also, City staff conducts and publishes environmental impact reviews, as appropriate, and develops a staff recommendation on each proposal.

The comprehensive plan amendments are considered by the City Council annually in the fall, after Planning Commission and staff review. The City Council considers the proposed amendment, Planning Commission and staff recommendations, the public record and other public testimony. The City Council may schedule a public hearing on the proposed amendments in addition to the Planning Commission hearing.

1.4.5 Shoreline Master Plan/Program (SMP)

The Shoreline Master Program for the Thurston Region is maintained on the website of the Thurston Regional Planning Council (<http://www.trpc.org>). The document includes Thurston County local jurisdictions' adopted common goals, policies and development

regulations and an inventory of all marine, lake, and river shorelines for the area.

1.4.6 Six-Year Capital Facilities Plan (CFP)

The [Capital Facilities Plan \(CFP\)](#) is a multi-year plan of capital projects, with projected beginning and completion dates, estimated costs, and proposed methods of financing. The Plan is reviewed and updated annually according to the availability of resources, changes in City policy and community needs, unexpected emergencies and events, and changes in cost and financial strategies.

It is important to understand that a multi-year Capital Facilities Plan does not represent a financial commitment. City Council approval DOES NOT automatically authorize funding. It does approve the program in concept and provides validity to the planning process. Appropriations are made in the Capital Budget, which is the first year of the capital program. Projects beyond the current year capital budget should not be viewed as a commitment to fund the project, but instead as an indication that given the information available at the time, the City PLANS to move forward with the project in the future.

1.4.7 Annual Budget

The [annual operating budget](#) is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the annual budget each December, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

For more information, see the Financing Section.

Section 2: Olympia City Council - General Powers and Responsibilities

2.1 Overview

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. Accordingly, the City of Olympia values personal honesty and integrity, open and accessible government, fiscal responsibility, fair treatment of individuals and a customer service emphasis in our organization.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal.

Policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Councilmembers should respect adopted Council policy.

It is the City Manager's responsibility to ensure the policy of the Council is enacted. Actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Councilmembers who held a minority opinion on an issue.

2.1.a Affirmation of Council Expectations

Adopted: May 21, 2013

The City Council will adjust and modify operating procedures and guidelines to respond to evolving needs. The Council seeks to establish commonly held expectations and to clarify roles and procedures to further Council and staff effectiveness. Council retreats generally include efforts to affirm and establish practices and rules of engagement. The City's Administrative Guidelines work in concert with the Council Guidebook and a lengthy set of regulations to guide appropriate actions. These various initiatives must not suppress the dynamic engagement which is so valuable to policy development.

Central to an understanding of the role of Councilmembers is a confirmation of an appropriate relationship with staff. Members of the City Council must not intrude into those areas that are exclusively 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.

In addition, the City Council is committed to a set of internal behaviors, intended to create a high level of trust, creativity, and productivity.

These include:

1. Staying focused on top priority goals, ~~rather than becoming reactive~~
2. Engaging in proactive, on-going communication and working to ensure all members are fully informed about planned actions or items, which avoids unnecessary surprises
3. Seeking common ground and coming together, ~~avoiding the fueling of controversy or anxiety~~
4. Focusing on others' actions and assuming ~~avoiding speculation about their good intentions~~
5. Building trust by being transparent, ethical, and acting with integrity
6. Engaging in and encouraging direct communication
7. ~~Assuming good intentions and asking about intent~~
8. Taking initiative to maintain good ~~repair bruised working relationships~~
9. Respecting all citizens and all members
10. Remaining realistic

Comment [KB1]: Edits based on GG Committee concern that list had a negative tone and appeared fear based

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

This set of behavioral expectations is extended to include the actions of its members when they are representing the City in other venues, such as interjurisdictional assignments and coordinating bodies.

For all Councilmembers, when participating in Council meetings, including Council Committee meetings:

1. All views are welcomed, helping the group consider options outside its ordinary range of thought.
2. Each Councilmember has equal responsibility and ownership in the operation and outcomes of Council meetings.
3. Everyone speaks with courtesy and respect, even when laboring under heartfelt emotion.

4. Members may argue their views strongly during discussion, but once a decision is made, the minority accepts the majority decision as the decision of the body.
5. Members are curious and transparent – they ask rather than assume.
6. Decisions to shift the group's purposes are explicit and consensual.
7. Members will make overt agreements about how they want to communicate or deliberate. If such agreements are not supporting the Council's purpose, members will work together to revise them.

For the Mayor, Mayor Pro Tem, or other facilitator of a City Council or a Council Committee meeting:

The individual -

1. Will collaborate with participants in order to foster shared responsibility for the conversation and to build understanding and trust between all participants.
2. Will foster clarity about each agenda item's purpose.
3. Functions as the servant of the group, takes cues from the group, and turns to the group when tough decisions need to be made.
4. Will segregate meeting facilitation from advocacy – explicitly acknowledging when changing between these important roles.
5. When intervening within Council deliberations, the purpose is to:
 - a. Be legitimate. The Mayor's or facilitator's authority is rooted in the group's acceptance of their role.
 - b. Be positive and compassionate. Avoid judgment or shaming; assume good intentions; suggest alternative approaches.
 - c. When there is an infraction, be helpful. Lead the group to understanding and offer appropriate means of resolution.
 - d. Always attend to the wellbeing of the group and its members, and support progress toward achieving its purposes.
 - e. The full Council is the best resource for addressing group process dilemmas. The Mayor and Mayor Pro Tem can serve the Council by asking for input from the group.

2.2 Council Non-Participation in Administration

The City Council is the legislative branch of Olympia City Government, and the City Manager and his/her staff is the executive/administrative branch. In order to uphold the integrity of the council-manager form of government, and to provide proper checks and balances, members of the City Council refrain from becoming directly involved in the administrative activities of the City. [RCW 35A.13.120](#) specifically prohibits interference by Councilmembers in the city's administrative service, including the hiring, firing, and work of city staff, with the exception of the City Manager.

Except for the purpose of inquiry, the Council should deal with City staff solely through the City Manager, and neither the Council nor any committee member shall give orders to any staff member without the City Manager's authorization. The City Manager may choose to establish formal or informal norms for routine Council-staff interaction and staff support of Council committees. In addition, Council can fully and freely discuss with the City Manager in open session anything pertaining to appointments and removals of City officers and employees and City affairs.

2.3 Council Non-Participation in Judicial Matters

The City has a separately elected Judge. The City Manager, staff and Council may not interfere with judicial processes or decisions. Furthermore, the City Council has no policy direction over judicial matters.

2.4 Role of Councilmembers

Members of the Olympia City Council are collectively responsible for establishing policy, adopting an annual budget, providing vision and goals, and hiring and supervising the City Manager. The following outline is a brief description of the various duties of Councilmembers. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the Council.

2.4.1 OBLIGATORY DUTIES

Summary of Council duties and responsibilities as provided in, but not limited to, the Washington Administrative Code (WAC), the Revised Code of Washington (RCW) and the Olympia Municipal code (OMC).

1. Establish Policy
 - a. Adopt goals and objectives
 - b. Establish priorities for public services
 - c. Approve and/or amend the operating and capital budgets
 - d. Approve intergovernmental agreements and certain contracts
 - e. Adopt resolutions
2. Enact Local Laws
 - a. Adopt ordinances
3. Supervise Appointed Officials
 - a. Appoint City Manager, Police Auditor and Hearings Examiner
 - b. Evaluate performance of City Manager
 - c. Establish advisory boards and commissions
 - d. Make appointments to advisory bodies
 - e. Provide direction to advisory bodies
4. Decide annually which Councilmembers will serve on outside boards, councils, commissions or committees.
5. Call Special Elections when necessary

2.4.2 COUNCIL'S ROLE IN THE COMMUNITY

Summary of implied or traditional Council duties and responsibilities

6. Provide Public Leadership
 - a. Relate wishes of constituents to promote representative governance
 - b. Mediate conflicting interests while building a consensus
 - c. Communicate the City's vision and goals to constituents
 - d. Represent the City's interest at regional, county, state, and federal levels
7. Decision-Making
 - a. Study problems
 - b. Review alternatives
 - c. Determine best course of public policy

2.5 Council Committees

The Olympia City Council has established three (3) standing committees by City ordinance (OMC 02.06.010):

- Finance Committee
- General Government Committee
- Land Use and Environment Committee

Each Council committee has three members.

Committee members are selected by the City Council at its annual goal-setting retreat and the appointments are ratified by Council at a regular business meeting. Also at its annual retreat, the Council selects a Chair for each committee.

Council Ad Hoc Committees will be created by vote of the City Council and consistent with Robert's Rules of Order.

2.6 Committee Meetings and Agendas

Each committee shall set a regular meeting date at its first meeting of the year following the confirmation of member appointments for that year. The committee chair or a majority of the committee may cancel a regular meeting or schedule a special meeting of the committee.

A draft work plan, including tentative schedule, is developed by the Committee at its first meeting of the year. The work plan is based on referred items carried over from the prior year, plus committee member and staff knowledge of emerging issues/policies. The draft work plan is forwarded to the full Council for review and approval as a Consent Calendar item.

During the year, items are added to the work plan as a result of referrals from the Council's retreat or by concurrence with a referral request by a majority of Councilmembers at a Council meeting. Written requests for a *referral to a committee* may be made by the Mayor, individual Councilmembers, or the City Manager.

Deleted: R

Throughout the year, a council majority may refer an item to a committee agenda during the regular meeting. Afterwards, the staff liaison will consult with the committee chair to determine when this referral can be added to the committee's current work plan. Due to time constraints and/or heavy workloads,

the committee chair may decide the item should be added to the committee work plan for the next year. In this case, if a majority of Councilmembers still feel the item should go to the committee in the current year, they may request the committee chair add an extra meeting to the committee agenda.

2.7 Committee Recommendations

Council committee recommendations will be presented to the full Council by the respective Committee Chair. Usually, the committee chair will report the committee's findings during member reports at the Council meeting, or findings may appear as an action item on the consent calendar. If an item does not have a unanimous recommendation from the committee, it shall not be placed on the Council's consent calendar. A Council committee chair may request that a specific item from the committee be placed on the Council's agenda as an "Other Business" item, even if committee support is unanimous. When a committee recommendation is forwarded to the Council for action, the staff (transmittal) report will include an explanation from the committee chair of the Committee's rationale for its recommendations. The rationale will be presented in a designated area on the transmittal ("staff") report.

2.8 Non-Committee Member Attendance at Council Committee Meetings

There are implications toward the Open Public Meetings Act when four City Councilmembers are present at a committee meeting. Therefore, if a Councilmember who is not a member of the committee wishes to attend a meeting of that committee, s/he should notify the committee's chair no later than the Wednesday prior to the committee meeting date so that the meeting can be noticed appropriately.

Councilmembers are welcome to attend and observe, but they cannot act as a voting member. All Council committee meetings are intended to be meetings of the committee, even if Councilmembers not assigned to the committee are in attendance. Council committee meetings will be chaired by a member of the committee, and Councilmembers will respect the role of the committee. ~~The chair will determine the role of additional Councilmembers present at the meeting.~~

Deleted: .

Formatted: Strikethrough

2.9 Representation on Interlocal and Community Boards by Councilmembers

The City of Olympia has a number of interagency agreements which require representation by a member of the Olympia City Council on that agency's board (such as LOTT Alliance, Animal Services, etc). In addition, other community boards, councils, commissions, or committees often request City Council representation on their board (such as the Visitor and Convention Bureau, Economic Development Council, etc). This type of representation facilitates communication and provides interaction with other governmental bodies and community agencies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Membership appointment to these groups is made after each Council election by consensus of the Council at its annual goal setting retreat and ratified by Council at a subsequent business meeting. If more than one Councilmember desires to serve as a member of a particular outside group, the member for that group will be appointed by a majority vote of the Council.

Deleted: each year

Where applicable, the Council will appoint an alternate to attend outside boards, councils, commissions, or committees in the event the main delegate to such group is unable to attend. The main delegate should notify the alternate as soon as possible after the main delegate realizes they will be unable to attend an upcoming meeting of the outside group.

Councilmembers participating in policy discussions at board meetings will represent the consensus of the Council. Personal positions will be identified and not represented as the position of the City. Councilmembers are responsible for reporting inter-agency actions and positions to the full Council. Time for such reports is regularly scheduled on the Council meeting agenda.

Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

2.10 Role of Mayor

Olympia Municipal Code (OMC) 02.04.060 establishes the following role and powers of the Mayor, which are also consistent with State law (RCW 35A.13.030). "The chair of the council shall have the title of mayor and shall preside at meetings of the council. In addition to the powers conferred upon him or her as mayor, he or she shall continue to have all the rights, privileges, and immunities of a member of the council." The mayor shall be recognized as the

head of the City for ceremonial purposes.” ~~and by the Governor for purposes of military law. The mayor shall have no regular administrative duties, but in time of public danger or emergency, if so authorized by ordinance, shall take command of the police, maintain law and enforce order.”~~

Formatted: Strikethrough

OMC 02.04.080 (and State law) gives the Mayor power to proclaim a civil emergency whenever riot, unlawful assembly or insurrection, or the imminent threat thereof, occur in the city and result in, or threaten to result in, the death or injury of persons or the destruction of property to such extent as to require, in the judgment of the mayor, extraordinary measures to protect the public peace, safety and welfare. In addition, OMC 02.04.090 outlines the powers of the Mayor during an emergency.

Page | 20

In addition, ~~The person elected Mayor continues to have all rights, privileges and immunities of a Councilmember.~~ The term of the office of Mayor shall be four years to run concurrently with the term for Position One of the Council.

Formatted: Strikethrough

Deleted: the

Formatted: Strikethrough

In Olympia, the Mayor votes on all items before the City Council in the same manner as the other members of the Council.

2.10.a. Mayoral Proclamations.

The Council has authorized the Mayor to sign, on behalf of the Council, proclamations which, in the opinion of the Mayor, are non-controversial in nature and which cannot be timely acted upon by the full Council because of its meeting schedule. The Mayor shall sign proclamations only if requested to do so by a member of the Council, including the Mayor, and shall provide the Council with a copy of the same at the next scheduled meeting.

2.11 Absence of Mayor and Councilmembers/Forfeiture of Office

The Mayor Pro Tem shall serve in the absence of the Mayor. In the absence of both the Mayor and the Mayor Pro Tem, the council shall, by majority vote, elect a chairperson to preside over the meeting(s) of the council.

Per OMC 02.04.040, “In the event of the extended excused absence or disability of a Councilmember, the remaining members by majority vote may appoint a Councilmember pro tempore to serve during his/her absence or disability.”

Per OMC 02.04.030 (Forfeiture of Office), “A Councilmember shall forfeit his/her office if he/she is absent for three consecutive regular meetings of the council without being excused by the council, or if he/she ceases to have the

qualifications prescribed for such office by law or ordinance, or is he/she is convicted of a crime involving moral turpitude or an offense involving a violation of his/her oath of office.”

2.12 Mayor ProTem

The Council can appoint a Mayor ProTem annually at its first business meeting of the year or at another time as the Council deems appropriate.

Deleted: s

2.13 Personnel Appointments

The City Council is responsible for appointing three positions: the City Manager, Police Auditor and Hearings Examiner.

The City Manager serves the Council and is responsible for all personnel within the city organization.

The Police Auditor is an independent contractor, who, on behalf of the City Council, reviews completed internal investigations of complaints about police personnel to determine if they were conducted in a thorough, fair and impartial manner, and in keeping with accepted investigatory standards. [The City of Olympia has not hired a Police Auditor since 2010.]

The Hearing Examiner is responsible for hearing appeals of administrative decisions rendered by the City's employees and for reviewing certain development review applications as required by the Unified Land Development Code. The Hearing Examiner is an independent contractor appointed by the City Council to hear such cases and render decisions in a quasi-judicial manner.

All other City officers and personnel, including the City Attorney, are appointed by and report to the City Manager.

2.13a. City Manager Performance Review.

The City Council shall meet annually in December with the City Manager to review performance and establish priority expectations for the coming year. The City Council shall also meet mid-year in June with the City Manager to review performance. The meetings shall be held in Executive Session scheduled according to the Council's Agenda Scheduling procedures.

2.14 Incompatibility of Offices

There are certain restrictions on a Councilmember holding any other public office or employment within city government. RCW 35A.12.030 provides that a mayor or Councilmember cannot hold other public office or employment within city government unless permitted under the code of ethics for municipal officers, 42.23 RCW or other statute. RCW.11.110 permits Councilmembers to serve as volunteer firefighters or reserve law enforcement if authorized by resolution passed by a two-thirds vote of the full council.

2.15 Emergency Response

OMC 02.04.080 gives the Mayor power to proclaim a civil emergency whenever riot, unlawful assembly or insurrection, or the imminent threat thereof, occur in the city and result in, or threaten to result in, the death or injury of persons or the destruction of property to such extent as to require, in the judgment of the mayor, extraordinary measures to protect the public peace, safety and welfare. In addition, OMC 02.04.090 outlines the powers of the Mayor during an emergency.

The City of Olympia has an Emergency Operations Center (EOC). In the case of an emergency, a wing of the main fire station converts into the EOC and EOC staff (a group of trained employees from across departments) will support an Incident Command Structure. The Council in an emergency is one of policy support. The Council has a very limited role in emergency management operations. Please refer to Ordinance 6632 in Appendix A.

Section 3:

City Council Meetings

Each regular meeting of the Olympia City Council shall be conducted in accordance with a printed agenda setting forth the business to be transacted.

3.1 Meeting Schedule

3.1.a. Annual and Mid-Year Goal Setting Retreats.

The Council's annual goal setting retreat shall be held as early in January as possible taking into account Councilmember and staff schedules, facility and facilitator availability.

The Council shall also hold a mid-year retreat in June.

The annual and mid-year retreats shall be facilitated by a professional meeting facilitator who is not a member of the current Council or staff.

3.1.b. Meeting Schedule Established.

The Olympia City Council usually establishes its yearly meeting calendar, including vacation weeks, at its annual goal-setting retreat. Council business meetings are held on Tuesday evenings, 7:00 p.m., at Olympia City Hall Council Chambers, 601 4th Avenue E, unless otherwise noticed.

When any of the above scheduled Council meetings occur on a legal holiday, the next succeeding day shall be the date of the regular meeting.

If Council is meeting the week of the General Election Primary (August) or General Election (November), the meeting shall be on Monday instead of Tuesday (see OMC 01.04.050).

There are no regular meetings on the 5th Tuesday of a month unless scheduled by the City Council at its annual retreat.

3.2 Public Notice of Meetings and Hearings

The agenda and accompanying reports and documents are posted on the City of Olympia website, www.olympiawa.gov, typically no later than 3:00 p.m. the Thursday before a meeting.

Paper copies of the agenda are available for in-person pick up at the Council's office during regular office hours. In addition, a paper copy of the entire Council packet is available for viewing at City Hall.

Notice of special meetings will be consistent with RCW 42.30.080.

3.3 Advancing a Policy Issue

It takes a majority of the City Council to bring a policy item before the full Council or a committee. Following are the routes a Councilmember may take to advance a policy issue:

- **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:** Councilmembers will work with City staff to scope referred issues and complete a written referral. The written referral will be brought to full council for concurrence and assignment to the appropriate committee. The item will then 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.

Deleted: I

- **City Manager's Performance Review:** Council can decide on items that need to be addressed during the City Manager's semi-annual review.

3.4 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.

3.5 Scheduling the Agenda

The agenda is the schedule of items the Council has determined it 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.

3.6 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

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.

3.7 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, or that is a personal attack upon a Councilmember's or other person's honesty, integrity, reputation, race, creed,

national origin, ethnic background, color, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability. 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 (1) for which the City Council either held a Public Hearing in the last 45 days or will hold a Public Hearing within 45 days; or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity; or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure. 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 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 shall be directed to the Council as a whole, not to the audience. Speakers may not cede all or a part of their time to another speaker, or play recorded comments of other persons not present and signed in as speakers for the meeting. The Mayor is empowered to explain at the beginning of Public Communications that clapping, shouting and other

demonstrations are not permitted at any time so that all persons wishing to speak, or in attendance, are not intimidated and feel safe to express their views or be present.

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.

3.8 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.

3.9 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.

3.10 Public Hearings

Page | 29

For Frequently Asked Questions about Public Hearings, see the MRSC website at <http://www.mrsc.org/subjects/governance/hearings.aspx>

Sign in for Public Hearings is similar to Public Communication. Please refer to that section.

Individual comment during Public Hearings 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. The mayor will determine the order and protocols for Public Hearing testimony.

Testimony on a topic subject to public hearing will not be accepted by the Council at a meeting either 45 days before or after the public hearing. The Mayor shall announce at the start Public Communication a list of any public hearings scheduled within the upcoming 45 days or held in the previous 45 days. However, by concurrence of a majority of Councilmembers, testimony for a public hearing may be continued or remain open until a specified date and time.

3.11 Council Action

Any action of the Council shall be by ordinance, resolution, proclamation, or motion and shall be conducted only in open public meetings unless otherwise provided by law. Any such action (except for the passage of any ordinance or the granting or revocation of any license or franchise) shall be deemed approved by an affirmative vote of a majority of those Councilmembers who are present and vote (i.e. do not abstain). The passage of any ordinance that grants or revokes a license or franchise, and any resolution for payment of money requires the affirmative vote of at least a majority of the whole membership of the Council. Public emergency ordinances that take effect immediately must be passed by a majority of the whole membership, plus one. (RCW 35A.13.190).

A vote on any matter shall be taken by voice vote except where the Mayor or Council Chair is unable to discern whether the ayes or nays prevail, in which case a roll call vote shall be taken. Any Councilmember may abstain from voting on any matter.

An ordinance or budget resolution shall undergo two separate readings, and final passage may not be accomplished before the second reading. The readings shall occur at regular meetings. This guideline may be suspended by an affirmative vote of at least two-thirds of the Councilmembers present, in which case final passage may be accomplished at the same meeting the ordinance or budget resolution was introduced, unless precluded by law. As a general practice, the City Manager will not recommend that the Council take action as first and final reading.

3.12 Open Public Meetings Act

[RCW 42.30](#) outlines the Open Public Meetings Act, which applies to all city and town councils and to all county councils and boards or county commissions, boards and committees. Basically, the Act requires that all “meetings” of such bodies be open to the public and that all “action” taken by such bodies be done at meetings that are open to the public. The terms “meetings” and “action” are defined broadly in the Act.

Please see Appendix B for the Municipal Research and Services Center (MRSC) Guide to the Open Public Meetings Act. For Frequently Asked Questions about Open Public Meetings, see the MRSC website at <http://www.mrsc.org/askmrsc/pastingsubject.aspx?sid=22>.

3.13 Study Sessions

A Study Session is an informal opportunity for Councilmembers to learn about and discuss policy issues. Participants in the discussion may include Council, staff, representatives of other agencies or groups, advisory committee/ commission members, community members and other individuals.

Requests to refer a topic to a Study Session may be made by any Councilmember or the City Manager during the Reports/Referrals time at any Council business meeting. The person making the request or anyone eligible to make a request for a Study Session may ask that the topic be considered for priority scheduling. A majority of Councilmember must approve the Study Session request.

The Council’s Secretary will maintain a list of topics referred for Study Session and publish it on a list of *Upcoming Council Agenda Items*. The list should include the topic name, date of referral, and the name of the person who requested the referral.

3.14 Special Meetings

A special meeting may be called at any time by the Mayor or by a majority of the Council. Notice will be provided in keeping with [RCW 42.30](#). If more than three Councilmembers attend and participate in an official capacity at any meeting, it shall be considered a special meeting and notice shall be given. In addition, the City Manager shall follow up with City Councilmembers by telephone, email or such other convenient communication method reasonable to apprise the members of special meetings. The City Manager may also, at his/her discretion, provide notice to interested parties.

Only Agenda items noticed for the Special Meeting may be discussed or considered by the Council at the meeting. The Agenda may not be amended at the Special Meeting to add items.

3.15 Executive Sessions

Executive Sessions are scheduled at the request or concurrence of the Mayor, or by a majority vote of the full Council during a meeting. The Council may hold Executive Sessions before, after, or during a regular or special meeting to consider such matters permitted by RCW 42.30 or other applicable state law, although the preferred time is before a regular or special meeting.

Such matters may include, but are not limited to, national security, purchase or sale of real estate, litigation, collective bargaining, appointment of Councilmembers and/or advisory board members, performance of publicly bid contracts, complaints against or evaluation of the performance of a public employee, and quasi-judicial matters. Decisions on any of the above subjects may be made at a subsequent regular meeting.

3.16 Televised Meetings

Olympia's weekly City Council meetings, Special Meetings, and Study Sessions when held in the City Council Chambers on Tuesday evenings, are televised live on Thurston Community Television (TCTV) and video streamed through the City's website by a third-party service, barring technical difficulties.

When City Council meetings are held in another location that does not allow for live telecast or on a day other than Tuesday, the meetings are taped for replay

on TCTV and the City's video streaming service, if requested by Council and if TCTV has staff and equipment available to provide the service.

3.17 Council Attendance Policy

Page | 32

At the start of each City Council meeting, the Mayor will call the roll. Any absent Councilmember who has left a message by 5:00 p.m., or reached the Mayor or City Manager's Office directly before the start of the meeting on the day of the meeting to advise of such absence, will be considered excused.

3.18 Councilmember Resignations

A council position shall become vacant if the Councilmember fails to attend three consecutive regular meetings of the Council without being excused by the Council. (RCW 13A.13.020, also see OMC 2.04.030).

As a courtesy, a member who wishes to resign should submit a letter to the City Clerk that clearly states his/her intention to resign and the effective date.

3.19 Meeting Minutes

Robert's Rules of Order define minutes as the record of the proceeding which state what action was taken. The essentials of the record include all main motions (except those that were withdrawn) and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn.

3.20 Parliamentary Procedure

The City Council uses *Robert's Rules of Order* to help run its meetings. Robert's Rules works within the Council's process, and not the other way around.

3.21 Parliamentarian

The City Attorney shall assist the City Council on questions of parliamentary procedure and the application of the parliamentary rules contained in *Robert's Rules of Order*. Before deciding any question of parliamentary procedure, the Mayor may request advice from the City Attorney. In cases where serious errors

in procedure are being used or being contemplated, the City Attorney may give advice even when it has not been requested.

Please refer to Appendix B for more detailed information about Parliamentary Procedures, including a summary of Robert's Rules, scripts and quick reference guide to motions.

3.22 Attendance via Speakerphone

On rare occasions, a Councilmember will not be able to be physically present at a Council or committee meeting, but will want to be involved in Council or committee discussions and/or decisions. The procedure and guidelines for permitting a Councilmember to remotely attend a Council or committee meeting via speakerphone shall be as follows:

1. If a Councilmember wishes to attend a Council or committee meeting via speakerphone, the Councilmember shall notify the Mayor or the City Manager's office no later than 2:00 PM on the day of the meeting to advise of such absence and to request remote attendance at the Council or committee meeting via speakerphone.
2. The Councilmember attending remotely via speakerphone shall provide the Mayor or City Manager's office with a telephone number where the Councilmember may be contacted at the start of the Council or committee meeting. The Councilmember attending via speakerphone must be able to hear the discussions at the Council or committee meeting and taking place in Council Chambers or before the committee. Likewise, the Councilmember must be able to be heard by all present in Council Chambers or before the committee.
3. If possible, the Councilmember should also log in by computer or iPad/tablet to view the internet streaming video website of the Council meeting.
4. At the commencement of the Council or committee meeting, the Mayor (or presiding officer if the Mayor is not physically present at the Council or committee meeting) shall state for the record that a Councilmember, identifying the member by name, is attending the Council or committee meeting via speakerphone and the reason for the Councilmember's remote attendance (i.e., illness, business travel, vacation, etc.). The Mayor shall establish that the Councilmember attending remotely via speakerphone can hear the Mayor's or committee chair's voice. There must be a clearly audible response from the Councilmember attending

remotely. The Mayor or committee chair shall then state on the record that the remotely attending Councilmember is attending via speakerphone and can be heard by all present in Council Chambers or before the committee.

A Councilmember attending a Council or committee meeting remotely via speakerphone should review all of the applicable material on the agenda. Any technical prohibitions or difficulties that prevent all parties present at the Council or committee meeting from communicating or hearing one another will negate the ability of the Councilmember to participate remotely via speakerphone in the Council meeting or committee. Such inability to participate in the Council or committee meeting, due to technical prohibitions or difficulties, shall be deemed an excused absence for the Councilmember attempting remote attendance.

The Mayor and Mayor Pro Tem may attend remotely, however, they will not be able to preside over the meeting remotely. The presiding officer for the Council or committee meeting must be in physical attendance at the Council or committee meeting. In the event the Mayor and Mayor Pro Tem must both attend a Council meeting remotely, the Councilmember having the longest service on the Council shall be acting presiding officer for purposes of the Council meeting.

Remote attendance via speakerphone shall constitute attendance for quorum purposes and voting. A request for remote attendance via speakerphone shall be exercised on rare and infrequent occasions by a Councilmember and it shall not be a substitute for regular, physical attendance at Council or committee meetings. The Council, as a legislative body, retains the ability upon motion to deny an individual Councilmember's request for remote attendance.

3.23 Interrupted Meetings

The Open Public Meetings Act (RCW Chapter 42.30) provides a procedure for the Council to continue its business in the event that any meeting is interrupted by a group or groups of persons so as to render the orderly conduct of such Council or committee meeting "... unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting ...". In that event, the members of the governing body conducting the meeting may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members. In such a session, final disposition may be taken only on matters appearing on the Council's or committee's agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend

|

any session held pursuant to RCW 42.30.050. Nothing in RCW 42.30.050 “. . . shall prohibit the governing body from establishing a procedure for readmitting an individual or individuals not responsible for disturbing the orderly conduct of the meeting.” In accord with this statute, the Mayor or Committee Chair may admit individuals to the meeting who have not participated in the disturbance and are not responsible for disturbing the orderly conduct of the meeting.

Section 4:

Advisory Boards and Committees

For more information about Advisory Bodies, see the City's website 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 this community boards:

- [Thurston Community Television Board](#) (TCTV)

4.1 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.

4.2 Appointment to Advisory Bodies

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.

4.3 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.

4.4 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.

4.5 Councilmember's Role and Relationship with 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.

4.6 Work Plans and Referrals to Advisory Bodies

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.

Section 5: Interaction with City Staff/ Officials

5.1 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 successfully implemented.

5.2 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.

5.3 Roles and Information Flow

5.3.a 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.

5.3.b 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.

5.3.c Access to Information

The City Manager is the liaison between Council and City staff other than for 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.

5.4 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.

5.4.a 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.

5.4.b 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. (See Section 2.13.a)

5.4.c 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.

5.5 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.

5.5.a 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.

5.6 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.

Section 6:

Support Provided to City Council

6.1 Staff/Clerical Support

Staff and administrative support to members of the City Council is provided through the City Manager's Office.

Secretarial services, including scheduling of appointments, receipt of telephone messages, and word processing, are available as needed.

Sensitivity to the workload of support staff members in the City Manager's Office is appreciated. Please note that individuals may have work assignments with high priority. Should requested tasks require significant time commitments, Councilmembers should consult with the City Manager prior to making assignments.

6.2 Office Equipment

Standard office equipment, such as phones, copiers and fax machines are available at City Hall for the Council to use. All City Councilmembers will receive a personal laptop for use regarding city business. Please refer to the Technology Policy in Appendix A for guidance.

6.3 Meeting Rooms

Please contact the appropriate staff to insure conference rooms are properly scheduled. Use of the Executive Conference Room at City Hall may be scheduled with the City Manager's Executive Secretary. Use of the Fire Station Training Room may be scheduled with the Administrative Secretary at the Fire Department.

6.4 Mail, Deliveries

Members of the City Council receive a large volume of mail and other materials that are delivered primarily through the use of email and individual mailboxes. Individual mailboxes are maintained for each Councilmember by the City Manager's staff. Councilmembers are encouraged to check mailboxes often.

|

Written letters to the Mayor and/or Council are usually scanned by Executive Office staff and distributed via email to the entire Council and the City Manager.

All correspondence to Councilmembers is a public record, potentially eligible for release.

See the Communications Section for procedures regarding Council correspondence and response to citizens.

Section 7: Financial Matters

7.1 Council Compensation

The Olympia Municipal Code outlines a modest compensation for members of the City Council. A seated City Council may not increase or decrease its own compensation. Councils may only pass an ordinance to adjust the compensation of an incoming City Council. See OMC Section 02.04.100, in Appendix A, for more detail.

The City Annual Operating Budget includes appropriations for expenses necessary for members to undertake official City business. Funding provided includes membership in professional organizations; attendance at conferences or educational seminars; travel to Olympia's sister City, Kato City, Japan; and the purchase of publications and office supplies.

7.2 Annual Operating Budget and Capital Facilities Plan (CFP)

The City's annual Operating and Capital budgets are prepared on a calendar year basis. The Operating Budget is prepared each year. The Capital Facilities Plan (CFP) is updated each year as it is the estimated amount planned to be expended for capital facilities in the next six years. Capital facilities are fixed assets such as roads, parks, buildings and equipment. The CFP folds into the Operating Budget process. There are five distinct phases in the City's budget cycle:

7.2.a Development and Preparation

A preliminary CFP is usually submitted in July, followed by a public hearing in October and adoption as part of the Annual Operating Budget in December. The Planning Commission and other advisory boards and commissions review the document and provide comment to the Council.

Each summer, City departments develop and submit their budget requests to a Budget Review Team. The Budget Review team balances projected revenue and projected expenses and develops the City Manager's proposed budget. The Budget Review team meets several times during August and September.

7.2.b Review and Adoption

The City Manager's Annual Operating Budget must be presented to the City Council no later than the first Tuesday in November. In November, the City

Council reviews the City's Manager proposed budget, holds public hearings, and makes budget adjustments. The City Council then adopts the annual budget for the next fiscal year. The Annual Operating Budget must be balanced and adopted prior to December 31 of the preceding year.

7.2.c Implementation

Services financed by the approved budget are carried out.

7.2.d Monitoring

Expenditures are monitored by department and the City Treasurer throughout the year to ensure that funds are used in an approved and adopted manner.

7.2.e Evaluation

Financial and Compliance audits are conducted annually by the State Auditor's Office and annual Comprehensive Annual Financial reports are produced by the City Treasurer's office. Performance Audits may be performed by the State Auditor's on specific topics at the sole discretion of the State Auditor.

Please refer to the current year Operating and CFP budgets for more information, including State policies and guidelines for the municipal budget process. These are available on the City's website, olympiawa.gov.

7.3 Long-Term Financial Strategy

The Council adopted the following long-term financial strategy:

7.3.a Key Principals:

- Make Trade-offs (Do not initiate major new services without either (a) ensuring that revenue to pay for the service can be sustained over time, or (b) making trade-offs of existing services.)
- Do it Well (If the City cannot deliver a service well, the service will not be provided at all.)
- Focus Programs on Olympia Residents and Businesses (Give priority to existing infrastructure.)

- Use Unexpected One-Time Revenues for One-Time Costs or Reserves (One-time revenues, or revenues above projections, will be used strategically to fund prioritized projects.)
- Invest in Employees (The City will invest in employees and provide resources to maximize their productivity.)
- Pursue Innovative Approaches to Service Delivery (Continue to implement operational efficiencies and cost saving measures in achieving community values. Pursue partnerships and cost sharing strategies with others.)
- Contract In/ Contract Out (Consider alternative delivery to maximize efficiency and effectiveness.)
- Maintain Capacity to Respond to Emerging Community Needs
- Pursue Entrepreneurial Initiatives
- Address Unfunded Liabilities
- Selectively Recover Costs (On a selective bases, have those who use a service pay the full cost.)
- Recognize the Connection Between the Operating Budget and The Capital Budget.

7.3.b Guidelines:

What should the City do in the following year's budget when the financial forecast is positive?

- Assess the situation
- Maintain adequate reserves
- Use one-time revenues only for one-time expenses
- Use recurring revenues for recurring costs OR for one-time expenses
- Stay faithful to City goals over the long run
- Think carefully when considering revenue cuts
- Think long-term

|

What should the City do every year, whether the financial forecast is positive or negative?

- Increase operating cost recovery
- Pursue cost sharing

What should the City do in the following year's budget when the financial forecast is negative?

- Assess the situation
- Use revenues sparingly
- Reduce services
- Continue to think carefully when considering tax increases

7.4 Council "Goal Money"

During the development of the Operating Budget, money deemed "Council Goal Money" may be set aside for the Council to use at its discretion throughout the year. The decision to use the money and how much will be determined by a motion and a majority vote of the Council. The amount set aside varies each year, according to the flexibility of the General Fund.

7.5 Financial Disclosure

Candidates for the office of Councilmember must file a financial disclosure statement with the Washington State Public Disclosure Commission within two weeks of filing a nomination paper. When appointed to fill a vacancy on the Council, the appointee must file a financial disclosure statement with the Commission, covering the preceding 12-month period, within two weeks of being so appointed. Councilmembers are required to file a financial disclosure statement with the Commission on an annual basis after January 1 and before April 15 of each year covering the previous calendar year. Councilmembers whose terms expire on December 31 must file the statement for the year that ended on that December 31. Statements filed in any of the above cases will be available for public inspection.

7.6 Contracting

The City's contracting procedures and contract documents are reviewed by the Legal Department.

7.7 Gift of Public Funds

Article 8, section 7 of the Washington Constitution prohibits the city from giving money or property, or lending money or credit, except for the necessary support of the poor and infirm. Most commonly referred to as "the gift clause," it reads as follows:

"No county, city, town or other municipal corporation shall hereafter give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation."

Transactions in which the city pays money, gives property or lends money or credit must be carefully scrutinized in light of the restrictions concerning the gift of public funds.

7.8 Travel Policy

It is the general policy of the City to pay for mileage, transportation, lodging, meals, and other necessary travel expenses incurred while on official City business. This Policy applies to staff and Councilmembers and only for travel outside the metropolitan Thurston County area. Reimbursements will be made only when valid receipts are presented.

Please see Appendix A for a full copy of the Travel Policy.

7.9 Miscellaneous Expense Policy (Reimbursements)

The Miscellaneous Expense Policy establishes policies and procedures related to employee expenses incurred when conducting City business in the Metropolitan Thurston County area (Olympia, Lacey, and Tumwater). Expenses under this policy shall be paid only if the activity serves a public purpose, involves specific City business, and expenses are incurred by or for individuals directly involved

with the City business being conducted. This policy applies to expenses not covered under the Travel Policy.

Reimbursements will be made only when valid receipts are presented. Please see Appendix A for a full copy of the Miscellaneous Expense Policy.

7.10 Food Policy

The City policy regarding meal reimbursements is described in detail in the Miscellaneous Expense Policy (see Appendix A). In general, City funds may be used to pay for meals for Councilmembers and staff during intergovernmental meetings so long as the meeting deals with issues directly involving the City of Olympia, and it is shown that it is not practical or reasonable to schedule the meeting at a time other than during a meal time.

7.11 Recognition Policy

The City's Recognition Policy establishes policies and procedures related to expenses incurred for Council recognition, celebration, retirement or resignation events.

Please see Appendix A for more detailed information

7.12 Credit Card/ Merchant Card Procedures and Guidelines

Please see Appendix A for information and forms to obtain a city credit card.

Section 8: Communications

8.1 Overview

Perhaps the most fundamental role of a Councilmember is communication:

- Communication with the public to assess community opinions and needs, and to share the vision and goals of the City with constituents; and
- Communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives.

Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

8.2 Local Ballot Measures

At times, initiatives may be placed on the ballots that affect City Council policy. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the City from using its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. What the City can do is distribute informational reports or pamphlets for the purpose of informing the public of the facts of an issue. Please see the Attorney General: Ballot Measures & Campaigns memo in Appendix B for more information.

8.3 Proclamations

The City prepares two types of proclamations, regular and Mayoral. A regular proclamation goes to the full Council and is read aloud. The Council then hands it to a representative from the audience. A Mayoral proclamation is given to the Mayor in his mail box for signature and then it is usually mailed to the organization.

The Mayor is authorized to sign, on behalf of the Council, proclamations which, in the opinion of the Mayor, are non-controversial in nature and which cannot be timely acted upon by the full Council because of its meeting schedule. The

Mayor shall sign proclamations only if requested to do so by a member of the Council, including the Mayor, and shall provide the Council with a copy of same at the next scheduled Council meeting.

8.4 Washington Public Disclosure Act

Page | 54

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.

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))."

8.4.a 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

8.5 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.

8.5.a 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.

8.5.b 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.

8.6 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 posted on or linked from the individual Councilmember's biographical page unless otherwise agreed to by the Council. Only information about activities approved by the Council will be considered for posting (e.g., report of attendance by a Councilmember at a City funded or endorsed conference; participation by a Councilmember in a Sister City exchange, etc.). Activities that have been approved by the Council are those activities for which consensus has been reached or a formal motion has been made and passed.

Any posting shall state that "the views and comments expressed in this document represent those of the individual authoring the report and do not represent the views of the City or other City Councilmembers unless otherwise noted."

The City website will not be used in support of or opposition to a ballot measure or campaign for election of an individual to public office.

Section 9:

Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials

9.1 Conflicts of Interest

The conflict of interest law is one of the State's most complicated laws on the books. To understand its effect on a Councilmember's actions, it is suggested that members discuss the law and potential conflicts with a private attorney or the City Attorney. It is imperative that Councilmembers identify potential conflicts in advance.

Municipal officers are required to declare a conflict of interest and are prohibited from participating or otherwise being involved in discussions on issues or contracts where such an interest exists. Violations of the conflict of interest law may result in voiding the contract involving civil or criminal penalties, and could result in forfeiture of office.

In circumstances where only a "remote interest" (see below) exists, after disclosure of the interest to other Councilmembers and in the meeting minutes, the Council may approve the contract to which a Councilmember has a remote interest, absent participation in the voting by the Councilmember with the remote interest, but only if the Councilmember refrains from any attempt to influence other members to approve the contract.

9.1.a Applicability

All City officers, elected and appointed, are subject to the conflict of interest law in 42.23 RCW. This includes Councilmembers.

9.1.b Definition

Remote Interests are those deemed so minor that they do not constitute illegal conflicts of interest. Remote interests exist when a City official is:

- A non-salaried officer or member of a nonprofit corporation doing business or requesting money from the City. Therefore, being such an officer or member would not constitute a conflict.
- The landlord or tenant of a contracting party. For instance, a Councilmember may lease office space to a party which has a private interest in a public matter without it resulting in a conflict of interest.

- The owner of less than 1 percent of the shares of a corporation or a cooperative doing business with the City.
- An employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary.

9.1.c Acts not Constituting a Conflict of Interest

- Receiving municipal services on the same terms and conditions as if not a City official. Thus, when a Councilmember who owns a business within the City votes for or against an increase in the business license fees, a conflict would not exist because this action would apply to all businesses in the corporate limits.
- An officer or employee of another political subdivision or public agency unless it is the same governmental entity being served who is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. Therefore, a Councilmember who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the Councilmember.
- A member of a trade, business, occupation, profession, or class of persons and has no greater interest than the other members of that trade, business, occupation, or class of persons. A class must consist of at least ten members to qualify the interest as remote.

9.1.d Declaration of a Conflict

When a substantial interest exists, the City official must:

1. Refrain from voting or in any way influencing a decision of the City Council; and
2. Declare that a conflict of interest exists and make it known in the official records of the City.

Should a situation arise wherein a majority of Councilmembers or a majority of a quorum of those present at a Council meeting have a substantial conflict of interest, state law provides that if the conflict of interest statutes prevent the City Council from acting as required by law in its official capacity, such action shall be allowed if the members of the Council with the apparent conflicts of interest make them known.

9.1.e City Attorney Opinions

A Councilmember's request for an opinion from the City Attorney concerning conflict of interest is confidential. Councilmembers may seek advice from a private attorney, at their own expense, concerning potential conflicts. In such cases, no disclosure policy would apply.

9.1.f Prohibited Acts (RCW 42.23.070)

- No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.
- No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.
- No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

9.2 Liability

The City must always approach its responsibilities in a manner that reduces risk to all involved. Nevertheless, with such a wide variety of high profile services (i.e., police, parks, roads, land use), risk cannot be eliminated. To better manage insurance and risk, the City participates in risk- and loss-control activities.

For risk management purposes, never admit liability unless authorized to do so by the City Attorney. It is best to not comment on such issues, and let the proper investigative authorities determine liability. Councilmembers should consult the City Attorney on liability issues.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in the member being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment, or fraud.

|

Chapters 2.70 and 2.72 of the Olympia Municipal Code address defense of employees and officers.

Elected and appointed officials will participate in risk management training to reduce liability due to actions taken, especially in the areas of land use.

Section 10: Leaving Office

10.1 Return of Materials and Equipment

During their service on the City Council, members may have acquired or been provided with equipment such as computers or other items entailing a significant expense, as well as keys, etc. These items are to be returned to the City at the conclusion of a member's term.

10.2 Filling Council Vacancies

10.2.a Purpose

The purpose of this section is to provide guidance to the City Council when an Olympia Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled by appointment only until the next regular municipal election is certified.

According to OMC 02.04.040 (Vacancies—Filling), “in the event of the extended excused absence or disability of a Councilmember, the remaining members by majority vote may appoint a Councilmember pro tempore to serve his or her absence or disability. In the event of an absence resulting from death, resignation or removal of a Councilmember from office, the remaining members by majority vote shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office. If thirty days pass after the occurrence of the vacancy and Council is unable to agree upon a person to be appointed to fill a vacancy in the Council, the mayor may make the appointment from among the persons nominated by members of the Council. If the vacant position is the mayor's position, the mayor pro tem shall make the appointment from among those persons nominated by the Council, within thirty days after the occurrence of the vacancy if the Council is unable to agree.”

10.2.b References

[RCW 42.30.110\(h\)](#) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective office.

[RCW 42.30.060](#) – Prohibition on Secret Ballots.

[RCW 42.12](#) – Vacant Position.

|

[RCW 35A.13.020](#) – Vacancies – Filling of Vacancies in Council/Manager Form of Government.

10.2.c Appointment Process

Page | 63

A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The Councilmember who is vacating his or her position cannot participate in the appointment process.

The City Council shall request that the City Manager prepare a recruitment and interview process proposal and scope of work to present to the City Council for discussion and concurrence within a timeline agreed to by a majority of the Council. It has been the past practice of the Olympia City Council to conduct an open call of applications within a specified application timeline, to post all applications on the City's website after the close of the application timeline, and to interview all candidates who submit an application that meets the minimum requirements of State law.

If the City Council does not appoint a qualified person to fill the vacancy within 90 days of the declared vacancy, RCW 42.12.070 delegates appointment powers to Thurston County.

Section 11: Retirement Options

City Councilmembers may be eligible to enter the State of Washington Public Employee Retirement System (PERS) at the beginning of their term. By law, staff is not allowed to recommend benefit or retirement options. Please contact Washington State Department of Retirement Systems (DRS) for more information:

Web site: www.drs.wa.gov

E-mail: recap@drs.wa.gov

Information: (360) 664-7000
1-800-547-6657

TDD: (360) 586-5450

Address: PO Box 48380
Olympia, WA 98504-8380



City Council

Approval of Interlocal Agreement with Olympia School District for Installation of School Speed Limit Zone Flashing Beacons

Agenda Date: 2/14/2017
Agenda Item Number: 4.E
File Number: 17-0146

Type: contract **Version:** 1 **Status:** Consent Calendar

Title

Approval of Interlocal Agreement with Olympia School District for Installation of School Speed Limit Zone Flashing Beacons

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve and authorize the Mayor to sign the Interlocal Agreement with Olympia School District for Installation of School Speed Limit Zone Flashing Beacons.

Report

Issue:

Whether to enter into an Interlocal Agreement with Olympia School District for Installation of School Speed Limit Zone Flashing Beacons

Staff Contact:

Randy Wesselman Engineering & Planning Manager, Public Works Transportation, 360.753.8477

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The City of Olympia identified the need for school speed limit zone safety improvements near three southeast Olympia schools. Locations include North Street at the crosswalks at Pifer Road and at the west driveway to Olympia High School and on Carlyon Avenue at the crosswalk at Lybarger Avenue. Many elementary, middle and high school students use these crossings.

The Olympia School District (OSD) received a Transportation Alternatives Program (TAP) Grant to install school speed limit zone flashing beacons at the three locations referenced above.

The City and OSD have a mutual interest in improving pedestrian safety at these crossings due to

their close proximity to three schools. The City will administer the Federal TAP grant, complete the design, and construct the school speed limit zone flashing beacons on behalf of OSD. Therefore, the City and OSD propose to enter into the attached Interlocal Agreement.

The total estimated project cost is \$80,500. The City will complete the project before the end of 2017.

Neighborhood/Community Interests (if known):

The school speed limit zone flashing beacons will improve driver awareness of the crossings, which will improve the safety of school students crossing at these intersections.

Options:

1. Approve and authorize the Mayor to sign the Interlocal Agreement with OSD. The OSD will pay the full cost for these important safety improvements.
2. Do not approve the Interlocal Agreement with OSD. The OSD will need to request another jurisdiction to administer, design and construct these important safety improvements.

Financial Impact:

OSD will pay all costs to install the school speed limit zone flashing beacons. OSD will use \$69,632 of TAP Grant funds and up to \$15,000 in School District funds to construct this project. The total estimated project cost is \$80,500.

Attachments:

Interlocal Agreement

**INTERLOCAL AGREEMENT BETWEEN
THE CITY OF OLYMPIA AND THE OLYMPIA SCHOOL DISTRICT FOR
SCHOOL SPEED LIMIT ZONE FLASHING BEACON IMPROVEMENTS**

This Interlocal Agreement is entered into by and between the City of Olympia (“City”), and the Olympia School District (“OSD”), herein referred to collectively as the “Parties.”

WHEREAS, pursuant to RCW 39.34.010, governmental entities, including school districts, are authorized to make the most efficient use of their powers by cooperating with each other on a basis of mutual advantage for the provision of services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the City of Olympia Comprehensive Plan calls to “raise driver awareness of pedestrians at crosswalks on wide, high volume streets using blinking lights, flags, signs, markings and other techniques”; and

WHEREAS, OSD seeks to provide a safe and pedestrian friendly campus for its students, faculty and visitors; and

WHEREAS, the Parties hereto wish to assist each other in improving pedestrian safety on North Street at the crosswalks at Pifer Road and the west driveway to Olympia High School; and on Carlyon Avenue at the crosswalk at Lybarger Avenue which are immediately adjacent to Pioneer Elementary School and Olympia High School; and

WHEREAS, the City of Olympia has identified the need for school speed limit zone safety improvements on North Street at the crosswalks at Pifer Road and the west driveway to Olympia High School; and on Carlyon Avenue at the crosswalk at Lybarger Avenue;

WHEREAS, the OSD received a Transportation Alternatives Program (TAP) Grant to install School Speed Limit Zone Flashing Beacons on North Street at the crosswalks at Pifer Road and the west driveway to Olympia High School; and on Carlyon Avenue at the crosswalk at Lybarger Avenue;

NOW, THEREFORE, in consideration of the exchanges of the mutual promises contained herein, the Parties hereto agree as follows:

I. Scope of Agreement/Work

The Parties agree to work together to complete installation of school speed limit zone flashing beacons on North Street and on Carlyon Avenue. The improvements include the installation of school speed limit zone flashing beacons at the approximate locations on the attached vicinity map (Exhibit 1).

II. Costs

OSD was awarded \$69,632 under the Transportation Alternatives Program Grant (TAP). Funds will be used to install the school speed limit zone flashing beacons on North Street

and on Carlyon Avenue. OSD agrees to pay any costs in excess of the TAP Grant in an amount not to exceed \$15,000. The total estimated project cost is eighty thousand five hundred and 0/100 dollars (\$80,500).

III. Method of Payment

The City will invoice OSD upon completion of the school speed limit zone flashing beacon improvements. OSD will remit payment to the City within 30 days of receipt of the invoice.

IV. Indemnification

Each party to this Agreement shall be responsible for its own acts and/or omissions and those of its officers, employees and agents. No party to this Agreement shall be responsible for the acts and/or omissions of entities or individuals not a party to this Agreement.

V. No Separate Entity Created

This Agreement creates no separate legal entity.

VI. Duration of Agreement

This Agreement shall be effective on the date of the last signature affixed hereto and shall terminate upon completion of the tasks necessary to accomplish the purpose of the Agreement, unless sooner terminated by the Parties as provided herein.

VII. Default

If any of the Parties hereto fails to perform its responsibilities, and after such failure continues to be remiss in its obligations for a period of twenty (20) days upon having received written notice of same, such party shall be in default hereunder. Upon such default, the other Party hereto may exercise any remedies provided by law. If legal action is necessary to enforce the provisions of this Agreement, the prevailing Party shall receive such sums as the court may determine, including reasonable attorney's fees and such costs as are incurred in the maintaining such cause of action.

VIII. Termination of Agreement

This Agreement may be terminated upon mutual agreement of the Parties.

IX. Interpretation and Venue

This Agreement shall be governed by the laws of the State of Washington as to interpretation and performance. The Parties hereby agree that venue for enforcement of any provisions shall be the Superior Court of Thurston County.

X. Entire Agreement

This Agreement sets forth all terms and conditions agreed upon by the Parties and supersedes any and all prior agreements oral or otherwise with respect to the specific subject matter addressed herein.

XI. Recording

Prior to its entry into force, this Agreement shall be filed with the Thurston County Auditor's Office or posted upon the Parties' websites as provided by RCW 39.34.040.

XII. Notice

Any notice required under this Agreement shall be to the party at the address listed below and shall become effective three days following the date of deposit with the United States Postal Service.

CITY OF OLYMPIA:

Attn: Mark Russell, P.E.
Director of Transportation
PO Box 1967
Olympia, WA 98507-1967

OLYMPIA SCHOOL DISTRICT:

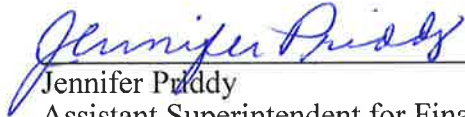
Attn: Jennifer Priddy
Assistant Superintendent for Finance and
Operations
1113 Legion Way, SE
Olympia, WA 98501

This Agreement is hereby entered into between the Parties and shall take effect on the date of the last authorizing signature affixed hereto.

CITY OF OLYMPIA

OLYMPIA SCHOOL DISTRICT

Steven R. Hall
City Manager



Jennifer Priddy
Assistant Superintendent for Finance and
Operations

Date: _____

Date: 2-6-17

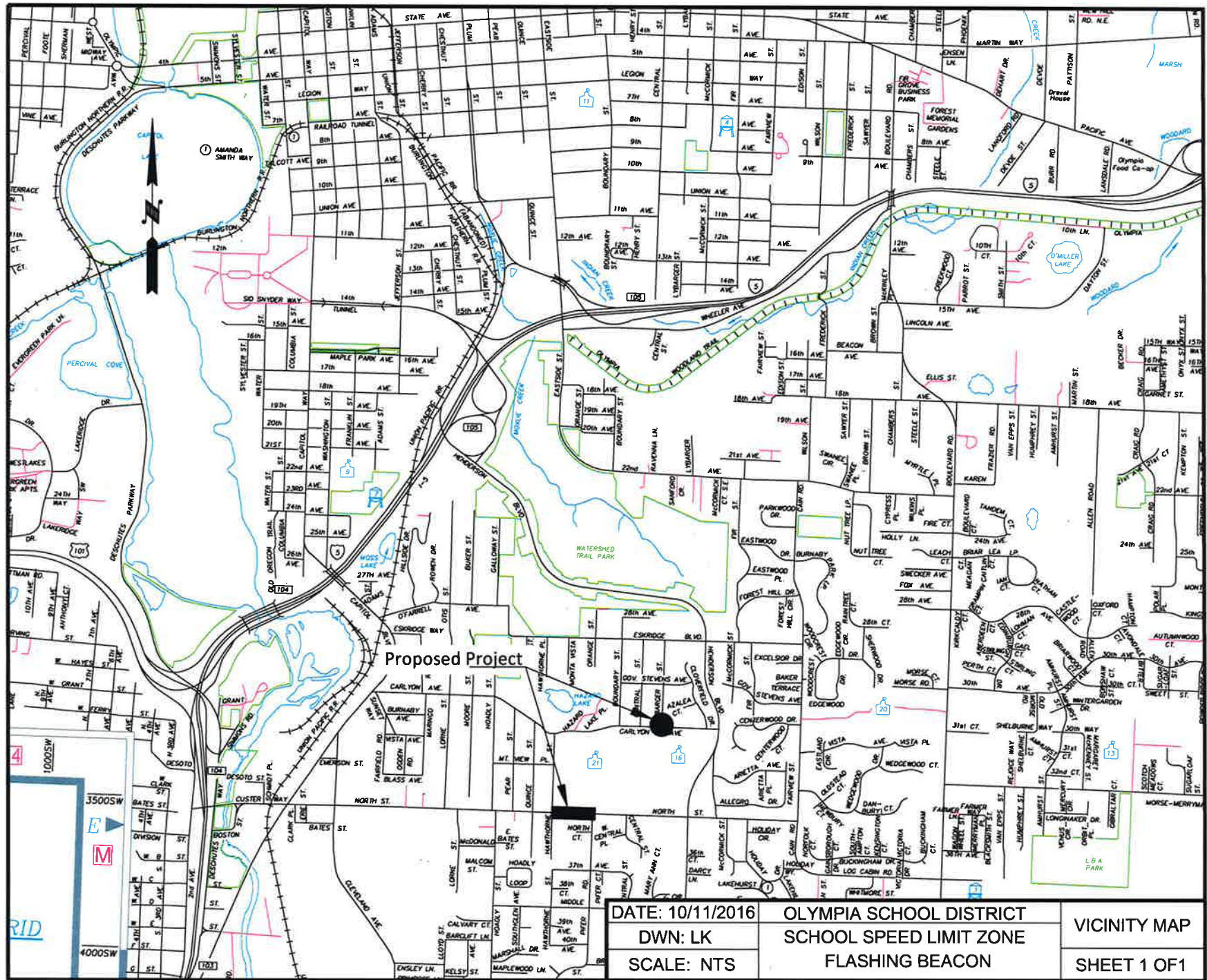
Approved as to Form:

Approved as to Form:



Deputy City Attorney

Olympia School District Attorney



DATE: 10/11/2016	OLYMPIA SCHOOL DISTRICT	VICINITY MAP
DWN: LK	SCHOOL SPEED LIMIT ZONE	
SCALE: NTS	FLASHING BEACON	SHEET 1 OF 1



City Council

Approval of Resolution Regarding Development Review Fund Policies

Agenda Date: 2/14/2017
Agenda Item Number: 4.F
File Number: 17-0055

Type: resolution **Version:** 1 **Status:** Consent Calendar

Title

Approval of Resolution Regarding Development Review Fund Policies

Recommended Action

Committee Recommendation:

The Finance Committee recommends approval of the resolution regarding Development Review Fund Policies.

City Manager Recommendation:

Move to approve the resolution regarding Development Review Fund Policies.

Report

Issue:

Whether to approve the a resolution on Development Review Fund Policies.

Staff Contact:

Karen Kenneson, Associate Line of Business Director, Community Planning and Development,
360.753.8277

Presenters:

None - Consent Calendar item.

Background and Analysis:

In November, 2015, Council approved the establishment of a Development Fee Revenue Fund (the Fund) for the purpose of receiving fees collected for management of development, to be used to pay costs related to the management of development.

The ordinance establishing the Fund stated that Council would establish policies for management of the Fund, including:

- Establishing a Target Fund Balance,
- Establishing what actions will be taken when the Fund Balance exceeds or is less than the Target Fund Balance; and

- Processes to identify costs to be reimbursed by the Fund.

Staff has developed draft policies (see attached draft resolution) for the Council to consider.

The Fund, in association with these policies, will allow the development review functions of CPD to be operated in a more businesslike manner. When permit activity is high, revenues can be used to increase staffing levels and maintain desired levels of service. These funds may also be used to bridge gaps when permit activity periodically declines. This approach to development review funding will benefit both our applicants as well as other interested parties by providing staffing to adequately support these processes.

Neighborhood/Community Interests:

Development fees could be raised or lowered as a result of the Fund being less than 15 percent below the Target Fund Balance or greater than 15 percent above the Target Fund Balance (over a three year period.)

Options:

- 1) Approve the resolution regarding the Development Fee Fund Policies.
- 2) Modify the Development Fee Fund Policies.
- 3) Do not approve the recommendation for Development Fee Fund Policies.

Financial Impact:

There is no direct financial impact in approving these Fund Policies. Establishing policies will improve management effectiveness of development fee revenue, identification of related costs and support the goals of transparency and 85 percent cost recovery.

Attachments:

Resolution
Ordinance Establishing Fund

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA,
WASHINGTON, ESTABLISHING A TARGET FUND BALANCE AND POLICIES FOR
THE MANAGEMENT OF THE TARGET FUND BALANCE FOR THE DEVELOPMENT
FEE REVENUE FUND**

WHEREAS, the Development Fee Revenue Fund (the Fund) was created by the Olympia City Council adoption of Resolution No. 6983; and

WHEREAS, Ordinance No. 6983 states that the Olympia City Council shall establish a Target Fund Balance for the Fund, and shall establish policies for management of the Target Fund Balance, which shall address at a minimum actions to be taken when the Fund Balance exceeds or is less than the Target Fund Balance; and

WHEREAS, the Fund is for the purpose of depositing revenue from fees collected for management of development and is used to reimburse costs related to management of development, including but not limited to: personnel, equipment, consulting services, direct and indirect support and overhead, and other costs attributable to management of development; and

WHEREAS, establishing financial reserves within the Fund will allow for better management of cash flow from year to year, improve the financial stability for the services that are subject to fluctuations from economic and development cycles, and maintain predictable permit fees; and

WHEREAS, the City Council finds that the City should recover costs of providing development services for permit applicants, which allows general City taxes to be directed towards meeting the cost of providing services with broader public benefit; and

WHEREAS, in 2004, the City conducted a Permit Cost Recovery Study and the City Council established a goal to recover 85% of the cost of delivering development services; and

WHEREAS, in 2015 the City conducted a Development Services Cost of Service and Fee Study, which supports continuation of the 85% cost recovery target established in 2004, and includes recommendations for policies related to a target fund balance and establishment of reserves to address the City's cost of services of managing development;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE that the following policies are hereby established to manage the Development Fee Revenue Fund:

Policy 1: Target Cost Recovery

The cost recovery target for development services is 85%, recognizing that a portion of the cost of providing development services benefits the entire community and should be borne by the City's General Fund. The target is an overall weighted average that includes building fee, land use fee, and engineering fee cost recovery. Contracted services related directly to a development project, which are outside the expertise of City staff and special projects attributable directly to the development, will be recovered at 100%, (for example, hearing examiner reviews and services related directly to the project such as specialized inspections and plan reviews.) This does not include contracted services needed due to the capacity of City staff to meet the demand for service.

To maintain alignment between cost recovery policies, fees charged for permit review and inspection services, and the cost of providing services, the City will update the development forecast and analyze operating costs at least once every three years, which may result in adjustments to fees.

Policy 2: Target Fund Balance

Funds within the Fund will be used to reimburse costs related to management of development, including but not limited to: personnel, equipment, consulting services, direct and indirect support and overhead, and other costs attributable to management of development. Any funds not used to reimburse costs shall remain in the Fund.

The Fund shall maintain a target fund balance that is established annually during the budget process. The target fund balance shall include the amount of projected revenues plus the established target reserve balance.

Policy 3: Target Reserve Balance

The Fund shall also establish financial reserves. The target reserve balance will be evaluated annually during the budget process. The target reserve balance will take into account the following primary objectives for maintaining a reserve:

A. Deferred Workload Liability. Fees collected may be reserved for permits issued with anticipated development services costs to be incurred in the next calendar year or beyond. The amount to be reserved for this purpose shall be established at the end of each calendar year, and will be based on the development services remaining to be provided for permits associated with development projects of greater than \$1,000,000 estimated valuation.

B. Working Capital. Funds shall be used to maintain a balance of working capital cash. The target amount for this fund category is 17% of budgeted expenditures to be reimbursed, including all costs related to management of development as defined in Policy 2 above.

C. Core Operating Costs. Funds shall be used to maintain a minimum acceptable level of experienced and capable staffing during times of decreased workload and revenue, and the department's ability to provide services when permitting activity increases. The target amount for this fund category is one year of core development services operating costs, including all costs related to management of development as defined in Policy 2 above.

Policy 4: Technology Advancements, Equipment Replacement, and Administrative Account

Funds within the Fund shall be reserved to maintain, upgrade, and replace technology and equipment that benefits the users of development services. This technology account is in addition to the target reserve in policy 3. A technology and equipment surcharge (or fee) may be assessed to fund this account category. The budget needed for this account will be reviewed and updated annually in the preliminary City budget, based on anticipated technology and equipment needs. This will include, but may not be limited to:

- Software updates and licenses;
- Equipment maintenance and replacement lifecycles;
- Credit card payment processing fees; and
- Expected significant periodic expenditures, such as technology advancements needed to maintain or improve levels of service based on industry standards.

Policy 5: Exceeding the Target Reserve Fund Balance

Development fees shall correspond with the cost of delivering development services for permit applicants, contributing to the City's target cost recovery of 85% and target reserve fund balance. However, there may be years where an extended period of significant growth in development activity results in greater than anticipated revenues. If the average target reserve balance over a three year period exceeds the target balance by at least 15%, development fees shall be evaluated and adjusted downwards by up to 15% per year until the reserve meets the target balance.

Policy 6: Falling Short of the Target Reserve Fund Balance

Development fees shall correspond with the cost of delivering development services for permit applicants, contributing to the City's target cost recovery of 85% and target reserve fund balance. However, there may be years where an extended period of decline in development activity results in less than anticipated revenues. If the average target reserve balance over a three year period is less than the target balance by at least 15%, development fees shall be evaluated and adjusted upwards by up to 15% per year until the target reserve fund balance is aligned with cost recovery and target reserve fund balance policies.

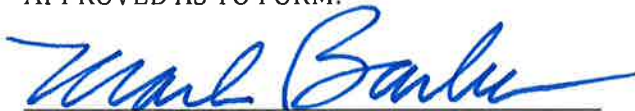
PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2017.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, CREATING A FUND
TO BE KNOWN AS THE DEVELOPMENT FEE REVENUE FUND.**

WHEREAS, the City of Olympia collects development fees to pay for the costs of managing development, including but not limited to personnel, equipment, consulting services, direct and indirect support and overhead, and other costs attributable to management of development and;

WHEREAS, the costs of management of development often are not incurred in the same fiscal year in which the fees are collected, and;

WHEREAS, administration of applying fees to costs related to management of development would be enhanced by the creation of a "Development Fee Revenue Fund.

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

Section 1. Development Fee Revenue Fund - Created. There is hereby created a fund to be known as the "Development Fee Revenue Fund" (the Fund).

Section 2. Development Fee Revenue Fund - Sources.

A. There shall be deposited into the Fund fees collected for management of development, including but not limited to: Building permits, electrical permits, plumbing permits, mechanical permits, engineering permits, zoning fees, subdivision fees, inspection fees, and plan check fees.

B. Fees deposited into the Fund shall be fees collected for management of development within the General Fund.

Section 3. Development Fee Revenue Fund - Uses. Funds within the Fund shall be used to reimburse costs related to management of development within the General Fund, including but not limited to: personnel, equipment, consulting services, direct and indirect support and overhead, and other costs attributable to management of development.

Section 4. Development Fee Revenue Fund - Target Balance Fund. The City Council shall establish a Target Fund Balance for the Fund. The City Council shall establish policies for management of the Target Fund Balance, which shall address at minimum, actions to be taken when the Fund Balance exceeds or is less than the Target Fund Balance.

Section 5. Development Fee Revenue Fund - Processes. The City Manager shall establish processes to identify costs to be reimbursed by the Fund. For Fiscal Year 2015, the amount to be reimbursed by the Fund shall be the budget amount of development fees.

Section 6. Development Fee Revenue Fund - Transfers. If the City Council closes or discontinues the Fund, any remaining funds in the Fund shall be transferred to the General Fund of the City.

Section 7. 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 8. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 9. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PASSED: 11/24/2015

APPROVED: 11/24/2015

PUBLISHED: 11/27/2015



City Council

Approval of Amendment to Ordinance 6983 - Development Fee Revenue Fund

Agenda Date: 2/14/2017
Agenda Item Number: 4.G
File Number: 17-0152

Type: ordinance **Version:** 1 **Status:** 1st Reading-Consent

Title

Approval of Amendment to Ordinance 6983 - Development Fee Revenue Fund

Recommended Action

Committee Recommendation:

Not referred to Committee.

City Manager Recommendation:

Move to approve the ordinance amending Ordinance 6983 on first reading and move to second reading.

Report

Issue:

Whether to amend Ordinance 6983 which established the Development Fee Revenue Fund, which expand the authorized uses of the Fund beyond just reimbursing the General Fund for costs related to management of development.

Staff Contact:

Dean Walz, Fiscal Services Director, Administrative Services, 360.753.8465

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

In November 2015 the Council adopted Ordinance 6983 which established the Development Fee Revenue Fund.

The ordinance limited the use of the Fund to reimbursement of costs related to management of development within the General Fund. Costs within the General Fund which are reimbursed by the Fund are reimbursed at 85 percent of cost by policy. Since the adoption of the ordinance, staff members have determined that certain expenses related to development should be paid at 100 percent of costs. An example of this is contracted services in areas the City does not have expertise.

Neighborhood/Community Interests (if known):

None.

Options:

1. Adopt the proposed ordinance.
2. Direct staff to make changes to the proposed ordinance.
3. Do not adopt the ordinance.

Financial Impact:

No additional costs.

Attachments:

Ordinance.

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING
SECTIONS 2 AND 3 OF ORDINANCE NO. 6983, WHICH CREATED THE
DEVELOPMENT FEE REVENUE FUND.**

WHEREAS, this ordinance and Ordinance No. 6983 are written to be consistent with RCW 82.02.020; and

WHEREAS, the City of Olympia collects development fees to pay for the costs of managing development, including but not limited to personnel, equipment, consulting services, direct and indirect support and overhead, and other costs attributable to management of development; and

WHEREAS, the costs of management of development often are not incurred in the same fiscal year in which the fees are collected; and

WHEREAS, the Development Fee Revenue Fund was created by Ordinance No. 6983 on November 24, 2015; and

WHEREAS, it is desirable that certain expenses be paid directly from the Fund; and

WHEREAS, the City Council concludes that Ordinance No. 6983 should be amended;

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

Section 1. Section 2 of Ordinance No. 6983 is hereby amended as follows:

Section 2. Development Fee Revenue Fund - Sources.

A. There shall be deposited into the Fund fees collected for management of development, including but not limited to: Building permits, electrical permits, plumbing permits, mechanical permits, engineering permits, zoning fees, subdivision fees, inspection fees, and plan check fees.

B. Fees deposited into the Fund shall be fees collected for management of development within the General Fund.

Section 2. Section 3 of Ordinance No. 6983 is hereby amended as follows:

Section 3. Development Fee Revenue Fund - Uses. Funds within the Fund shall be used to reimburse costs related to management of development including reimbursement of costs incurred within the General Fund, including but not limited to: personnel, equipment, consulting services, direct and indirect support and overhead, and other costs attributable to management of development.

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 five (5) days after publication, as provided by law.

CHERYL SELBY, MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Nienaber DCA

CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



City Council

Approval of Resolution Authorizing the Use of General Funds Towards the Acquisition of Real Property from the Dawley Trusts for Use for Future Multi-Residential/Commercial Use

Agenda Date: 2/14/2017
Agenda Item Number: 6.A
File Number: 17-0163

Type: resolution **Version:** 1 **Status:** Other Business

Title

Approval of Resolution Authorizing the Use of General Funds Towards the Acquisition of Real Property from the Dawley Trusts for Use for Future Multi-Residential/Commercial Use

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve a Resolution authorizing the use of General Funds towards the acquisition of real property from the Dawley Trusts for ten (10) acres to be set aside for future development of a multi-residential/commercial area in conjunction with the City's purchase of the property commonly known as "Bentridge" from Gregg O. Dawley and Kristi A. Dawley, as trustees of the Dawley Family Trust dated October 16, 2008, Douglas L. Dawley and Paula P. Dawley, as trustees of the Revocable Trust of Douglas L. Dawley dated April 2, 2004, and Shirley G. Dawley, as trustee of the Robert E. Dawley Trust, dated November 8, 1983.

Report

Issue:

Whether to approve a Resolution authorizing the use of General Funds towards the purchase and use of 10 acres in the southwest quadrant of the real property commonly known as the "Bentridge" property for future use as a multi-residential/commercial area?

Staff Contact:

Mark Barber, City Attorney, 360.753.8223

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

The City of Olympia has entered into a Real Estate Purchase and Sale Agreement to acquire the

property commonly known as “Bentridge” from Gregg O. Dawley and Kristi A. Dawley, as trustees of the Dawley Family Trust, dated October 16, 2008, Douglas L. Dawley and Paula P. Dawley, as trustees of the Revocable Trust of Douglas L. Dawley dated April 2, 2004, and Shirley G. Dawley, as trustee of the Robert E. Dawley Trust, dated November 8, 1983, for public open space. The “Bentridge” property consists of about 72 acres, more or less.

Multi-residential housing and a commercial area would require about 10 acres, more or less, of the property being acquired by the City from the Dawley Trusts. The City has negotiated to purchase the 72-acre “Bentridge” property from the Dawley Trusts for a total price of \$6,900,000 or \$95,833 per acre. City staff recommends using General City Funds in the sum of \$958,333 towards the City’s purchase of the Bentridge property for the 10 acres needed for multi-residential/commercial use.

Neighborhood/Community Interests (if known):

There is community interest in preserving and acquiring the area commonly referred to as LBA Woods (Bentridge) as open space and for parks use. The future 10 acre multi-residential/commercial area in the southwest quadrant of the “Bentridge” property would permit needed housing and a neighborhood commercial/retail area in southeast Olympia.

Options:

1. Approve the Resolution to use General City funds in the amount of \$958,333 for a 10-acre portion of the Bentridge property for future use as a multi-residential/commercial area in the southwest quadrant of the “Bentridge” property.
2. Do not approve the use of \$958,333 in General City funds for a 10-acre portion of the purchase of the “Bentridge” real property for use as a multi-residential/commercial area in the southwest quadrant of the Bentridge property.

Financial Impact:

Council has previously appropriated General City funds in the amount of \$958,333 to be applied towards the purchase of the “Bentridge” property for acquisition of 10 acres for use as a multi-residential/commercial area in the southwest quadrant of the “Bentridge” property.

Attachments:

Resolution.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA,
WASHINGTON, AUTHORIZING THE USE GENERAL FUNDS TOWARDS THE
ACQUISITION OF REAL PROPERTY FROM THE DAWLEY TRUSTS FOR TEN
ACRES TO BE USED IN THE FUTURE FOR MULTI-RESIDENTIAL/COMMERCIAL
USE.**

WHEREAS, on December 6, 2016, the Olympia City Council approved Resolution No. M-1856, authorizing the exercise of an Option to Purchase Real Estate from the Dawley Trusts (the Dawley Option) for the property commonly known as Bentrige, consisting of 72 acres more or less; and

WHEREAS, pursuant to the terms of the Dawley Option the City sent a letter dated January 3, 2017, to Gregg O. Dawley and Kristi A. Dawley, as trustees of the Dawley Family Trust, dated October 16, 2008, Douglas L. Dawley and Paula P. Dawley, as trustees of the Revocable Trust of Douglas L. Dawley dated April 2, 2004, and Shirley G. Dawley, as trustee of the Robert E. Dawley Trust, dated November 8, 1983, exercising the option to purchase the Bentrige property; and

WHEREAS, the City of Olympia subsequently entered into a Real Estate Purchase and Sale Agreement with an effective date of January 30, 2017, to purchase the aforesaid real property on or before March 1, 2017, for \$6,900,000.00, minus \$1,000,000.00 in an option payment previously made by the City; and

WHEREAS, there is a future need for a multi-residential/commercial area upon ten (10) acres of the Bentrige property in the southeast Olympia area; and

WHEREAS, based upon a cost per acre of \$95,833 and the need for a multi-residential/commercial area in southeast Olympia consisting of ten (10) acres, more or less, the cost for acquisition which is \$958,333.00, and this amount should be paid by using General City Funds into escrow as part of the acquisition costs for purchase of the Bentrige property from Gregg O. Dawley and Kristi A. Dawley, as trustees of the Dawley Family Trust, dated October 16, 2008, Douglas L. Dawley and Paula P. Dawley, as trustees of the Revocable Trust of Douglas L. Dawley dated April 2, 2004, and Shirley G. Dawley, as trustee of the Robert E. Dawley Trust, dated November 8, 1983; and

WHEREAS, the City Council has determined that upon the City of Olympia coming into title of the Bentrige property, the City should take all necessary and appropriate steps to determine the boundaries of the ten (10) acres to be used for multi-residential/commercial use in the southwest quadrant of the Bentrige property; and

WHEREAS, the principal portion of the Bentrige property, consisting of 59 acres more or less, shall be for park and open space purposes;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The City shall fund a portion of the purchase of the Bentrige property by use of \$958,333.00 of General City Funds for ten (10) acres at a cost of \$95,833.00 per acre for future multi-residential/commercial development.

2. Upon receiving title to the Bentrige property from Gregg O. Dawley and Kristi A. Dawley, as trustees of the Dawley Family Trust, dated October 16, 2008, Douglas L. Dawley and Paula P. Dawley, as trustees of the Revocable Trust of Douglas L. Dawley dated April 2, 2004, and Shirley G. Dawley, as trustee of the Robert E. Dawley Trust, dated November 8, 1983, the City of Olympia shall take all necessary and appropriate steps to determine the boundaries of the ten (10) acres to be generally located in the southwest quadrant of the Bentrige property for future multi-residential/commercial use.
3. The City Manager is directed and authorized to execute all documents necessary now and in the future to determine the boundaries of and applications for the aforesaid ten (10) acres for future multi-residential/commercial use once the City of Olympia receives title to the Bentrige property from Gregg O. Dawley and Kristi A. Dawley, as trustees of the Dawley Family Trust, dated October 16, 2008, Douglas L. Dawley and Paula P. Dawley, as trustees of the Revocable Trust of Douglas L. Dawley dated April 2, 2004, and Shirley G. Dawley, as trustee of the Robert E. Dawley Trust, dated November 8, 1983.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of February, 2017.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY